

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, April 18, 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

230446 [Planning Code, Zoning Map - Housing Production]

Sponsors: Mayor; Engardio

Ordinance amending the Planning Code to encourage housing production, by 1) streamlining construction of housing citywide, but outside of Priority Equity Geographies, as defined; 2) streamlining development of housing on large lots 3) allowing construction of buildings to the allowable height limit; 4) streamlining review of State Density Bonus projects; 5) streamlining construction of additional units in lower density zoning districts; 6) streamlining process for senior housing; 7) exempting certain affordable housing projects from development fees; 8) amending rear yard, front setback, lot frontage and minimum lot size requirements; 9) amending residential open space requirements; 10) allowing additional uses on the ground floor in residential buildings; 11) allowing homeless shelters and group housing in residential districts; 12) expanding the eligibility for the Housing Opportunities Mean Equity - San Francisco (HOME - SF) program and density exceptions in residential districts; and 13) allowing administrative review of reasonable accommodations; amending the Zoning Map to create the Priority Equity Geographies Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

230447 [Building, Planning Codes - Existing Awning Amnesty Program]

Sponsors: Mayor; Peskin and Stefani

Ordinance amending the Building and Planning Codes to create a temporary amnesty program for unpermitted awnings that streamlines the application process to legalize awnings, waives applicable fees, and confers legal nonconforming status for awnings that do not comply with the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302. ASSIGNED to Land Use and Transportation Committee.

- 230448 [Memorandum of Understanding - San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 1]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 1, to be effective July 1, 2023, through June 30, 2026. ASSIGNED to Government Audit and Oversight Committee.
- 230449 [Memorandum of Understanding - San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 2]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 2, to be effective July 1, 2023, through June 30, 2026. ASSIGNED to Government Audit and Oversight Committee.
- 230450 [Transportation Code - Extension of Abandoned Vehicle Abatement Fee]**
Sponsor: Mayor
Ordinance amending the Transportation Code, Division I, to authorize the Service Authority for the Abatement of Abandoned Vehicles (the San Francisco Municipal Transportation Agency Board) to extend the \$1 abandoned vehicle abatement fee on all vehicles registered to City residents for ten years, from June 1, 2023, through May 31, 2033. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 230372 [Planning Code - Development Impact Fees for Commercial to Residential Adaptive Reuse Projects]**
Sponsors: Dorsey; Safai
Ordinance amending the Planning Code to exempt eligible Commercial to Residential Adaptive Reuse Projects from development impact fees, with the exception of inclusionary housing requirements; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302. SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 230451 [Administrative Code - Official Animal - Wild Parrot]**
Sponsors: Melgar; Peskin
Ordinance amending the Administrative Code to designate the wild parrot as the official animal of the City and County of San Francisco. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

RESOLUTIONS

230452 [Grant Agreement Amendment - Tenderloin Housing Clinic, Inc. - Crown, Winton, and National Hotels - Not to Exceed \$34,326,248]

Sponsor: Mayor

Resolution approving the first amendment to the grant agreement between the Tenderloin Housing Clinic, Inc. and the Department of Homelessness and Supportive Housing (“HSH”) for supportive services, property management, and master leasing for 187 units of permanent supportive housing at the Crown, Winton, and National Hotels; extending the grant term by 36 months for a total term of July 1, 2021, through June 30, 2026; increasing the agreement amount by \$24,336,248 for a total amount not to exceed \$34,326,248; and authorizing HSH to enter into any additions, amendments, or other modifications to the agreement that do not materially increase the obligations or liabilities, or materially decrease the benefits to the City. RECEIVED AND ASSIGNED to Budget and Finance Committee.

230453 [Accept and Expend Grant - Retroactive - Governor’s Office of Business and Economic Development - Cannabis Equity Grants Program for Local Jurisdictions - \$1,511,791.11]

Sponsor: Mayor

Resolution retroactively authorizing the Office of Cannabis to accept and expend a grant award in the amount of \$1,511,791.11 from April 1, 2023, through October 31, 2024, from the Governor’s Office of Business and Economic Development for the Local Equity Grants Program for Local Jurisdictions; authorizing the Office of Cannabis to execute the agreement with the Governor’s Office of Business and Economic Development, and any extensions, amendments, or contracts subsequent thereto, on behalf of the City and County of San Francisco; and indemnifying the Governor’s Office of Business and Economic Development for liability arising out of the performance of this contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.

