

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, January 31, 2023

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

ORDINANCE

230097 [De-Appropriation and Appropriation - District 10 General City Responsibility - District 10 Projects and Services - Various Departments - \$250,000 - FY2022-2023]

Sponsor: Walton

Ordinance de-appropriating \$250,000 from General City Responsibility and re-appropriating \$170,000 to the Human Rights Commission for District 10 safety plan implementation, youth activities such as sports, mentoring, college exploration, and on-site school support to District 10 schools, and \$80,000 to the Department of Children, Youth and Their Families for District 10 sports programming for basketball and football in Fiscal Year (FY) 2022-2023. ASSIGNED to Budget and Finance Committee.

RESOLUTIONS

230099 [Accept and Expend Grant - Retroactive - San Francisco Bay Restoration Authority - Heron's Head Park Shoreline Resilience Project - \$796,100]

Sponsors: Mayor; Walton and Peskin

Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant in the amount of \$796,100 from the San Francisco Bay Restoration Authority to fund the Heron's Head Park Shoreline Resilience Project from January 2023, through December 2033; and to authorize the Port Executive Director to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Port). RECEIVED AND ASSIGNED to Budget and Finance Committee.

230100 [Tax Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation (Series 1 and Series 2) - To Fund Board Approved Capital Projects Not to Exceed \$150,000,000]

Sponsor: Mayor

Resolution re-authorizing the issuance of Tax-Exempt Lease Revenue Commercial Paper Certificates of Participation, Series 1 and Series 2, and Taxable Lease Revenue Commercial Paper Certificates of Participation, Series 1-T and Series 2-T, in an aggregate principal amount not to exceed \$150,000,000 to finance the acquisition, construction, and rehabilitation of capital improvements and capital equipment approved by the Board of Supervisors and the Mayor; authorizing the delivery of an alternate credit facility in the principal amount of \$163,500,000; and approving and authorizing the execution of a second supplement to trust agreement, a second amendment to site lease, a second amendment to sublease, a revolving credit agreement, a fee agreement, an offering memorandum, and certain other related financing documents, and authorizing other related actions, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

230101 [Multifamily Housing Revenue Bonds - 4200 Geary - Not to Exceed \$60,000,000]

Sponsors: Mayor; Chan

Resolution authorizing the issuance and delivery of tax-exempt multifamily housing revenue bonds in an aggregate principal amount not to exceed \$60,000,000 for the purpose of providing financing for the construction of a 98-unit, affordable multifamily residential rental housing project for seniors located at 4200 Geary Boulevard within the City; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a loan agreement; approving the form of an authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving modifications, changes and additions to the documents; authorizing the collection of certain fees; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$60,000,000 to finance the acquisition and construction of the 4200 Geary apartments; ratifying and approving any action heretofore taken in connection with the bonds and the Project, as defined herein; granting general authority to City officials to take actions and execute any other documents necessary to implement this Resolution, as defined herein; and related matters, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

230102 [Acquisition of Real Property - 4200 Geary Associates, L.P. - 4200 Geary Boulevard - 100% Affordable Housing - \$11,064,369 - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$20,537,592]

Sponsors: Mayor; Chan

Resolution 1) approving and authorizing the Director of Property, on behalf of the Mayor's Office of Housing and Community Development ("MOHCD"), to acquire Real Property located at 4200 Geary Boulevard ("Property") from 4200 Geary Associates, L.P. ("Borrower") for \$11,064,369 under an Agreement for Purchase and Sale ("Purchase Agreement"); 2) placing the Property under the jurisdiction of MOHCD for use in constructing affordable housing for San Franciscans; 3) approving and authorizing the Director of Property and the Director of MOHCD to enter into a Ground Lease to lease the Property back to the Borrower for a term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 ("Ground Lease") in order to construct a 100% affordable, 98-unit multifamily rental housing development affordable to low-income senior households, including one manager unit and ancillary commercial space (the "Project"); 4) approving and authorizing an Amended and Restated Loan Agreement in an amount not to exceed \$20,537,592 for a minimum loan term of 57 years ("Loan Agreement") to finance the development and construction of the Project; 5) adopting findings declaring that the Property is "exempt surplus land" pursuant to the California Surplus Lands Act; 6) determining that the less than market rent payable under the Ground Lease will serve a public purpose by providing affordable housing for low-income households in need, in accordance with Section 23.3 of the Administrative Code; 7) adopting findings that the Project and proposed transactions are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 8) authorizing the Director of Property and/or the Director of MOHCD to make certain modifications to the Purchase Agreement, Ground Lease, and Loan Agreement, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

230103 [Accept and Expend Grant - Retroactive - Heluna Health - Patient-Centered Outcomes Research Institute (PCORI) - \$133,515]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$33,632 from the Patient-Centered Outcomes Research Institute (PCORI) through Heluna Health for a total amount of \$133,515 for participation in a program, entitled "Patient-Centered Outcomes Research Institute (PCORI)," for the period of October 1, 2020, through September 30, 2021. RECEIVED AND ASSIGNED to Budget and Finance Committee.

