

# Board of Supervisors



City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689  
Tel. No. 415-554-5184  
TDD No. 415-554-5227

## Legislation Introduced at Roll Call

Tuesday, March 7, 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.*

### ORDINANCES

**230160 [Administrative Code - Establishing the Enhanced Infrastructure Financing District Public Financing Authority No. 1]**

**Sponsors:** Mayor; Walton

Ordinance amending the Administrative Code to establish and define the membership and duties of the Enhanced Infrastructure Financing District Public Financing Authority No. 1. SUBSTITUTED AND ASSIGNED to Rules Committee.

**230256 [Administrative Code - Delegation of Board of Supervisors Authority to Amend Certain Leases for 100% Affordable Housing]**

**Sponsor:** Mayor

Ordinance amending the Administrative Code to delegate Board of Supervisors approval authority under Charter, Section 9.118 and Administrative Code, Section 23.30 to the Real Estate Division and the Mayor's Office of Housing and Community Development to amend certain existing leases regarding residual rent payments and lender protections for 100% affordable housing projects. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**230257 [Appropriation - Ambulance Service Revenue - Fire Department - \$4,236,098 - De-Appropriation and Appropriation - Various Departments - \$63,701,785 - FY2022-2023]**

**Sponsor:** Mayor

Ordinance appropriating \$4,236,098 in Ambulance Service Revenue in the Fire Department, de-appropriating \$59,465,687 from permanent salaries and mandatory fringe benefits, and appropriating \$62,547,210 to overtime in the Department of Emergency Management, Department of Public Health, Department of Public Works, Fire Department, San Francisco Public Utilities Commission, and the Sheriff's Department and appropriating \$1,154,575 to Materials and Supplies in the Fire Department, in order to support the Departments' projected increases in overtime as required per Administrative Code, Section 3.17, in Fiscal Year (FY) 2022-2023; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors, pursuant to Charter, Section 9.113(c). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 230258 [Accept and Expend Grant and Annual Salary Ordinance Amendment - Retroactive - United States Department of Justice - STOP School Violence Program - \$1,000,000]**  
**Sponsor:** Mayor  
 Ordinance retroactively authorizing the Department of Children Youth and Their Families to accept and expend a grant in the amount of \$1,000,000 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for participation in a program, entitled "STOP School Violence Program," for the period of October 1, 2022, through September 30, 2024; and amending Ordinance No. 162-22 (Annual Salary Ordinance for Fiscal Years (FY) 2022-2023 and 2023-2024) to provide for the addition of one grant-funded full-time position in Class 1824 Principal Administrative Analyst (0.25 FTE in FY2022-2023, 1.0 FTE in FY2023-2024). (Department of Children, Youth & Their Families). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 230259 [Memorandum of Understanding - San Francisco Police Officers' Association]**  
**Sponsor:** Mayor  
 Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association, to be effective July 1, 2023, through June 30, 2026. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.
- 230260 [Administrative Code - COVID-19 Tenant Protections]**  
**Sponsors:** Preston; Walton  
 Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency. ASSIGNED to Land Use and Transportation Committee.
- 230217 [Grant Agreement - Planned Parenthood Northern California - Security Services - Not to Exceed \$400,000 - Waiver of Competitive Solicitation Requirement]**  
**Sponsor:** Stefani  
 Ordinance authorizing the Department of Public Health to award a one-time grant to Planned Parenthood Northern California by waiving the competitive solicitation requirements of Administrative Code, Chapter 21G for the purpose of funding security personnel to support access to family planning and other sexual and reproductive healthcare services in an amount not to exceed \$400,000, for a term not to exceed two years. (Public Health Department). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

