

Board of Supervisors



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 415-554-5184
TDD No. 415-554-5227

Legislation Introduced at Roll Call

Tuesday, November 15, 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

221156 [Lease and Property Management Agreement - Dolores Street Community Services - 5630-5638 Mission Street - Not to Exceed \$11,636,000; Certain Administrative Code Waivers]

Sponsors: Mayor; Safai

Ordinance 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing ("HSH") to enter into a Lease and Property Management Agreement ("Agreement") with Dolores Street Community Services to lease, operate, and maintain the real property and residential improvements at 5630-5638 Mission Street ("Property") for an initial five-year term to commence upon the first day of the month following the effective date of this Ordinance with one five-year option to extend, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$11,636,000; 2) determining, in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings that the Property is "exempt surplus land" under the California Surplus Land Act; 4) exempting the Property from contracting requirements in Administrative Code, Chapter 6, but requiring compliance with the prevailing wage and apprenticeship requirements of Administrative Code, Section 23.61; 5) authorizing the Director of Property and the Executive Director of HSH to make certain modifications to the Agreement and take certain actions in furtherance of the Agreement and this Ordinance, as defined herein; 6) ratifying all prior actions taken by any City employee or official with respect to the Agreement; and 7) affirming the Planning Department's determination under the California Environmental Quality Act, and adopting the Planning Department's findings that the Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. ASSIGNED to Budget and Finance Committee.

221157 [Lease and Property Management Agreement - Dolores Street Community Services - 3055-3061 16th Street - Not to Exceed \$7,446,000; Certain Administrative Code Waivers]

Sponsors: Mayor; Ronen

Ordinance 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing (“HSH”) to enter into a Lease and Property Management Agreement (“Agreement”) with Dolores Street Community Services to lease, operate, and maintain the real property and residential improvements at 3055-3061 16th Street (“Property”) for an initial five-year term to commence upon the first day of the month following the effective date of this Ordinance with one five-year option to extend, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$7,446,000; 2) determining, in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose, by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings that the Property is “exempt surplus land” under the California Surplus Land Act; 4) exempting the Property from contracting requirements in Administrative Code, Chapter 6, but requiring compliance with the prevailing wage and apprenticeship requirements of Administrative Code, Section 23.61; 5) authorizing the Director of Property and the Executive Director of HSH to make certain modifications to the Agreement and take certain actions in furtherance of the Agreement and this Ordinance, as defined herein; 6) ratifying all prior actions taken by any City employee or official with respect to the Agreement; and 7) affirming the Planning Department’s determination under the California Environmental Quality Act, and adopting the Planning Department’s findings that the Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. ASSIGNED to Budget and Finance Committee.

221158 [Lease and Property Management Agreement - Five Keys Schools and Programs - 835 Turk Street - Not to Exceed \$16,682,000; Certain Administrative Code Waivers]

Sponsors: Mayor; Stefani

Ordinance 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing (“HSH”) to enter into a Lease and Property Management Agreement (“Agreement”) with Five Keys Schools and Programs to lease, operate, and maintain the real property and residential improvements at 835 Turk Street (“Property”) for an initial five-year term to commence upon the first day of the month following the effective date of this Ordinance with one five-year option to extend, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$16,682,000; 2) determining, in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose, by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings that the Property is “exempt surplus land” under the California Surplus Land Act; 4) exempting the Property from contracting requirements in Administrative Code, Chapter 6, but requiring compliance with the prevailing wage and apprenticeship requirements of Administrative Code, Section 23.61; 5) authorizing the Director of Property and the Executive Director of HSH to make certain modifications to the Agreement and take certain actions in furtherance of the Agreement and this Ordinance, as defined herein; 6) ratifying all prior actions taken by any City employee or official with respect to the Agreement; and 7) affirming the Planning Department’s determination under the California Environmental Quality Act, and adopting the Planning Department’s findings that the Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. ASSIGNED to Budget and Finance Committee.

