### **Board of Supervisors**



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

#### Legislation Introduced at Roll Call

Tuesday, April 13, 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

#### 210380 [Youth Programs for Summer 2021]

Sponsors: Chan; Ronen and Melgar

Ordinance requiring the Department of Children, Youth, and Their Families (DCYF) and the Recreation and Park Department (RPD) to develop and implement a program to maximize public school youth access to summer programming in 2021; and requiring DCYF and RPD to submit a report regarding implementation of the program to the Board of Supervisors and the Students and Families Recovery and Inclusive Successful Enrichment (RISE) Working Group within 60 days of program completion. ASSIGNED UNDER 30 DAY RULE to Youth, Young Adult, and Families Committee.

#### 210381 [Planning Code - Massage Establishment Zoning Controls]

Sponsors: Ronen; Mandelman

Ordinance amending the Planning Code to revise Massage Establishment zoning controls, including, among other things, to 1) add Sole Practitioner Massage Establishments to the definition of Health Services in Article 7; 2) regulate Massage Establishments consistent with Health Services, except that where zoning for Health Services is more permissive, Massage Establishments shall require conditional use authorization on the second floor and are not permitted on the third floor and above unless located within a Hotel; 3) eliminate the three-month period to establish abandonment of certain nonconforming Massage Establishment uses; 4) prohibit Personal Services uses for three years at any location where a Massage Establishment use was closed due to a violation of the Planning Code or Health Code; 5) eliminate the exception from the conditional use authorization requirement for massage uses accessory to a dwelling unit; and 6) delete related provisions that have expired through the passage of time: 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 public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

# 210382 [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements - Sheriff's Department Oversight Board and Office of Inspector General]

Sponsor: Walton

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements, and Sunshine and Ethics training requirements, by adding members of the Sheriff's Department Oversight Board and the Inspector General in the Sheriff's Department Office of Inspector General. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

#### **RESOLUTIONS**

210383 [Acquisition of Real Property - 4840 Mission Housing Associates LP - 4840 Mission Street - 100% Affordable Housing - \$0 in Exchange for \$8,150,000 Credit - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$28,751,450] Sponsors: Mayor; Safai

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 4840 Mission Street ("Property") from 4840 Mission Housing Associates LP ("Developer") for \$0 in exchange for a \$8,150,000 credit; 2) placing the Property under the jurisdiction of MOHCD for use in constructing affordable housing for San Franciscans; 3) approving and authorizing a Loan Agreement in an amount not to exceed \$28,751,450 for a minimum loan term of 57 years ("Loan Agreement") to finance the construction of a 100% affordable, 137-unit multifamily rental housing development (plus two staff units) on the Property for low income households with 40 parking spaces and an ancillary commercial space of approximately 4.407 square feet for public benefit or community-serving purposes ("Residential Project") and the construction of the cold shell for a nonprofit community-serving health clinic ("Clinic Project," and together with the Residential Project, the "Project"); 4) approving and authorizing an Agreement for Purchase and Sale for acquisition of the Property ("Purchase Agreement"); 5) approving and authorizing a Ground Lease back to the Developer for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 in order to construct the Residential Project ("Residential Ground Lease"), and a Ground Lease back to the Developer for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$5,000 in order to construct the Clinic Project ("Clinic Ground Lease"); 6) adopting findings that the Purchase Agreement, Loan Agreement, Residential Ground Lease, and Clinic Ground Lease are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 7) authorizing the Director of Property and/or the Director of MOHCD to execute the Purchase Agreement. Loan Agreement, Residential Ground Lease, and Clinic Ground Lease, make certain modifications to such agreements, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 210384 [Multifamily Housing Revenue Note - 4840 Mission Housing Associates, LP - Not to Exceed \$75,000,000]

Sponsors: Mayor; Safai

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 \$75,000,000 for the purpose of providing financing for the construction of a 137-unit multifamily rental housing project known as "4840 Mission Apartments;" 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 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, as defined herein; and related matters, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

# 210385 [Issuance of Development Special Tax Bonds - City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services) - Not to Exceed Aggregate Principal Amount of \$64,900,000]