## **RESOLUTIONS**

- 230261 [Apply for Grant - Mercy Housing California - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Transbay 2 East Family]**  
**Sponsors:** Mayor; Dorsey  
Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Mercy Housing California, for the 100% affordable housing project identified as Transbay 2 East Family; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230262 [Accept and Expend Grant - Retroactive - California Department of Community Services and Development - \$1,244,798.66 and \$103,243.80]**  
**Sponsor:** Mayor  
Resolution retroactively authorizing the San Francisco Public Utilities Commission to accept and expend federal funds sourced by the State Budget Act and administered by the California Department of Community Services and Development, in the total amounts of \$1,244,798.66 and \$103,243.80 respectively, to assist eligible CleanPowerSF and Hetch Hetchy Power residential customer accounts who accrued customer account arrears due to the COVID-19 pandemic between March 4, 2020, through December 31, 2021. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230263 [Conveyance of Real Property - Land Dedication by 598 Brannan Street Phase 1, L.L.C. - 160 Freelon Street - Inclusionary Affordable Housing]**  
**Sponsor:** Mayor  
Resolution approving and authorizing an agreement with 598 Brannan Street Phase 1, L.L.C. for the conveyance of a parcel of real estate, consisting of approximately 12,800 square feet of land within Assessor's Parcel Block No. 3777, located at 160 Freelon Street in the City and County of San Francisco to the Mayor's Office of Housing and Community Development pursuant to the land dedication process permitted under Planning Code, Section 249.78(e)(2)(B); adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain 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, and take certain actions in furtherance of this Resolution, as defined herein. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 230264 [Japantown Cultural Heritage District's Cultural, History, Housing, and Economic Sustainability Strategy Report]**  
**Sponsors:** Mayor; Chan, Safai, Engardio and Peskin  
Resolution adopting the Japantown Cultural Heritage District's Cultural, History, Housing, and Economic Sustainability Strategy ("CHHESS") Report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

- 230265 [Ten-Year Capital Expenditure Plan - FYs 2024-2033]**  
**Sponsor:** Mayor  
 Resolution adopting the City's Ten-Year Capital Expenditure Plan for Fiscal Years (FYs) 2024-2033 pursuant to Administrative Code, Section 3.20. RECEIVED AND ASSIGNED to Budget and Appropriations Committee.
- 230229 [Accept and Expend Grant - Retroactive - Public Defender's Adachi Project - Ford Foundation Grant - \$200,000]**  
**Sponsor:** Chan  
 Resolution retroactively approving the Public Defender's Office's participation in applying for and directing the expenditure of a grant from the Ford Foundation to Even/Odd, LLC in collaboration with the creative collective Compound for implementation of the Adachi Project in the amount of \$200,000 for the period of May 1, 2022, through May 1, 2024. (Public Defender). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230266 [Initiating Landmark Designation - Alexandria Theatre]**  
**Sponsor:** Chan  
 Resolution initiating a landmark designation under Article 10 of the Planning Code for the Alexandria Theatre, at 5400 Geary Boulevard, Assessor's Parcel Block No. 1450, Lot No. 048. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230267 [Supporting California State Senate Bill Nos. 43 and 363 (Eggman) - Legislation Modernizing Our Behavioral Health Continuum]**  
**Sponsors:** Mandelman; Safai, Melgar, Engardio and Peskin  
 Resolution urging the California State Legislature to pass California State Senate Bill Nos. 43 and 363, introduced by California Senator Susan Eggman, to amend the Lanterman-Petris-Short Act and Chapter 2 of Division 2 of the Health and Safety Code. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 230268 [Supporting Proposed Changes to BAAQMD Rules 9-4 and 9-6: Zero-Emission Appliance Standards]**  
**Sponsors:** Mandelman; Peskin  
 Resolution supporting Bay Area Air Quality Management District's (BAAQMD) proposed Regulation 9 Rules 4 and 6; Rules 9-4 and 9-6 as amended would require new furnaces, water heaters, and boilers sold or installed in the Bay Area to be pollution-free as early as 2027. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230269 [Commemorative Street Plaque - Judith Heumann - United Nations Plaza]**  
**Sponsors:** Melgar; Safai  
 Resolution authorizing the placement of a commemorative plaque or statuary in United Nations Plaza in memory of Judith Heumann; directing the Department of Public Works to carry out the installation of the aforementioned plaque or statuary. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

