

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, July 25, 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

230701 [Planning Code - Citywide Expansion of Allowable Commercial, Restaurant, and Retail Uses]

Sponsors: Mayor; Engardio, Dorsey and Melgar

Ordinance amending the Planning Code to 1) permit additional commercial, retail, and restaurant uses on the ground floor in certain neighborhood commercial districts (NCDs) and residential districts; 2) principally permit Flexible Retail on the ground floor in NCDs and Chinatown mixed use districts; 3) create Professional Services as a use category that may provide services to the public and businesses and delete Non-Retail Professional Service and Retail Professional Service use subcategories; 4) create regulations for music entertainment venues and non-profit theaters distinct from regulations for Bars; 5) allow Limited Corner Commercial Uses in certain residential districts; 6) conditionally permit Formula Retail and Restaurant uses in certain commercial and residential districts; 7) amend Section 311 to remove neighborhood notice requirements for changes of use in the Eastern Neighborhoods mixed use districts; 8) expand business types that qualify for the Planning Department priority review program; 9) clarify that multiple allowable uses may co-locate on one site; 10) clarify and modify various other use regulations and processes; 11) establish a process to legalize certain unpermitted outdoor activity areas including restaurant patios; 12) permit additional retail and non-retail uses in specified NCDs; and 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 findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

230853 [Park Code - John F. Shelley Drive - Road Closure]

Sponsors: Mayor; Walton

Ordinance amending the Park Code to restrict private vehicles from a portion of John F. Shelley Drive, between the Upper Reservoir Parking Lot and Mansell Street, in McLaren Park. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

230858 [Treasure Island/Yerba Buena Island - The Rocks Park Acceptance]

Sponsors: Mayor; Dorsey

Ordinance acknowledging the Treasure Island Development Authority's acceptance of certain improvements on a portion of the Yerba Buena Island Hilltop Parks known as The Rocks (Assessor's Parcel Block No. 8958, Lot No. 003), adjacent to Macalla Road, and the Authority's acceptance of the park improvements for maintenance and liability purposes; dedicating The Rocks to public use; designating the property for public open space and park purposes; adopting findings 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 adopting a Public Works Order that recommends acceptance of The Rocks park improvements and related actions, as defined herein. (Treasure Island Development Authority). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

230859 [Treasure Island/Yerba Buena Island - Delegation Related to Acceptance of Public Parks]

Sponsors: Mayor; Dorsey

Ordinance delegating to the Treasure Island Development Authority various powers related to acceptance of public parks and open space improvements as part of development of the Treasure Island/Yerba Buena Island Project pursuant to Disposition and Development Agreement, Development Agreement, and a Special Use District in Planning Code, Section 249.52. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

230860 [Administrative Code - Library Laureate Programs]

Sponsor: Mayor

Ordinance amending the Administrative Code to establish the Library Laureate Programs, and authorizing the Library to grant stipends to individuals selected through a competitive process as Laureates or Finalists in recognition of their achievements, leadership, and cultural contributions, and in exchange for their service to the City. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

230861 [Police Code - Fees, Applications, and Conditions for Certain Entertainment Permits]

Sponsor: Mayor

Ordinance amending the Police Code to 1) waive initial license and filing fees through June 30, 2025, for certain Entertainment Permits for current or former holders of Just Add Music Permits; 2) waive initial license and filing fees for Entertainment Permits for applicants who are newly eligible to apply for those permits due to recent Planning Code amendments; 3) eliminate masked ball permits; 4) require applicants for Arcade, Ancillary Use, billiard and pool table, Place of Entertainment, Limited Live Performance, Fixed Place Outdoor Amplified Sound, and Extended-Hours Premises Permits to submit a new Permit application and filing fee if their existing application has not been granted, conditionally granted, or denied within 12 months of its submission; 5) authorize the Entertainment Commission Director (“Director”) to issue billiard and pool table permits without a hearing, and provide that such permits may be suspended or revoked under the standards and procedures that apply to other Entertainment Permits; 6) eliminate the requirement that applicants for Place of Entertainment Permits disclose with their permit application criminal history information regarding certain individuals connected with the applicant business; 7) narrow the categories of new criminal charges, complaints, or indictments brought against a Place of Entertainment Permittee or its employees or agents that the Permittee must report, to only those charges, complaints or indictments that could be grounds for suspension of the Permit; and 8) allow the Director or the Entertainment Commission to require an applicant for a Limited Live Performance Permit to propose a Security Plan if necessary to protect the safety of persons and property or provide for the orderly dispersal of persons and traffic, to make compliance with the Security Plan a condition of the Permit, and to require revisions to the Security Plan as necessary. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

