



Legislation Introduced at Roll Call

Tuesday, May 11, 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

210285 [Planning, Business and Tax Regulations, Police Codes - Small Business Recovery Act]

Sponsor: Mayor

Ordinance amending the Planning, Business and Tax Regulations, and Police Codes to simplify procedures and allow flexibility for neighborhood, cultural, and entertainment establishments by 1) expanding streamlined review and inspection procedures to principally permitted storefront uses citywide; 2) deleting separate definitions of "Cat Boarding," "Gym," "Trade Shop," and "Services, Instructional" from the Planning Code; 3) allowing permitted conditional uses to continue after three years of abandonment; 4) allowing the continuation of longstanding places of entertainment; 5) allowing Outdoor Activity Areas on rooftops; 6) temporarily requiring a conditional use authorization for uses replacing Nighttime Entertainment uses; 7) allowing accessory catering uses in Restaurants; 8) allowing accessory dwelling units on the ground floor in Neighborhood Commercial Districts; 9) allowing temporary outdoor entertainment, arts, and recreation activities; 10) deleting certain conditional use finding requirements for Nighttime Entertainment use; 11) deleting conditional use findings related to formula retail concentrations in certain districts; 12) requiring expedited permit processing for commercial uses on the ground floor; 13) eliminating Historic Preservation Commission review of minor alteration permits and certificates of appropriateness; 14) eliminating the one night dance permit; 15) extending time for limited live performances from 10 p.m. to 11 p.m.; 16) allowing additional One-Time Entertainment Permits and One-Time Outdoor Amplified Sound Permits; 17) exempting single individual performances without amplification from permit requirements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

210533 [Compensation for Unrepresented Employees]

Sponsor: Mayor

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensation is subject to the provisions of Charter, Section A8.409, in job codes not represented by an employee organization, and establishing working schedules and other terms and conditions of employment and methods of payment effective July 1, 2021. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

210534 [Administrative Code and Amending Ordinance No. 49-17 - Deferring Payments to and Use of the 180 Jones Affordable Housing Fund]

Sponsor: Haney

Ordinance amending Ordinance No. 49-17, as amended by Ordinance No. 209-17, to change the timeline for the payments of a \$2,700,000 gift and \$9,750,000 from the project sponsor of the project at 950-974 Market Street to the 180 Jones Street Affordable Housing Fund; amending the Administrative Code regarding use of the 180 Jones Street Affordable Housing Fund; and authorizing actions in furtherance of this Ordinance, as defined herein. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

210535 [Planning Code - Conditional Use Authorization Requirements Regarding Residential Care Facilities]

Sponsors: Mandelman; Ronen

Ordinance amending the Planning Code to eliminate the requirement of Conditional Use Authorization for Residential Care Facilities for seven or more people in Residential, House (RH) Districts; require Conditional Use Authorization for a change of use or demolition of a Residential Care Facility, and consideration of certain factors in determining whether to grant Conditional Use Authorization; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

210536 [Health, Business and Tax Regulations Codes - Alternate Water Sources for Non-Potable Applications]

Sponsors: Mandelman; Mar

Ordinance amending the Health Code to 1) lower the threshold, from 250,000 to 100,000 square feet of gross floor area, for requiring that new buildings be constructed, operated, and maintained using specified alternate water sources for required non-potable uses; 2) exempt certain affordable housing projects and property uses from that requirement; 3) require that certain categories of new buildings use specific sources of non-potable water for specific purposes; 4) require that new developments with multiple buildings install an alternate water source system serving the entire development; 5) modify certain administrative review fees; and 6) require the payment of excess use charges and penalties for failure to properly use and maintain alternate water source systems; amending the Business and Tax Regulations Code to update certain annual license fee amounts for operating alternate water source systems; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

210537 [Administrative Code - Extension Of Temporary Tenant Protections Due To COVID-19]

Sponsors: Preston; Walton, Ronen, Peskin, Chan, Mandelman, Haney and Melgar

Ordinance amending the Administrative Code to extend the COVID-19 based limit on residential evictions, which allows evictions only if based on the non-payment of rent or violence or health and safety issues, from June 30, 2021, to September 30, 2021. ASSIGNED to Land Use and Transportation Committee.

210538 [Appropriation - COVID Contingency Reserve - Mayor’s Office of Housing and Community Development - Rent Relief - \$13,757,390 - Social Housing - \$13,757,390 - FY2020-2021]

Sponsors: Preston; Haney and Ronen

Ordinance appropriating \$13,757,390 from the COVID Contingency Reserve to the Mayor’s Office of Housing and Community Development for rent relief under the Rent Resolution and Relief Fund; and appropriating \$13,757,390 for the acquisition, creation and operation of affordable, social housing under the Housing Stability Fund in Fiscal Year (FY) 2020-2021. ASSIGNED UNDER 30 DAY RULE to Budget and Appropriations Committee.

