

# Board of Supervisors



City Hall  
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## Legislation Introduced at Roll Call

Tuesday, July 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.*

### ORDINANCE

**220854 [Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One, Block 4]**

**Sponsor:** Dorsey

Ordinance approving an amendment to the Transbay Redevelopment Plan to increase height and bulk limits on Block 4 of Zone One of the Transbay Redevelopment Project Area (Assessor's Parcel Block No. 3739, Lot No. 010, located on the south side of Howard Street between Beale and Main Streets), by increasing the maximum height limit for tower buildings from 450 feet to 513 feet, and increasing certain maximum floor plate sizes; making findings under the California Environmental Quality Act; making findings under the California Community Redevelopment Law; 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 Board of Supervisors.

### RESOLUTIONS

**220855 [Accept and Expend Grant - Retroactive - California Department of Fire and Forestry Protection - Urban and Community Forest California Climate Investments Grant Program - \$1,193,594]**

**Sponsors:** Mayor; Dorsey

Resolution retroactively authorizing the Department of Public Works to accept and expend a grant in the amount of \$1,193,594 from the California Department of Forestry and Fire Protection Urban and Community Forestry Grant Program, entitled "Urban and Community Forest California Climate Investments Grant Program," as provided through the California Greenhouse Gas Reduction Fund, for a term beginning July 1, 2022, through March 30, 2026, to support the operation of a tree nursery workforce development program at the South of Market Tree Nursery; and affirming the California Department of Transportation's determination under the California Environmental Quality Act. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 220856 [Accept and Expend Grant - Retroactive - American Rescue Plan Act of 2021 - California State Water Resources Control Board - Assist Eligible Residential and Commercial Customers with Wastewater Customer Account Arrears - \$9,302,044]**  
**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 with a total amount of \$9,302,044 to assist eligible residential and commercial customers who accrued wastewater customer account arrears during the COVID-19 pandemic from March 4, 2020, through June 15, 2021. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 220857 [Accept and Expend Grant - Retroactive - California State Department of Toxic Substances Control - India Basin 900 Innes Remediation Project - \$1,494,600]**  
**Sponsors:** Mayor; Walton  
 Resolution retroactively authorizing the Recreation and Park Department to accept and expend a \$1,494,600 grant from the California State Department of Toxic Substances Control for the 900 Innes Remediation Project; approving the Grant Terms and Conditions for the period of June 30, 2022, through June 29, 2023; and to authorize the Recreation and Park Department to enter into amendments or modifications to the Grant Terms and Conditions and to execute further agreements that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the Project or this Resolution. (Recreation and Park Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 220858 [Disposition and Development Agreement and Air Rights Lease - Successor Agency to the San Francisco Redevelopment Agency Land - F4 Transbay Partners LLC and Transbay Block 4 Housing Partnership, L.P. - Transbay Block 4 - \$6,000,000]**  
**Sponsor:** Dorsey  
 Resolution approving the disposition of land, and entrance into a ground lease of certain air space rights, by the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to F4 Transbay Partners LLC, a Delaware limited liability company, and Transbay Block 4 Housing Partnership, L.P., a California limited partnership, for a purchase price of \$6,000,000 for the property generally located at 200 Main Street, bounded by Howard, Main and Beale Streets and extending approximately 205 feet southeast from Howard Street (Assessor's Parcel Block No. 3739, Lot Nos. 010 and 011), commonly known as Transbay Block 4; making findings under the Transbay Redevelopment Plan (incorporating California Health and Safety Code, Section 33433); making findings 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. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 220859 [Yerba Buena Community Benefit District - Annual Report - FY2020-2021]**  
**Sponsor:** Dorsey  
 Resolution receiving and approving an annual report for the Yerba Buena Community Benefit District for Fiscal Year (FY) 2020-2021, 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.