230862 [Building Code - Vacant or Abandoned Commercial Storefronts Fee Waiver]

Sponsor: Mayor

Ordinance amending the Building Code to allow the Department of Building Inspection to waive the annual registration fee for Vacant or Abandoned Commercial Storefronts; and affirming the Planning Department’s determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

230863 [Planning Code - Exceptions from Limits on Conversion of Production, Distribution and Repair, Institutional Community, and Arts Activities Uses in Eastern Neighborhood Plans Areas]

Sponsor: Dorsey

Ordinance amending the Planning Code to exempt from the limitations on conversion of certain Production, Distribution and Repair (“PDR”), Institutional Community, and Arts Activities uses in the Eastern Neighborhoods Plans Areas (Mission, Eastern SoMa, Western SoMa and Central SoMa), changes of use from one of those uses to another of those uses, or to Institutional Education uses; affirming the Planning Department’s determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and 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.

- 230505 [Planning Code, Zoning Map - Wawona Street and 45th Avenue Cultural Center Special Use District]**
Sponsor: Engardio
 Ordinance amending the Planning Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District (Assessor's Parcel Block No. 2513, Lot No. 026) to facilitate the redevelopment of a cultural center; amending the Zoning Map to show the Wawona Street and 45th Avenue Cultural Center Special Use District; 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.
- 230864 [Administrative Code - Forgivable Loan for First-Time Homebuyers Fund and Program]**
Sponsor: Melgar
 Ordinance amending the Administrative Code to establish the Forgivable Loan for First-Time Homebuyers Program and the Forgivable Loan for First-Time Homebuyers Fund to assist low, moderate, and middle-income first-time homebuyers who would otherwise not be able to purchase a primary residence in San Francisco; and to require the Human Rights Commission to establish policies and procedures to issue and possibly forgive loans from the Fund, and to provide oversight, monitoring, and forgiveness of such loans. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 230865 [Amendment of the Salary Ordinance for the Police Department - Fiscal Years 2023-2024 and 2024-2025]**
Sponsor: Peskin
 Ordinance amending Ordinance No. 145-23 (Salary Ordinance Fiscal Years 2023-2024 and 2024-2025) to reflect the deletion of four positions (4.00 FTE) in Fiscal Year 2023-2024 and the addition of 7.69 positions (7.69 FTE) in Fiscal Year 2023-2024 in the Police Department. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 230866 [Health Code - Regulating Medical Specimen Test Collection Sites]**
Sponsors: Preston; Ronen
 Ordinance amending the Health Code to require that sites that collect medical specimens on behalf of clinical laboratories partner with either a governmental entity, a licensed health care provider located in the City, or an educational or academic institution, establish hygiene, sanitation, and privacy standards, and adhere to the Health Insurance Portability and Accountability Act; and providing that a violation of the specimen collection standards is a public health nuisance subject to an administrative penalty that may be imposed by the Department of Public Health. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 230867 [Public Works Code - Excavation by Microtrenching for Fiber]**
Sponsors: Safai; Engardio
 Ordinance amending the Public Works Code to allow the use of microtrenching to install fiber-optic facilities; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

230868 [Administrative, Campaign and Governmental Conduct Codes - Language Access Ordinance]