Sponsor: Mayor

Resolution authorizing the issuance and sale of one or more series of Development Special Tax Bonds for City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services) in the aggregate principal amount not to exceed \$64,900,000 supplementing Resolution No. 196-20; approving related documents, as defined herein, including an Official Statement, a First Supplement to Fiscal Agent Agreement, Bond Purchase Agreement, and Continuing Disclosure Certificate; and determining other matters in connection therewith, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

# 210386 [Pledge Agreement Related Documents - CCSF Infrastructure Financing District No. 2 (Port of San Francisco) Sub-Project Areas I-1 through I-13 - Special Tax Bonds - CCSF Special Tax District No. 2020-1 (Mission Rock Facilities and Services)]

Sponsor: Mayor

Resolution approving certain documents and actions related to a Pledge Agreement by City and County of San Francisco (CCSF) Infrastructure Financing District No. 2 (Port of San Francisco) and special tax bonds for City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services); and determining other matters in connection therewith, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 210387 [Issuance of General Obligation Bonds (Health and Recovery, 2020) - Not to Exceed \$487,500,000]

Sponsor: Mayor

Resolution providing for the issuance of not to exceed \$487,500,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Health and Recovery, 2020); authorizing the issuance and sale of such bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts related thereto; adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and Administrative Code, Chapter 31; finding that the proposed projects are in conformity with the priority policies of Planning Code, Section 101.1, and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the issuance and sale of such bonds, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 210388 [Sale of General Obligation Bonds (Health and Recovery, 2020) - Not to Exceed \$425,000,000]

Sponsor: Mayor

Resolution authorizing the issuance and sale of not to exceed \$425,000,000 aggregate principal amount of one or more series of bonds on a tax-exempt or taxable basis of City and County of San Francisco General Obligation Bonds (Health and Recovery, 2020), Series 2021D; prescribing the form and terms of such bonds and any subseries designation; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### [Sale of General Obligation Bonds (Earthquake Safety and Emergency Response, 2020) - Not to Exceed \$90,000,000]

Sponsor: Mayor

Resolution authorizing the issuance and sale of not to exceed \$90,000,000 aggregate principal amount of one or more series of bonds on a tax-exempt or taxable basis of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response, 2020), Series 2021E; prescribing the form and terms of such bonds and any subseries designation; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents, as defined herein; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### [Sale of General Obligation Bonds (Transportation and Road Improvement Bonds, 2014) - Not to Exceed \$122,785,000]

Sponsor: Mayor

Resolution authorizing the issuance and sale of not to exceed \$122,785,000 aggregate principal amount of one or more series of bonds on a tax-exempt or taxable basis of City and County of San Francisco General Obligation Bonds (Transportation and Road Improvement Bonds, 2014), Series 2021C; prescribing the form and terms of such bonds and any subseries designation; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 210391 [Lease of Real Property - 1076 Howard Street LLC - 1076 Howard Street - \$854,235 Per Year in Base Rent - Up to \$1,888,990 in Tenant Improvements]

Sponsor: Mayor

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to lease real property located at 1076 Howard Street, for an initial term of eight years and six months, from 1076 Howard Street LLC, at a base rent of \$854,235 per year with 3% annual increases, and the City will contribute up to an additional \$1,888,990 in tenant improvements; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Lease and this Resolution, as defined herein; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings under the California Environmental Quality Act. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 210392 [Accept and Expend Grant - Retroactive - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$250,000]

Sponsor: Mayor

Resolution retroactively authorizing Public Works to accept and expend a grant of up to \$250,000 from the San Francisco Bay Area Rapid Transit District for the Pit Stop Public Toilet Program for the period of July 1, 2020, through June 30, 2021. (Public Works). RECEIVED AND ASSIGNED to Budget and Finance Committee.