230454 [Accept and Expend Grant - California Natural Resources Agency - Specified Grant - Japantown Peace Plaza Renovation Project - \$6,000,000]

Sponsor: Mayor

Resolution authorizing the Recreation and Park Department to accept and expend a Specified Grant in the amount of \$6,000,000 from the California Natural Resources Agency for the Japantown Peace Plaza Renovation Project; for a term effective upon execution of the Grant agreement, through March 1, 2026; to enter into the associated grant agreement; and to enter into modifications and amendments to the grant 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. (Recreation and Park Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

230455 [Accept and Expend Grant - United States Department of Housing and Urban Development - Economic Development Initiative Community Project Funding Grant - Japantown Peace Plaza Renovation Project - \$3,000,000]

**Revised for clerical correction to term date

Sponsor: Mayor

Resolution authorizing the Recreation and Park Department to accept and expend an Economic Development Initiative Community Project Funding Grant in the amount of \$3,000,000 from the United States Department of Housing and Urban Development for the Japantown Peace Plaza Renovation Project, for a term effective upon execution of the Grant agreement, through August 31, 2031; authorizing the Recreation and Park (RPD) Department to enter into the associated Grant agreement; and to authorize the RPD General Manager to enter into modifications and amendments to the grant 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. (Recreation and Park Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

230456 [Supporting Julie Su for United States Labor Secretary]

Sponsors: Chan; Peskin, Ronen, Preston and Melgar

Resolution supporting Julie Su and urging her timely confirmation as United States Secretary of Labor. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230457 [City Corporate Seal - Use by District 6, Supervisor Matt Dorsey]

Sponsor: Dorsey

Resolution approving the use of the City's Corporate Seal for the purpose of jackets for District 6 Supervisor Matt Dorsey and his staff that identify them as a member of the Board of Supervisors and Board of Supervisors staff representing District 6. RECEIVED AND ASSIGNED to Rules Committee.

230458 [Armenian Genocide Commemoration Day - April 24, 2023]

Sponsors: Peskin; Safai, Melgar and Ronen

Resolution marking the 108th anniversary of the Armenian Genocide and declaring April 24, 2023, as "Armenian Genocide Commemoration Day" in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230459 [Supporting California State Assembly Resolution No. 59 (Rivas) - Stuttering Awareness Week]

Sponsors: Preston; Ronen, Dorsey, Melgar, Peskin and Chan

Resolution supporting California State Assembly Resolution No. 59, introduced by Assembly Member Robert Rivas, to designate the week of May 8 through May 13, 2023, as 2023 Stuttering Awareness Week. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230460 [Daniel Ellsberg Week - April 24 through April 30, 2023]

Sponsors: Ronen; Peskin

Resolution declaring the week of April 24 through April 30, 2023, to be Daniel Ellsberg Week in the City and County of San Francisco, in honor of Daniel Ellsberg's lifelong advocacy to achieve peace, prevent nuclear war and address pressing issues facing the globe, as a scholar, speaker, writer and activist for more than 50 years. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 230461 [Directing the Clerk of the Board of Supervisors to Purchase the Book “Poverty, by America” for Staff Responsible for the City Budget]**
Sponsor: Ronen
Resolution directing the Clerk of the Board of Supervisors to purchase 20 copies of Matthew Desmond’s book “Poverty, by America” as necessary educational context for the City’s budget process. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

- 230462 [Committee of the Whole - Labor Disputes at the Felton Institute and the Operational Impact on Employment and Public Services - April 25, 2023, at 3:00 p.m.]**
Sponsor: Melgar
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on April 25, 2023, at 3:00 p.m., to hold a public hearing on the operational impact of labor disputes at the Felton Institute on the employees, patient services, compliance with written agreements, and workplace harmony; and requesting the Felton Institute administrators, representatives from SEIU 1021, and unaffiliated workers to attend. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230362 [Committee of the Whole - Report of Assessment Costs for Blighted Properties - May 16, 2023, at 4:00 p.m.]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 16, 2023, at 4:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230443 [Appointment, Park, Recreation, and Open Space Advisory Committee - Kurt Grimes]**
Motion appointing Kurt Grimes, 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.
- 230444 [Mayoral Reappointment, City Hall Preservation Advisory Commission - Ellen Schumer]**
Motion approving/rejecting the Mayor’s nomination for reappointment of Ellen Schumer to the City Hall Preservation Advisory Commission, term ending January 13, 2026. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.
- 230445 [Mayoral Reappointment, City Hall Preservation Advisory Commission - Mae Woo]**
Motion approving/rejecting the Mayor’s nomination for reappointment of Mae Woo to the City Hall Preservation Advisory Commission, term ending January 13, 2026. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

