

City and County of San Francisco Meeting Agenda

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

Budget and Finance Committee

Members: Connie Chan, Rafael Mandelman, Myrna Melgar

Clerk: Brent Jalipa

(415) 554-7712 ~ <u>brent.jalipa@sfgov.org</u>

Wednesday, April 24, 2024

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

A quorum of the Board of Supervisors may be present at this committee meeting. If a quorum is present, the meeting will also constitute a Special Meeting of the Board of Supervisors. However, the meeting will be conducted in all respects as a committee meeting, and any substantive decision will constitute a recommendation of the committee rather than an action taken by the Board. The Clerk will make a note of the special meeting in the committee minutes, and discussion will be limited to items noticed on this agenda.

ROLL CALL AND ANNOUNCEMENTS

COMMUNICATIONS

AGENDA CHANGES

REGULAR AGENDA

1. 240290 [License to Enter and Use - Honeybee Foods Corp. - Hallidie Plaza - \$1,200 Initial Annual Base Fee]

Resolution approving and authorizing the Director of Property to enter into a license to enter and use with Honeybee Foods Corp., a Delaware Corporation, dba Jollibee USA for approximately 414 square feet (underground) of Hallidie Plaza, effective upon approval of this Resolution, through December 8, 2034, at an initial license fee of \$1,200 annually with 3% annual increases thereafter; and authorizing the Director of Property to enter into any additions, amendments, or other modifications to the License that do not materially increase the obligations or liabilities of the City to effectuate the purposes of this Resolution. (Real Estate Department)

3/19/24; RECEIVED FROM DEPARTMENT.

4/2/24; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

4/17/24; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/17/24; CONTINUED AS AMENDED.

2. <u>240155</u> [California Constitution Appropriations Limit for FY2023-2024]

Resolution establishing the appropriations limit established at \$11,678,040,780 for Fiscal Year (FY) 2023-2024 pursuant to California Constitution, Article XIII B; due to the addition of local non-residential new construction and the percent change in population within the San Francisco Metropolitan Area from the previous year for the purpose of computation of its Appropriations Limit. (Controller)

(Fiscal Impact)

2/12/24; RECEIVED FROM DEPARTMENT.

2/27/24; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

3. 240299 [Administrative Code - Firefighter Personal Protective Equipment Containing PFAS]

Sponsors: Peskin; Safai, Chan, Melgar and Engardio

Ordinance amending the Administrative Code to prohibit the Fire Department from providing or using personal protective equipment containing intentionally-added PFAS (perfluoroalkyl and polyfluoroalkyl substances) by June 30, 2026; and requiring the Fire Department to conduct regular meetings with labor representatives, and submit regular reports to the Board of Supervisors and Fire Commission, regarding its progress toward meeting the June 30, 2026, deadline.

(Meet and confer obligations met.)

(Fiscal Impact)

3/26/24; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

4/3/24; REFERRED TO DEPARTMENT.

4/17/24; TRANSFERRED to the Public Safety and Neighborhood Services Committee.

4/18/24; TRANSFERRED to the Budget and Finance Committee.

4. 240258 [Lease Agreement Exemption - SkyStar Wheel, LLC] Sponsor: Mayor

Resolution exempting from the competitive bidding policy set forth in Administrative Code, Section 2.6-1, the potential lease on a portion of the east end of Sea Wall Lot (SWL) 301, with SkyStar Wheel, LLC, for the continued operation of an observation wheel; and adopting environmental findings under the California Environmental Quality Act. (Port)

3/15/24; RECEIVED FROM DEPARTMENT.

3/19/24; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

4/3/24; CONTINUED TO CALL OF THE CHAIR.

5. 240342 [Finding of Fiscal Feasibility and Term Sheet Endorsement - Port and Strada TCC, LLC - Lease and Development of Piers 30-32 & Seawall Lot 330]

Sponsor: Mayor

Resolution finding the proposed lease and development of Piers 30-32 & Seawall Lot 330, an approximately 15.3-acre site generally located along the Embarcadero between Bryant and Beale Streets, fiscally feasible under Administrative Code, Chapter 29 and endorsing the term sheet. (Port)

(Fiscal Impact)

4/2/24; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

6. 240289 [Real Property Lease Amendment - Raul and Denise Arriaza and Olson Trust - 1305 and 1309 Evans Avenue - \$470,544 Annual Base Rent]

Resolution authorizing and approving an Amendment to the real property lease of approximately 12,690 square feet located at 1305 and 1309 Evans Avenue including 13 parking stalls, with Raul and Denise Arriaza, husband and wife, as to an undivided 50% interest; and Linda Lee Olson and Carl Edwards Olson, as Trustees of The Olson Family Trust dated October 16, 2014, as to an undivided 50% interest as Landlord, for an extended approximately five-year term effective upon approval of this Resolution, through June 13, 2028, at the fixed monthly base rent of \$39,212 for a total annual base rent of \$470,544; and authorizing the Director of Property to enter into amendments or modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Amendment or this Resolution. (Public Health Department)

(Fiscal Impact)

3/25/24; RECEIVED FROM DEPARTMENT.

