

## Board of Supervisors



City Hall  
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### Legislation Introduced at Roll Call

Tuesday, October 26, 2021

#### 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

**211125 [Memorandum of Understanding - International Union of Operating Engineers Stationary Engineers, Local 39]**

**Sponsor:** Mayor

Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers Stationary Engineers, Local 39, to revise San Francisco Public Utilities Commission Wastewater Enterprise rules regarding work schedules and shift assignments. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

**211126 [Accept and Expend Grant - Retroactive - Bloomberg Philanthropies - Digital Innovation Grant - Amendment to the Annual Salary Ordinance for FYs 2021-2022 and 2022-2023 - \$3,407,000]**

**Sponsor:** Mayor

Ordinance retroactively authorizing the Office of the Mayor to accept and expend a grant in the amount of \$3,407,000 from Bloomberg Philanthropies, and amending Ordinance No. 109-21 (Annual Salary Ordinance File No. 210644 for Fiscal Years (FYs) 2021-2022 and 2022-2023) to provide for the addition of one grant funded Class 0904 Mayoral Staff XVI position (FTE 1.0) at the Office of the Mayor, two grant funded Class 1043 Engineer positions (FTE 2.0) at the Office of the City Administrator, and two grant funded Class 1053 Senior Business Analyst positions (FTE 2.0) at the Office of the City Administrator, for the period of October 1, 2021, through August 31, 2024. ASSIGNED to Budget and Finance Committee.

**211131 [Police Code - Third-Party Food Delivery Services]**

**Sponsor:** Peskin

Ordinance amending the Police Code to allow third-party food delivery services to charge restaurants a delivery fee of up to 15% of an online order total and a non-delivery fee of up to 5% of an online order total, provided the third-party food delivery services do not make their agreement to provide delivery services contingent on restaurants' agreement to pay for non-delivery services, and provided the delivery and non-delivery fees are agreed to in separate contracts. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

- 211097 [Appropriation and De-Appropriation - Department of Public Works and City Planning Department - Department of Public Works - Buena Vista Horace Mann K-8 Community School - \$140,574 - FY2021-2022]**  
**Sponsors:** Ronen; Melgar, Safai and Walton  
 Ordinance de-appropriating \$71,365 previously appropriated to the Department of Public Works (DPW) and \$69,209 previously appropriated to the City Planning Department (CPC), and re-appropriating \$140,574 to the Department of Public Works for a safety needs assessment at Buena Vista Horace Mann K-8 Community School in Fiscal Year (FY) 2021-2022. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.
- 211132 [Police Code - Domestic Workers' Access to Paid Sick Leave Through a Portable System]**  
**Sponsors:** Ronen; Melgar, Walton, Preston, Chan, Safai, Haney and Mar  
 Ordinance amending the Police Code to establish a portable Paid Sick Leave (PSL) system for domestic workers, and to require hiring entities that do not directly provide PSL to provide PSL payments to domestic workers using the portable system. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 211133 [Lease of City Property - Dolphin Swimming and Boating Club - 502 and 504 Jefferson Street - Gross Receipts Rent]**  
**Sponsor:** Stefani  
 Ordinance approving a lease between the City and County of San Francisco and Dolphin Swimming and Boating Club, a California non-profit corporation, for City property located at 502 and 504 Jefferson Street, with an annual rent of 10% of all gross receipts that are not derived from its annual Dolphin Day and 4% of all gross receipts that are derived from its annual Dolphin Day, for a term of 25 years with an option to extend for 24 years, and general public access requirements; waiving the Administrative Code's market rent determination requirement that otherwise would apply to this lease; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

## **RESOLUTIONS**

- 211134 [Accept and Expend Grant - California Department of Fish and Wildlife - Heron's Head Park Shoreline Resilience Project - \$1,493,000]**  
**Sponsor:** Mayor  
 Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$1,493,000 from the California Department of Fish and Wildlife to fund the Heron's Head Park Shoreline Resilience Project from January 1, 2022, through December 31, 2024. (Port). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 211135 [Discover Polk Community Benefit District - Annual Report - FY2019-2020]**  
**Sponsor:** Peskin  
 Resolution receiving and approving an annual report for the Discover Polk Community Benefit District for Fiscal Year (FY) 2019-2020, 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.

