

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, December 12, 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

230734 [Planning Code - Density Calculation in RC, RTO, NC, and Certain Named NCDs]

Sponsors: Mayor; Melgar

Ordinance amending the Planning Code to allow form-based density in Residential-Commercial (RC), Residential Transit Oriented (RTO), Neighborhood Commercial (NC), and certain Named Neighborhood Commercial Districts (NCD), except for specified lots located in the Priority Equity Geographies Special Use District; amending the Priority Equity Geographies Special Use District; 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. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

231237 [Accept and Expend Grant - Retroactive - California Department of Public Health - Substance and Addiction Prevention Branch - Overdose Prevention Initiative - \$1,086,740.83]

Sponsor: Mayor

Ordinance retroactively authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of \$1,086,740.83 from the California Department of Public Health, Substance and Addiction Prevention Branch; and authorizing the addition of grant-funded temporary Class 2403 Forensic Laboratory Analyst, Class 2456 Forensic Toxicologist, and Class 2457 Forensic Toxicologist Supervisor positions, as required, for the period beginning December 1, 2023, through June 30, 2028. (Medical Examiner/Coroner). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

231245 [Treasure Island/Yerba Buena Island - Street and Public Infrastructure Acceptance - Establishing Official Sidewalk Widths and Street Grades]
Sponsors: Mayor; Dorsey
Ordinance accepting irrevocable offers of public infrastructure associated with the Treasure Island/Yerba Buena Island Project, Sub-Phases 1B, 1C, 1E, 1YA, and 1YB, including improvements located within portions of Avenue of the Palms, Bruton Street, Clipper Cove Avenue, Cravath Street, Garden Walk, Johnson Street, Seven Seas Avenue, Trade Winds Avenue, and Treasure Island Road on Treasure Island; Macalla Road, Signal Road, Treasure Island Road, and Yerba Buena Island Road on Yerba Buena Island; potable water storage tanks on Yerba Buena Island and electrical substructures serving a switchyard on Treasure Island; and City utilities in private streets and a service maintenance road on Yerba Buena Island; dedicating this infrastructure to public use; designating this public infrastructure for street and roadway purposes as applicable; accepting the public infrastructure for City maintenance and liability purposes, subject to specified limitations; establishing official public right-of-way widths and street grades; amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to establish official sidewalk width on the abovementioned streets; delegating limited authority to the Public Works Director to accept specified infrastructure; 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; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; and authorizing official acts, as defined herein, in connection with this Ordinance. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

231269 [Treasure Island/Yerba Buena Island - Ferry Terminal and Other TIDA Improvements]
Sponsors: Mayor; Dorsey
Ordinance acknowledging the Treasure Island Development Authority's (the "Authority" or "TIDA") acceptance of certain improvements on portions of Yerba Buena Island and Treasure Island, including ferry terminal improvements, and the Authority's acceptance of the improvements for maintenance and liability purposes; dedicating improvements to public use; 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 these improvements and related actions, as defined herein. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

231270 [Appropriation Reserve - Various Departments' Budget Appropriations on Reserve - \$48,403,840 - FY2023-2024]
Sponsor: Chan
Ordinance placing a total of \$48,403,840 in various departments' budget appropriations specified in the Mayor's Fiscal Year (FY) 2023-2024 mid-year budget reduction plan on Board of Supervisors Budget and Finance Committee Reserve in Fiscal Year 2023-2024. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

231271 [Planning Code - Landmark Designation - Alexandria Theater]
Sponsor: Chan
Ordinance amending the Planning Code to designate the Alexandria Theater, located at 5400 Geary Boulevard, at the northwest corner of Geary Boulevard and 18th Avenue, Assessor's Parcel Block No. 1450, Lot No. 048, 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

231272 [Business and Tax Regulations Code - Streamlined Permitting Review in C-3 Districts]

Sponsor: Peskin

Ordinance amending the Business and Tax Regulations Code to expand streamlined permitting review of principally permitted commercial uses to upper floors in C-3 (Downtown Commercial) Districts; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

231273 [Settlement of Claims, Litigation - SFPUC Water Pipeline Break - Fillmore Street and Green Street - Not to Exceed \$7,000,000]

Sponsor: Stefani

Ordinance authorizing the San Francisco Public Utilities Commission (SFPUC) and the Office of the City Attorney to approve settlements of claims arising out of the September 10, 2023 break of the SFPUC's water transmission pipeline at the intersection of Fillmore and Green Streets for amounts exceeding \$25,000 per claim, notwithstanding Administrative Code, Section 10.22, et. seq., but not to exceed \$1,000,000 per claim, and delegating authority under Charter, Section 6.102(5) for the settlement of related litigation, if any, up to an aggregate total settlement amount not to exceed \$7,000,000, subject to periodic reporting to the Board of Supervisors Government Audit and Oversight Committee. (Public Utilities Commission). ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

