



**Legislation Introduced at Roll Call**

**Tuesday, September 27, 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.*

**ORDINANCES**

**220947 [Contracting Process - Communications Based Train Control System - Waiver of Administrative Code Contract Prohibition and Authorization to Use Negotiated Procurement Procedures]**

**Sponsors:** Mayor; Mandelman, Melgar and Dorsey

Ordinance authorizing the Municipal Transportation Agency to issue a Request for Proposals for a Communications Based Train Control System to be awarded by a contract with a term exceeding ten years; waiving the Administrative Code prohibition against issuing solicitations for a contract for general or professional services for a term longer than ten years; authorizing use of negotiated procurement procedures, stating that the award of the contract will be subject to the approval of the Board of Supervisors pursuant to Charter, Section 9.118(b); and adopting findings under the California Environmental Quality Act. SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**221018 [5M Project - Accepting the Phase 1 and Phase 2 Public Infrastructure]**

**Sponsors:** Mayor; Dorsey

Ordinance accepting irrevocable offers of public infrastructure and real property associated ("Public Infrastructure") with the 5M Project, a mixed use development located generally between Mission, Fifth, and Howard Streets, including the improvements described and depicted in Public Works Permit Nos. 18IE-0725 ("Phase 1") and 18IE-0726 ("Phase 2") and subsequent Instructional Bulletins; declaring City property and additional property as shown on official Public Works maps as open public right-of-way; dedicating the Phase 1 and Phase 2 Public Infrastructure to public use; designating said Public Infrastructure for street and roadway purposes; accepting the Phase 1 and Phase 2 Public Infrastructure for City maintenance and liability purposes, subject to specified limitations; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; establishing official public right-of-way widths; amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to establish official sidewalk widths on the abovementioned street areas; authorizing official acts, as defined herein, in connection with this Ordinance; adopting 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

- 221020 [Appropriation - \$90,000,000 in Special Tax Bond Proceeds - Transbay Transit Center Project - FY2022-2023]**  
**Sponsors:** Mayor; Dorsey  
Ordinance appropriating \$90,000,000 from the issuance of one or more series of Special Tax Bonds for the Transbay Transit Center Project and placing these on Controller's Reserve in Fiscal Year (FY) 2022-2023. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 221021 [Planning, Administrative Codes - HOME-SF]**  
**Sponsors:** Dorsey; Peskin  
Ordinance amending the Planning Code to allow projects under Housing Opportunities Mean Equity (HOME-SF) to agree to subject new dwelling units to the rent increase limitations of the Rent Ordinance; 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 under Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 221022 [Business and Tax Regulations Code - Installment Payments for Delinquent License Fees]**  
**Sponsor:** Mandelman  
Ordinance amending the Business and Tax Regulations Code to permit the Tax Collector to enter into payment plans on or before April 30, 2023, for the collection of delinquent Department of Public Health license fees collected on the uniform license bill that were due or payable before March 31, 2023. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 221023 [Planning Code - Grocery Stores in Polk Street Neighborhood Commercial District]**  
**Sponsor:** Peskin  
Ordinance amending the Planning Code to authorize replacement of a Legacy General Grocery use with a subsequent General Grocery use in excess of 4,000 square feet in the Polk Street Neighborhood Commercial 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 221024 [Administrative Code - Special Needs Trusts as Retirement Beneficiaries]**  
**Sponsor:** Safai  
Ordinance amending the Administrative Code to permit members of the San Francisco Employees' Retirement System (SFERS) to designate Special Needs Trusts as retirement beneficiaries in certain circumstances, and to specify requirements for those trusts. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 221025 [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]**  
**Sponsor:** Walton  
Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements by adding, deleting, and changing titles of certain designated officials and employees to reflect organizational and staffing changes, and by refining disclosure requirements for certain designated officials and employees. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

## **RESOLUTIONS**

**221026 [Accept and Expend Grant - Alternative Process County Competitive Allocation Funds - California Department of Housing and Community Development - No Place Like Home Grant Program - Up to \$26,711,719]**

