

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, May 16, 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

230561 [Memorandum of Understanding - Municipal Executives Association - Fire]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association - Fire, to be effective July 1, 2023, through June 30, 2026. ASSIGNED to Government Audit and Oversight Committee.

230562 [Memorandum of Understanding - Municipal Executives Association - Police]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association - Police, to be effective July 1, 2023, through June 30, 2026. ASSIGNED to Government Audit and Oversight Committee.

230563 [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 Section A8.409 of the Charter, 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, 2023. ASSIGNED to Government Audit and Oversight Committee.

230564 [Memorandum of Understanding - Service Employees International Union, Local 1021 - Amendment No. 2]

Sponsors: Mayor; Safai

Ordinance adopting and implementing the Second Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, effective July 1, 2023, to adopt a side letter agreement to undertake classification studies and equity adjustments for certain represented classifications. ASSIGNED to Government Audit and Oversight Committee.

- 230565 [Memorandum of Understanding - Service Employees International Union, Local 1021 - Amendment No. 3]**
Sponsors: Mayor; Safai
Ordinance adopting and implementing the Third Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union Local 1021, effective July 1, 2023, to amend the compensation provision for 8238 Public Safety Communications Dispatcher and 8239 Senior Police Communications Dispatcher to provide an additional sixth salary step to both classifications. ASSIGNED to Government Audit and Oversight Committee.
- 230566 [Memorandum of Understanding - Service Employees International Union, Local 1021 - Amendment No. 4]**
Sponsors: Mayor; Safai
Ordinance adopting and implementing the Fourth Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, effective July 1, 2023, to adopt a side letter agreement for a retention payment program for certain Human Services Agency employees who provide child welfare emergency response services. ASSIGNED to Government Audit and Oversight Committee.
- 230567 [Memorandum of Understanding - Municipal Executives Association - Amendment No. 1]**
Sponsor: Mayor
Ordinance adopting and implementing the First Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association, effective July 1, 2023, to adopt a side letter agreement for a retention payment program for certain Human Services Agency employees who provide child welfare emergency response services. ASSIGNED to Government Audit and Oversight Committee.
- 230568 [Memorandum of Understanding - Municipal Executives Association - Amendment No. 2]**
Sponsor: Mayor
Ordinance adopting and implementing the Second Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association, effective July 1, 2023, to adopt a side letter agreement to reinstate the Airport Employee Transit Pilot Program at San Francisco International Airport. ASSIGNED to Government Audit and Oversight Committee.
- 230569 [Administrative Code - Extending Sunset Date of Sentencing Commission]**
Sponsors: Mayor; Stefani
Ordinance amending the Administrative Code to extend the sunset date of the San Francisco Sentencing Commission to June 30, 2026. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 230570 [Public Works Code - Waiver of Annual Occupancy Assessment Fee - Seal Rock Inn]**
Sponsor: Chan
Ordinance waiving the public right-of-way occupancy assessment fee under Public Works Code, Section 786.7, for a major encroachment permit associated with the Seal Rock Inn at 545 Point Lobos Avenue; modifying a condition of Seal Rock Inn's major encroachment permit; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

230026 [Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District]

Sponsor: Melgar

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots, up to twelve units on merged lots in RH-1 (Residential-House, One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, conditional use authorizations, and neighborhood notification requirements; 4) amending the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) amending the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) amending the Zoning Map to show the Family Housing Opportunity Special Use District; and 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.

RESOLUTIONS

230571 [Grant Agreement Amendment - Episcopal Community Services - Sanctuary Shelter - Not to Exceed \$25,755,271]

Sponsor: Mayor

Resolution approving the second amendment to the grant agreement between Episcopal Community Services and the Department of Homelessness and Supportive Housing ("HSH") for shelter services at Sanctuary Shelter; extending the grant term by 36 months from June 30, 2023, for a total term of July 1, 2021, through June 30, 2026; increasing the agreement amount by \$17,123,980 for a total amount not to exceed \$25,755,271; 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 Appropriations Committee.

230572 [Contract Amendment - Community Forward SF Inc. - Substance Use Disorder and Mental Health Services - Not to Exceed \$22,298,042]

Sponsor: Mayor

Resolution approving Amendment No. 3 to the agreement between Community Forward SF Inc. and the Department of Public Health, for Substance Use Disorder and Mental Health Services, to increase the agreement by \$8,698,042 for a total amount not to exceed \$22,298,042; to extend the term by two years from June 30, 2023, for a total agreement term of July 1, 2018, through June 30, 2025; 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 Homelessness and Behavioral Health Select Committee.