230464 [Hearing - Preparation for a Large Earthquake]

Sponsor: Melgar

Hearing to discuss San Francisco's efforts to prepare for, respond to, recover from a large earthquake, and a status update on pre-disaster hazard mitigation (retrofit programs under the Earthquake Safety Implementation Program), strengthening of city-owned buildings, and the Tall Buildings Safety Strategy, as well as post-disaster response (post-disaster building safety inspection and emergency response); and requesting the Department of Building Inspection, Office of Emergency Management, and Office of Resilience and Capital Planning to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

230465 [Hearing - Tenant Right to Counsel Program]

Sponsor: Preston

Hearing to discuss the status of the San Francisco Tenant Right to Counsel Program, which guarantees that any renter facing eviction has access to free legal representation; and requesting the Mayor's Office of Housing and Community Development to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230466 [Hearing - Data on City Investments in the Lakeview, Oceanview, Merced Heights, and Ingleside Communities from 2013-2023]

Sponsor: Safai

Hearing to review and discuss City investment of services for the Lakeview, Oceanview, Merced Heights, and Ingleside communities from 2013 through 2023; and requesting the Department of Children, Youth and Their Families, Department of Early Childhood, Human Services Agency, Office of Economic and Workforce Development, Mayor's Office of Housing and Community Development, Department of Aging and Adult Services, Department of Public Health, and Human Rights Commission to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230356 [Hearing - Committee of the Whole - Report of Assessment Costs for Sidewalk Inspection and Repair Program - May 9, 2023, at 4:00 p.m.]

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for by the City and County out of a revolving fund; scheduled pursuant to Motion No. M23-061, approved on April 18, 2023. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

230359 [Hearing - Committee of the Whole - Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program - May 9, 2023, at 4:00 p.m.]

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for by the City and County out of a blight abatement fund; scheduled pursuant to Motion No. M23-062, approved on April 18, 2023. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

230463 [Hearing - Committee of the Whole - Labor Disputes at the Felton Institute and the Operational Impact on Employment and Public Services - April 25, 2023, at 3:00 p.m.]

Hearing of the Board of Supervisors to sit as a Committee of the Whole on Tuesday, April 25, 2023, at 3:00 p.m., to hold a public hearing on the operational impact of labor disputes at the Felton Institute on the employees, patient services, compliance with written agreements, and workplace harmony; and requesting the Felton Institute administrators, representatives from SEIU 1021, and unaffiliated workers to attend; to be scheduled pending approval of the Motion contained in File No. 230462, to be considered on April 25, 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 ORDINANCE

230400 [Settlement of Lawsuit - New Cingular Wireless PCS LLC - \$463,593]

Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless PCS LLC against the City and County of San Francisco for \$463,593; the lawsuit was filed on December 12, 2022, in San Francisco Superior Court, Case No. CGC-22-603406; entitled New Cingular Wireless PCS LLC. v. City and County of San Francisco et al.; the lawsuit involves a claim for refund of penalties and interest related to the access line tax for tax periods February 1, 2021, through and including August 31, 2021. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

230364 [Report of Assessment Costs for Blighted Properties]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works). RECEIVED AND ASSIGNED to Board of Supervisors.

