

# 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 19, 2022

### 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

#### **220340 [Planning Code - Neighborhood Commercial and Mixed Use Zoning Districts]**

**Sponsor:** Haney

Ordinance amending the Planning Code to update and reorganize Neighborhood Commercial and Mixed Use Zoning District controls, including, among other things, to 1) permit Accessory Arts Activities, and production, wholesaling, and processing of goods and commodities, to occupy more than one-third of total space in Commercial (C), Downtown Residential (DTR), Eastern Neighborhoods Mixed Use, Mission Bay, and Residential-Commercial (RC) Districts; 2) principally permit Arts Activities, Job Training, Public Facility, and Social Service and Philanthropic Facility uses in the Folsom Street Neighborhood Commercial Transit (NCT), SoMa NCT, Regional Commercial, and certain Eastern Neighborhoods Mixed Use Districts, and in historic and nonconforming commercial buildings in Residential Enclave Districts; 3) principally permit General Entertainment and Nighttime Entertainment uses in the Folsom Street NCT District; 4) principally permit Bar uses on the second floor in the Folsom Street NCT and Regional Commercial Districts; 5) principally permit Nighttime Entertainment uses in the Regional Commercial and Western SoMa Mixed Use - General (WMUG) Districts; 6) conditionally permit Nighttime Entertainment in the Mixed Use - General (MUG) and WMUG Districts; 7) principally permit Job Training, Public Facility, and Social Service and Philanthropic Facility uses in the SoMa NCT District and certain Eastern Neighborhoods Districts; 8) require that large developments in South of Market Mixed Use Districts, which contain commercial spaces, provide a mix of commercial space sizes; 9) require that all Nighttime Entertainment uses comply with the Entertainment Commission's good neighbor policies; and 10) remove certain limitations on location for Nighttime Entertainment and Animal Services uses in the Western SoMa Special Use District; and adopting environmental findings, findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**220426 [Appropriation and De-Appropriation - Public Health - Wellness Checks, Behavioral Health Outreach, and Case Management Services for People Experiencing Homelessness in District 5 - \$90,000 - FY2021-2022]**  
**Sponsor:** Preston  
Ordinance de-appropriating \$90,000 previously appropriated to the Department of Public Health (DPH) for a drop-in center for people experiencing homelessness in the Haight and re-appropriating \$90,000 to DPH for wellness checks, behavioral health outreach, and case management services for people experiencing homelessness in District 5 in Fiscal Year (FY) 2021-2022. ASSIGNED to Budget and Finance Committee.

**220427 [Administrative Code - County Veterans Service Officer Role and Duties]**  
**Sponsor:** Safai  
Ordinance amending the Administrative Code to place the County Veterans Service Officer (“Officer”) under the Department of Disability and Aging Services (DAS) rather than the Department of Administrative Services; give the Director of the DAS authority to nominate the Officer; update annual reporting requirements of the Officer to the Board of Supervisors and Mayor; and provide administrative support to the Veterans’ Affairs Commission. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

## **RESOLUTIONS**

**220428 [Accept and Expend Grant - Retroactive - The Governor’s Office of Business and Economic Development - Cannabis Equity Grants Program for Local Jurisdictions - \$4,464,579.96]**  
**Sponsors:** Mayor; Mandelman  
Resolution retroactively authorizing the Office of Cannabis to accept and expend a grant award from the Governor’s Office of Business and Economic Development for the Local Equity Grants Program for Local Jurisdictions in the amount of \$4,464,579.96 for a term from March 15, 2022, through October 31, 2023; authorizing the Office of Cannabis to execute the agreement with the Governor’s Office of Business and Economic, 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.

