

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, May 23, 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.

ORDINANCE

230596 [Planning Code - Conditional Use for Residential Projects in RM, RC, and RTO Districts]

Sponsor: Peskin

Ordinance amending the Planning Code to require conditional use authorization for residential housing developments that do not maximize residential density, as defined, in Residential-Mixed (RM), Residential Commercial (RC), and Residential Transit Oriented (RTO) Districts except for Residential-Transit Oriented - Mixed (RTO-M) Districts; 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.

ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

RESOLUTIONS

230597 [Contract Amendment - Regents of the University of California - Behavioral Health Services for Children, Youth and Families - Not to Exceed \$20,098,073]

Sponsor: Mayor

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 children, youth and families, to increase the agreement by \$10,233,499 for an amount not to exceed \$20,098,073; to extend the term by four years, from June 30, 2023, 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 Homelessness and Behavioral Health Select Committee.

230598 [Contract Amendment - Retroactive - The Regents of the University of California - Mental Health Services for Infant Parent Program - Not to Exceed \$14,647,481]

Sponsor: Mayor

Resolution retroactively approving Amendment No. 2 to the agreement between The Regents of the University of California, A Constitutional Corporation, on behalf of its San Francisco Campus University of California (UC) San Francisco General Hospital (SFGH) Clinical Practice Group SFGH/Comm Focus PGM and the Department of Public Health, for mental health services for the Infant Parent Program, to increase the agreement by \$5,208,598 for an amount not to exceed \$14,647,481; to extend the term by five years and six months, from December 31, 2022, for a total agreement term of July 1, 2018, through June 30, 2028; 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.

230599 [Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - San Francisco Project INVEST - \$9,818,147]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$9,818,147 from the Centers for Disease Control and Prevention for participation in a program, entitled "San Francisco Project INVEST (INnovations that Value Equity and Strengthen Teams)," for the period of December 1, 2022, through November 30, 2027. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

230600 [Accept and Expend Grant - Retroactive - California Department of Public Health - Physicians for a Healthy California - COVID-19 Test to Treat Equity Grant - \$500,000]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$500,000 from the California Department of Public Health through the Physicians for a Healthy California for participation in a program, entitled "COVID-19 Test to Treat Equity Grant," for the period of December 1, 2022, through June 30, 2023. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