230401 [Acceptance and Recording of Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]

Resolution authorizing acceptance and recording of 124 Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program; affirming the Planning Department's determination of "not a project" under the California Environmental Quality Act; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Airport Commission). RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

- 230402 [Lease Extension Option Exercise - Michael C. Mitchell - 837 Malcolm Road, Burlingame - Annual Base Rent \$150,450]**
 Resolution approving the exercise of the second of two one-year extension options under Lease No. 09-0023, between Michael C. Mitchell and the City and County of San Francisco, acting by and through its Airport Commission, to extend the Lease for one year, for a period of May 1, 2024, through April 30, 2025, for a total term of April 21, 2009, through April 30, 2025, and increasing the annual rent to \$150,450 for office and industrial space occupied by the San Francisco International Airport Reprographics Department at 837 Malcolm Road, Burlingame. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230403 [Grant Agreement - Brilliant Corners - Scattered Site Housing and Rental Subsidy Administration Services - Not to Exceed \$15,036,591]**
 Resolution approving the grant agreement between the City and County of San Francisco and the non-profit Brilliant Corners, to provide Scattered Site Housing and Rental Subsidy Administration services to seniors and adults with disabilities during the period of July 1, 2023, through June 30, 2027, for a total not to exceed amount of \$15,036,591. (Human Services Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230404 [Selection of Independent Auditors - Macias Gini & O'Connell LLP - Not to Exceed \$6,806,424]**
 Resolution selecting Macias Gini & O'Connell LLP as independent auditors for the Controller's Office and the separately audited departments of the City, for an amount not to exceed \$6,806,424 for a four-year contract term to commence July 1, 2023, through June 30, 2027. (Controller). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230405 [Contract Amendment - 21 Tech, LLC - Service and Support Agreement - Not to Exceed \$18,200,000]**
 Resolution authorizing the Office of the Treasurer & Tax Collector to amend a service and support agreement with 21 Tech, LLC which enables the City and County of San Francisco to accept online tax filings, to extend the contract term for an additional 10 years, increasing the contract amount by \$10,000,000 for a total amount not to exceed \$18,200,000 to commence upon Board of Supervisors and Mayoral approval for the period of May 31, 2023, through May 31, 2033. (Treasurer-Tax Collector). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230406 [Contract Amendment - Mount St. Joseph-St. Elizabeth - Behavioral Health Services - Not to Exceed \$20,541,061]**
 Resolution approving Amendment No. 2 to the agreement between Mount St. Joseph-St. Elizabeth and the Department of Public Health (DPH), for behavioral health services to women, children, and families; to increase the agreement by \$11,169,510 for a total amount not to exceed \$20,541,061; to extend the term by four years, from June 30, 2023, for a total agreement term of January 1, 2018, through June 30, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department). RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.
- 230407 [Grant Agreement - Institute On Aging - Community Living Fund Program - Not to Exceed \$22,750,279]**
 Resolution approving the grant agreement between the City and County of San Francisco and the non-profit Institute On Aging, for the provision of the Community Living Fund program, for the period of July 1, 2023, through June 30, 2027, for a total not to exceed amount of \$22,750,279. (Human Services Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – April 18, 2023

Regular Board Meeting Minutes for March 14, 2023, and Special Meeting Minutes from the Budget and Appropriations Committee for March 15, 2023, were approved.

Requests Granted

From: Supervisor Ahsha Safai

To: Human Services Agency, Office of Economic and Workforce Development, Department of Disability and Aging Services, Department of Early Childhood, Mayor's Office of Housing and Community Development, Department of Children, Youth, and their Families, Human Rights Commission, and Department of Public Health

Requests: Comprehensive information to show how the City and County of San Francisco is equitably distributing funding, resources, and services to District 11 communities of Oceanview, Merced Heights, Ingleside, and specifically Lakeview communities from 2013 through 2023.

From: Supervisor Dean Preston

To: Mayor's Office of Housing and Community Development (MOHCD)

Requests: MOHCD responds to the following questions pertaining to the April 4, 2023, Budget and Legislative Analyst report, titled "Performance Audit of Affordable Housing Financing".

- How much of the referenced \$313 million was committed as of the close of the last fiscal year?
- At the end of the last fiscal year, what was the total amount of uncommitted funds that MOHCD had for housing?
- What is the current amount of uncommitted funds that MOHCD has on hand for housing?
- Is MOHCD developing written policies regarding affordable housing funding decisions?

