



City and County of San Francisco

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

Meeting Agenda

Budget and Finance Committee

Members: Sandra Lee Fewer, Shamann Walton, Rafael Mandelman

Clerk: Linda Wong (415) 554-7719

Wednesday, September 16, 2020

10:30 AM

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PUBLIC COMMENT CALL-IN

1 (415) 655-0001 / Meeting ID: 146 892 6687

Regular Meeting

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: linda.wong@sfgov.org; all comments received will be made a part of the official record. Regularly-scheduled Budget and Finance Committee Meetings begin at 10:30 a.m. every Wednesday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

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As the COVID-19 disease progresses, please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact Assistant Clerk Linda Wong at (415) 554-7719.

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

1. [201011](#) **[Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2020-2021]**
Sponsor: Fewer
Resolution levying property taxes at a combined rate of \$1.19846368 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco County Office of Education, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District; and establishing a pass-through rate of \$0.0756 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2021.

9/1/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
2. [200876](#) **[Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - FY2020-2021]**
Resolution approving the Sheriff Office's home detention and electronic monitoring program rules and regulations; and approving evidence of financial responsibility demonstrated by program administrator, Sentinel Offender Services, LLC, for FY2020-2021. (Sheriff)

7/28/20; RECEIVED FROM DEPARTMENT.

8/11/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

9/2/20; CONTINUED.
3. [200669](#) **[Mental Health Services Act - Three-Year Program and Expenditure Plan - FYs 2020-2023]**
Resolution authorizing adoption of the San Francisco Mental Health Services Act Three-Year Program and Expenditure (Integrated Plan) for FYs 2020-2023. (Public Health Department)

6/22/20; RECEIVED FROM DEPARTMENT.

6/30/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
4. [200935](#) **[Contract Amendment Approval - Retroactive - Allied Universal Security - Security Services - Not to Exceed \$17,222,088]**
Resolution retroactively approving a first amendment to the contract between the City and County of San Francisco, by and through its Human Services Agency, and Allied Universal Security for the provision of unarmed security services, to increase the amount of the contract by \$7,888,248 for a total amount not to exceed \$17,222,088 to commence July 15, 2020; and to revise the term end date from sixty calendar days after expiration of the Local Emergency as declared by the Mayor or her designee to December 31, 2020, for an amended agreement term of April 1, 2020, through December 31, 2020. (Human Services Agency)

(Fiscal Impact)

8/17/20; RECEIVED FROM DEPARTMENT.

8/25/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

5. [200445](#) **[Lease Agreement - MRG San Francisco Terminal 3, LLC - Terminal 3 Boarding Area F News and Multi-Concept Retail Store Lease - \$750,000 Minimum Annual Guarantee]**
Resolution approving the Terminal 3 Boarding Area F News and Multi-Concept Retail Store Lease No. 19-0246, between MRG San Francisco Terminal 3, LLC, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and a minimum annual guarantee of \$750,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

4/29/20; RECEIVED FROM DEPARTMENT.

5/12/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
6. [200759](#) **[Business and Tax Regulations Code - Tax Penalties and Interest; Administration of Cannabis Business Tax]**
Ordinance amending the Business and Tax Regulations Code to amend the penalties, and the provisions for waiver of penalties and interest, relating to taxes that are subject to the common administrative provisions of that Code, and to add provisions for administering the Cannabis Business Tax. (Treasurer-Tax Collector)

(Fiscal Impact)

7/10/20; RECEIVED FROM DEPARTMENT.

7/21/20; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

8/5/20; REFERRED TO DEPARTMENT.

8/28/20; RESPONSE RECEIVED.
7. [200975](#) **[Multifamily Housing Revenue Note - 681 Florida Street - Not to Exceed \$50,000,000]**
Sponsor: Mayor
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 \$50,000,000 for the purpose of providing financing for the construction of a 130-unit multifamily rental housing project known as "681 Florida Street;" 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.

8/25/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

8. [200976](#) **[Loan Agreement and Ground Lease - 681 Florida Housing Associates, L.P. - 100% Affordable Housing - 681 Florida Street - Loan Not to Exceed \$35,076,507 - Annual Ground Lease Base Rent of \$15,000]**
Sponsor: Mayor
Resolution approving and authorizing an Amended and Restated Loan Agreement in an amount not to exceed \$35,076,507 for a minimum loan term of 57 years (“Loan Agreement”) to finance the construction of a 100% affordable, 130-unit multifamily rental housing development (plus one staff unit) at 681 Florida Street (the “Property”) for low income households with space for Production, Design and Repair uses (“Project”); approving and authorizing a Ground Lease to 681 Florida Housing Associates, L.P., a California limited partnership 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 and operate the Project; adopting findings that the Loan Agreement and Ground Lease are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute the Ground Lease, and authorize the Director of Mayor’s Office of Housing and Community Development to execute the Loan Agreement, make certain modifications to such agreements, and take certain actions in furtherance of this Resolution, as defined herein.
- (Fiscal Impact)
- 8/25/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
9. [201010](#) **[Certificates of Participation - Animal Care & Control Project - Official Statement]**
Sponsor: Mayor
Resolution approving the form of and authorizing the distribution of a preliminary Official Statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation for the Animal Care & Control Project, and authorizing the preparation, execution and delivery of a final Official Statement; and modifying and ratifying the approvals and terms and conditions of a previous Resolution, and related matters, as defined herein.
- 9/1/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
10. [200786](#) **[Temporary Waivers of Permit Fees for Café Tables and Chairs and Display Merchandise in the Public Right-of-Way, and Use Fees for Parklets]**
Sponsors: Peskin; Mandelman
Ordinance waiving, for a two-year period, permit and renewal fees in the Public Works Code for café tables and chairs in public sidewalks and roadway areas, and for display of fruits and vegetables or nonfood merchandise on public sidewalks; and waiving fees for use of parklets.
- (Fiscal Impact)
- 7/21/20; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.
- 8/5/20; REFERRED TO DEPARTMENT.
- 8/12/20; RESPONSE RECEIVED.