[Lease Agreement - Guava and Java SFO, Inc. dba Black Point Café and La Colombe Coffee Roasters - \$420,000 Minimum Annual Guarantee]

Resolution approving the Terminal 2 Coffee Café Lease No.23-0197, between Guava and Java SFO, Inc. dba Black Point Café and La Colombe Coffee Roasters and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with two one-year options to extend at the sole discretion of the Airport Commission, and a minimum annual guarantee of \$420,000 for the first year of the lease, effective upon approval of this Resolution. (Airport Commission)

9/7/23; RECEIVED FROM DEPARTMENT.

9/19/23; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

8. <u>240236</u>

[Accept and Expend Grant - Federal Aviation Administration - Airport Infrastructure Grant - \$90,972,120]

Sponsor: Mayor

Resolution authorizing the Airport Commission to accept and expend a grant in an amount not to exceed \$90,972,120 and any additional amounts up to 15% of the original grant, that may be offered from the Federal Aviation Administration for the implementation of the Recycled Water System Project, for the period of October 1, 2023, through September 30, 2028, contingent on receipt by the Airport Commission of a grant offer from the Federal Aviation Administration. (Airport Commission)

(Fiscal Impact)

3/12/24; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

9. 240286

[Contract Amendment - Bayview Hunters Point Foundation - Substance Use Disorder Services - Not to Exceed \$19.496.043]

Resolution approving Amendment No. 3 to the agreement between Bayview Hunters Point Foundation and the Department of Public Health (DPH), for substance use disorder services; to increase the agreement by \$7,896,043 for a total amount not to exceed \$19,496,043; to extend the term by three years from June 30, 2024, for a total agreement term of July 1, 2017, through June 30, 2027; and to authorize DPH to enter into amendments or modifications to the contract 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 contract or this Resolution. (Public Health Department)

(Fiscal Impact)

3/25/24; RECEIVED FROM DEPARTMENT.

[Contract Amendment - Retroactive - Regents of the University of California - Behavioral Health Services - Not to Exceed \$133,397,493]

Resolution retroactively approving Amendment No. 2 to the agreement between The Regents of the University of California and the Department of Public Health, for behavioral health services for high-risk transitional-aged youth, adults, and older adults, to increase the agreement by \$84,121,542 for an amount not to exceed \$133,397,493; to extend the term by five and one-half years from December 31, 2022, for a total agreement term of July 1, 2018, through June 30, 2028; and to authorize the Department of Public Health to enter into amendments or modifications to the contract 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 contract or this Resolution. (Public Health Department)

(Fiscal Impact)

3/25/24; RECEIVED FROM DEPARTMENT.

4/2/24; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

11. <u>240288</u>

[Contract Amendment - San Francisco Public Health Foundation - Food Security Services - Not to Exceed \$11,197,782]

Resolution approving Amendment No. 1 to the Agreement between San Francisco Public Health Foundation and the Department of Public Health, for food security services; to increase the agreement by \$1,625,459 for an amount not to exceed \$11,197,782; to extend the term by five years from June 30, 2024, for a total agreement term of July 1, 2021, through June 30, 2029; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

(Fiscal Impact)

3/25/24; RECEIVED FROM DEPARTMENT.

4/2/24; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

12. 240253

[Contract Amendment - Retroactive - Tryfacta, Inc. - Temporary Traveling Nurse Registry Personnel - Not to Exceed \$11,401,859]

Resolution retroactively approving Amendment No. 3 to the agreement between Tryfacta, Inc. and the Department of Public Health (DPH), for temporary traveling nurse registry personnel; to increase the agreement by \$1,501,860 for an amount not to exceed \$11,401,859; to extend the term by one year from December 31, 2023, for a total agreement term of June 1, 2021, through December 31, 2024; and to authorize DPH to enter into amendments or modifications to the contract 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 contract or this Resolution. (Public Health Department)

(Fiscal Impact)

3/14/24; RECEIVED FROM DEPARTMENT.