- 220860 [Tom Nolan Day - August 2, 2022]**  
**Sponsors:** Mandelman; Melgar  
 Resolution declaring August 2, 2022, as Tom Nolan Day in the City and County of San Francisco in recognition of Tom Nolan’s lifetime of exemplary public service and on the occasion of his well-deserved retirement. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 220861 [Approval of a 90-Day Extension for Historic Preservation Commission to Respond to Landmark Designation Amendment Initiation of 429-431 Castro Street “Castro Theatre” (File No. 220550)]**  
**Sponsor:** Mandelman  
 Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission may respond to the landmark designation amendment initiation of 429-431 Castro Street "Castro Theatre" from the Board of Supervisors (File No. 220550). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 220862 [Approval of a 90-Day Extension for Planning Commission Review of Nighttime Entertainment Castro Street Neighborhood Commercial District (File No. 220709)]**  
**Sponsor:** Mandelman  
 Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the 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; 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.
- 220868 [Urging United States Secretary Xavier Becerra and the Department of Health and Human Services to Suspend Requirement to Relocate and Transfer Patients from Laguna Honda Hospital]**  
**Sponsors:** Melgar; Peskin, Chan, Stefani, Mar, Preston and Mandelman  
 Resolution urging United States Department of Health and Human Services Secretary Xavier Becerra to suspend a requirement by the Centers for Medicare and Medicaid Services on relocating and transferring vulnerable patients at Laguna Honda Hospital and Rehabilitation Center; and to extend coverage of Medicare and Medicaid payments until the end of year. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 220869 [Commendation for Ramon Oropeza Sr. and Inocencia Oropeza]**  
**Sponsor:** Melgar  
 Resolution recognizing and commending Ramon Oropeza Sr. and Inocencia Oropeza on the occasion of their retirement; and their many years of bringing joyful memories to San Franciscans at Villa D’Este. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 220784 [Resolution to Establish (Renew and Expand) - Tourism Improvement District]**  
**Sponsor:** Peskin  
Resolution to establish (renew and expand) the business-based business improvement district known as the "Tourism Improvement District;" ordering the levy and collection of assessments against defined hotel and short-term residential rental businesses located in that district for 15 years commencing January 1, 2024, subject to conditions as specified; approving modifications to the district management plan; and making environmental findings. RECEIVED AND ASSIGNED to Board of Supervisors.
- 220863 [Fisherman's Wharf Landside Community Benefit District and Fisherman's Wharf Portside Community Benefit District - Annual Report - FY2020-2021]**  
**Sponsor:** Peskin  
Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for Fiscal Year (FY) 2020-2021, 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 Districts' Management Agreements with the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220864 [Greater Union Square Business Improvement District - Annual Report - FY2020-2021]**  
**Sponsor:** Peskin  
Resolution receiving and approving an annual report for the Greater Union Square Business Improvement District for Fiscal Year (FY) 2020-2021, 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.
- 220865 [Japantown Community Benefit District - Annual Report - FY2020-2021]**  
**Sponsor:** Preston  
Resolution receiving and approving an annual report for the Japantown Community Benefit District for Fiscal Year (FY) 2020-2021, 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.
- 220725 [Board Response - Civil Grand Jury Report - A Progress Report about the San Francisco Department of Homelessness and Supportive Housing]**  
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2021-2022 Civil Grand Jury Report, entitled "A Progress Report about the San Francisco Department of Homelessness and Supportive Housing;" and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Clerk of the Board). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## MOTIONS

**220852 [Committee of the Whole - Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area - Zone One (File No. 220854) - September 20, 2022, at 3:00 p.m.]**

**Sponsor:** Dorsey

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 20, 2022, at 3:00 p.m., to hold a public hearing to consider an Ordinance for the proposed Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area (File No. 220854) to increase height and bulk limits on Block 4 of Zone One of the Transbay Redevelopment Project Area (Assessor's Parcel Block No. 3739, Lot No. 010, located on the south side of Howard Street between Beale and Main Streets), by increasing the maximum height limit for tower buildings from 450 feet to 513 feet, and increasing certain maximum floor plate sizes. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**220839 [Mayoral Appointment, Board of Appeals - John Trasvina]**

Motion approving/rejecting the Mayoral appointment of John Trasvina to the Board of Appeals, for a term ending July 1, 2026. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

**220848 [Appointment, Treasury Oversight Committee - David Martin]**

Motion approving/rejecting the Treasurer's nomination of David Martin, for a term ending June 17, 2026, to the Treasury Oversight Committee. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

**220866 [Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments - November 8, 2022, Consolidated General Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters for the November 8, 2022, Consolidated General Election. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**220870 [Appointment, Park, Recreation and Open Space Advisory Committee - Cynthia Salazar]**

Motion appointing Cynthia Salazar, term ending February 1, 2024, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

**220867 [Hearing - Lower Nob Hill/Upper Tenderloin Open Space Acquisition Plan]**

**Sponsor:** Peskin

Hearing on the public open space needs in the Lower Nob Hill/Upper Tenderloin/Polk Gulch neighborhoods, an overview of the consultant survey of potential soft sites for acquisition, an accounting of the fund balance for the Open Space Acquisition Fund, and an update on the Recreation and Park Department's ability to meet the mandated "high needs" criteria of the Open Space Acquisition Fund; and requesting the Recreation and Park Department and Real Estate Division to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