- 221159 [Memorandums of Understanding - Citywide Amendment - Hospital and Skilled Nursing Facility COVID-19 Worker Retention Pay]**
Sponsor: Mayor
Ordinance adopting and implementing an Amendment to the current Memorandums of Understanding and Collective Bargaining Agreements between the City and County of San Francisco and each of the Unions identified in Appendix A of the Proposed Amendment, to provide hospital and skilled nursing facility Covid-19 worker retention pay to select classifications of workers, effective January 31, 2023. ASSIGNED to Rules Committee.
- 221160 [Health Code - Massage Permit Requirements]**
Sponsors: Mandelman; Ronen
Ordinance amending the Health Code to exempt applicants for Massage Establishment, Sole Practitioner Massage Establishment, and Outcall Massage Service permits from fingerprinting requirements if the applicant holds a valid license issued by the California Massage Therapy Council; remove certain departments (Building Inspection, Police, Fire) from the list of departments that the Department of Public Health (DPH) must notify regarding new Massage Establishment permit applications, and remove all notification requirements to departments in cases of change in ownership of Massage Establishments or Sole Practitioner Massage Establishments; remove the requirement that departments receiving notice of new Massage Establishment permit applications conduct inspections with written findings of the applying massage establishment; allow Massage Establishments to install an exterior door keyless lock system upon prior DPH approval and upon providing DPH with a valid and up-to-date access code; and remove from the Health Code the inoperative local application process for new Massage Practitioner permits. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 221161 [Campaign and Governmental Conduct Code - Campaign Advertisement Disclaimer Requirements]**
Sponsor: Mar
Ordinance amending the Campaign and Governmental Conduct Code to modify disclaimer requirements for campaign advertisements, to conform to a court order. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 221162 [Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers]**
Sponsor: Peskin
Ordinance amending the Business and Tax Regulations Code to extend through Fiscal Year 2027-2028 the temporary suspension of the application of the business registration and fee requirements to transportation network company drivers and taxi drivers. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 221163 [Development Agreement - 98 Franklin Street, LLC - 98 Franklin Street; Certain Administrative Code Waivers]**
Sponsors: Preston; Dorsey, Walton, Ronen, Peskin, Safai and Mar
Ordinance approving a Development Agreement between the City and County of San Francisco and 98 Franklin Street, LLC, for certain real property at 98 Franklin Street (Assessor's Parcel Block No. 0836, Lot Nos. 008, 009, and 013), consisting of three parcels located in the Van Ness & Market Residential Special Use District on the east side of Franklin Street, between Oak and Market Streets; waiving certain provisions of Administrative Code, Chapter 56; adopting findings under the California Environmental Quality Act; and making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b), and findings of public necessity, convenience, and general welfare under Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 221164 [Planning Code, Zoning Map - Van Ness & Market Residential Special Use District - Height Increase for 98 Franklin Street]**
Sponsors: Preston; Dorsey, Walton, Ronen, Peskin, Safai and Mar
Ordinance amending the Planning Code to revise the Van Ness & Market Residential Special Use District to update the Option for Dedication of Land for development projects to fulfill their inclusionary housing obligations; to revise the Zoning Map to increase the maximum height for Assessor's Parcel Block No. 0836, Lot Nos. 008, 009, and 013, at 98 Franklin Street, from 85-X // 120/365-R-2 to 85-X // 120/400-R-2; 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 221165 [Planning Code - Landmark Designation - St. James Presbyterian Church]**
Sponsor: Walton
Ordinance amending the Planning Code to designate St. James Presbyterian Church, at 240 Leland Avenue, Assessor's Parcel Block No. 6246, Lot No. 012, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; 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. (Historic Preservation Commission). ASSIGNED to Land Use and Transportation Committee.

