



Legislation Introduced at Roll Call

Tuesday, April 27, 2021

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

- 210452 [Planning Code - Exemption from Neighborhood Notification and Review Requirements for Grandfathered Medical Cannabis Dispensaries Converting to Cannabis Retail]**
Sponsor: Mayor
Ordinance amending the Planning Code to exempt Grandfathered Medical Cannabis Dispensaries that convert to Cannabis Retail Uses from neighborhood notification and review 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 101.1; and making public necessity, convenience, and welfare findings under Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 210453 [Appropriation - COVID Contingency Reserve - Municipal Transportation Agency - Free Muni Pilot Program - \$9,300,000 - FY2020-2021]**
Sponsors: Preston; Haney, Walton, Ronen and Chan
Ordinance appropriating \$9,300,000 from the COVID Contingency Reserve to the San Francisco Municipal Transportation Agency to support a Free Muni Pilot Program in July, August, and September 2021 in Fiscal Year (FY) 2020-2021. ASSIGNED to Budget and Appropriations Committee.
- 210454 [Administrative Code - Free Muni Pilot Program Fund]**
Sponsors: Preston; Haney, Walton, Ronen and Chan
Ordinance amending the Administrative Code to create a special fund for a Free Muni pilot program ending September 30, 2021, and setting conditions for use of the Fund. ASSIGNED to Budget and Appropriations Committee.
- 210456 [Emergency Ordinance - COVID-Related Hazard Pay]**
Sponsor: Walton
Reenactment of emergency ordinance (Ordinance No. 36-21) to temporarily require certain retail locations that include grocery stores or pharmacies, and property service contractors for retail locations that include grocery stores or pharmacies, to pay employees an additional five dollars per hour during the public health emergency related to COVID-19. ASSIGNED to Government Audit and Oversight Committee.

RESOLUTIONS

- 210457 [Accept and Expend Gift - Retroactive - EPIC Charitable Fund - Safety Net Gift - \$90,000]**
Sponsor: Mayor
Resolution retroactively authorizing the Department of Public Health to accept and expend a monetary gift in the amount of \$90,000 from the EPIC Charitable Fund to help low income and at-risk populations, for the period of March 27, 2021, through March 27, 2022. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210458 [Accept and Expend Grant - Retroactive - The Regents of the University of California, San Francisco - Institute for Global Health Sciences International Training Program - \$112,210]**
Sponsor: Mayor
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$29,169 for a total amount of \$112,210 from the Regents of the University of California, San Francisco for participation in a program, entitled "Institute for Global Health Sciences International Training Program," for the period of September 1, 2016, through June 30, 2021. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210459 [Supporting the Establishment of a Compassionate Alternative Response Team]**
Sponsors: Haney; Preston, Ronen and Walton
Resolution supporting the establishment of a 24 hours a day / seven days a week Compassionate Alternative Response Team (CART) in the City and County of San Francisco for a safer and more effective response to homelessness. RECEIVED AND ASSIGNED to Rules Committee.
- 210460 [Asian Pacific American Heritage Month - May 2021]**
Sponsors: Mar; Chan, Peskin, Melgar, Haney, Safai, Walton, Ronen, Stefani, Preston and Mandelman
Resolution recognizing and celebrating May 2021 as Asian Pacific American Heritage Month in the City and County of San Francisco and honoring the significant contributions of the Asian Pacific American community. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 210461 [Denouncing the Rise in Violence Against the Asian American and Pacific Islander Community]**
Sponsors: Mar; Chan, Peskin, Melgar, Haney, Safai, Walton, Ronen, Stefani, Preston and Mandelman
Resolution denouncing the rise in violence against the Asian American and Pacific Islander (AAPI) community, urging City departments to create a Coordinated Citywide Violence Prevention and Victim Support Plan for the AAPI community, and establishing the Board's budget priority to support violence prevention and victim services. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 210462 [Supporting California State Senate Bill No. 321 (Durazo) - The Health and Safety for All Workers Act]**
Sponsors: Mar; Walton
 Resolution supporting California State Senate Bill No. 321, authored by State Senator Maria Elena Durazo, The Health and Safety for All Workers Act, which would eliminate the exclusion of household domestic service from Cal/OSHA workplace health and safety protections and ensure that domestic workers have access to health and safety training, information about risks in the workplace, and necessary protective equipment. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 210463 [Accept and Expend Gift - Retroactive - Ocean Avenue Association - Ocean Avenue Greening Project - \$15,000]**
Sponsor: Melgar
 Resolution retroactively authorizing Public Works to accept and expend a gift of \$15,000 from the Ocean Avenue Association for costs associated with work performed as part of the Ocean Avenue Greening Project for the period of January 1, 2020, through May 31, 2020. (Public Works). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210464 [Non-Renewal of a Mills Act Historical Property Contract - 450 Pacific Avenue]**
Sponsor: Peskin
 Resolution regarding non-renewal of a Mills Act historical property contract with Pacific Stables Property Owner LLC, the owner of 450 Pacific Avenue, Assessor's Parcel Block No. 164, Lot No. 010, under Chapter 71 of the Administrative Code; notifying the Assessor-Recorder's Office of the non-renewal; and authorizing the Planning Director to send notice of the non-renewal to the owner and record a notice of non-renewal. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 210465 [Intent to Call Special Municipal Election, to be Consolidated with Prospective Statewide Recall Election]**
Sponsors: Ronen; Walton, Haney, Preston and Mar
 Resolution declaring the Board of Supervisors' intent to call a special municipal election, to be consolidated with a prospective statewide recall election. RECEIVED AND ASSIGNED to Rules Committee.
- 210466 [Petra DeJesus Day - April 21, 2021]**
Sponsors: Ronen; Melgar, Walton, Preston, Mandelman, Mar, Haney, Stefani, Safai, Chan and Peskin
 Resolution declaring April 21, 2021, as Petra DeJesus Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 210467 [Recognizing the One-Year Anniversary of Unidos En Salud]**
Sponsors: Ronen; Walton and Melgar
 Resolution recognizing the one-year anniversary of Unidos En Salud, a partnership between the University of California San Francisco and the Latino Task Force on COVID-19, and expressing gratitude for lifesaving service to the people of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 210468 [San Francisco Police Department Insignia - Use for Nash Bridges Television Series]**
Sponsor: Stefani
 Resolution approving the use of the San Francisco Police Department insignia on uniforms and vehicles for the television series, Nash Bridges. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