Sponsor: Walton

Ordinance amending the Administrative Code to amend the Language Access Ordinance to clarify Departments' responsibilities to provide language access services to members of the public, and to clarify the role of the Office of Civic Engagement and Immigrant Affairs in administering the Language Access Ordinance; to require language access service be provided in Chinese, Spanish, Filipino, and any other language for which the requisite number of person qualifies as a Substantial Number of Limited English Proficient Persons; to amend the formula for determining when a language becomes eligible for language access services; to require Departments to translate signage; to require Departments to translate digital content provided on digital platforms; to clarify that crisis situations also includes but is not limited to pandemics, emergency response, and public safety incidents that impact and effect the community; to rename the Annual Compliance Plan to Annual Compliance Report; to impose requirements for the Language Access Ordinance Summary Report; to require Departments to inform members of the public of their right to file a complaint, and of a process for providing feedback on the Department's Language Access Services; to require Office of Civic Engagement and Immigrant Affairs to create a know-your-rights brochure; to require Departments' posting notice of the availability of Language Access Services and a know-your-rights brochure; to require Departments to budget and plan for delivery of Language Access Services; to require Office of Civic Engagement and Immigrant Affairs to prepare an investigation summary report of each investigation that will include findings and recommendation to address the issues raised, and to create and maintain a website for the posting of investigation summary reports; and to delete the financial disclosure requirement for Immigrant Rights Commission members. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

230885 [Administrative Code - Assessment Appeals Board Remote and Hybrid Remote Hearings and Conferences]

Ordinance amending the Administrative Code to authorize the Assessment Appeals Board (AAB) to hold remote hearings and conferences at which no AAB members are physically present, and hybrid remote hearings and conferences at which some but not all AAB members are physically present. (Clerk of the Board). ASSIGNED UNDER 30 DAY RULE to Rules Committee.

RESOLUTIONS

230710 [Permit Issuance - Another Planet Entertainment LLC - Polo Field Concerts - Minimum Permit Fee of \$1,400,000 Per Year for a Two-Day Event and \$2,100,000 for a Three-Day Event]

Sponsor: Mayor

Resolution authorizing the Recreation and Park Department to issue a permit for Another Planet Entertainment LLC to hold a ticketed concert at the Golden Gate Park Polo Fields on the Friday, Saturday, and Sunday following the Outside Lands Festival in 2024, 2025 and 2026, in exchange for a minimum permit fee \$1,400,000 per year for a 2-day event and \$2,100,000 for a 3-day event for a three-year term to commence in 2024, and a commitment to hold three free musical concerts per year, for each year in which concerts are held at the Polo Fields; affirming a categorical exemption under the California Environmental Quality Act; and to authorize the General Manager of the Recreation and Park Department to enter into amendments or modifications to the permit that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the permit or this Resolution. (Recreation and Park Department). SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