- 220724 [Hearing - Civil Grand Jury Report - "A Progress Report about the San Francisco Department of Homelessness and Supportive Housing"]**  
Hearing on the 2021-2022 Civil Grand Jury Report, entitled "A Progress Report about the San Francisco Department of Homelessness and Supportive Housing." (Clerk of the Board). 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**

- 220794 [Settlement of Lawsuit - Phris M. Keaton - \$45,000]**  
Ordinance authorizing settlement of the lawsuit filed by Phris M. Keaton against the City and County of San Francisco for \$45,000; the lawsuit was filed on April 21, 2021, in San Francisco Superior Court, Case No. CGC-21-591264; entitled Phris M. Keaton v. Garret Edwards, et al.; the lawsuit involves alleged personal injury due to excessive force by Sheriff's Deputy. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220809 [Settlement of Lawsuit - Eric Taylor - \$37,500]**  
Ordinance authorizing settlement of the lawsuit filed by Eric Taylor against the City and County of San Francisco for \$37,500; the lawsuit was filed on November 24, 2020, in San Francisco Superior Court, Case No. CGC-20-587959; entitled Eric Taylor v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**PROPOSED RESOLUTIONS**

- 220797 [Settlement of Unlitigated Claim - Benefit Cosmetics LLC - \$228,182.93]**  
Resolution approving the settlement of the unlitigated claim filed by Benefit Cosmetics LLC against the City and County of San Francisco for \$228,182.93; the claim was filed on November 9, 2021; the claim involves a refund of gross receipts and homelessness gross receipts taxes. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220798 [Tolling Agreement - PK Domestic Property LLC - Hotel Adagio - Real Property Transfer Tax Dispute]**  
Resolution approving a Tolling Agreement to extend the statute of limitations for PK Domestic Property LLC for Hotel Adagio to bring potential litigation against the City and County of San Francisco for a refund of real property transfer tax to allow for possible resolution of the matter without litigation. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 220799 [Tolling Agreement - Park Intermediate Holdings LLC - Hyatt Centric Hotel - Real Property Transfer Tax Dispute]**  
Resolution approving a Tolling Agreement to extend the statute of limitations for Park Intermediate Holdings LLC for the Hyatt Centric Hotel to bring potential litigation against the City and County of San Francisco for a refund of real property transfer tax to allow for possible resolution of the matter without litigation. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220800 [Tolling Agreement - PK Domestic Property LLC - Le Meridien Hotel - Real Property Transfer Tax Dispute]**  
Resolution approving a Tolling Agreement to extend the statute of limitations for PK Domestic Property LLC for the Le Meridien Hotel to bring potential litigation against the City and County of San Francisco for a refund of real property transfer tax to allow for possible resolution of the matter without litigation. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220801 [Grant Agreement - Retroactive - Children’s Council of San Francisco - Early Care and Education Integrated Services - Not to Exceed \$364,091,448]**  
Resolution retroactively approving the grant agreement between the City and County of San Francisco and Children’s Council of San Francisco for the provision of Early Care and Education Integrated Services to support the City’s implementation of the San Francisco Citywide Plan for Early Care and Education for the period of July 1, 2022, through June 30, 2024, in an amount not to exceed \$364,091,448. (Human Services Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 220802 [Grant Agreement - Retroactive - Wu Yee Children’s Services - ECE Integrated Services - Not to Exceed \$144,496,672]**  
Resolution retroactively approving the grant agreement between the City and County of San Francisco and Wu Yee Children’s Services for the provision of Early Care and Education Integrated Services to support the City’s implementation of the San Francisco Citywide Plan For Early Care and Education (ECE) for the period of July 1, 2022, through June 30, 2024, in an amount not to exceed \$144,496,672. (Human Services Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 220803 [Lease Amendment - New Conservatory Theatre Center - 25 Van Ness Avenue, Lower Level - Additional Five-Year Option - Rent Forgiveness - \$50,067.60]**  
Resolution authorizing the Real Estate Division to approve a fourth amendment to the lease to extend approximately 14,229 rentable square feet of space at 25 Van Ness Avenue, Lower Level, to New Conservatory Theatre Center, a California non-profit corporation, for a five-year period from October 1, 2028, through September 30, 2033, and forgive rent between January 2021, through June 2021, in the amount of \$50,067.60; and to authorize the Director of Property to enter into any extensions, amendments, or modifications to the Lease that do not materially reduce the rent or otherwise materially increase the obligations or liabilities to the City and are necessary or advisable to effectuate the purposes of the Lease or this Resolution. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Clerk to Act - July 19, 2022**

**Regular Board Meeting Minutes for June 14, 2022 were approved. Special Meeting Minutes for the Budget and Appropriations Committee for June 15, 2022 were approved.**

**Requests Granted**

From: Supervisor Catherine Stefani

To: Department of Public Health

Inquiring: Access to medication-assisted treatment in San Francisco (see attached letter).