- 211136 [St. Gregory the Illuminator Armenian Church Day - November 7, 2021]**  
**Sponsor:** Stefani  
Resolution recognizing November 7, 2021, as St. Gregory the Illuminator Armenian Church Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **MOTION**

- 211140 [Findings to Allow Teleconferenced Meetings During Declared Emergency]**  
Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **REQUESTS FOR HEARING**

- 211137 [Hearing - Shared Mobility Devices Compliance with Public Health and Safety Regulations]**  
**Sponsor:** Peskin  
Hearing to address non-compliance by Shared Mobility Device permittees and riders of Shared Mobility Devices with laws and regulations designed to protect the health and safety of riders and pedestrians, including families, seniors and people with disabilities; and requesting the Municipal Transportation Agency and Shared Mobility Device permittees to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 211138 [Hearing - Interim Use Plan for 730 Stanyan Street]**  
**Sponsor:** Preston  
Hearing on the interim use plan for 730 Stanyan Street; and requesting the Mayor's Office of Housing and Community Development, Department of Homelessness and Supportive Housing, and Department of Public Health to present. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**211113 [Hearing - Committee of the Whole - Existing Litigation - AmerisourceBergen Corp., Cardinal Health, Inc., and McKesson Corp. - City to Receive \$27 Million to \$50 Million - Johnson & Johnson - City to Receive \$6 Million to \$11 Million - November 2, 2021]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on November 2, 2021, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinances (File Nos. 211071 and 211072) regarding existing litigation relating to the partial settlement of the lawsuit filed on behalf of the City and County of San Francisco and the People of the State of California against three large distributors of prescription opioids (AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation) for abatement funds in the range of \$27 million to \$50 million to be paid over 18 years, entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; and the partial settlement of the lawsuit filed on behalf of the City and County of San Francisco and the People of the State of California against Johnson & Johnson and its subsidiary, Janssen Pharmaceuticals, Inc., for abatement funds in the range of \$6 million to \$11 million to be paid over nine years, entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; scheduled pursuant to Motion Nos. M21-148 (File No. 211112) and M21-149 (File No. 211114), approved on October 26, 2021. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**211115 [Closed Session - Existing Litigation - AmerisourceBergen Corp., Cardinal Health, Inc., and McKesson Corp. - City to Receive \$27 Million to \$50 Million - Johnson & Johnson - City to Receive \$6 Million to \$11 Million - November 2, 2021]**

Closed Session for the Board of Supervisors to convene on November 2, 2021, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from the City Attorney regarding existing litigation relating to the partial settlement of the lawsuit filed on behalf of the City and County of San Francisco and the People of the State of California against three large distributors of prescription opioids (AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation) for abatement funds in the range of \$27 million to \$50 million to be paid over 18 years, entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation (File No. 211071); and the partial settlement of the lawsuit filed on behalf of the City and County of San Francisco and the People of the State of California against Johnson & Johnson and its subsidiary, Janssen Pharmaceuticals, Inc., for abatement funds in the range of \$6 million to \$11 million to be paid over nine years, entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation (File No. 211072); scheduled pursuant to Motion Nos. M21-148 (File No. 211112) and M21-149 (File No. 211114), approved on October 26, 2021. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