- 230573 [Property Lease - State of California Department of Transportation - Selby & Palou Mini Park - Annual Base Rent of \$2,000]**
Sponsors: Mayor; Walton
 Resolution authorizing a lease with the State of California, acting by and through its Department of Transportation, for the Recreation and Park Department to operate a property commonly known as Assessor's Parcel Block No. 5331, Lot No. 056, located under Highway 280 along Selby Street between Quesada Avenue and Palou Avenue, for an initial term of 10 years with three five-year options and base rent of \$2,000 per year with four percent yearly adjustments; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the General Plan, and the eight priority policies; and authorizing other actions in furtherance of this Resolution, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230574 [Approval of a 90-Day Extension for Historic Preservation Commission to Respond to Landmark Designation Initiation of Alexandria Theater (File No. 230266)]**
Sponsor: Chan
 Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission to respond to a landmark designation initiation from the Board of Supervisors (File No. 230266). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230575 [Urging the U.S. Department of Justice and the Drug Enforcement Agency to Designate San Francisco for Operation Overdrive to Reduce Fatal Drug Overdoses and Deter Fentanyl Trafficking]**
Sponsors: Dorsey; Stefani, Engardio and Mandelman
 Resolution joining Speaker Emerita Nancy Pelosi in urging the United States (U.S.) Department of Justice and U.S. Drug Enforcement Administration to designate the City and County of San Francisco for Operation Overdrive to decrease fatal overdose rates, to reduce drug-related violence, to increase community engagement, and to disrupt, dismantle and deter fentanyl-trafficking networks currently inflicting myriad harms on San Francisco's public health, neighborhoods, and economic well-being. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230576 [Yerba Buena Community Benefit District - Annual Report - FY2021-2022]**
Sponsor: Dorsey
 Resolution receiving and approving an annual report for the Yerba Buena Community Benefit District for Fiscal Year (FY) 2021-2022, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230577 [Use of City Corporate Seal - Retroactive - Office of Civic Engagement and Immigrant Affairs]**
Sponsor: Dorsey
 Resolution retroactively approving the use of the City's Corporate Seal for the purpose of staff jackets for Community Ambassadors with the Office of Civic Engagement and Immigrant Affairs. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 230578 [Noe Valley Community Benefit District - Annual Report - FY2021-2022]**
Sponsor: Mandelman
Resolution receiving and approving an annual report for the Noe Valley Community Benefit District for Fiscal Year (FY) 2021-2022, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230579 [Castro Community Benefit District - Annual Report - FY2021-2022]**
Sponsor: Mandelman
Resolution receiving and approving an annual report for the Castro Community Benefit District for Fiscal Year (FY) 2021-2022, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230580 [Real Estate Loan Document Amendments - BHC Balboa Builders, LLC - Balboa Reservoir Purchase - \$11,400,000]**
Sponsor: Melgar
Resolution approving the terms and conditions of the First Amendment to the Secured Carry-Back Promissory Note and the First Amendment to the Deed of Trust securing payment of the Balboa Reservoir purchase price of \$11,400,000. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230585 [Urging the California Attorney General and the U.S. Department of Justice to Examine Evidence in the Killing of Banko Brown]**
****Sponsor correction** **Sponsors:** Peskin; Walton, Ronen and Preston
Resolution urging the California Attorney General and the United States (U.S.) Department of Justice to examine evidence in the killing of Banko Brown, and make a determination as to whether the evidence warrants the pursuit of criminal charges or other legal action. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230586 [Public Works Week - May 22 through May 26, 2023]**
Sponsor: Peskin
Resolution commending the dedicated workforce of San Francisco Public Works and declaring May 22 through May 26, 2023, as Public Works Week in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230587 [Urging SFMTA to Delay Implementation of Meter Hour Extension]**
Sponsor: Peskin
Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to delay implementing meter hour extension until the completion of an independent economic impact report that specifically analyzes the projected impact to San Francisco small businesses, City revenues, and the City's overall economic recovery and said report is reviewed by the Board of Supervisors and the SFMTA Board. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 230581 [Supporting California State Assembly Bill No. 938 (Muratsuchi) - Education Finance: Local Control Funding Formula: Base Grants: Classified and Certificated Staff Salaries]**
Sponsors: Ronen; Engardio, Walton and Peskin
 Resolution supporting California State Assembly Bill No. 938, introduced by Assembly Member Al Muratsuchi (D-66) and co-authored by Assembly Members Juan Carrillo (D-39) and Alex Lee (D-24), to raise educator and classified professional pay in all public schools in California by 50% over the next seven years. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230582 [Approval of a 90-Day Extension for Historic Preservation Commission to Respond to Landmark Designation Initiation of Carnaval Mural (File No. 230299)]**
Sponsor: Ronen
 Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission may respond to a landmark designation initiation from the Board of Supervisors for the Carnaval Mural (File No. 230299). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230583 [Approval of a 90-Day Extension for the Historic Preservation Commission to Respond to a Landmark Designation Initiation of the Chata Gutierrez Mural (File No. 230300)]**
Sponsor: Ronen
 Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission may respond to a landmark designation initiation from the Board of Supervisors for the Chata Gutierrez Mural (File No. 230300). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