**Sponsor:** Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to participate in the fourth round Notice of Funding Availability and accept and expend the county competitive allocation award for an amount up to \$26,711,719 under the California Department of Housing and Community Development No Place Like Home Program, which provides funding for counties to develop multifamily housing specifically for persons with serious mental illness who are homeless, chronically homeless, or at-risk of chronic homelessness, for a term to commence following Board approval. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221027 [Accept and Expend Grant - Retroactive - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$250,000]**

**Sponsor:** Mayor

Resolution retroactively authorizing the Department of Public Works to accept and expend a grant of up to \$250,000 from the San Francisco Bay Area Rapid Transit District for the Pit Stop Public Toilet Program starting July 1, 2021, through June 30, 2022. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221019 [Authorizing Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 (Transbay Transit Center) - Not to Exceed Aggregate Principal Amount of \$90,000,000]**

**Sponsors:** Mayor; Dorsey

Resolution authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) in the aggregate principal amount not to exceed \$90,000,000 approving related documents, including an Official Statement, Fourth Supplement to Fiscal Agent Agreement, Bond Purchase Agreement and Continuing Disclosure Undertaking, and determining other matters in connection therewith, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221029 [Approving California Enterprise Development Authority Revenue Obligations and TEFRA Hearing for Presidio Knolls School, Inc. - Not to Exceed \$33,000,000]**

**Sponsor:** Dorsey

Resolution approving for purposes of Internal Revenue Code of 1986, as amended, Section 147(f) of the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$33,000,000 to finance, refinance and/or reimburse the cost of acquisition, construction, installation, rehabilitation, equipping and furnishing of various capital facilities to be owned and operated by Presidio Knolls School, Inc., a California nonprofit public benefit corporation. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221030 [Approval of a 90-Day Extension for Planning Commission Review of Neighborhood Commercial and Mixed-Use Zoning Districts (File No. 220340)]**

**Sponsor:** Dorsey

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220340) amending the Planning Code to update and reorganize Neighborhood Commercial and Mixed Use Zoning District controls, including, among other things, to 1) permit Accessory Arts Activities, and production, wholesaling, and processing of goods and commodities, to occupy more than one-third of total space in Commercial (C), Downtown Residential (DTR), Eastern Neighborhoods Mixed Use, Mission Bay, and Residential-Commercial (RC) Districts; 2) principally permit Arts Activities, Job Training, Public Facility, and Social Service and Philanthropic Facility uses in the Folsom Street Neighborhood Commercial Transit (NCT), SoMa NCT, Regional Commercial, and certain Eastern Neighborhoods Mixed Use Districts, and in historic and nonconforming commercial buildings in Residential Enclave Districts; 3) principally permit General Entertainment and Nighttime Entertainment uses in the Folsom Street NCT District; 4) principally permit Bar uses on the second floor in the Folsom Street NCT and Regional Commercial Districts; 5) principally permit Nighttime Entertainment uses in the Regional Commercial and Western SoMa Mixed Use - General (WMUG) Districts; 6) principally permit Nighttime Entertainment in the Mixed Use - General (MUG) and WMUG Districts; 7) principally permit Job Training, Public Facility, and Social Service and Philanthropic Facility uses in the SoMa NCT District and certain Eastern Neighborhoods Districts; 8) require that large developments in South of Market Mixed use districts which contain commercial spaces provide a mix of commercial space sizes; 9) require that all Nighttime Entertainment uses comply with the Entertainment Commission's good neighbor policies; and 10) remove certain limitations on location for Nighttime Entertainment and Animal Services uses in the Western SoMa Special Use District; and adopting environmental findings, findings of public necessity, convenience, and welfare under Planning Code, Section 302, and 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.