- 230270 [Urging Amendments to the Brown Act to Allow for Remote Participation Accommodations on Boards and Commissions Due to Pregnancy, Childbirth, Breastfeeding, and Other Related Medical Conditions]**  
**Sponsors:** Melgar; Stefani  
Resolution urging Governor Gavin Newsom, State Senator Scott Wiener, Assembly Members Phil Ting, and Matt Haney to amend the Brown Act to allow for remote participation accommodations on boards and commissions due to pregnancy, childbirth, breastfeeding, and other related medical conditions. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230278 [Urging the Recreation and Parks Department to Adopt Immediate Changes to its Acquisition Strategies to Serve the Tenderloin, Lower Polk and Lower Nob Hill Neighborhoods]**  
**Sponsors:** Peskin; Preston and Chan  
Resolution urging the Recreation and Parks Department and its Commission to immediately adopt flexible criteria for its acquisition of potential open space and green recreation, parklet and pocket park sites in the Tenderloin, Lower Polk and Lower Nob Hill, including prioritizing smaller parcels of 2,000 square feet to 5,000 square feet, that would not require years of demolition and construction, but rather think strategically about a holistic approach that maximizes more parcels if they must be necessarily smaller by design, and urging them to make considerable progress by the end of this calendar year on the voter-mandated equity priorities in its Open Space Acquisition plan. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230271 [Urging the California State Legislature to Provide Supplemental CalFresh Benefits]**  
**Sponsors:** Preston; Walton and Peskin  
Resolution urging the California State Legislature to provide supplemental CalFresh benefits to offset the loss of emergency CalFresh benefits. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230272 [Urging City Departments to Initiate a Public Education Campaign and Raise Awareness on the Availability of the Employee Retention Tax Credit]**  
**Sponsors:** Stefani; Dorsey, Engardio, Melgar, Preston, Peskin, Safai and Mandelman  
Resolution urging the Office of Economic and Workforce Development and the Office of Small Business to initiate a public education campaign and raise awareness on the availability of the Employee Retention Tax Credit; and to coordinate with the Office of Civic Engagement and Immigrant Affairs to ensure that materials are made available in languages other than English. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230273 [Declaring the Intent to Waive Fee for Major Encroachment Permit - Pasadena-Velasco Hillside Open Space Project]**  
**Sponsor:** Walton  
Resolution of intent to waive the Major Encroachment Permit fee and ongoing fees, including the street improvement permit, annual assessment, and street improvement annual assessment fees, for the Pasadena-Velasco Hillside Open Space Project. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**230274 [Supporting California State Assembly Bill No. 881 (Ting) - Be The Jury California]**  
**Sponsors:** Walton; Peskin, Mandelman and Preston  
Resolution supporting California State Assembly Bill No. 881, Be The Jury California, authored by Assembly Member Phil Ting, to increase jury diversity in California by eliminating economic hardship barriers with raising juror pay. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**230275 [Supporting California State Assembly Bill No. 1356 (Haney) - Mass Layoffs]**  
**Sponsors:** Walton; Safai  
Resolution supporting California State Assembly Bill No. 1356, Mass Layoffs, authored by Assembly Member Matt Haney, to expand the California Worker Adjustment and Retraining (WARN) Act to include coverage for contract workers, extend the required advance notice to 90 days, and ban companies from forcing workers to sign a non-disclosure agreement as a condition of receiving the WARN Act notice or pay. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **MOTIONS**

**230254 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Steve Heminger]**  
Motion approving/rejecting the Mayor's nomination for the reappointment of Steve Heminger to the Municipal Transportation Agency Board of Directors, term ending March 1, 2027. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

**230255 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Amanda Eaken]**  
Motion approving/rejecting the Mayor's nomination for the reappointment of Amanda Eaken to the Municipal Transportation Agency Board of Directors, term ending March 1, 2027. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

## **REQUESTS FOR HEARING**

**230276 [Hearing - Impact of the Housing Market on Below Market Rate Units]**  
**Sponsor:** Melgar  
Hearing on the changes in policies and procedures of the Below Market Rate (BMR) home ownership program at the Mayor's Office of Housing and how current market conditions and those changes in policy are affecting sellers of BMR units and other program participants; and requesting the City's Chief Economist and Director of the Mayor's Office of Housing and Community Development to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**230277 [Hearing - Sheriff's Department Oversight Board 2022 Annual Report]**  
**Sponsor:** Walton  
Hearing on the Sheriff's Department Oversight Board 2022 Annual Report; and requesting the Sheriff's Department Oversight Board to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## 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 ORDINANCE