- 230869 [Grant Agreement Amendment - Homeless Prenatal Program - Homelessness Prevention Assistance - Not to Exceed \$23,461,035]**
Sponsor: Mayor
Resolution approving the third amendment to the grant agreement between the Homeless Prenatal Program and the Department of Homelessness and Supportive Housing (“HSH”) for homelessness prevention assistance; extending the grant term by 45 months for a total term of July 1, 2018, through June 30, 2027; increasing the agreement amount by \$13,561,035 for a total amount not to exceed \$23,461,035; 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 Homelessness and Behavioral Health Select Committee.
- 230870 [Grant Agreement Amendment - Brilliant Corners - Young Adult Rapid Re-Housing - Not to Exceed \$27,309,402]**
Sponsor: Mayor
Resolution approving the first amendment to the grant agreement between Brilliant Corners and the Department of Homelessness and Supportive Housing (“HSH”) for housing location and rental assistance for young adults in rapid re-housing; extending the grant term by 24 months from June 30, 2024, for a total term of July 1, 2021, through June 30, 2026; increasing the agreement amount by \$17,409,402 for a total amount not to exceed \$27,309,402; and authorizing HSH to enter into any additions, amendments, or other modifications to the agreement/contract that do not materially increase the obligations or liabilities, or materially decrease the benefits to the City. (Department of Homelessness and Supportive Housing). RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.
- 230871 [Grant Agreement Amendment - Tenderloin Housing Clinic, Inc. - Master Lease Hotels - Not to Exceed \$241,657,513]**
Sponsor: Mayor
Resolution approving the second amendment to the grant agreement between the Tenderloin Housing Clinic, Inc. and the Department of Homelessness and Supportive Housing (“HSH”) for master lease stewardship, property management, and support services at 16 permanent supportive housing sites; extending the grant term by 24 months for a total term of July 1, 2020, through June 30, 2026; increasing the agreement amount by \$108,753,662 for a total amount not to exceed \$241,657,513; 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. (Department of Homelessness and Supportive Housing). RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.
- 230872 [Grant Agreement Amendment - Five Keys Schools and Programs - Bayshore Navigation Center - Not to Exceed \$25,071,113]**
Sponsor: Mayor
Resolution approving the second amendment to the grant agreement between Five Keys Schools and Programs and the Department of Homelessness and Supportive Housing (“HSH”) for shelter and support services at the Bayshore Navigation Center; extending the grant term by 33 months for a total term of January 1, 2021, through June 30, 2026; increasing the agreement amount by \$15,155,893 for a total amount not to exceed \$25,071,113; 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 Homelessness and Behavioral Health Select Committee.

- 230873 [Memorandum of Understanding - Friends and Foundation of the San Francisco Public Library]**
Sponsor: Mayor
Resolution approving the Memorandum of Understanding (MOU) between the Friends and Foundation of the San Francisco Public Library and the San Francisco Public Library to establish roles and responsibilities of each party for purposes of fundraising, enhancing operations, and capital projects for a term of 10 years effective upon approval of this Resolution; and to authorize the San Francisco Public Library to enter into amendments or modifications of the MOU 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 MOU or this Resolution. (Public Library). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 230874 [Accepting Receipt of the Final Governance Plan, Business Plan and Viability Study for a San Francisco Municipal Financial Corporation and a San Francisco Public Bank]**
Resolution accepting receipt of the San Francisco Reinvestment Working Group's Final Governance Plan, Business Plan and Viability Study for a San Francisco Municipal Financial Corporation and Final Governance Plan, Business Plan and Viability Study for a San Francisco Public Bank. (Government Audit and Oversight Committee). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230875 [International Overdose Awareness Day - August 31, 2023]**
Sponsors: Ronen; Preston and Peskin
Resolution recognizing August 31, 2023, as an International Overdose Awareness Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230876 [Commemorating the 50th Anniversary of Bruce Lee's Passing]**
Sponsors: Safai; Chan and Peskin
Resolution commemorating the 50th Anniversary of Bruce Lee's passing. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 230877 [Commemorative Street Name Designation - "Elsie Tonelli Street" - Mission Street between Santa Rosa Avenue and Excelsior Avenue]**
Sponsor: Safai
Resolution adding the Commemorative Street Name "Elsie Tonelli Street" to Mission Street between Santa Rosa Avenue and Excelsior Avenue in recognition of her contribution to San Francisco as a local figure. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 230878 [Korean Chuseok Day - September 29, 2023]**
Sponsor: Stefani
Resolution recognizing September 29, 2023, as Korean Chuseok Day and honoring the Korean Center, Inc. for its contributions to the Korean American community in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230879 [Lease Amendment - San Francisco Market Corporation - San Francisco Wholesale Produce Market - Jerrold Avenue and Toland Street]

Sponsor: Walton

Resolution approving and authorizing the Director of Property to enter into a first amendment to the current lease ("Lease") for the San Francisco Wholesale Produce Market, located near 2095 Jerrold Avenue (generally bordering Highway 280 and Innes and Kirkwood Avenues, and Toland and Rankin Streets), with the San Francisco Market Corporation to distribute City funds to support the development of certain elements of the Produce Market Reinvestment Plan; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the contemplated transactions are consistent with the General Plan, and the eight priority policies of the Planning Code, Section 101.1; authorizing the Director of Property to execute a first amendment to the Lease, make certain modifications, and take certain actions in furtherance of this Resolution and the Lease, as defined herein; and authorizing the Director of Property to enter into any additions, amendments, or other modifications to the Lease that do not materially increase the obligations or liabilities of the City to effectuate the purposes of the First Amendment or this Resolution. RECEIVED AND ASSIGNED to Budget and Finance Committee.

