

# Board of Supervisors



City Hall  
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San Francisco, CA 94102-4689  
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## Legislation Introduced at Roll Call

Tuesday, September 24, 2019

### 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

#### **190866 [Fire Code - Repealing 2016 Code, Adopting 2019 Code]**

**Sponsor:** Mayor

Ordinance repealing the existing San Francisco Fire Code in its entirety and enacting a new San Francisco Fire Code consisting of the 2019 California Fire Code and portions of the 2018 International Fire Code, together with amendments specific to San Francisco with an operative date of January 1, 2020; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

#### **190971 [Street Vacation and Conveyance - India Basin Project]**

**Sponsors:** Mayor; Walton

Ordinance ordering the vacation of streets in the India Basin Project site, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline; reserving temporary public utility and access rights in favor of the City and temporary easement rights for existing PG&E gas and overhead electrical facilities; authorizing the City to quitclaim its interest in approximately 3.8 acres within Earl Street, Hudson Avenue, and Arelious Walker Drive to India Basin Investment LLC; authorizing the City to transfer approximately 1.1 acres within Arelious Walker Drive, Hudson Avenue, Earl Street, and Galvez Avenue to the State for purposes of having such property reconveyed to the City to be held by the Port, in trust, through implementation of the India Basin Public Trust Exchange; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein, including transmittal of the Ordinance by the Clerk of the Board of Supervisors to the Assessor Recorder for recording. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

- 190972 [Environment Code - Electrification of Municipal Facilities]**  
**Sponsors:** Brown; Mandelman and Peskin  
Ordinance amending the Environment Code to require new construction and major renovations of municipal buildings to exclude natural gas and include exclusively all-electric energy sources; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 190973 [Health Code - Approving a New Location for a Permittee's Medical Cannabis Dispensary Permit]**  
**Sponsor:** Haney  
Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 190974 [Green Building Code - Energy Performance in Newly Constructed Buildings]**  
Ordinance amending the Green Building Code to establish energy performance requirements for certain new building construction; adopting environmental findings, and findings of local conditions under the California Health and Safety Code and the California Public Resources Code; and directing the Clerk of the Board of Supervisors to forward the Ordinance to state agencies as required by state law. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

## **RESOLUTIONS**

- 190969 [Resolution of Intention to Vacate Streets - India Basin]**  
**Sponsors:** Mayor; Walton  
Resolution declaring the intention of the Board of Supervisors to order the vacation of streets in the India Basin Project site, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline; and setting the hearing date for all persons interested in the proposed vacation of said street areas. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 190975 [Apply for Grant Application - Centers for Disease Control and Prevention - Integrated HIV Surveillance and Prevention Programs for Health Departments - \$7,008,377]**  
**Sponsors:** Mayor; Mandelman  
Resolution authorizing the Department of Public Health to submit a one-year application for Calendar Year 2020 to continue to receive funding for the Integrated HIV Surveillance and Prevention Programs for Health Departments from the Centers of Disease Control and Prevention, and requesting \$7,008,377 in HIV prevention funding for San Francisco from January 1, 2020, through December 31, 2020. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190976 [Apply for Grant Application - Health Resources Services Administration - Ryan White Act HIV/AIDS Emergency Relief Grant Program - \$16,126,350]**

**Sponsors:** Mayor; Mandelman

Resolution authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program from the Health Resources Service Administration; and requesting \$16,126,350 in HIV Emergency Relief Program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2020, through February 28, 2021. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190977 [Multifamily Housing Revenue Bonds - 410 China Basin Street (Mission Bay South Block 9) - Not to Exceed \$56,700,000]**

**Sponsor:** Mayor

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$56,700,000 for 410 China Basin Street (Mission Bay South Block 9); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$56,700,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190978 [Multifamily Housing Revenue Bonds - 385 Eddy Street (Hamlin Hotel) - Not to Exceed \$26,967,500]**