231274 [Development Agreement Amendment - California Barrel Company, LLC - Potrero Power Station]

Sponsor: Walton

Ordinance amending a Development Agreement between the City and County of San Francisco and California Barrel Company, LLC, a Delaware limited liability company, for the Potrero Power Station project, to allow for the establishment of San Francisco Enhanced Financing District No. 1 (Power Station); making findings under the California Environmental Quality Act; and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

RESOLUTIONS

231275 [Civic Bridge Program - Behested Payments Waiver]

Sponsor: Mayor

Resolution authorizing the Office of the Mayor to solicit in-kind donations through the Civic Bridge Program from various City contractors, notwithstanding the Behested Payments Ordinance for six months from the enactment date of this Resolution. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

231276 [Departmental Overdose Prevention Policies - Annual Submission - 2023]

Sponsor: Mayor

Resolution receiving Overdose Prevention Policies for the Department of Public Health, Department of Homelessness and Supportive Housing, Healthy Streets Operation Center through the Department of Emergency Management, and the Human Services Agency, describing how the department and its grantees that provide direct services to clients who use drugs will promote strategies to reduce drug overdoses, submitted as required by Administrative Code, Section 15.17. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 231277 [Accept and Expend Grant - Retroactive - John D. and Catherine T. MacArthur Foundation - Safety and Justice Challenge - \$1,200,000]**
Sponsor: Mayor
 Resolution retroactively authorizing the Office of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of \$1,200,000 from the John D. and Catherine T. MacArthur Foundation, for the grant period of January 1, 2023, through December 31, 2025, to support and sustain the City and County of San Francisco's comprehensive efforts to reduce jail incarceration and racial and ethnic disparities in jail usage as a site in the Safety and Justice Challenge. (District Attorney). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 231278 [Declaration of Restrictions - ARE-SAN FRANCISCO NO. 15 OWNER, LLC - 1450 Owens Street - Initial Annual Payment to City \$72,000]**
Sponsor: Dorsey
 Resolution approving a Declaration of Restrictions with the ARE-SAN FRANCISCO NO. 15 OWNER, LLC ("Owner) to establish a no-build zone on a portion of property owned by the City and County of San Francisco, adjacent to the Owner's property at 1450 Owens Street, intended for future public park uses, providing for annual payments in the initial amount of \$72,000 with 3% annual increases, to the City from Owner in exchange for such restrictions for term effective on January 1, 2024, through in perpetuity unless terminated by the City, as defined in the Declaration of Restrictions; and authorizing the Director of Property to execute any amendments, make certain modifications and take certain actions that do not materially increase the obligations or liabilities to the City, do not materially decrease the benefits to the City and are necessary or advisable to effectuate the purposes of the Declaration of Restrictions or this Resolution. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 231279 [Discover Polk Community Benefit District - Annual Report - FY2021-2022]**
Sponsor: Peskin
 Resolution receiving and approving an annual report for the Discover Polk Community Benefit District for Fiscal Year (FY) 2021-2022, 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.
- 231280 [Non-Renewal of a Mills Act Historical Property Contract - 2209 Webster Street]**
Sponsor: Peskin
 Resolution regarding non-renewal of a Mills Act historical property contract with Michael Foley and Chiao Mei Lin, as Trustees of The Foley Lin Family Trust dated June 20, 2023, the owners of 2209 Webster Street, Assessor's Parcel Block No. 0612, Lot No. 007, under Chapter 71 of the San Francisco Administrative Code; notifying the Assessor Recorder's Office of such non-renewal; and authorizing the Planning Director to send notice of the non-renewal of the historical property contract to the owner and record a notice of non-renewal. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 231281 [Non-Renewal of a Mills Act Historical Property Contract - 988 Market Street]**
Sponsor: Peskin
 Resolution regarding non-renewal of a Mills Act historical property contract with 140 Partners, L.P., a California Limited Partnership and Marlin Cove, Inc., a California corporation, the owners of 988 Market Street, The Warfield Building, Assessor's Parcel Block No. 0342, Lot No. 019, under Chapter 71 of the San Francisco Administrative Code; notifying the Assessor Recorder's Office of such non-renewal; and authorizing the Planning Director to send notice of the non-renewal of the historical property contract to the owner and record a notice of non-renewal. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 231282 [Agreement - Retroactive - Fidelity National Information Services, Inc. - Wireless Payment Processing Services and Authorizing Acceptance of Debit Cards and Electronic Funds Transfers - No Cost]**
Sponsor: Ronen
 Resolution retroactively authorizing an agreement with Fidelity National Information Services, Inc. to facilitate the use of state-issued Electronic Benefits Transfer (EBT) debit cards and acceptance of debit cards and electronic funds transfers at the Alemany Farmers' Market, for a term period of January 22, 2018, through until the State of California selects a new EBT wireless payment processing service vendor; and to authorize the Director of Property to enter into amendments or modifications to the agreement 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. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 231283 [Approval of a Retroactive 90-Day Extension for Planning Commission Review of Cannabis Retail Uses (File No. 230988)]**
Sponsor: Stefani
 Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 230988) amending the Planning Code to require a minimum distance of 600 feet between a Cannabis Retail Use and daycare centers, exempt pending applications from that distance requirement, and establish an 18-month period of discontinuance of a Cannabis Retail Use as abandonment of the business, preventing its restoration except as a new Cannabis Retail Use; 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. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUEST FOR HEARING