230601 [Accept and Expend Grant - Retroactive - California Department of Public Health - Syphilis Outbreak Strategy (SOS) Grant - \$2,668,251]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$2,668,251 from the California Department of Public Health for participation in a program, entitled "Syphilis Outbreak Strategy (SOS) Grant," for the period of July 1, 2022, through June 30, 2027. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 230602 [Interagency Cooperation Agreement - Transbay Joint Powers Authority - Phase 2 of the Transbay Program - Anticipated Revenue of Over \$1,000,000]**
Sponsor: Dorsey
 Resolution approving an Interagency Cooperation Agreement between the Transbay Joint Powers Authority (TJPA) and the City and County of San Francisco relating to Phase 2 of the Transbay Program to provide for the City's consultation, services, and cooperation with TJPA to facilitate the planning, design, and construction of the Project with an anticipated revenue of over \$1,000,000 over a 10-year term, effective upon approval by the Board of Supervisors and the Mayor. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230615 [Urging the Governor and State Legislature to Provide Operations Funding to Help San Francisco's Transit Systems Survive as They Recover From the Pandemic]**
Sponsors: Dorsey; Ronen, Preston and Engardio
 Resolution urging Governor Gavin Newsom and the California State Legislature to provide operations funding to help San Francisco transit systems survive as they recover from the pandemic, including urging the Governor and State Legislature to distribute additional transit operations in a way that would both not disadvantage San Francisco's transit agencies and be based on a formula that would avoid service cuts that most impact transit dependent riders, and urging the Governor and State Legislature to allow one-time investments of excess Federal Highway funds into transit operations as suggested by President Joe Biden. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230603 [Approval of a 60-Day Extension for Planning Commission Review of Nighttime Entertainment Castro Street Neighborhood Commercial District (File No. 220709)]**
Sponsor: Mandelman
 Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the San Francisco Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor, 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.
- 230604 [Recognizing Queer and Transgender Asian and Pacific Islander Week]**
Sponsor: Mandelman
 Resolution recognizing the week of May 28 through June 3, 2023, as Queer and Transgender Asian and Pacific Islander Week in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230605 [Fisherman's Wharf Community Benefit District - Annual Report - FY2021-2022]**
Sponsor: Peskin
 Resolution receiving and approving an Annual Report for the Fisherman's Wharf 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 agreements with the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 230606 [Union Square Business Improvement District - Annual Report - FY2021-2022]**
Sponsor: Peskin
 Resolution receiving and approving an annual report for the Union Square Business Improvement 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.
- 230607 [Tourism Improvement District and Moscone Expansion District - Annual Report - FY2021-2022]**
Sponsor: Peskin
 Resolution receiving and approving an annual report for the Tourism Improvement District and Moscone Expansion 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.
- 230608 [Downtown Community Benefit District - Annual Report - FY2021-2022]**
Sponsor: Peskin
 Resolution receiving and approving an Annual Report for the Downtown 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.
- 230609 [Supporting California State Senate Bill No. 525 (Durazo) - Minimum Wage: Health Care Workers]**
Sponsors: Safai; Walton, Ronen, Preston and Dorsey
 Resolution supporting California State Senate Bill No. 525, introduced by Senate Member Maria Elena Durazo (SD- 26), which would require a health care worker minimum wage of \$25 per hour for hours worked in covered health care employment, as defined, subject to adjustment, as prescribed. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230610 [Supporting California Senate Bill Nos. 36 (Skinner), 345 (Skinner), and 729 (Menjivar), and California State Assembly Bill Nos. 571 (Petrie-Norris) and 576 (Weber) - Reproductive and Gender-Affirming Health Care]**
Sponsor: Stefani
 Resolution urging the passage of California State Senate Bill No. 36, introduced by Senator Nancy Skinner to expand California's reproductive freedom state protections, Senate Bill No. 345, introduced by Senator Nancy Skinner to provide additional protections to medical providers who provide reproductive healthcare or gender-affirming services, Senate Bill No. 729, introduced by Senator Caroline Menjivar to require that health plans cover fertility care, Assembly Bill No. 571, introduced by Assembly Member Cottie Petrie-Norris to increase the number of licensed healthcare providers who are able to provide abortion and gender-affirming care, and Assembly Bill No. 576, introduced by Assembly Member Akilah Weber to require the California Department of Healthcare Services to fully reimburse providers to the provision of medication abortion. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

MOTIONS

230611 [Requesting the Office of the Controller and the Chief Economist to Conduct an Economic Impact Analysis on SFMTA's Meter Hour Extension]

Sponsor: Peskin

Motion requesting the Office of the Controller and the Chief Economist to conduct an economic impact analysis on how the San Francisco Municipal Transportation Agency's (SFMTA) meter hour extension proposal affects residents and neighborhood commercial corridors with an emphasis on late night and weekend entertainment and hospitality services. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230590 [Mayoral Appointment, Sanitation and Streets Commission - Vincent Yuen]

Motion approving/rejecting the Mayor's nomination for the appointment of Vincent Yuen to the Sanitation and Streets Commission, term ending July 1, 2026. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

230612 [Hearing - Shelter in Place Hotels and Housing First]

Sponsors: Dorsey; Mandelman

Hearing to discuss what lessons the City needs to learn from the shelter in place hotel program to better inform the City's own approach to "Housing First," and to better inform the City's permanent supportive housing programs; and requesting the Department of Homelessness and Supportive Housing, Human Services Agency and Department of Public Health to report. RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230613 [Hearing - Impact of Downtown Business Closures]

Sponsor: Engardio

Hearing to review the economic impact, potential tax revenue loss, and City budget consequence of downtown business closures; and requesting the Controller to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230614 [Hearing - SFHA's Report of Quality of Services Provided by Eugene Burger Management Corp]