RESOLUTIONS

- 221166 [Accept and Expend In-Kind Gift - Retroactive - Union Square Alliance - Two Utility Vehicles for High Visibility Patrol - Estimated Market Value \$38,644.58]**
Sponsor: Mayor
Resolution retroactively authorizing the Police Department to accept and expend an in-kind gift of two utility vehicles with an estimated market value of \$38,644.58 from the Union Square Alliance to support officers working in the Union Square Alliance area for high visibility patrol; the utility vehicles will be an outright gift to the Police Department effective September 1, 2022. (Police Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 221167 [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - Paul Coverdell Forensic Science Improvement Program - \$69,818]**
Sponsor: Mayor
 Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$69,818 from the California Governor's Office of Emergency Services for the Paul Coverdell Forensic Science Improvement Program to train and procure equipment for the Criminology Laboratory with the project period beginning on April 1, 2022, through June 30, 2023. (Police Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 221168 [Accept and Expend Grant; Cooperative Agreement - Retroactive - Caltrans Clean California Enhancement Program - Potrero Gateway Streetscape Improvement Project - \$1,275,000]**
Sponsors: Mayor; Walton
 Resolution retroactively authorizing the Department of Public Works to accept and expend \$1,275,000 from the California Department of Transportation's ("Caltrans") Clean California Local Enhancement Program for the construction of improvements and enhancements on the state highway system in support of the Potrero Gateway Streetscape Improvement project to commence August 2022, through March 2026; approving and authorizing Public Works to enter into a Cooperative Agreement with Caltrans regarding project construction and implementation; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 221169 [Apply for Grant - California Natural Resources Agency's Urban Greening Program - Planting Trees and Growing Green Jobs Project - South of Market Tree Nursery - \$456,250]**
Sponsors: Mayor; Dorsey
 Resolution authorizing the Department of Public Works to apply to the California Natural Resources Agency's Urban Greening Program for a grant in the amount of \$456,250 to fund the Planting Trees and Growing Green Jobs project at the South of Market Tree Nursery; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 221170 [Execute Standard Agreement and Accept and Expend Grant - California Department of Housing and Community Development - 2021 Homekey Grant - 333-12th Street - Not to Exceed \$56,578,000]**
Sponsors: Mayor; Dorsey
 Resolution authorizing the Department of Homelessness and Supportive Housing ("HSH") to execute a Standard Agreement with the California Department of Housing and Community Development for a total amount not to exceed \$56,578,000 of Project Homekey grant funds; to accept and expend those funds for the acquisition of the property located at 333-12th Street for Permanent Supportive Housing for families and to support its operations upon execution of the Standard Agreement through June 30, 2026; approving and authorizing HSH to commit approximately \$98,800,000 in required matching funds for acquisition of the property and a minimum of five years of operating subsidy; affirming the Planning Department's determination under the California Environmental Quality Act; and adopting the Planning Department's findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing HSH to enter into any additions, amendments, or other modifications to the Standard Agreement and the Homekey Documents that do not materially increase the obligations or liabilities of the City or materially decrease the benefits to the City. (Department of Homelessness and Supportive Housing). RECEIVED AND ASSIGNED to Budget and Finance Committee.

221171 [Lease and Property Management Agreement - Housing for Independent People, Inc. - 333-12th Street - Not to Exceed \$20,080,000]

Sponsors: Mayor; Dorsey

Resolution 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing (“HSH”) to enter into a Lease and Property Management Agreement (“Agreement”) with Housing for Independent People, Inc. to lease, operate, and maintain the real property and residential improvements located at 333-12th Street for an initial five-year term to commence on February 1, 2023, with an option to extend for up to an additional five years, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$20,080,000; 2) determining in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings declaring that the Property is “exempt surplus land” under the California Surplus Land Act; 4) authorizing the Director of Property and the Executive Director of HSH to execute the Agreement, make certain modifications, and take certain actions in furtherance of the Agreement and this Resolution, as defined herein; 5) ratifying all prior actions taken by any City employee or official with respect to the Agreement, as defined herein; and 6) affirming the Planning Department’s determination under the California Environmental Quality Act, and adopting the Planning Department’s findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.