230880 [Initiating Landmark Designation Amendment - San Francisco Fire Station No. 44]

Sponsor: Walton

Resolution initiating an amendment to the landmark designation of the San Francisco Fire Station No. 44, located at 1298 Girard Street, Assessor's Parcel Block No. 6194, Lot No. 010, under Article 10 of the Planning Code. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

MOTIONS

230854 [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.

230856 [Mayoral Appointment, Historic Preservation Commission - Hans Baldauf]

Motion approving/rejecting the Mayor's nomination for the appointment of Hans Baldauf to the Historic Preservation Commission, term ending December 31, 2026. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

230881 [Hearing - SFUSD and Public Education Enrichment Fund Spending]

Sponsor: Chan

Hearing on the budget and spending of the Public Education Enrichment Fund and other City funding directed to San Francisco public schools, including the implementation of the Student Success Fund (Proposition G); and requesting that the San Francisco Unified School District (SFUSD), Department of Early Childhood, and the Department of Children, Youth, and Their Families to report. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 230882 [Hearing - Free City and City College of San Francisco Implementation]**
Sponsor: Chan
 Hearing on the implementation of Free City and the City College of San Francisco (CCSF) budget; and requesting CCSF and the Department of Children, Youth and Their Families to report. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 230883 [Hearing - Criminalizing and Arresting Individuals Suffering From Substance Use Disorder]**
Sponsor: Ronen
 Hearing to discuss the increased efforts to criminalize individuals suffering from substance use disorder; and to provide data on how many individuals have been arrested, the results of those arrests, the impact of this effort on the health of drug users, the impact of this effort on service providers and use of harm reduction services, and how the police are complying with state laws that protect harm reduction materials from confiscation by police; and requesting the Mayor's Office, Police Department, Office of the District Attorney, Department of Emergency Management, Sheriff's Department, Office of the Public Defender, Department of Homelessness and Supportive Housing, and Department of Public Health to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 230884 [Hearing - San Francisco Police Department and District Attorney Comprehensive Drug Dealing Strategy]**
Sponsors: Peskin; Safai
 Hearing to consider the City's comprehensive strategy to prioritize the investigation, arrests, charging and prosecution of San Francisco's rampant open-air street-level drug dealing rings, as well as cutting off the supply of deadly opioids; and requesting the Police Command Staff and the District Attorney to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services 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

- 230830 [Settlement of Lawsuit - Ike Ohannesyan - \$50,000]**
 Ordinance authorizing settlement of the lawsuit filed by Ike Ohannesyan against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 17, 2021, in San Francisco Superior Court, Case No. CGC-21-591955; entitled Ike Ohannesyan v. Johnathon Ng, et al.; the lawsuit involves an alleged personal injury arising from an accident involving a police car. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Clerk to Act – July 25, 2023

Special Meeting Minutes at the Budget and Appropriations Committee for June 22, 2023, were approved.

Requests Granted

From: Supervisor Catherine Stefani

To: The Department of Public Health (DPH)

Requests: Requesting information on DPH's withdrawal management centers and related services.

In Memoriam

Anthony "Tony Bennett" Dominick Benedetto - Supervisor Aaron Peskin and the entire Board of Supervisors

Charlie Marsteller – Supervisor Aaron Peskin

William Harden – Supervisor Aaron Peskin

Joyce Juan Manalo - Supervisor Aaron Peskin

Chester Hartman – Supervisors Dean Preston and Aaron Peskin

Wilma V. Dawson-Gardner – Supervisor Ahsha Safai