## **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 RESOLUTIONS**

- 211081 [Prevailing Wage Rates - Various Workers Pursuant to Administrative Code, Section 6.22(e) and Sections 21C.1 through 21C.11]**  
Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public works and improvements; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City; 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 211082 [Emergency Declaration - Tree Removal, Slope Repair and Debris Removal at Stern Grove - Total Estimated Cost Not to Exceed \$4,000,000]**  
Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to contract resources for tree removal, slope repair and debris removal in Stern Grove, which was damaged by flooding caused by a failed air valve on a water transmission pipeline, with a total estimated cost not to exceed \$4,000,000. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 211083 [Contract Modification - Recology Sunset Scavenger, Recology Golden Gate, and Recology San Francisco - Refuse Collection Services - Not to Exceed \$16,900,000]**  
Resolution authorizing the Office of Contract Administration to enter into a Second Amendment to the agreement between the City and County of San Francisco and Sunset Scavenger Company d/b/a Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company d/b/a Recology Golden Gate, and Recology San Francisco (collectively, "Contractor") for refuse collection services at City facilities; increasing the contract amount by \$7,000,000 for a total not to exceed amount of \$16,900,000 and extending the term by seven months from December 1, 2021, for a total contract duration of one year and seven months of December 1, 2020, through June 30, 2022. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 211084 [Lease Agreement - HFF SFO TWO, LLC - Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 12, Lease No. 20-0042 - \$545,000 Minimum Annual Guarantee]**  
 Resolution approving the Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 12, Lease No. 20-0042 between HFF SFO TWO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with one two-year option to extend at the Airport's sole discretion, and a minimum annual guarantee of \$545,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 211085 [Lease Agreement - Heigh Connects, LLC - Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - \$570,000 Minimum Annual Guarantee]**  
 Resolution approving the Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 14, Lease No. 20-0044 between Heigh Connects, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with one 2-year option to extend at the Airport's sole discretion, and a minimum annual guarantee of \$570,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 211086 [Lease Modification - United States of America - Offices in the International Terminal - Annual Rent \$665,489]**  
 Resolution approving Modification No. 2 of Lease No. GS-09P-LCA03395, between the United States of America and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term by three years, for a new term ending January 3, 2025, and increasing the annual rent to \$665,489 for offices occupied by the U.S. Federal Bureau of Investigation at the International Terminal, to commence following approval by the Board of Supervisors (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 211087 [Conditional Property Exchange Agreement - EQX Jackson SQ Holdco LLC - Potential Exchange of 530 Sansome Street for a Portion of 425-439 Washington Street]**  
 Resolution ratifying the Conditional Property Exchange Agreement and Related Transaction Documents with EQX Jackson SQ Holdco LLC for a transfer of City real property at 530 Sansome Street (Assessor's Parcel Block No. 0206, Lot No. 017), under the jurisdiction of the Fire Department, in exchange for a portion of the real property at 425-439 Washington Street (Assessor's Parcel Block No. 0206, Lot Nos. 013 and 014); authorizing the Director of Property and City staff to proceed with the proposed Fire Station development project, subject to several conditions, as defined herein; adopting findings pursuant to 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. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 211088 [Mills Act Historical Property Contract - 714 Steiner Street]**  
 Resolution approving a historical property contract between Leah Culver Revocable Trust, the owner of 714 Steiner Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**211089 [Agreement - AT&T Corporation - Telecommunication Services - Not to Exceed \$80,000,000]**

Resolution authorizing the Department of Technology to enter into an agreement with AT&T Corporation to purchase wired voice and data network and telecommunication services, with a not to exceed amount of \$80,000,000 for a six and one-half year term of January 1, 2022, through June 30, 2028, and with one five-year option to extend, pursuant to Charter, Section 9.118. (Department of Technology). RECEIVED AND ASSIGNED to Budget and Finance Committee.



(11/9/2021 @1:05 p.m. - Revised to correct name.)

**Clerk to Act - October 26, 2021**

**Regular Board Meeting Minutes for September 14, 2021 and September 21, 2021 were approved.**

**Requests Granted**

None

**In Memoriam**

\*\* Rev. Calvin Jones Jr. – Supervisor Walton