#### **230203 [Settlement of Lawsuit - Christopher Wirowek - \$436,000]**

Ordinance authorizing settlement of the lawsuit filed by Christopher Wirowek against the City and County of San Francisco for \$436,000; the lawsuit was filed on July 27, 2020, in San Francisco Superior Court, Case No. CGC-20-585768; entitled Christopher Wirowek v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### PROPOSED RESOLUTIONS

#### **230204 [Airline and Airport 2023 Lease and Use Agreement]**

Resolution approving the 2023 Lease and Use Agreement between the City and County of San Francisco, acting by and through its Airport Commission, and 29 airlines to conduct flight operations at the San Francisco International Airport, for a term of ten years, from July 1, 2023, through June 30, 2033; affirming the Planning Department's determination under the California Environmental Quality Act; and to authorize the Airport Director to enter into modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

#### **230205 [Settlement of Unlitigated Claim - KHP III SF Sutter LLC - \$3,750,000]**

Resolution approving the settlement of the unlitigated claim filed by KHP III SF Sutter LLC against the City and County of San Francisco for \$3,750,000; the claim was filed on January 10, 2023; the claim involves allegations of property damage to the Kimpton Buchanan Hotel 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.

#### **230206 [Grant Agreement - Retroactive - Children's Council of San Francisco - Workforce Compensation and Administrative Services - Not to Exceed \$164,346,004]**

Resolution retroactively approving the grant agreement between the City and County of San Francisco and Children's Council of San Francisco for the provision of Early Care Workforce Compensation and Administrative Services to support the City's implementation of the San Francisco Citywide Plan for Early Care and Education (ECE) Workforce Development and Compensation Initiatives for the period of October 1, 2022, through June 30, 2025, in an amount not to exceed \$164,346,004. (Department of Early Childhood). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**230207 [Contract Agreement - Michelin North America, Inc. - SFMTA Tire Lease and Associated Services - Not to Exceed \$18,900,000]**

Resolution authorizing the Office of Contract Administration to enter into Contract 1000028080 between the City and County of San Francisco and Michelin North America, Inc., for the lease of tires and associated services for San Francisco Municipal Transportation Authority (SFMTA) buses and trolleys with an initial contract not to exceed amount of \$13,500,000 for five years and \$5,400,000 for an optional additional two years, for a total not to exceed amount of \$18,900,000 and total contract duration of seven years commencing on April 1, 2023, and ending on March 31, 2030. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.



**Clerk to Act – March 7, 2023**

**Board Meeting Minutes for January 31, 2023 were approved.**

**Requests Granted**

From Supervisor Hillary Ronen

To: The Honorable Secretary Alejandro Mayorkas and the Acting Executive Associate Director of the Department of Homeland Security

Requests: Requesting responses to the following questions:

- Given that the Board of Supervisors has rejected DHS' request for a waiver of the San Francisco Sanctuary Ordinance, will you extradite the individuals involved in these cases as within your power?
- What is the timeframe to conduct these extraditions?

From Supervisor Ahsha Safai

To: The Office of the City Attorney

Requests: Requesting a draft Ordinance to waive the initial Curbside Parklet permit fee as set by Public Works Code Section 2.1.1(s), rebate individuals who have already paid the initial Curbside Parklet permit fee, and increase the threshold from \$2,000,000 to \$2,500,000 for the 50% reduction of the license fees for a Curbside Shared Space.

From: Supervisor Connie Chan

To: The San Francisco Municipal Transportation Agency and the San Francisco Fire Department

Requests: Requesting a citywide map indicating road conditions which delay emergency room response times.

**In Memoriam**

The Honorable Thomas Hsieh – The Entire Board of Supervisors

Dennis Yee – Supervisor Shamann Walton

Jason Chun Shing Tam – Supervisor Aaron Peskin

Larry “The Bucket Man” Hunt – Supervisor Aaron Peskin