#### 210393 [Supporting Elimination of the Senate Filibuster]

Sponsor: Haney

Resolution urging support of eliminating the United States Senate filibuster. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### 210394 [Supporting H.R. 842 (Scott, D-VA-3) - Protecting the Right to Organize Act of 2021]

Sponsors: Haney; Walton

Resolution supporting United States House Resolution (H.R.) No. 842, Protecting the Right to Organize Act of 2021, authored by Representative Robert C. "Bobby" Scott, to expand various labor protections and employees' right to organize and collectively bargain in the workplace. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### 210395 [Supporting Congressman Jimmy Gomez and Senator Patty Murray's Jeanette Acosta Invest in Women's Health Act of 2021]

Sponsors: Haney; Walton, Ronen, Peskin and Chan

Resolution supporting Congressman Jimmy Gomez (CA-34) and Senator Patty Murray's (D-WA), Jeanette Acosta Invest in Women's Health Act of 2021 legislation that would increase availability of preventive, life-saving cancer screenings by safety net and reproductive health care providers. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### 210396 [Recognizing the Commencement of Ramadan, the Muslim Holy and Blessed Month]

**Sponsors:** Haney; Walton, Peskin, Safai, Ronen, Melgar, Mandelman, Preston, Stefani, Chan and Mar

Resolution recognizing the commencement of Ramadan, the Muslim Holy and Blessed month of fasting and renewal, and expressing respect for the Muslim communities in the City and County of San Francisco and the United States. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### 210397 [Approval of a 90-Day Extension for Planning Commission Review of "Review of Large Residence Developments" (File No. 210116)]

Sponsor: Mandelman

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 210116) amending the Planning Code to require Conditional Use authorization for certain large residence developments in Residential, House (RH) zoning districts; 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 findings of public convenience, necessity, and welfare under Planning Code, Section 302. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### 210398 [Supporting California Assembly Bill No. 257 (Gonzalez) - Fast Food Accountability and Standards (FAST) Recovery Act]

Sponsors: Mar; Walton, Chan and Ronen

Resolution supporting California State Assembly Bill No. 257, authored by Assembly Member Lorena Gonzalez of District 80, to enact the Fast Food Accountability and Standards (FAST) Recovery Act, legislation that would empower and protect California's half-a-million fast food workers. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

#### 210399 [Armenian Genocide Commemoration Day - April 24, 2021]

Sponsor: Peskin

Resolution designating April 24, 2021, as "Armenian Genocide Commemoration Day" in the City and County of San Francisco, and urging President Joseph Biden to formally recognize the Armenian Genocide and the San Francisco Board of Education to reaffirm its commitment to teaching the historical facts of the Armenian Genocide in our public schools. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### 210400 [Issuance and Sale of Revenue Obligations - California Enterprise Development Authority - Alta Vista School - Not to Exceed \$20,000,000]

Sponsor: Ronen

Resolution approving for purposes of Internal Revenue Code of 1986, as amended, Section 147(f) of the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$20,000,000 to finance or refinance the acquisition, construction, renovation, rehabilitation, improvement and/or equipping of educational and related facilities to be owned and operated by Alta Vista School, a California nonprofit public benefit corporation. RECEIVED AND ASSIGNED to Budget and Finance Committee.

#### 210401 [Earthquake Preparedness Month - April]

Sponsor: Stefani

Resolution recognizing the month of April as Earthquake Preparedness Month. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### 210402 [Supporting California State Assembly Bill No. 490 - The Angelo Quinto Act of 2021]

Sponsors: Walton; Chan, Haney and Ronen

Resolution supporting California State Assembly Bill No. 490, "The Angelo Quinto Act of 2021," authored by Assembly Member Mike Gibson, to prohibit law enforcement from authorizing techniques or transport methods that involve a substantial risk of positional asphyxia. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

#### **MOTION**

#### 210379 [Reappointment, Bicycle Advisory Committee - Paul Wells]

Motion reappointing Paul Wells, term ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

#### REQUESTS FOR HEARING

#### 210403 [Hearing - SkyChef Noncompliance with the Healthy Airport Ordinance]

Sponsors: Mandelman; Walton

Hearing to discuss San Francisco Airport food services contractor SkyChef's noncompliance with the Healthy Airport Ordinance; and requesting the Office of Labor Standards Enforcement to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### 210404 [Hearing - Sidewalk Conditions and Maintenance Strategy to Address Safety and Accessibility]