230104 [Accept and Expend Grant - Retroactive - Heluna Health - Patient-Centered Outcomes Research Institute (PCORI) - \$134,528]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$34,645 from the Patient-Centered Outcomes Research Institute (PCORI) through Heluna Health for a total amount of \$134,528 for participation in a program, entitled "Patient-Centered Outcomes Research Institute (PCORI)," for the period of October 1, 2021, through September 30, 2022. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 230105 [Execute Standard Agreement and Accept and Expend - Retroactive - California Business Consumer Service and Housing Agency - Encampment Resolution Funding Program - Not to Exceed \$10,849,033]**
Sponsor: Mayor
 Resolution retroactively authorizing the Department of Homelessness and Supportive Housing (“HSH”) to execute a Standard Agreement with the California Business, Consumer Service and Housing Agency (“BCHS”), through the California Interagency Council on Homelessness, for a total amount not to exceed \$10,849,033 of Encampment Resolution Funding Program grant funds; to retroactively accept and expend those funds to support people experiencing unsheltered homelessness for costs incurred upon approval of the Standard Agreement by BCHS through June 30, 2025; and authorizing HSH to enter into any additions, amendments, or other modifications to the Standard Agreement and grant documents that do not materially increase the obligations or liabilities of the City or materially decrease the benefits to the City. (Department of Homelessness and Supportive Housing). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230106 [Declaring the Intent to Waive Fee for Major Encroachment Permit - Burnside Mosaic Steps]**
Sponsor: Mandelman
 Resolution of intent to waive the Major Encroachment Permit fee and ongoing fees, including the annual assessment and street improvement annual assessment fees, for the Burnside Mosaic Steps. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230107 [Condemning Azerbaijan’s Blockade Of Artsakh]**
Sponsors: Peskin; Melgar, Dorsey, Safai, Mandelman and Stefani
 Resolution condemning Azerbaijan’s Blockade of the Armenians of Nagorno-Karabakh (Artsakh) and ongoing human rights violations. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230108 [Black History Month - February 2023]**
Sponsor: Walton
 Resolution recognizing and celebrating Black History Month in the City and County of San Francisco during the month of February 2023. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230109 [Accepting the Draft San Francisco Reparations Plan of the African American Reparations Advisory Committee]**
Sponsor: Walton
 Resolution accepting the Draft San Francisco Reparations Plan of the African American Reparations Advisory Committee. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

- 230114 [Committee of the Whole - Place for All Report - March 21, 2023, at 3:00 p.m.]**
Sponsors: Mandelman; Stefani, Safai and Dorsey
 Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 21, 2023, at 3:00 p.m., to hold a public hearing to consider the Place for All Report; and requesting the Department of Homelessness and Supportive Housing to report. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 230083 [Reappointment, Bicycle Advisory Committee - Whitney Ericson]**
Motion reappointing Whitney Ericson, term ending November 19, 2024, to the Bicycle Advisory Committee. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230098 [Mayoral Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Tamsen Drew]**
Motion confirming/rejecting the Mayor's nomination for appointment of Tamsen Drew to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure), for a four-year term ending November 3, 2026. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.
- 230110 [Findings to Allow Teleconferenced Meetings During Declared Emergency]**
Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230116 [Reappointment, Bicycle Advisory Committee - Brandon Powell]**
Motion reappointing Brandon Powell, term ending November 19, 2024, to the Bicycle Advisory Committee. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230117 [Appointment, Park, Recreation, and Open Space Advisory Committee - Sophie Constantinou]**
Motion appointing Sophie Constantinou, term ending February 1, 2025, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230118 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Anne Cervantes]**
Motion appointing Anne Cervantes, term ending October 19, 2023, to the Eastern Neighborhoods Citizens Advisory Committee. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230095 [Reappointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Matt Dorsey]**
Motion reappointing Supervisor Matt Dorsey, term ending January 31, 2025, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.
- 230096 [Reappointment, Golden Gate Bridge, Highway and Transportation District, Board of Directors - Supervisor Catherine Stefani]**
Motion reappointing Supervisor Catherine Stefani, term ending January 31, 2025, to the Golden Gate Bridge, Highway and Transportation District, Board of Directors. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