From: Supervisor Catherine Stefani

To: The Offices of the Assessor Recorder; Controller; Economic and Workforce Development; and Economic Analysis.

Inquiring: The future of commercial real estate (see attached letter).

**In Memoriam**

None





**CATHERINE STEFANI**

July 19, 2022

Dear Dr. Colfax and Dr. Kunins,

As we all know, medication-assisted treatment (MAT) for opioid addiction is a crucial part of San Francisco's plan to addressing the overdose death crisis in our city.

According to the Substance Abuse and Mental Health Services Administration, in 2018, an estimated 2 million people had an opioid use disorder which includes prescription pain medication containing opiates and heroin. MAT has been shown to: improve patient survival, increase retention in treatment, decrease illicit opiate use and other criminal activity among people with substance use disorders, increase patients' ability to gain and maintain employment, and improve birth outcomes among women who have substance use disorders and are pregnant. Research also shows that these medications and therapies can contribute to lowering a person's risk of contracting HIV or Hepatitis C by reducing the potential for relapse.

Immediate access to MAT is critical to ensuring individuals who suffer from substance abuse disorder maximize their chances of recovery. Recently, I became aware of allegations that individuals who wanted to begin MAT were turned away during the intake hours, which, if true, could have disastrous consequences for their health.

The purpose of this letter of inquiry is to ascertain our ability to meet the demand for MAT in San Francisco. In order to better understand this issue, I would like to know: what is the process for intake and referral to MAT in San Francisco; do our MAT programs take referrals from all medical providers in the city; is there a wait list to access MAT in San Francisco; are individuals interested in MAT being turned away or told to return another day, and if, so how often does this occur?

I would be happy to discuss this request with you at any time, and I'm willing to augment this request and expand it to include other additional metrics that you believe are relevant. I intend to share the results of this letter of inquiry with the public at a hearing after the conclusion of the legislative recess, sometime in the early fall.

Sincerely,

A handwritten signature in blue ink, appearing to read "Catherine Stefani".

Catherine Stefani  
Member, Board of Supervisors



## CATHERINE STEFANI

July 19, 2022

Dear Assessor Torres, Controller Rosenfield, Director Sofis, and Chief Economist Egan;

San Francisco's downtown core and Financial District have been devastated by the pandemic, and early signs indicate that our recovery continues to lag behind the rest of the nation. A report from February indicated that our job recovery is 15% lower than the national average, and 10% lower than California as a whole.

San Francisco, with its heavy concentration of tech employers, is particularly vulnerable to remote work that has kept workers out of downtown offices. The San Francisco metro area has the lowest share of workers back at the office among 10 U.S. cities, according to swipe-card data from security company Kastle Systems, with about a quarter of employees returning as of February. The city's office market had a 22.6% vacancy rate at the end of 2021, compared with 16.6% for the U.S., data from CBRE Group Inc. show.

Other indicators like hotel occupancy, domestic air travel, and transit ridership indicate that San Francisco is well behind other major U.S. metro areas. More than 42% of San Francisco's small businesses and 30% of its total employment are located within the area defined as the city's economic core, according to data from the Controller's Office.

Prior to the pandemic, the downtown area was responsible for generating more than 45% of the city's sales tax. Since then, the neighborhood has seen some of the largest declines in sales tax revenue, with some ZIP codes experiencing a more than 50% drop between 2019 and 2021.

The purpose of this letter of inquiry is to ask each of you to try and assess the likelihood and impact of reduced demand for commercial space in San Francisco, especially in our downtown, on local tax revenue. In order to better understand this issue, I would like to know: what is the share of property tax revenue from commercial real estate; have there been any recent trends in commercial real estate transaction activity that might impact property tax revenue; how have property values changed and can we forecast any impact to; and are property owners changing the rate at which they request reassessments?

I would be happy to discuss this request with you at any time, and I'm willing to augment this request and expand it to include other additional metrics that you believe are relevant to the economic future of our downtown core and commercial real estate market.

I intend to share the results of this letter of inquiry with the public at a hearing after the conclusion of the legislative recess, sometime in the early fall.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Catherine Stefani', with a large, sweeping flourish at the end.

Catherine Stefani  
Member, Board of Supervisors