**220975 [Lease Amendment - Increasing City Allowance Provided for Tenant Improvements - Volunteers in Medicine - 35 Onondaga Avenue - Reimbursement of Up to \$2,120,594]**

**Sponsor:** Safai

Resolution authorizing the Director of Property to execute a second amendment to a ten-year commercial lease, with two five-year extension options, between the City and County of San Francisco, as landlord, and Volunteers in Medicine, DBA Clinic By the Bay, as tenant, for the City-owned property located at 35 Onondaga Avenue; authorizing the reimbursement of up to a total of \$2,120,594 for tenant improvements, to commence following Board approval upon execution of the lease; and to authorize the Director of Property to enter into any amendments or modifications to the second amendment that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the lease or this Resolution. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221031 [Intent to Establish Pacific Islander Cultural District]**

**Sponsors:** Walton; Chan, Safai and Ronen

Resolution reflecting the intent of the Board of Supervisors to establish a Pacific Islander Cultural District to commemorate historical sites, preserve existing spaces, and plan for thriving and vibrant communities to celebrate Pacific Islander culture in the Visitacion Valley and Sunnysdale neighborhoods. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

## **MOTION**

**221032 [Committee of the Whole - Draft Housing Element 2022 Update - November 15, 2022, at 3:00 p.m.]**

**Sponsors:** Mar; Melgar

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on November 15, 2022, at 3:00 p.m., during the regular Board of Supervisors meeting, to hold a public hearing on the draft Housing Element 2022 Update, including its goals, objectives, policies, and actions; and requesting the Planning Department to report. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **REQUESTS FOR HEARING**

**221034 [Hearing - Felton Institute - Employee Wages and Benefits]**

**Sponsors:** Melgar; Safai, Preston and Walton

Hearing to discuss employee wages and benefits at the Felton Institute, which receives \$20,000,000 from the City and County of San Francisco, and the operational impact of labor disruptions on the employees and clients seeking social services at the Felton Institute; and requesting representatives from the Felton Institute, SEIU 1021, Felton unaffiliated workers, and the Department of Early Childcare to report. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221035 [Hearing - Mayor's Undated Resignation Letter Policy/Practice]**

**Sponsors:** Preston; Ronen

Hearing on the Mayor's policy/practice to request or require appointees/nominees to sign undated resignation letters and any use or threatened use of such letters; and requesting the Mayor's Office to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**221036 [Hearing - BLA Report - Update on Residential Vacancies in San Francisco]**

**Sponsor:** Preston

Hearing for the Budget and Legislative Analyst (BLA) to provide an updated report on Residential Vacancies in San Francisco, based on recently-released data from the American Community Survey (ACS); and requesting the BLA 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**

- 220729 [Settlement of Lawsuit - Phi Associates (Drisco Hotel) Swords to Plowshares to Receive Loan Payoff of \$2,000,000]**  
Ordinance authorizing settlement of the lawsuit filed by Phi Associates L.P., against the City and County of San Francisco for a payment by Phi Associates of \$2,000,000 to provide construction loan repayment and thereby support affordable housing for veterans at the Veterans Academy located at 1030 Girard Road, San Francisco, operated by Swords To Plowshares (“Veterans Academy”), in exchange for the release of 16 Residential Hotel rooms from regulation under the Hotel Conversion Ordinance; the lawsuit was filed on March 17, 2021, in San Francisco Superior Court, Case No. CPF-21-517409, entitled Phi Assoc., L.P. v. City and County of San Francisco; the lawsuit involves petitioner’s challenge to the City’s enforcement of the Hotel Conversion Ordinance at the Drisco Hotel, located at 2901 Pacific Avenue, San Francisco. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220730 [Settlement of Lawsuit - Theodore Belizaire - \$186,642.33]**  
Ordinance authorizing settlement of the lawsuit filed by Theodore Belizaire against the City and County of San Francisco for \$186,642.33; the lawsuit was filed on July 20, 2020, in San Francisco Superior Court, Case No. CGC-20-585672, entitled Theodore Belizaire v. City and County of San Francisco; the lawsuit involves alleged personal injuries in a collision with a City vehicle; other material terms of the settlement include payment of \$99,142.33 to Zuckerberg San Francisco General Hospital for a medical lien. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220731 [Settlement of Lawsuit - Donna James - \$125,000]**  
Ordinance authorizing settlement of the lawsuit filed by Donna James against the City and County of San Francisco for \$125,000; the lawsuit was filed on April 20, 2021, in United States District Court, Case No. 3:21-cv-02939-RS; entitled Donna James v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220732 [Settlement of Lawsuit - Susan Bell - \$160,000]**  
Ordinance authorizing settlement of the lawsuit filed by Susan Bell against the City and County of San Francisco, et al. for \$160,000; the lawsuit was filed on December 6, 2018, in San Francisco Superior Court, Case No. CGC-18-571878; entitled Susan Bell v. City and County of San Francisco, et al.; the lawsuit involves claims of alleged civil rights violations and use of excessive force. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