**220429 [Accept and Expend Grant - Retroactive - American Rescue Plan Act of 2021 - \$7,309,988 and \$3,641,734]**  
**Sponsor:** Mayor  
Resolution retroactively authorizing the San Francisco Public Utilities Commission to accept and expend federal funds sourced by the American Rescue Plan Act of 2021 and administered by the State Water Resources Control Board and the California Community Services Department, in the total amounts of \$7,309,988 and \$3,641,734 respectively, to assist eligible residential and commercial customer accounts who accrued customer account arrears due to the COVID-19 pandemic between March 4, 2020, through June 15, 2021. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220430 [Apply for, Accept, and Expend Grant - Retroactive - U.S. Department of Housing and Urban Development - HOME Investment Partnership American Rescue Plan Program - \$18,707,742 - FY2021-2022]**

**Sponsor:** Mayor

Resolution retroactively approving the Fiscal Year (FY) 2021-2022 HOME Investment Partnership American Rescue Plan (HOME-ARP) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2021-2022 HOME-ARP Program grant from the U.S. Department of Housing and Urban Development in the amount of \$18,707,742 for the term of July 1, 2021, through September 30, 2030. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220431 [Ground Lease and Loan Agreement - 180 Jones Associates, L.P. - 180 Jones Street - 100% Affordable Housing - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$13,950,000]**

**Sponsors:** Mayor; Haney

Resolution 1) approving and authorizing the Director of Property and the Mayor's Office of Housing and Community Development ("MOHCD") to enter into a Ground Lease for real property owned by the City located at 180 Jones Street ("Property") with 180 Jones Associates, L.P. for a lease term of 75 years and one 24-year option to extend, with an annual base rent of \$15,000 ("Ground Lease") in order to construct a 100% affordable, 70-unit multifamily rental housing development affordable to low-income households, including 35 supportive housing units available for households experiencing homelessness, and one resident manager unit (the "Project"); 2) approving and authorizing a Loan Agreement in an amount not to exceed \$13,950,000 for a minimum loan term of 57 years ("Loan Agreement") to finance the development and construction of the Project; 3) adopting findings declaring that the Property is "exempt surplus land" pursuant to the California Surplus Lands Act; 4) 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 Administrative Code, Section 23.3; 5) 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; 6) authorizing the Director of Property and/or the Director of MOHCD to execute the Ground Lease and the Loan Agreement, and make certain modifications to such agreements, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein; and 7) to authorize the Director of Property and/or Director of MOHCD to enter into any additions, amendments, or other modifications to the Ground Lease and the Loan Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Ground Lease and the Loan Agreement or this Resolution. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220433 [Issuance and Sale of Revenue Obligations - California Enterprise Development Authority Revenue Obligations - The Brandeis School of San Francisco - Not to Exceed \$8,500,000]**

**Sponsor:** Melgar

Resolution approving for purposes of Internal Revenue Code of 1986, as amended, Section 147(f) of the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$8,500,000 to refinance the acquisition, construction, installation, rehabilitation, equipping and/or furnishing of educational and related facilities to be owned and operated by The Brandeis School of San Francisco, a California nonprofit public benefit corporation. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220434 [Approval of a 90-Day Extension for Planning Commission Review of Conditional Use Appeals (File No. 220130)]**  
**Sponsors:** Melgar; Peskin, Walton, Preston and Ronen  
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220130) amending the Planning Code to allow the signatures of Verified Tenants to count towards the threshold needed to permit an appeal of a Conditional Use authorization; clarifying timelines applicable to appeals of Conditional Use authorizations, and affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**220435 [Armenian Genocide Commemoration Day - April 24, 2022]**  
**Sponsors:** Peskin; Walton  
Resolution designating April 24, 2022, as "Armenian Genocide Commemoration Day" in the City and County of San Francisco, marking the 107th anniversary of the Armenian Genocide and the 25th anniversary of the preservation of the Mt. Davidson Cross by the Council of Armenian American Organizations of Northern California; and urging members of Congress to support the bipartisan Armenian Genocide Education Act. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **MOTIONS**

**220384 [Committee of the Whole - Report of Assessment Costs - Sidewalk Inspection and Repair Program - May 17, 2022, at 4:00 p.m.]**  
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 17, 2022, 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 work done or caused to be done through the Sidewalk Inspection and Repair Program pursuant to Public Works Code, Section 706.9, and Administrative Code, Chapter 80, the cost thereof having been paid for by the City and County out of a revolving fund. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**220387 [Committee of the Whole - Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program - May 17, 2022, at 4:00 p.m.]**  
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 17, 2022, 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.