210469 [Commending Maribel Jaldon]

Sponsor: Stefani

Resolution commending and honoring Maribel Jaldon for her 36 years of distinguished service with the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

210470 [Public Works Week - May 17, 2021, through May 21, 2021]

Sponsor: Walton

Resolution commending the staff of San Francisco Public Works and declaring May 17, 2021, through May 21, 2021, as Public Works Week in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTION

210471 [Adoption of Findings Related to Conditional Use Authorization - 590 Second Avenue]

Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 20849, regarding the Conditional Use Authorization identified as Planning Case No. 2019-015984CUA, which approved the installation of a wireless telecommunications facility consisting of ten panel antennae, for a proposed project at 590 Second Avenue. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

210472 [Hearing - Starting a Small Business]

Sponsors: Haney; Ronen

Hearing regarding City processes and services as it relates to starting a small business in San Francisco and an update on the implementation of Proposition H passed by voters in November 2020; and requesting the Office of Small Business, Small Business Commission, Department of Building Inspection, Planning Department, Planning Commission, Office of Economic and Workforce Development, Department of Public Health, Public Works, and Municipal Transportation Agency to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

210473 [Hearing - Wildfire Preparedness]

Sponsors: Haney; Ronen and Preston

Hearing to discuss the City's plans and efforts to prepare for the 2021 wildfire season, including plans for indoor wildfire refuges, proactive measures to mitigate the impact of wildfire smoke, and what steps are being prepared for increasingly extreme fire seasons; and requesting the Department of Emergency Management, Department of Public Health, Department of Homelessness and Supportive Housing, Department of the Environment, Department of Aging and Adult Services, and the San Francisco Unified School District to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 210474 [Hearing - Residential Building Decarbonization]**
Sponsor: Mar
Hearing on the findings and recommendations of the Budget and Legislative Analyst's 2021 report, "Decarbonizing Buildings by Eliminating Natural Gas Usage;" and requesting the Budget and Legislative Analyst, Department of Environment, Public Utilities Commission, Department of Building Inspection, Office of Resilience and Capital Planning, and Office of Economic and Workforce Development to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 210475 [Closed Session - Existing Litigation - Recology San Francisco, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company - San Francisco Refuse Ratepayers to Receive \$94,520,000 in Restitution; City to Receive \$7,000,000 - May 4, 2021]**
Closed Session for the Board of Supervisors to convene on May 4, 2021, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation relating to the lawsuit filed by the City and County of San Francisco against Recology San Francisco, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company for payment of at least \$94,520,000 in restitution and related interest as well as \$7,000,000 in civil penalties; the lawsuit was filed on March 4, 2021, in San Francisco Superior Court, Case No. CGC-21-590091; entitled People of the State of California, acting by and through Dennis J. Herrera as City Attorney of San Francisco; and City and County of San Francisco v. Recology San Francisco, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company; the lawsuit involves Defendants' violations of California's Unfair Competition Law and San Francisco Campaign and Governmental Conduct Code based on improper overcharging of San Francisco refuse Ratepayers and unlawful gifts and contributions made to city employees and officers or to third-parties at their request; other material terms of the settlement are that Defendants agree to be bound to a four-year injunction to be presented and entered by the court after the settlement agreement is approved. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.
- 210478 [Appointments, Bicycle Advisory Committee]**
Hearing to consider appointing five members, terms ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.
- 210479 [Appointments, Immigrant Rights Commission]**