221172 [Loan Amendment - Maceo May Apts, L.P. - 100% Affordable Housing at 55 Cravath Street (formerly 401 Avenue of the Palms) - Not to Exceed \$39,238,000]

Sponsors: Mayor; Dorsey

Resolution approving and authorizing the execution of a First Amendment to the Amended and Restated Loan Agreement with Maceo May Apts, L.P., a California limited partnership, to increase the loan amount by \$14,983,000 for a new total loan amount not to exceed \$39,238,000 to finance additional construction costs and loss of permanent financing related to the 100% affordable, 105 unit multifamily rental housing development (plus one staff unit) for low and moderate income veteran households located at 55 Cravath Street (formerly 401 Avenue of the Palms) on Treasure Island (“Maceo Project”); and adopting findings that the First Amendment to the Amended and Restated Loan Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.

221173 [Cost-Sharing Agreement - Retroactive - BART - Paratransit Services - Reimbursement by BART]

Sponsors: Mayor; Melgar

Resolution retroactively authorizing the Director of Transportation to execute a new Cost-Sharing Agreement for paratransit services between the City and County of San Francisco, through the Municipal Transportation Agency (SFMTA), and the Bay Area Rapid Transit District (BART), under which BART will reimburse the SFMTA for providing BART’s paratransit services within San Francisco for a one year period from July 1, 2022, through June 30, 2023, with nine one-year automatic renewal options, for a maximum term of ten years. (Municipal Transportation Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.

221174 [Settlement of Unlitigated Claims against Sunset Scavenger Company, et al. - San Francisco Refuse Ratepayers to Receive \$25,000,000 Credit to Offset Cost of Living Adjustments and Rate Increases]

**Revised for clerical correction to title

Sponsors: Mayor; Peskin

Resolution approving the settlement of pre-litigation claims against Sunset Scavenger Company, Golden Gate Disposal & Recycling Company, Recology San Francisco, and Recology Properties Inc. through the acceptance of a \$25,000,000 reimbursement to San Francisco ratepayers; the claims involve alleged retention of profits above the 9 percent target profit approved in the 2017 public rate setting process, and the timing and appropriateness of cost of living adjustments to rates; additional material terms of the settlement are that rental costs of select real properties will not be passed through to ratepayers once acquisition costs are paid, and ratepayers will be reimbursed for up to approximately \$26,000,000 in rental payments in the event that those properties are no longer available for the benefit of San Francisco refuse ratepayers. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

221176 [Supporting Affordable Housing on State-Owned Property at 1377 Fell Street - DMV Field Office Site]

Sponsors: Preston; Walton

Resolution supporting the development of permanently affordable housing at the San Francisco Department of Motor Vehicles (DMV) field office site at 1377 Fell Street and urging the State of California to prioritize affordable housing on the site, in place of or in addition to a DMV field office. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

221177 [Supporting the Human Rights of the People of Iran]

Sponsors: Safai; Walton

Resolution supporting the human rights of the people of Iran, including the immediate cessation of human rights abuses on the demonstrators in Iran and the immediate release of political prisoners in Iran, and standing in solidarity with the women and people of Iran. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUEST FOR HEARING

221179 [Hearing - State of Jail Health Services]

Sponsor: Stefani

Hearing on the state of jail health services, including a report on the overall mission and services provided at each county jail; the staffing levels of medical staff, particularly nurses, available to treat the incarcerated population; the roll out of EPIC (an electronic medical record database) and how its impacted the workflow for jail house staff and the discharge-planning program; and how many individuals are engaged after release; and requesting the Department of Public Health and Sheriff's Department 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.

(No Department submittals were received.)

Clerk to Act – November 15, 2022

No Regular Board Meeting Minutes Were Approved.

Requests Granted

None

In Memoriam

Elizabeth “Betty” Ann Campbell – Supervisor Stefani

Matt Picon – Supervisor Mar

Jean Amor – Supervisor Mandelman

Peter Gabel – Supervisors Mandelman, Mar, and Peskin

Crispin Hollings – The Entire Board of Supervisors