## **REQUESTS FOR HEARING**

- 220436 [Hearing - Conditions at the Psychiatric Emergency Services Unit at San Francisco General Hospital]**  
**Sponsors:** Mandelman; Ronen  
Hearing on conditions at the Psychiatric Emergency Services (PES) unit at San Francisco General Hospital and private psychiatric emergency services; and requesting the Department of Public Health, SEIU 1021, Street Crisis Response Team, Police Department, and Hospital Council to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 220437 [Hearing - City Budget Reserves]**  
**Sponsors:** Safai; Ronen  
Hearing to consider the City's budget reserves, including current balances, legal requirements and known obligations; and requesting the Office of the Controller and Mayor's Office of Budget to report. RECEIVED AND ASSIGNED to Budget and Appropriations 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 ORDINANCES**

- 220372 [Settlement of Lawsuit - Lauren Jones - \$95,000]**  
Ordinance authorizing settlement of the lawsuit filed by Lauren Jones against the City and County of San Francisco for \$95,000; the lawsuit was filed on February 18, 2021, in San Francisco Superior Court, Case No. CGC-21-589832; entitled Lauren Jones v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220373 [Settlement of Lawsuit - Francine Austin - \$90,000]**  
Ordinance authorizing settlement of the lawsuit filed by Francine Austin against the San Francisco Department of Public Health for \$90,000; the lawsuit was filed on November 4, 2020, in United States District Court for the Northern District of California, Case No. 20-CV-07803; entitled Francine Austin v. San Francisco Department of Public Health; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220374 [Settlement of Lawsuit - Floridalma Jeronimo, Gerardo Perez - \$125,000]**  
Ordinance authorizing settlement of the lawsuit filed by Floridalma Jeronimo and Gerardo Perez against the City and County of San Francisco for \$125,000; the lawsuit was filed on May 14, 2021, in San Francisco Superior Court, Case No. CGC-21-591939; entitled Floridalma Jeronimo, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury and wrongful death from medical negligence. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 220375 [Settlement of Lawsuit - Angelo Dumlao - \$100,000]**  
Ordinance authorizing settlement of the lawsuit filed by Angelo Dumlao against the City and County of San Francisco for \$100,000; the lawsuit was filed on February 5, 2020, in San Francisco Superior Court, Case No. CGC-20-582729; entitled Angelo Dumlao v. City of San Francisco, et al.; the lawsuit involves alleged personal injury from a two vehicle rear-end collision. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220376 [Settlement of Lawsuit - Jonathan Tuse and Sarah Falconer - \$525,000]**  
Ordinance authorizing settlement of the lawsuit filed by Jonathan Tuse and Sarah Falconer against the City and County of San Francisco for \$525,000; the lawsuit was filed on March 23, 2020, in San Francisco Superior Court, Case No. CGC-20-583895; entitled Jonathan Tuse, et al. v. City and County of San Francisco, et al.; the lawsuit alleged a personal injury in Huntington Park resulting from a falling tree branch. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220377 [Settlement of Lawsuit - Michael Kliment and Linda Kliment as Co-Successors-In Interest for Decedent, Christopher Paul Kliment - \$1,500,000]**  
Ordinance authorizing settlement of the lawsuit filed by Michael Kliment as co-successor-in interest for Decedent, Christopher Paul Kliment; and Linda Kliment as co-successor-in-interest for Decedent, Christopher Paul Kliment against the City and County of San Francisco for \$1,500,000; the lawsuit was filed on May 13, 2020, in United States District Court, Northern District of California, Case No. 20-cv-03257-YGR; entitled Michael Kliment, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220378 [Settlement of Lawsuit - Scott Crayne - \$45,000]**  
Ordinance authorizing settlement of the lawsuit filed by Scott Crayne against the City and County of San Francisco for \$45,000; the lawsuit was filed on April 19, 2021, in San Francisco Superior Court, Case No. CGC-21-591124; entitled Scott Crayne v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220379 [Settlement of Lawsuit - Martin Collins - \$35,000]**  
Ordinance authorizing settlement of the lawsuit filed by Martin Collins against the City and County of San Francisco for \$35,000; the lawsuit was filed on December 15, 2020, in San Francisco Superior Court, Case No. CGC-20-588446; entitled Martin Collins v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a dangerous condition of public property. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220380 [Settlement of Lawsuit - Leslie Drapkin - \$75,000]**  
Ordinance authorizing settlement of the lawsuit filed by Leslie Drapkin against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 20, 2020, in San Francisco Superior Court, Case No. CGC-20-585425; entitled Leslie Drapkin v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220381 [Settlement of Lawsuit - Rodrigo Frias Mier - \$85,000]**  
Ordinance authorizing settlement of the lawsuit filed by Rodrigo Frias Mier against the City and County of San Francisco for \$120,313 (City to pay Plaintiff \$85,000 and Department of Public Works to pay Department of Public Health \$35,313 to satisfy lien); the lawsuit was filed on September 30, 2020, in San Francisco Superior Court, Case No. CGC-20-586884; entitled Rodrigo Frias Mier; the lawsuit involves a personal injury on a City street. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