- 230111 [Hearing - Budget Priorities - Youth Commission - FYs 2023-2024 and 2024-2025]**
Sponsor: Chan
Hearing to identify the Youth Commission's budget priorities for Fiscal Years (FYs) 2023-2024 and 2024-2025; and requesting the Youth Commission to report. RECEIVED AND ASSIGNED to Budget and Appropriations Committee.
- 230112 [Hearing - Strategies for Fire Prevention in Residential Apartment Buildings]**
Sponsors: Preston; Walton and Peskin
Hearing on strategies for apartment building fire prevention and support for victims, including current City protocols and resources available for those facing displacement; and requesting the San Francisco Fire Department and the Human Services Agency to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230113 [Hearing - DPH Activities Related to the Health Care Security Ordinance and the San Francisco City Option Escheatment Policy]**
Sponsor: Stefani
Hearing on the Health Care Security Ordinance and implementation of the San Francisco City Option Escheatment Policy, approved by the Health Commission on January 4, 2022; and requesting Department of Public Health (DPH), Office of the Controller, Office of the Treasurer and Tax Collector, and San Francisco Health Plan to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 230078 [Hearing - Committee of the Whole - Draft San Francisco Reparations Plan and Dream Keeper Initiative Updates - February 7, 2023, at 3:00 p.m.]**
Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, February 7, 2023, at 3:00 p.m., to hold a public hearing on the Draft San Francisco Reparations Plan and Dream Keeper Initiative updates; and requesting the Human Rights Commission, the African American Reparations Advisory Committee, and the Dream Keeper Initiative to present; scheduled pursuant to Motion No. M23-021 (File No. 230077), approved on January 31, 2023. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

- 230045 [Settlement of Lawsuit - Andrea Cervantes - \$400,000]**
Ordinance authorizing settlement of the lawsuit filed by Andrea Cervantes against the City and County of San Francisco for \$400,000; the lawsuit was filed on August 10, 2020, in San Francisco Superior Court, Case No. CGC-20-586083; entitled Andrea Cervantes v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230046 [Settlement of Lawsuit - Erica Zweig - \$85,000]
Ordinance authorizing settlement of the lawsuit filed by Erica Zweig against the City and County of San Francisco for \$85,000; the lawsuit was filed on August 20, 2021, in San Francisco Superior Court, Case No. CGC-21-594634; entitled Erica Zweig v. City and County of San Francisco; the lawsuit involves an alleged trip and fall on a City Street. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

230047 [Settlement of Unlitigated Claim - SF Vertigo LLC - \$3,367,576]
Resolution approving the settlement of the unlitigated claim filed by SF Vertigo LLC against the City and County of San Francisco by payment of \$3,367,576; the claim was filed on November 16, 2022; the claim involves allegations of property damage to the Hotel Vertigo caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230048 [Settlement of Unlitigated Claim - Tapjoy, Inc. - \$54,242.10]
Resolution approving the settlement of the unlitigated claim filed by Tapjoy, Inc. against the City and County of San Francisco for \$54,242.10; the claim was filed on September 3, 2022; the claim involves a refund of Gross Receipts Tax. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230049 [Modification to License and Services Agreement - Airport Research and Development Foundation - Application-Based Commercial Ground Transportation Trip Fee Collection Services - Aggregate Amount Not to Exceed \$1,970,000]
Resolution approving Modification No. 3 to License and Services Agreement No. 50037 between the City and County of San Francisco, acting by and through its Airport Commission, and Airport Research and Development Foundation, a not-for-profit corporation, to extend the Services Term of the Agreement for two years through March 12, 2025, and cap the payment of the Administrative Services Fee by City at up to \$144,000 annually for the period of March 13, 2023, through March 12, 2025, for an aggregate amount not to exceed \$1,970,000. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

230050 [Agreement Amendment - AT&T dba AT&T Mobility - Wireless Communications Services - Not to Exceed \$18,582,078]
Resolution authorizing the Department of Technology approving the first amendment with AT&T dba AT&T Mobility to purchase cellular voice and data services for City departments to extend the agreement term by four years and one month from May 23, 2023, for a total term of June 1, 2020, through June 30, 2027; and increasing the agreement amount by \$9,082,078 for a total contract amount of \$18,582,078 pursuant to Charter, Section 9.118. (Department of Technology). RECEIVED AND ASSIGNED to Budget and Finance Committee.

230051 [Agreement Amendment - AT&T dba AT&T Mobility - Public Safety-Grade Wireless Communications Services - Not to Exceed \$22,252,968]

Resolution authorizing the Department of Technology approving the first amendment with AT&T dba AT&T Mobility to purchase public safety-grade wireless communications services for first responders with no change to the term of up to five years and four months, increasing the agreement amount by \$13,252,968 for a total contract amount of \$22,252,968 pursuant to Charter, Section 9.118. (Department of Technology). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – January 31, 2023

No Regular Board Meeting Minutes were approved.

Requests Granted

From: Supervisor Catherine Stefani

To: The San Francisco Police Department, the San Francisco Sheriff's Department, the Office of the District Attorney, and the Adult Probation Department

Requests: Requesting details on what current procedures are in place when contracting with vendors who may have violated federal firearm laws; and a response to a letter and report issued by the San Francisco Chapter of Brady United Against Gun Violence, dated January 26, 2023.

From: Supervisor Rafael Mandelman

To: The Department of Emergency Management

Requests: Requesting a description of resources that would be needed to ensure prompt citywide removal of encampments within 24 hours, provided shelter were available, and an estimate of the cost of these resources, including all necessary staffing.

In Memoriam

Charlie Turner Walker – Supervisor Shamann Walton