210539 [Health Code - Designating Fire Department Paramedics to Initiate 5150 Holds]

Sponsors: Safai; Melgar, Stefani and Walton

Ordinance amending the Health Code to designate all certified and accredited paramedics employed by the Fire Department to initiate temporary psychiatric holds, subject to state law procedures and requirements adopted by the county behavioral health director; and require that the Fire Department and Department of Public Health ensure that designated Fire Department paramedics receive all appropriate training. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

210540 [Police Code - “Ghost Guns”]

Sponsors: Stefani; Mandelman

Ordinance amending the Police Code to prohibit any person other than a licensed manufacturer or importer from possessing, selling, offering for sale, transferring, purchasing, transporting, receiving, or manufacturing an unfinished firearm frame or receiver that has not been imprinted with a serial number, subject to certain exceptions; and prohibiting any person from manufacturing or assembling a firearm that has not been imprinted with a serial number, subject to certain exceptions. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

RESOLUTIONS

210541 [Opposing Human Rights Violations in Colombia]

Sponsors: Haney; Preston

Resolution opposing human rights violations in Colombia and demanding the implementation of the Leahy Law to suspend economic assistance to the Colombian Anti-Riot Police Force, also known as the Mobile Anti-Disturbances Squadron. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

210542 [Queer and Transgender Asian and Pacific Islanders Week - May 22 through 29, 2021]

Sponsors: Mandelman; Walton

Resolution celebrating Queer and Transgender Asian and Pacific Islanders (QTAPI) and declaring May 22 through 29, 2021, as QTAPI Week in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 210543 [Urging Passage of California State Assembly Bill No. 816 (Chiu) - State and Local Agencies: Homelessness Plan]**
Sponsors: Mandelman; Haney, Ronen, Chan, Melgar and Mar
 Resolution urging passage of California State Assembly Bill No. 816, authored by Assembly Member David Chiu, to create a statewide planning process to reduce homelessness by 90 percent by 2029 and to hold state and local governments accountable for addressing homelessness. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 210553 [Recognizing and Honoring the Service and Sacrifices of the Filipino Nurse Community]**
Sponsors: Melgar; Chan, Haney, Preston, Stefani, Ronen, Safai, Walton and Peskin
 Resolution recognizing and honoring the service and sacrifices of the Filipino Nurse community; recognizing the disproportionate impact that the Filipino nurses and their families have experienced during the COVID-19 pandemic; and expressing gratitude to them for their contributions and remembering those who made the ultimate sacrifice. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 210544 [Contract Modification - Retroactive - Catherine Wagner LLC - Central Subway Artwork - Term Extension - Not to Exceed \$328,376]**
Sponsor: Peskin
 Resolution retroactively approving Modification Nos. 3 and 4 to extend the contract and to increase the amount of the contract by \$15,906 for a total amount not to exceed \$328,376; and approving Modification No. 5 to extend the term of the contract for a total term of June 1, 2011, through December 31, 2021, between the Arts Commission, the Municipal Transportation Agency and Catherine Wagner LLC, to provide designs and consult on the fabrication and installation of artwork to be displayed in the Central Subway. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 210545 [Contract Modification - Retroactive - Paramedia, LLC - Central Subway Artwork - Term Extension]**
Sponsor: Peskin
 Resolution retroactively approving Contract Modification No. 2 to extend the term to June 29, 2021; and approving Contract Modification No. 3 to extend the term for a total term of June 1, 2011, through December 31, 2021, with no increase to the contract amount of \$536,550 between the Arts Commission, Municipal Transportation Agency, and Paramedia, LLC, to provide designs and consult on the fabrication and installation of artwork to be displayed in the Central Subway. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 210546 [Contract Modification - Retroactive - Tomie Arai - Central Subway Artwork - Term Extension]**
Sponsor: Peskin
 Resolution retroactively approving Modification No. 3 between the Arts Commission, the Municipal Transportation Agency and Tomie Arai to extend the term of the contract for one year for a total term of March 1, 2011, through December 31, 2021, with no increase to the contract amount, to provide designs and consult on the fabrication and installation of artwork to be displayed in the Central Subway. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210547 [Contract Modification - Retroactive - White Light Inc. - Werner Klotz Public Art Inc. - Central Subway Artwork - Term Extension]

Sponsor: Peskin

Resolution retroactively approving Contract Modification No. 4 to extend the term of the contract for a total term of June 1, 2011, through December 31, 2021, with no change to the contract amount of \$458,823 between the Arts Commission, Municipal Transportation Agency, White Light Inc. and Werner Klotz Public Art Inc., to provide designs and consult on the fabrication and installation of artwork to be displayed in the Central Subway. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210548 [Contract Modification - Retroactive - Yumei Hou - Central Subway Artwork - Term Extension]