Sponsor: Melgar

Hearing to discuss the state of sidewalk conditions and the ongoing maintenance strategies to ensure safety and accessibility particularly for people with disabilities; and requesting Public Works, the Municipal Transportation Agency, and the Mayor's Office of Disability to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

#### 210405 [Hearing - Food Insecurity and Hunger in San Francisco]

Sponsors: Ronen; Haney and Safai

Hearing to discuss food insecurity and hunger in San Francisco; to present priorities and recommendations, unmet need, programs currently in place, organization and coordination between programs, gaps and barriers, lessons learned from COVID response, and opportunities for leveraging public and private funds and in-kind resources; requesting the Food Security Task Force to report; and requesting the San Francisco Unified School District, Department of Children, Youth and Their Families, Office of Early Care and Education, First 5, Human Services Agency, Department of Homelessness and Supportive Housing, and Department of Aging and Adult Services to be available for questions. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

#### 210368 [Appointments, Assessment Appeals Board No. 2]

Hearing to consider appointing three members, terms ending September 6, 2021, and one member term expiring September 4, 2023, to the Assessment Appeals Board No. 2. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

#### 210369 [Appointments, Assessment Appeals Board No. 3]

Hearing to consider appointing three members, terms expiring September 6, 2021, one member, term expiring September 5, 2021, and two members, terms expiring September 4, 2023, to the Assessment Appeals Board No. 3. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules 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 RESOLUTIONS**

#### 210341 [Settlement of Unlitigated Claim - Grace International Consortia, Inc. - \$316,250]

Resolution approving the settlement of the unlitigated claim filed by Grace International Consortia, Inc. against the City and County of San Francisco for \$316,250; the claim was filed on May 8, 2020; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### 210342 [Lease Amendment No. 3 - World Duty Free Group North America, LLP - Terminal 2 Newsstands, Coffee and Specialty Stores - Term Extension]

Resolution approving Amendment No. 3 to the Terminal 2 Newsstands, Coffee and Specialty Stores Lease No. 10-0232, between World Duty Free Group North America, LLP, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for an extension of the term for no later than June 30, 2023, with a condition that the Airport Director, at his sole and absolute discretion, may terminate earlier by providing six months' advance written notice, with no change to the current minimum annual guarantee, subject to adjustment in accordance with the terms and conditions of the Lease, effective upon approval by the Board of Supervisors. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 210343 [Designating Various Departments as Health Care Components of the City and County of San Francisco - Hybrid Entity Under HIPAA]

Resolution accepting the report of the City Administrator and designating the Department of Public Health, Fire Department, Health Service System, City Attorney, Treasurer-Tax Collector and Department of Technology as Health Care Components under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), pursuant to Administrative Code, Chapter 22H. (City Administrator). RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

### 210344 [Grant Agreement Amendment - Institute on Aging - Community Living Fund - Not to Exceed \$22,408,928]

Resolution approving a third amendment to the grant agreement between the City and County of San Francisco and the Institute on Aging for the provision of the Community Living Fund, to extend the grant term by two years from the period of July 1, 2021, for a total term of July 1, 2019, to June 30, 2023, and to increase the amount of the grant by \$10,767,634 for a revised total amount not to exceed \$22,408,928. (Human Services Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 210345 [Contract Amendment - Baker Places - Behavioral Health Respite Services - Not to Exceed \$27,233,566]

Resolution approving Amendment No. 2 to the agreement between the Baker Places and the Department of Public Health for behavioral health respite services, to increase the agreement amount by \$17,263,699 for an amount not to exceed \$27,233,566; and to extend the term by five years from July 1, 2021, for a total agreement term of January 1, 2019, through June 30, 2026. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

### Clerk to Act - April 13, 2021

**Board Meeting Minutes for March 9, 2021 was approved.** 

### **Requests Granted**

None

### In Memoriam

Bethola Harper – Supervisor Peskin Ray Rivera – Board President Walton Carolyn Dillon – Supervisor Melgar