- 231284 [Hearing - Five Year Financial Plan Update and Mayor's Budget Instructions]**
Sponsor: Chan
 Hearing on the City and County of San Francisco's Five Year Financial Plan Update Fiscal Year (FY) 2024-2025 through FY2027-2028, and the Mayor's Budget Instructions for FY2024-2025 and FY2025-2026; and requesting the Controller and the Mayor's Budget Director to report. RECEIVED AND ASSIGNED to Budget and Finance 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

231246 [Settlement of Lawsuit - Pacific Gas & Electric Co. - Power Connections]

Ordinance authorizing settlement of the complaint of the City and County of San Francisco (City) against Pacific Gas & Electric Co. (PG&E) that was filed by the City on January 28, 2019, before the Federal Energy Regulatory Commission, Docket No. EL19-38; entitled City and County of San Francisco v. Pacific Gas & Electric Co.; the complaint concerns PG&E's imposition of unreasonable restrictions on connections of City facilities to PG&E's distribution system; the material terms of the settlement are that, in exchange for the City dismissing its complaint and waiving any claim for monetary relief, PG&E will allow the City to connect 30 megawatts of metered secondary voltage load over the next five years, provided the loads will be used to serve 1) existing points of delivery that undergo changes, 2) City departments or related public entities, or 3) private entities using City-owned property. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

231247 [Contract Amendment - San Francisco Pretrial Diversion Project - Pretrial Services - \$19,763,114]

Resolution authorizing the Sheriff's Office to enter into a Fourth Amendment to a contract with the San Francisco Pretrial Diversion Project for pretrial services, increasing the contract amount by \$499,342 for a total not to exceed amount of \$19,763,114 with no change to the term of three years from July 1, 2021, through June 30, 2024, with two one-year options to extend. (Sheriff). RECEIVED AND ASSIGNED to Budget and Finance Committee.

231248 [Settlement of Grievance - San Francisco Deputy Sheriff's Association, 8504 Deputy Sheriffs, 8304 Deputy Sheriffs and 8306 Senior Deputy Sheriffs - \$94,675]

Resolution approving the settlement of the grievance filed on October 20, 2021, by San Francisco Deputy Sheriff's Association on behalf of class 8504 Deputy Sheriffs, 8304 Deputy Sheriffs and 8306 Senior Deputy Sheriffs against the City and County of San Francisco by the payment of \$94,675; the grievance involves an employment dispute under the Memorandum of Understanding. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

231249 [Contract Modification - Alameda Electrical Distributors Inc. - Purchase of Electrical Supplies and Fixtures - Not to Exceed \$10,500,000]

Resolution authorizing the Office of Contract Administration to execute Modification No. 3 to Contract 1000023404 between the City and County of San Francisco and Alameda Electrical Distributors Inc. for the purchase of electrical materials, supplies and fixtures for City departments, increasing the contract amount by \$600,000 for a total contract amount not to exceed \$10,500,000 with no change to the total contract duration of May 1, 2018, through April 30, 2024. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.

231250 [Contract Modification - Buckles-Smith Electric Company - Purchase of Electrical Supplies and Fixtures - Not to Exceed \$19,500,000]

Resolution authorizing the Office of Contract Administration to execute Modification No. 8 to Contract 1000005805 between the City and County of San Francisco and Buckles-Smith Electric Company for the purchase of electrical materials, supplies and fixtures for City departments, increasing the contract amount by \$2,053,132 for a total contract amount not to exceed \$19,500,000 with no change to the total contract duration of July 5, 2017, through June 30, 2024. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – December 12, 2023

Regular Board Meeting Minutes for November 7, 2023, were approved.

Requests Granted

None

In Memoriam

Ronald Colthirst - Entire Board

Arnold Woods - Supervisors Connie Chan and Joel Engardio

John Bare – Supervisor Rafael Mandelman

Jerry Goldstein – Supervisor Rafael Mandelman

Andrew Jack Borbon – Board President Aaron Peskin