Sponsor: Peskin

Resolution retroactively approving Contract Modification No. 2 between the Arts Commission, the Municipal Transportation Agency and Yumei Hou to extend the term of the contract for two years for a total term of March 1, 2011, through December 31, 2021, with no increase to the contract amount, to provide designs and consult on the fabrication and installation of artwork to be displayed in the Central Subway. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210549 [Supporting California State Assembly Bill No. 528 (Wicks) - Abandoned Lots and Properties into Opportunity Act]

Sponsors: Preston; Walton, Chan, Peskin, Haney, Ronen, Melgar and Mar

Resolution supporting California State Assembly Bill No. 528, Abandoned Lots and Properties into Opportunity Act, authored by Assembly Member Buffy Wicks, that would remove certain tax-defaulted and abandoned properties from neighborhoods, give affordable housing developers an opportunity to build in more places, and remove tax delinquent properties from the county ledger, while keeping existing tenants housed by strengthening and improving the existing Chapter 8 process for acquiring and rehabbing tax delinquent second homes. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

210550 [Supporting California State Assembly Bill No. 812 (Garcia) - The Repeal of the Spousal Rape Exception Act]

Sponsors: Stefani; Walton

Resolution supporting California State Assembly Bill No. 812, The Repeal of the Spousal Rape Exception Act, authored by State Assembly Member Cristina Garcia, which would eliminate the "spousal rape exception" in the California Penal Code (Section 262) to ensure that "spousal rape" is treated and punished as seriously as rape of a non-spouse. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTION

210524 [Mayoral Reappointment, Port Commission - Kimberly Brandon]

Motion approving/rejecting the Mayor's nomination for reappointment of Kimberly Brandon to the Port Commission, for a term ending May 1, 2025. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

REQUEST FOR HEARING

210551 [Hearing - Technology and Biotechnology Start-Ups]

Sponsor: Haney

Hearing on the technology and biotechnology sectors in San Francisco, particularly as it relates to new start-up companies and businesses; requesting information on trends in growth and decline of new technology companies, jobs and employment, the impact of remote work and COVID-19 on the sector, efforts that have or can be taken by the City to support technology sector startups in the City; and requesting the Office of Economic and Workforce Development, Controller's Office, Office of Small Business, and Office of Treasurer and Tax Collector to report. RECEIVED AND ASSIGNED to Budget and Finance 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

210490 [Joint Stipulation - American Beverage Association, California State Outdoor Advertising Association, and California Retailers Association - \$0]

Ordinance authorizing the entry of a joint stipulation in the lawsuit filed by the American Beverage Association, California State Outdoor Advertising Association, and California Retailers Association against the City and County of San Francisco; the lawsuit was filed on July 24, 2015, in U.S. District Court for the Northern District of California, Case No. No. 3:15-cv-03415 EMC; entitled American Beverage Association et al. v. City and County of San Francisco; the lawsuit claims that the City's sugar-sweetened beverage warning law, codified in Article 42 of the San Francisco Health Code, violates the United States Constitution; the joint stipulation provides for dismissal of the lawsuit if the City repeals Article 42 of the San Francisco Health Code and conditionally extends Plaintiffs' time to file a motion for attorneys' fees and costs by four years. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

210482 [Lease Agreement - New Cingular Wireless PCS, LLC (d.b.a. AT&T) - Cellular Service Partner Lease - Base Rent of \$2,400,000 for Year 1 - One-Time Reimbursement Payment to City of \$28,600,000]

Resolution approving a Lease Agreement for Cellular Service Partner (CSP), Lease No. 2020-0181, between New Cingular Wireless PCS, LLC (d.b.a. AT&T), as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years, and an annual base rent of \$2,400,000 for the first year of the Lease and a one time reimbursement payment of \$28,600,000 for neutral host distributed antennae system improvements to Harvey Milk Terminal 1 and the Grand Hyatt at SFO, to commence upon approval of the Board of Supervisors. (Airport Commission). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210483 [Comparative Fault Indemnification Provision - General Electric Renewable US LLC - Design-Build Construction Contract]
Resolution approving the negotiated comparative fault indemnification provision in the San Francisco Public Utilities Commission design-build construction contract with General Electric Renewable US LLC for the Moccasin Powerhouse Generator Rehabilitation Project, pursuant to Administrative Code, Section 6.22(c), to commence following Board approval. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

210484 [Contract - San Francisco Pretrial Diversion Project - Pretrial Services - Not to Exceed \$18,764,430]
Resolution authorizing the Sheriff's Office to contract with the San Francisco Pretrial Diversion Project, Inc., for pretrial services for a three-year period from July 1, 2021, through June 30, 2024, with two one-year options to extend for a contract total not to exceed amount of \$18,764,430. (Sheriff). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Clerk to Act – May 11, 2021

Board Meeting Minutes for April 6, 2021 and the Special Board Meeting Minutes at the Public Safety and Neighborhood Services Committee for April 8, 2021 were approved.

Requests Granted

None

In Memoriam

None