11. [200977](#) **[Annexation of Property - Community Facilities District No. 2016-1 (Treasure Island) as Improvement Area No. 2]**
Sponsor: Mayor
Resolution confirming that property is annexed to the City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) as Improvement Area No. 2 of the City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island); and determining other matters in connection therewith, as defined herein.

8/25/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
12. [200978](#) **[Authorizing the Issuance of Special Tax Bonds - Improvement Area No. 1 of the City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) - Not to Exceed Aggregate Principal Amount of \$17,990,000]**
Sponsor: Mayor
Resolution supplementing Resolution No. 12-17 authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) in an aggregate principal amount not to exceed \$17,990,000; approving related documents, including an Official Statement, Fiscal Agent Agreement, Bond Purchase Agreement and Continuing Disclosure Certificate; clarifying certain terms of the Rate and Method of Apportionment of Special Tax; and determining other matters in connection therewith, as defined herein.

8/25/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
13. [201013](#) **[Issuance and Sale of Revenue Obligations - California Enterprise Development Authority - San Francisco Day School - Not to Exceed \$20,000,000]**
Sponsor: Preston
Resolution approving for purposes of Internal Revenue Code, Section 147(f), 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 the acquisition, construction, renovation, rehabilitation, improvement and/or equipping of educational and related facilities to be owned and operated by San Francisco Day School, a California nonprofit public benefit corporation.

9/1/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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.

200947 [Administrative Code Waivers - Project Delivery Procedure - SFMTA Potrero Yard Modernization Project]

Sponsors: Mayor; Walton

Ordinance authorizing the San Francisco Municipal Transportation Agency to exempt certain design, construction, finance, maintenance, and real estate agreements for the development of the Potrero Yard Modernization Project from Chapters 6, 14B, 21, and 23 of the Administrative Code, but requiring the payment of prevailing wages, implementation of a local business enterprise utilization program, and compliance with the City's local hire policy and first source hiring ordinance, as applicable, and permitting a best-value selection of the developer team if the City elects to proceed with the Project after completing its review under the California Environmental Quality Act.

(Fiscal Impact; No Budget and Legislative Analyst Report)

8/18/20; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

201006 [Appropriation - Certificates of Participation to Department of Public Health - 101 Grove Exit Project and San Francisco General Hospital Chiller and Cooling Tower Replacement Project - \$149,750,000 - FY2020-2021]

Sponsor: Mayor

Ordinance appropriating \$149,750,000 of Certificates of Participation proceeds for Department of Public Health to fund improvements to facilities for the 101 Grove Exit Project and the San Francisco General Hospital Chiller and Cooling Tower Replacement Project in FY2020-2021; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation.

(Fiscal Impact; No Budget and Legislative Analyst Report)

9/1/20; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

201007 [Authorizing Taxable and/or Tax-Exempt Certificates of Participation (Multiple Capital Projects) - Not to Exceed \$157,000,000]**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount of not to exceed \$157,000,000 to finance and refinance certain capital improvement projects, including but not limited to certain projects generally known as the Homeless Services Center, Laguna Honda Hospital Wings K&M Reuse Project, AITC Immunization and Travel Clinic Relocation, and San Francisco General Hospital Chiller and Cooling Tower Replacement Project, approving the form of a Supplement to Trust Agreement between the City and County of San Francisco and U.S. Bank National Association, as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee for the lease and lease back of certain real property and improvements located at 375 Laguna Honda Boulevard and 1 Moreland Drive, San Bruno, or other property as determined by the Director of Public Finance; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates of Participation; approving the form of an Official Statement in Preliminary and Final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact; No Budget and Legislative Analyst Report)

9/1/20; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

201009 [Business and Tax Regulations Code - Temporary Suspension of Cannabis Business Tax, and Tax Reduction]**Sponsor: Mandelman**

Ordinance amending the Business and Tax Regulations Code to suspend the imposition of the Cannabis Business Tax through December 31, 2021; beginning January 1, 2022, to increase the exemption of gross receipts attributable to the City from cannabis business activities, from the first \$500,000 to the first \$1,000,000; and also beginning January 1, 2022, to increase the upper range of gross receipts attributable to the City from cannabis business activities subject to the 2.5% tax rate on gross receipts from retail sales and the 1% tax rate on gross receipts from other than retail sales, from \$1,000,000 to \$1,500,000.

(Fiscal Impact; No Budget and Legislative Analyst Report)

9/1/20; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

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 ordinances and resolutions are 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) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 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 the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

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AGENDA PACKET: Available on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

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PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpulong 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)

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, 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 must 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. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Board and Committee meeting agendas and minutes are available on the Board's website (www.sfbos.org) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 (wilson.l.ng@sfgov.org).

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. 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 soft@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://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 [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://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 sfethics.org.