Sponsor: Walton

Hearing on the San Francisco Housing Authority's (SFHA) report of Eugene Burger Management Corp regarding the quality of services provided at the Sunnysdale and Potrero Hill HOPE SF Sites; and requesting the SFHA and Eugene Burger Management Corp to report. RECEIVED AND ASSIGNED to Government Audit and Oversight 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

230555 [Settlement of Lawsuit - David Cordero - \$69,999]

Ordinance authorizing settlement of the lawsuit filed by David Cordero against the City and County of San Francisco for \$69,999; the lawsuit was filed on April 9, 2019, in U.S. District Court for the Northern District of California, Case No. 19-cv-01834; entitled David Cordero v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations arising out of a traffic stop on August 12, 2018. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230556 [Settlement of Lawsuit - Xavier Pittman - \$195,000]

Ordinance authorizing settlement of the lawsuit filed by Xavier Pittman against the City and County of San Francisco for \$195,000; the lawsuit was filed on April 19, 2022, in United States District Court for the Northern District of California, Case No. 22-cv-02412-LB; entitled Xavier Pittman v. City and County of San Francisco, et al.; the lawsuit involves an officer involved shooting. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230557 [Contract Amendments - Western Area Power Administration - Power and Scheduling Coordinator Services - Term Extension and Increasing Maximum Contract Amount to \$41,500,000; Waiver of Certain Municipal Code Requirements]

Ordinance approving the fourth amendments to two contracts between the San Francisco Public Utilities Commission (SFPUC) and the United States Department of Energy Western Area Power Administration for delivery of low-cost power and scheduling coordinator services to Treasure Island and Yerba Buena Island to extend the term by five years and three months from October 1, 2024, for a total term of September 1, 2005, through December 31, 2029, and increasing the maximum amount of the agreements to \$41,500,000; approving the City indemnifying and holding harmless the United States against claims arising from the City's activities under the contract; waiving Administrative Code requirements that a City contract contain a statement of guaranteed maximum costs and a statement regarding liability of claimants for submitting false claims; and waiving certain other Administrative Code and Environment Code requirements upon findings made by the SFPUC General Manager. (Public Utilities Commission). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Clerk to Act – May 23, 2023

Regular Board Meeting Minutes for April 18, 2023 and the Special Meeting Minutes at the Budget and Appropriations Committee for April 19, 2023, were approved.

Requests Granted

From: Supervisor Shamann Walton

To: United States Department of Justice

Requests: Requesting the United States Department of Justice perform a full review of the San Francisco District Attorney's handling and decision on the murder of Banko Brown.

From: Supervisor Ahsha Safai

To: Office of the City Attorney

Requests: Requesting the Office of the City Attorney to draft resolution to reject the water and sewer rate increases adopted on May 23, 2023.

From: Supervisor Dean Preston

To: San Francisco Police Department (SFPD), Office of the District Attorney, Department of Homelessness and Supportive Housing (DHS)

Requests: Requesting a response to the following questions from the aforementioned departments.

1. How do you track complaints regarding violence against people experiencing homelessness?
2. How many reported attacks have there been against unhoused individuals in the last year?
 - a. For each such attack, please provide the location, case number, synopsis, and case status.
3. What patterns or trends have there been in violence against people experiencing homelessness?
4. Are you aware of any efforts to encourage, incite, or organize violence against people who are experiencing homelessness?
 - a. Does your department monitor for vigilante organizing?
 - b. What steps have you taken to prevent the encouragement, incitement, or organizing of violence against people experiencing homelessness?
5. What, if any, outreach was done by your department to warn unhoused people about ongoing or potential threats of violence or vigilantism, including but not limited to the bear mace attacks?

From: Supervisor Rafael Mandelman

To: San Francisco Police Department (SFPD)

Requests: Requesting the SFPD to describe the barriers and challenges to restoring traffic enforcement to 2014 levels, including but not limited to overall staffing challenges and policy and legal changes at the State and local level that may have contributed to

the decline in enforcement, and present a plan to restore overall traffic enforcement to 2014 levels, with an emphasis on "Focus on the Five" violations.

In Memoriam

Joan Seiwald - Supervisor Rafael Mandelman