Hearing to consider appointing six members, terms ending June 6, 2023, to the Immigrant Rights Commission. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules 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

- 210408 [Settlement of Lawsuit - Daniel Alvarenga - \$60,000]**
Ordinance authorizing settlement of the lawsuit filed by Daniel Alvarenga against the City and County of San Francisco for \$60,000; the lawsuit was filed on February 28, 2020, in United States District Court, Case No. 20-cv-01486 JSW; entitled Daniel Alvarenga v. City and County of San Francisco, et al.; the lawsuit involves alleged constitutional violation for use of excessive force in making an arrest. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 210409 [Settlement of Unlitigated Claim - Bruce Storrs - \$55,000]**
Resolution approving the settlement of the unlitigated claim filed by Bruce Storrs against the City and County of San Francisco for \$55,000; the claim was filed on October 20, 2020; the claim involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 210410 [Lease Agreement - MRG San Francisco Terminal 2, LLC. - Terminal 2 Retail Market and Harvey Milk Terminal 1 Specialty Retail Stores Concession Lease - \$2,300,000 Minimum Annual Guarantee]**
Resolution approving Terminal 2 Retail Market and Harvey Milk Terminal 1 Specialty Retail Stores Concession Lease No. 20-0156, between MRG San Francisco Terminal 2, LLC., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years, and a Minimum Annual Guarantee of \$2,300,000 for the first year of the Lease, to commence upon Board approval. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210411 [Contract Amendment - Hyatt Corporation - Hotel Management for On-Airport Hotel - Not to Exceed \$23,841,880]**
Resolution approving the Fourth Modification to the Hotel Management Agreement with Hyatt Corporation for management of the on-airport hotel at San Francisco International Airport, to reduce the management fees paid to Hyatt Corporation during Hotel operating years 2021 and 2022, extend the trigger dates for certain performance termination events, extend the initial term by two years, and increase the contract amount for a new total amount not to exceed \$23,841,880 to commence upon Board approval. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 210412 [Contract Amendment - Wausau Financial Systems, Inc. - Software License and Support Agreement - Not to Exceed \$11,188,396]**
Resolution authorizing the Office of the Treasurer & Tax Collector to amend a software license and support contract with Wausau Financial Systems, Inc., to extend the contract term for an additional ten years and to increase the contract amount by \$4,178,216 for a total amount not to exceed \$11,188,396 to commence upon Board of Supervisors and Mayoral approval for the total period of June 27, 2011, through June 26, 2031. (Treasurer-Tax Collector). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210413 [Agreement - Medline Industries, Inc. - Bulk Medical Supplies Distribution Services - Not to Exceed \$115,072,061]**
Resolution approving an agreement between Medline Industries, Inc. and the Department of Public Health for bulk medical, surgical, and laboratory supplies distribution and required associated services, for a total amount not to exceed \$115,072,061 for a term of six years, from July 1, 2021, through June 30, 2027. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210414 [Agreement - Medline Industries, Inc. - Low Unit of Measure Medical Supplies Distribution Services - Not to Exceed \$178,218,296]**
Resolution approving an agreement between Medline Industries, Inc. and the Department of Public Health for low unit of measure medical, surgical, and laboratory supplies distribution and required associated services, for a total amount not to exceed \$178,218,296 for a term of six years from July 1, 2021, through June 30, 2027. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210415 [Contract Amendment - Moonstar Buffet Restaurant - Great Plates Delivered - Not to Exceed \$17,424,000]**
Resolution approving a third amendment between the City and County of San Francisco and Moonstar Buffet Restaurant, for the administration of the Great Plates Delivered Program, to extend the contract term by eight months for a total term of June 22, 2020, through December 31, 2021, and to increase the contract amount by \$8,085,000 for a total not to exceed amount of \$17,424,000 to commence on May 1, 2021. (Human Services Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act - April 27, 2021