**220382 [Contract Amendment - Community Forward SF Inc. - Fiscal Intermediary and Support Services for Medical Respite and Sobering Center Program - Not to Exceed \$40,218,177]**

Resolution approving Amendment No. 2 to the agreement between Community Forward SF Inc. and the Department of Public Health, for fiscal intermediary and support services for the Medical Respite and Sobering Center Programs, to increase the agreement by \$17,031,257 for an amount not to exceed \$40,218,177; to extend the term by two years, from June 30, 2022, for a total agreement term of July 1, 2017, through June 30, 2024; and to authorize the Department of Public Health 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. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220383 [Contract Amendment - Regents of the University of California - Behavioral Health Services for Adults and Older Adults - Not to Exceed \$86,533,675]**

Resolution approving Amendment No. 2 to the agreement between The Regents of the University of California and the Department of Public Health, for behavioral health services for adults and older adults, to increase the agreement by \$63,722,165 for an amount not to exceed \$86,533,675; to extend the term by five years, from June 30, 2022, for a total agreement term of July 1, 2018, through June 30, 2027; and to authorize the Department of Public Health 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 Budget and Finance Committee.

**220386 [Report of Assessment Costs - Sidewalk Inspection and Repair Program]**

Resolution approving 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 the provisions of Public Works Code, Section 706.9, and Administrative Code, Chapter 80, the costs thereof having been paid for out of a revolving fund. (Public Works). RECEIVED AND ASSIGNED to Board of Supervisors.

**220389 [Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**

Resolution approving 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, ordered to be performed by said Director pursuant to the provisions of 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.

**220390 [Lease Extension Option Exercise - Michael C. Mitchell - 837 Malcolm Road, Burlingame - Annual Base Rent \$146,069]**

Resolution approving the exercise of the first 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, 2023, through April 30, 2024, for a total term of April 21, 2009, through April 30, 2024, and increasing the annual rent to \$146,069 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.

**Clerk to Act – April 19, 2022**

**Regular Board Meeting Minutes for March 15, 2022 were approved.**

**Requests Granted**

From: Supervisor Rafael Mandelman

To: City Administrator

Requesting: A recommendation on a new procurement process for low-value Chapter 21 contracts. The recommendation for a new procurement process should encompass the full life-cycle of the contract, starting from the solicitation process and ending with contract expiration.

**In Memoriam**

None