**Sponsor:** Mayor

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$26,967,500 for the purpose of providing financing for the acquisition and rehabilitation of a 67-unit, affordable multifamily rental housing project located at 385 Eddy Street (Hamlin Hotel) within the City; approving the form of and authorizing the execution of a trust indenture providing terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein, and related matters, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190979 [Multifamily Housing Revenue Notes - 242 Hahn Street (Sunnydale Block 6) - Not to Exceed \$106,680,000]**

**Sponsors:** Mayor; Walton

Resolution authorizing the execution and delivery of a multifamily housing revenue note (tax-exempt) in an aggregate principal amount not to exceed \$76,680,000 and of a multifamily housing revenue note (taxable) in an aggregate principal amount not to exceed \$30,000,000 for the purpose of providing financing for the construction of a 167-unit multifamily rental housing project located at 242 Hahn Street (Sunnydale Block 6); approving the form of and authorizing the execution of funding loan agreement providing the terms and conditions of the loans from the funding lender to the City and the execution and delivery of the notes; approving the form of and authorizing the execution of a project loan agreement providing the terms and conditions of the loans from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the notes and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution as defined herein; and related matters, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190980 [Loan Agreement - Block 6 Housing Partners, L.P. - Sunnydale HOPE SF Block 6 - Not To Exceed \$18,647,014]**

**Sponsors:** Mayor; Walton

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute an Amended and Restated Loan Agreement with Block 6 Housing Partners, L.P., a California limited partnership, for a total loan amount not to exceed \$18,647,014 to finance the construction of a 167-unit multifamily rental housing development for low-income households, which will be known as Sunnydale HOPE SF Block 6; and adopting findings that the loan agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190981 [Contract Amendment - Tiburon, Inc. - Computer Aided Dispatch System Software Maintenance - Not to Exceed \$7,153,056]**

**Sponsor:** Mayor

Resolution approving an amendment to the Agreement between the City and County of San Francisco and Tiburon Inc., to increase the amount by \$1,905,904 for a total amount not to exceed \$7,153,056 and extending the term by five years for a total contract term of June 29, 2012, through November 30, 2024. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190982 [Urging the Rent Board to Adopt Fair Guidelines for the Use of "Reasonable Reliance" in the Evaluation of Operating and Maintenance Pass-Throughs]**

**Sponsors:** Brown; Peskin, Fewer, Yee and Safai

Resolution urging the Rent Stabilization and Arbitration Board to adopt fair and objective guidelines, upholding the spirit of the Rent Ordinance outlined in Chapter 37 of the Administrative Code, for the use of "reasonable reliance" in the evaluation of operating and maintenance pass-through petitions, including specific criteria demonstrating their reliance on additional rent increases to pay for increased expenses. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 190983 [Greater Rincon Hill Community Benefit District - Name Change to The East Cut Community Benefit District - Annual Report - FY2017-2018]**  
**Sponsor:** Haney  
 Resolution changing the name of the Greater Rincon Hill Community Benefit District to The East Cut Community Benefit District (The East Cut CBD); receiving and approving the annual report for The East Cut CBD for FY2017-2018, 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.
- 190984 [Public Health Crisis on Drug Overdoses and Drug Use]**  
**Sponsor:** Haney  
 Resolution declaring a public health crisis on drug overdoses and drug use and urging the Department of Public Health to present a comprehensive plan on how to address this crisis. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 190985 [Approval of a 30-Day Extension for Planning Commission Review of Exemption from Density Limits for Affordable and Unauthorized Units; Residential Care Facilities (File No. 190757)]**  
**Sponsor:** Mandelman  
 Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 190757) amending the Planning Code to provide an exception from density limit calculations for all affordable units in projects not seeking and receiving a density bonus, permit the legalization of all unauthorized dwelling units notwithstanding a history of no-fault evictions, and principally permit residential care facilities for seven or more persons in all RH (Residential, House) zoning districts; 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. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190986 [Italian American Heritage Month - October]**  
**Sponsors:** Stefani; Peskin  
 Resolution recognizing October of each year to be Italian American Heritage Month in honor of the countless Italian American individuals and organizations who have contributed to the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190987 [Accept and Expend Grant - Retroactive - Every Kid Counts College Savings Program - Office of Financial Empowerment Kindergarten to College Program - \$926,892]**  
**Sponsor:** Walton  
 Resolution retroactively authorizing the Office of the Treasurer & Tax Collector to accept and expend a grant in the amount of \$962,892 from the California Student Aid Commission Every Kid Counts College Savings Program for the Office of Financial Empowerment Kindergarten to College Program for conducting outreach to families and provide incentives for families to contribute to college savings accounts for the period of May 1, 2019, through June 30, 2021. (Treasurer-Tax Collector). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 190988 [Urging the Municipal Transportation Agency to Issue Permits to California State Assembly Bill No. 5-Compliant Entities Seeking to Operate in San Francisco]**  
**Sponsors:** Yee; Walton, Peskin, Mar, Stefani, Brown, Haney, Fewer, Safai, Ronen and Mandelman  
Resolution urging the Municipal Transportation Agency to consider compliance with California State Assembly Bill No. 5 when issuing permits to emerging technology entities, contractors, vendors, and any business entity required to have a permit in order to operate in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **REQUESTS FOR HEARING**