In Memoriam

Michael Nolan – Supervisors Myrna Melgar, Hillary Ronen, and Aaron Peskin

Patricia Gail McGuire Taupier – Supervisor Aaron Peskin



Member, Board of Supervisors
District 11

City and County of San Francisco

AHSHA SAFAÍ
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MEMORANDUM

DATE: April 11, 2023

TO: Department of Children, Youth and Their Families
San Francisco Department of Early Childhood
Human Service Agency
Office of Economic and Workforce Development
Mayor's Office of Housing and Community Development
Department of Disability and Aging Services
Human Rights Commission
Department of Public Health

FROM: Supervisor Ahsha Safai

CC: Board of Supervisors

SUBJECT:

Supervisor Safai is requesting a letter of inquiry to the Department of Children, Youth and Their Families, San Francisco Department of Early Childhood, Human Service Agency, Office of Economic and Workforce Development, Mayor's Office of Housing and Community Development, Department of Disability and Aging Services, Department of Public Health, and Human Rights Commission on the services and investments directly supporting the District 11 communities of Lakeview, Oceanview, Merced Heights, and Ingleside communities from 2013 through 2023.

Supervisor Safai is requesting comprehensive information to show how the City and County of San Francisco is equitably distributing funding, resources, and services to communities in need, specifically in District 11's historically underserved Lakeview, Oceanview, Merced Heights, and Ingleside communities.

Supervisor Safai is requesting this analysis by Monday, May 15, 2023. If this timeline is not feasible, please email Lila Carrillo at lila.carrillo@sfgov.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ahsha Safai', written in a cursive style.

Ahsha Safai



DEAN PRESTON

April 18, 2023

Director Eric Shaw
Mayor's Office of Housing & Community Development
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: *Letter of Inquiry: MOHCD Audit and Available Fund Balance*

Dear Director Shaw:

In response to a motion adopted by the Board of Supervisors in July 2021 (*Motion M21-116*), the Budget and Legislative Analyst conducted a performance audit on the Mayor's Office of Housing and Community Development (MOHCD). The objectives of this performance audit were to evaluate the City's processes for identifying and prioritizing financing of affordable housing projects and ensuring optimal and transparent use of all funds available for these projects.

More than 20 months later, on April 4, 2023, the Budget and Legislative Analyst published their report, titled "Performance Audit of Affordable Housing Financing."¹ MOHCD requested numerous extensions delaying completion of the audit.

The audit found, among other conclusions, that over the past five years, MOHCD has had an average ending balance of \$482 million. MOHCD asserted that some of the fund balances are committed but not yet spent, but was unable to provide additional information on how much of this amount is committed under fully executed loans, how much is anticipated for not yet executed loans, and how much is available and unallocated..

According to the audit:

The "New housing development - FY 22-23 loan closings" amount (\$313,534,648 in total, or 58 percent of the total fund balance) includes both fully executed loans and anticipated but not yet executed loans.

Though this category represents the largest share of the fund balance, due to the amount of time that would be required for the analysis, MOHCD did not differentiate how much of this amount is committed under fully executed loans, and how much is only anticipated for not yet executed loans.

¹ Available online at:

https://sfbos.org/sites/default/files/Performance_Audit_Of_Affordable_Housing_Financing_4_4_23.pdf

April 18, 2023

Page 2

I was and continue to be deeply concerned to learn that for more than \$313 million, MOHCD is unable or unwilling to indicate what is committed and what is not. This presents obvious issues, not least of which is the ability for the Board of Supervisors' Government Audit and Oversight Committee to exercise its authority of unlimited inquiry into the policies and practices of city departments. This is to say nothing of our ability to reach the new ambitious affordable housing targets of our Housing Element, which is 285% greater than our previous RHNA cycle goals, of which we hit less than half of our target for affordable production.

Pursuant to the board's unlimited power of inquiry, I request that following information from you within three weeks:

- How much of the referenced \$313 million was committed as of the close of the last fiscal year?
- At the end of the last fiscal year, what was the total amount of uncommitted funds that MOHCD had for housing?
- What is the current amount of uncommitted funds that MOHCD has on hand for housing?
- Is MOHCD developing written policies regarding affordable housing funding decisions?

Please provide the requested information before May 18th, and let us know if you have any questions or concerns.

Thank you for your attention to this matter.

Sincerely,



Dean Preston
District 5 Supervisor