Board Meeting Minutes for March 23, 2021 and the March 23, 2021, Joint Special Board Meeting with the Public Utilities Commission were approved.

Requests Granted

From: Supervisor Chan

To: City Attorney's Office

Requesting/Inquiring: Requesting the City Attorney's Office draft legislation prohibiting oil and gas exploration, development, extraction, and processing in the City and County of San Francisco.

From: Supervisor Preston

To: City Attorney's Office

Requesting/Inquiring: Requesting response to the following questions (Please see attached memo):

1. What is the current status of your corruption investigation(s) of the Mayor's Administration and its city agencies and departments?
2. What plan is in place to protect the integrity of any pending public integrity investigation of the Administration when and if the Mayor appoints a successor City Attorney?
3. Will the appointment by the Mayor of a new City Attorney create a conflict, or appearance of a conflict, requiring that the investigation be transferred to another office, agency, or department?
4. On what date do you plan to vacate your seat? Please describe any factors that might impact the timing, and describe any communications or agreements with the Mayor on the timing of your vacating your seat.
5. Who will be appointed to succeed you? Please describe your knowledge regarding possible successors, including any recommendations you have made, or agreements with the Mayor, about this.
6. Please describe the status of any City Attorney investigation into the SF Public Utilities Commission.
7. What steps is the City Attorney's office taking to avoid a conflict of interest, or the appearance of a conflict, with your anticipated transition to head an agency that is or was under City Attorney investigation?

In Memoriam

Gloria Rylander - Supervisor Stefani



DEAN PRESTON

April 27, 2021

Hon. Dennis Herrera
Office of the San Francisco City Attorney
1 Carlton B Goodlett Plaza
Sacramento, CA 94102

Dear City Attorney Herrera:

As Chair of the Government Audit and Oversight Committee, I am reaching out in response to the recent announcement of your appointment to head the San Francisco Public Utilities Commission, and your anticipated vacating of your elected office as the City Attorney of San Francisco. Let me start by thanking you for your decades of service to the City and County of San Francisco.

Following the Nuru indictment last year, the Mayor announced on February 4th, 2020, that the City Attorney, and Controller offices would take the lead in “laying out a clear and comprehensive plan to investigate any departments impacted by these federal charges, and committing to fully investigate any related issues they come across.” Over the last year, your office has conducted a public integrity investigation of various departments and agencies in the City. Your office and the Controller have issued numerous reports and made policy recommendations to address corruption. Meanwhile, six heads of major departments have now been charged or resigned due to alleged misconduct.

As you know, under the Charter, the Mayor will have the power to appoint your replacement. The fact that the Mayor will be appointing someone to head the office that is investigating her administration raises obvious concerns.

To promote the transparency, avoid conflicts of interest, and protect good government, all principles that are important to you as City Attorney, I am requesting responses to the following questions:

1. What is the current status of your corruption investigation(s) of the Mayor’s Administration and its city agencies and departments?
2. What plan is in place to protect the integrity of any pending public integrity investigation of the Administration when and if the Mayor appoints a successor City Attorney.
3. Will the appointment by the Mayor of a new City Attorney create a conflict, or appearance of a conflict, requiring that the investigation be transferred to another office, agency, or department?
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Letter of Inquiry to City Attorney Dennis Herrera

April 27, 2021

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7. What steps is the City Attorney's office taking to avoid a conflict of interest, or the appearance of a conflict, with your anticipated transition to head an agency that is or was under City Attorney investigation?

Let me reiterate my appreciation for your service and leadership over the last two decades. Please know that these requests are made in furtherance of our shared values of open and accountable government and to maximize transparency in this unusual moment.

I am requesting a response by Monday, May 3, 2021. Please let me know if you need any clarification. Thank you in advance.

Sincerely,



Dean Preston
District 5 Supervisor, San Francisco