- 190989 [Hearing - Budget and Legislative Analyst Report - Jobs-Housing Fit]**  
**Sponsor:** Mar  
Hearing on the Budget and Legislative Analyst's Job-Housing Fit report that evaluates the current and planned housing stock in San Francisco relative to projected jobs at different income levels, determines if existing and planned housing is adequate and affordable for projected population growth, and provides information on the contributions of the City's Jobs Housing Linkage program and affordable housing programs on jobs-housing fit; and requesting the Office of the Budget and Legislative Analyst, Mayor's Office of Housing and Community Development, and Planning Department to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 190991 [Hearing - Committee of the Whole - Findings and Recommendations Regarding Law Enforcement Practices - October 22, 2019]**  
Hearing of the Board of Supervisors sitting as a Committee of the Whole on October 22, 2019, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive updates on the progress and implementation status of the United States Department of Justice recommendations regarding reforms within the Police Department; scheduled pursuant to Motion No. M19-139, adopted on September 24, 2019. (Clerk of the Board). RECEIVED AND ASSIGNED to Board of Supervisors.

## **Introduced by the President 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**

- 190867 [Settlement of Lawsuit - California Department of Public Health - City to Pay \$100,000]**  
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against California Department of Public Health for \$100,000 and a reduction of the citation from AA to A; the lawsuit was filed on April 13, 2017, in San Francisco Superior Court Case No. CGC-17-558162; entitled City and County of San Francisco v. California Department of Public Health; the lawsuit involves affirmative litigation for relief from citation and fine. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190868 [Settlement of Lawsuit - Lorena Pedraza - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by Lorena Pedraza against the City and County of San Francisco for \$175,000; the lawsuit was filed on September 19, 2018, in San Francisco Superior Court, Case No. CGC-18-569880; entitled Lorena Pedraza v. City and County of San Francisco; the lawsuit involves alleged medical negligence. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**PROPOSED RESOLUTION**

**190943 [Contract Agreement - Retroactive - State Department of Health Care Services - Substance Use Disorder Services - \$171,714,918 - FYs 2019-2022]**

Resolution retroactively authorizing the Department of Public Health, Behavioral Health Services to enter into a multi-year organized delivery system intergovernmental agreement for substance use disorder services with the State Department of Health Care Services, in the amount of \$171,714,918 for the term of July 1, 2019, through June 30, 2022; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Clerk to Act – September 24, 2019**

**No Board Meeting Minutes were approved.**

**Requests Granted**

None

**In Memoriam**

Phil Arnold - Entire Board

Tannis Reinhertz - Supervisor Mandelman

Luis Alberto Quiñonez - Supervisor Ronen