- 220987 [Settlement of Unlitigated Claim - Yuna Chuquilin - \$82,500]**  
Resolution approving the settlement of the unlitigated claim filed by Yuna Chuquilin against the City and County of San Francisco for \$82,500; the claim was filed on August 29, 2020; the claim involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220988 [Settlement of Unlitigated Claim - Old Republic Title Company - \$25,125 Plus Statutory Interest]**  
Resolution approving the settlement of the unlitigated claim filed by Old Republic Title Company against the City and County of San Francisco for \$25,125 plus statutory interest; the claim was filed on April 13, 2022; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 220989 [Airport Professional Services Agreement - SFO Hotel Shuttle, Inc. - Airport Shuttle Bus Services - Not to Exceed \$72,612,418]**  
Resolution approving a Professional Services Agreement for Airport Contract No. 50303 to provide shuttle bus services at the San Francisco International Airport (Airport), between SFO Hotel Shuttle, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$72,612,418 for a period of five years to commence upon Board of Supervisors approval, pursuant to Charter, Section 9.118(b). (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 220990 [Authorizing the Department of Public Health to Enter into Hazardous Waste Remedial Action Agreements]**  
Resolution authorizing the County Health Officer, the Department of Public Health's Director of Environmental Health Branch, or their respective designees, to enter into remedial action agreements and oversee remedial investigations and remedial actions at hazardous waste release sites, pursuant to California Health and Safety Code, Section 101480. (Public Health Department). RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 220991 [Contract Agreement - Retroactive - California Department of Health Care Services - Substance Use Disorder Services - Not to Exceed \$248,687,500]**  
Resolution retroactively approving Agreement No. 22-20154, between the Department of Public Health, Behavioral Health Services and the California Department of Health Care Services, to provide substance use disorder services, for an amount not to exceed \$248,687,500 for the seven year term of July 1, 2022, through June 30, 2027; and to authorize the Department of Public Health to enter into amendments or modifications to the agreement 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 agreement or this Resolution. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220992 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]**

Resolution approving the acquisition of 65 Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program (Project); adopting findings that the Project is categorically exempt from environmental review under the California Environmental Quality Act, Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.



## **Clerk to Act – September 27, 2022**

### **No Board Meeting Minutes Were Approved.**

#### **Requests Granted**

From: Supervisor Dean Preston

To: Mayor London Breed

Requests: Requesting a letter of inquiry that the Office of the Mayor respond to recent allegations and practices regarding Mayoral appointees, nominees, and/or commissioners being requested to sign undated resignation letters.

From: Supervisor Dean Preston

To: Board and Commission Secretaries, Director Tyra Fennell, and To Whom It May Concern.

Requests: Requesting a letter of inquiry concerning unsigned resignation letters.

From: Supervisor Ahsha Safai

To: City Attorney

Requests: Requesting the City Attorney's Office to draft legislation amending the Building Code to create the Concrete Building Safety Program requiring the Department of Building Inspection to implement a mandatory screening and retrofit program for non-ductile concrete buildings, and establish a stakeholder group to monitor program implementation.

#### **In Memoriam**

Rev. Calvin Ellison Sr. – Entire Board

Roger Cook – Supervisor Gordon Mar

Jonathan Faustine – Supervisor Rafael Mandelman