- 230552 [Reappointment, Bicycle Advisory Committee - Bert Hill]**
 Motion reappointing Bert Hill, term ending November 19, 2024, to the Bicycle Advisory Committee (District 7). (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230589 [Adoption of Findings Related to Conditional Use Authorization - 800 Taraval Street]**
 Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 21246, approving a Conditional Use Authorization, identified as Planning Case No. 2022-001838CUA, for a proposed project at 800 Taraval Street; and approving a Conditional Use Authorization for the same Planning Case and property with different conditions; adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 230530 [Settlement of Lawsuit - Jane Doe 1, Jane Doe 4, Jane Doe 5, Jane Doe 6, Jane Doe 9, John Doe 1, John Doe 2, John Doe 3, John Doe 4, John Doe 6, John Doe 7 - \$2,223,500]**
Ordinance authorizing settlement of the lawsuit, subject to the approval of the Probate Court, filed by Jane Doe 1, Jane Doe 4, Jane Doe 5, Jane Doe 6, Jane Doe 9, John Doe 1, John Doe 2, John Doe 3, John Doe 4, John Doe 6, John Doe 7 against the City and County of San Francisco for \$2,223,500; the lawsuit was filed on May 28, 2021, in San Francisco Superior Court, Case No. CGC-21-592296; entitled Jane Doe 1, et al. v. City and County of San Francisco, et al.; the lawsuit involves allegations of abuse and privacy violations brought by current and former residents of Laguna Honda Hospital and Rehabilitation Center. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230531 [Settlement of Lawsuit - Jonathan Valladares - \$45,000]**
Ordinance authorizing settlement of the lawsuit filed by Jonathan Valladares against the City and County of San Francisco for \$45,000; the lawsuit was filed on October 3, 2019, in San Francisco Superior Court, Case No. CGC-19-579765; entitled Jonathan Valladares v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230532 [Settlement of Lawsuit - Ricky Williams - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Ricky Williams against the City and County of San Francisco for \$75,000; the lawsuit was filed on October 1, 2020, in San Francisco Superior Court, Case No. CGC-20-587073; entitled Ricky Williams v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230533 [Settlement of Lawsuit - Patrick Jackson - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Patrick Jackson against the City and County of San Francisco et al. for \$50,000; the lawsuit was filed on February 23, 2022, in San Francisco Superior Court, Case No. CGC-22-598303; entitled Patrick Jackson v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230534 [Settlement of Lawsuit - Abdul Nevarez and Priscilla Nevarez - \$227,500]**
Ordinance authorizing settlement of the lawsuit filed by Abdul Nevarez and Priscilla Nevarez against the City and County of San Francisco for \$227,500; the lawsuit was filed on September 27, 2019, in United States District Court, Northern District of California, Case No. 19-CV-06155-SK; entitled Abdul Nevarez and Priscilla Nevarez v. City of San Francisco, et al.; the lawsuit involves disability access violations in the City's golf courses; other material terms of the settlement are making certain disability access improvements at the Harding Park and Fleming Park golf courses. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

230535 [Tolling Agreement - The Mexican Museum - Lawsuit Statute of Limitations]

Resolution approving a tolling agreement to toll the statute of limitations on The Mexican Museum's lawsuit against the City in exchange for a dismissal without prejudice in The Mexican Museum v. City and County of San Francisco, et al., San Francisco Superior Case No. CGC-14-542509. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230536 [Settlement of Unlitigated Claim - 1231 Market Street Owner L.P. - \$19,500,000]

Resolution approving the settlement of the unlitigated claim filed by 1231 Market Street Owner L.P. against the City and County of San Francisco for \$19,500,000; the claim was filed on April 13, 2023; the claim involves allegations of property damage to the Hotel Whitcomb caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230537 [Contract Amendment - HealthRIGHT 360 - Check-Writing Services - Not to Exceed \$107,416,172]

Resolution approving Amendment No. 2 to the agreement between HealthRIGHT 360 and the Department of Public Health (DPH), for check-writing services; to increase the agreement by \$60,650,012 for an amount not to exceed \$107,416,172; to extend the term by two years and six months from June 30, 2023, for a total agreement term of January 1, 2021, through December 31, 2025; 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 Government Audit and Oversight Committee.

Clerk to Act – May 16, 2023

Regular Board Meeting Minutes for April 11, 2023 and the Recessed Board Meeting Minutes for April 12, 2023, were approved.

Requests Granted

None

In Memoriam

Vivian Fontes – Supervisor Aaron Peskin

Margot Reed – Supervisors Shamann Walton, Aaron Peskin, Ahsha Safai, and
Rafael Mandelman

Deborah Lynn Hord – Supervisor Mandelman

Mei Ran Hu – Supervisor Mandelman