13. <u>231083</u>

[Accept and Expend Grant - Retroactive - California Board of State and Community Corrections - Officer Wellness and Mental Health Grant Program - \$1,407,675.74]

Sponsor: Mayor

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$1,407,675.74 from the California Board of State and Community Corrections Officer Wellness and Mental Health Grant Program to improve officer wellness and expand mental health sources for our sworn members with the project period beginning on July 1, 2022, through December 1, 2025. (Police Department)

10/17/23; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

14. <u>230815</u>

[Accept and Expend In-Kind Gift - Retroactive - Naloxone Distribution Project - Naloxone - Valued at \$48,750]

Sponsor: Mayor

Resolution retroactively authorizing the Police Department to accept and expend an in-kind gift of 900 units of Naloxone valued at \$48,750 through the Naloxone Distribution Project, which is funded by the Substance Abuse and Mental Health Services Administration and administered by the Department of Health Care Services.

7/11/23; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

1/11/24; REMAIN ACTIVE.

15. 240334

[Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - Paul Coverdell Forensic Science Improvement Program - \$70,549]

Sponsor: Mayor

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$70,549 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, 2023, through June 30, 2024. (Police Department)

[Lease Amendment - La Cocina, Inc. - 101 Hyde Street - Sidewalk Improvements, Light Manufacturing and Operation, Remove Utility Payments - Reimburse Tenant \$106,528.02]

Sponsor: Mayor

Resolution authorizing the Director of Property to execute a First Amendment to a Lease between City and La Cocina, Inc. ("Tenant") related to the lease of City-owned property located at 101 Hyde Street to extend the lease for one year from January 1, 2026, for a total term of July 7, 2019, through December 31, 2026, reimburse Tenant in the amount of \$106,528.02 for sidewalk improvements, allow for light manufacturing and operation of a shared-use commercial kitchen, and remove required utility payments by Tenant; forgive past utility payments from March 1, 2020, through the date of the First Amendment to Lease in an amount not to exceed \$115,000 and forgive future utility payments until the expiration or termination of the Lease; make certain modifications to the First Amendment to Lease and take certain actions in furtherance of this Resolution, as defined herein; and to authorize the Director of Property to enter into amendments or modifications to the lease 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)

(Fiscal Impact)

[Acquisition of Real Property for \$9,600,000 - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$16,956,650 - 2550 Irving Associates, L.P. - 100% Affordable Housing - 2550 Irving Street]

Sponsors: Mayor; Engardio

Resolution 1) approving and authorizing the Director of Property, on behalf of the Mayor's Office of Housing and Community Development ("MOHCD"), to acquire Real Property located at 2550 Irving Street ("Property") from 2550 Irving Associates, L.P. ("Borrower") for \$9,600,000 under an Agreement for Purchase and Sale ("Purchase Agreement"); 2) placing the Property under the jurisdiction of MOHCD for use in constructing affordable housing; 3) approving and authorizing the Director of Property and the Director of MOHCD to enter into a Ground Lease to lease the Property back to the Borrower for a term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 ("Ground Lease") in order to construct a 100% affordable, 90-unit multifamily rental housing development affordable to low-income households, including one manager unit, and ancillary community space for public benefit use (the "Project"); 4) approving and authorizing an Amended and Restated Loan Agreement in an amount not to exceed \$16,956,650 for a minimum loan term of 57 years ("Loan Agreement") to finance the development and construction of the Project; 5) adopting findings declaring that the Property is "exempt surplus land" pursuant to the California Surplus Lands Act; 6) determining that the less than market rent payable under the Ground Lease will serve a public purpose by providing affordable housing for low-income households in need, in accordance with Section 23.3 of the Administrative Code; 7) adopting findings that the Project and proposed transactions are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; 8) and authorizing the Director of Property and/or the Director of MOHCD to enter into certain amendments or modifications to the Purchase Agreement, Ground Lease, and Loan Agreement, as defined herein, that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution, and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

4/2/24; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

18. 240336

[Multifamily Housing Revenue Note - 2550 Irving Associates, L.P. - Not to Exceed \$63,846,000]

Sponsors: Mayor; Engardio and Peskin

Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$63,846,000 for the purpose of providing financing for the construction of a 90-unit multifamily rental housing project known as "2550 Irving"; approving the form of and authorizing the execution of a funding loan agreement, providing the terms and conditions of the loan from the funding lender to the City, and the execution and delivery of the note; approving the form of and authorizing the execution of a project loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of an assignment of deed of trust and loan documents; 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 note and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development)

ADJOURNMENT

LEGISLATION UNDER THE 30-DAY RULE

NOTE: The following legislation will not be considered at this meeting. Board Rule 3.22 provides that when an Ordinance or Resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the Committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

240331 [De-Appropriation and Appropriation - Expenditures of \$4,750,000 Supporting Increased Overtime Expenditures - Police Department - FY2023-2024]

Sponsor: Mayor

Ordinance de-appropriating \$4,750,000 from permanent salaries and appropriating \$4,750,000 to overtime in the Airport Division of the Police Department, in order to support the Departments' projected increases in overtime in Fiscal Year (FY) 2023-2024, as required per Administrative Code, Section 3.17.

(Fiscal Impact; No Budget and Legislative Analyst Report)

4/2/24; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

The Levine Act

Pursuant to California Government Code, Section 84308, Members of the Board who have received campaign contributions totaling more than \$250 may be required to disclose that fact on the record of the proceeding. Parties and their paid agents may also be required to disclose on the record any campaign contributions made to a Member of the Board that meets the following qualifications for disclosure. A Member of the Board of Supervisors is disqualified and must recuse themselves on any agenda item involving business, professional, trade, and land use licenses or permits and all other entitlements for use, if they received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant within the 12 months prior to the final decision; and for 12 months following the date of the final decision, a Member of the Board shall not accept, solicit, or direct a campaign contribution of \$250 or more from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant. The foregoing statements do not constitute legal advice. Parties, participants, and their agents are urged to consult their own legal counsel regarding the requirements of the law. For more information about these disclosures, visit www.sfethics.org.

Agenda Item Information

Each item on the Consent or Regular agenda may include the following 1) Legislation; 2) Budget and Legislative Analyst report; 3) Department or Agency cover letter and/or report; 4) Public correspondence. These items are available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244 or at www.sfbos.org/legislative-research-center-lrc.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where legislation is the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) vocal or audible support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones or electronic devices; 3) bringing in or displaying signs in the meeting room; or 4) standing in the meeting room. Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives; except that public speakers using interpretation assistance will be allowed to testify for twice the amount of time. Members of the public who want to display a document should place it on the overhead during their public comment and remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Board and Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding agenda items for the official public record. Written communications should be submitted to the Clerk of the Board or the Clerk of the Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications not received prior to the hearing may be delivered to the Clerk of the Board or the Clerk of the Committee and will be shared with the Members.

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LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino for requests made at least 48 hours in advance of the meeting, to help ensure availability. For more information or to request services: Contact (415) 554-5184.

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傳譯服務: 所有常規及特別市參事會會議和常務委員會會議將提供西班牙文, 中文以及菲律賓文的傳譯服務, 但必須在會議前最少48小時作出請求, 以確保能獲取到傳譯服務. 將因應請求提供交替傳譯服務, 以便公眾向有關政府機構發表意見. 如需更多資訊或請求有關服務, 請致電(415)554-5184聯絡我們.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reunions regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Americans with Disabilities Act (ADA) and Reasonable Accommodations

Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. If you believe your rights under the ADA are violated, contact the ADA Coordinator. Ordinance No. 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy.

Meetings are real-time captioned and cablecast open-captioned on SFGovTV (www.sfgovtv.org) or Cable Channels 26, 28, 78 or 99 (depending on your provider). Board and Committee meeting agendas and minutes are available on the Board's website www.sfbos.org and adhere to web development Federal Access Board's Section 508 Guidelines. For reasonable accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Board of Supervisors' Rules of Order 1.3.3 does not permit remote public comment by members of the public at meetings of the Board and its committees, except as legally required to enable people with disabilities to participate in such meetings. If you require remote access as a means of reasonable accommodation under ADA, please contact the Clerk's Office to request remote access, including a description of the functional limitation(s) that precludes your ability to attend in person. Requests made at least 48 hours in advance of the meeting will help to ensure availability. For further assistance, please call (415) 554-5184.

Know Your Rights Under The Sunshine Ordinance

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org. Citizens may obtain a free company of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at www.sfbos.org/sunshine.

Ethics Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (Campaign & Governmental Conduct Code, Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; (415) 252-3100; fax (415) 252-3112; website www.sfgov.org/ethics.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit www.sfethics.org.