



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, April 25, 2023 - 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
CONNIE CHAN, MATT DORSEY, JOEL ENGARDIO, RAFAEL MANDELMAN,
MYRNA MELGAR, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI,
CATHERINE STEFANI, SHAMANN WALTON

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee
Supervisors Chan, Mandelman, Safai, Ronen, Walton

Budget and Finance Committee
Supervisors Chan, Mandelman, Safai

Government Audit and Oversight Committee
Supervisors Preston, Stefani, Chan

Homelessness and Behavioral Health Select Committee
Supervisors Ronen, Mandelman, Walton

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee
Supervisors Stefani, Engardio, Dorsey

Rules Committee
Supervisors Dorsey, Walton, Safai

Youth, Young Adult, and Families Committee
Supervisors Ronen, Safai, Engardio

Meeting Days

Wednesday
1:30 PM

Wednesday
10:00 AM

1st and 3rd Thursday
10:00 AM

2nd and 4th Friday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

2nd Friday
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the 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 are available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk or at <https://sfbos.org/legislative-research-center-lrc>.

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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 No. 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.

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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 <http://www.sfethics.org>.

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PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001](tel:14156550001) / Meeting ID: 2595 925 5116 # #

(Press *3 to enter the speaker line)

ROLL CALL AND PLEDGE OF ALLEGIANCE

Pursuant to Board Rule 4.7.1 the President shall present the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula.

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the March 21, 2023, Board Meeting Minutes.

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 6

Recommendation of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

1. [230258](#) **[Accept and Expend Grant and Annual Salary Ordinance Amendment - Retroactive - United States Department of Justice - STOP School Violence Program - \$1,000,000]**

Sponsors: Mayor; Safai and Mandelman

Ordinance retroactively authorizing the Department of Children Youth and Their Families to accept and expend a grant in the amount of \$1,000,000 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for participation in a program, entitled "STOP School Violence Program," for the period of October 1, 2022, through September 30, 2024; and amending Ordinance No. 162-22 (Annual Salary Ordinance for Fiscal Years (FY) 2022-2023 and 2023-2024) to provide for the addition of one grant-funded full-time position in Class 1824 Principal Administrative Analyst (0.25 FTE in FY2022-2023, 1.0 FTE in FY2023-2024). (Department of Children, Youth & Their Families)

04/18/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

2. 220340 [Planning Code - Neighborhood Commercial and Mixed Use Zoning Districts]

Sponsor: Dorsey

Ordinance amending the Planning Code to update and reorganize Neighborhood Commercial and Mixed Use Zoning District controls, including, among other things, to 1) permit Accessory Arts Activities, and production, wholesaling, and processing of goods and commodities, to occupy more than one-third of total space in Commercial (C), Downtown Residential (DTR), Eastern Neighborhoods Mixed Use, Mission Bay, and Residential-Commercial (RC) Districts; 2) principally permit Arts Activities, Job Training, Public Facility, and Social Service and Philanthropic Facility uses in the Folsom Street Neighborhood Commercial Transit (NCT), SoMa NCT, Regional Commercial, and certain Eastern Neighborhoods Mixed Use Districts, and in historic and nonconforming commercial buildings in Residential Enclave Districts; 3) principally permit General Entertainment in the Folsom Street NCT District; 4) principally permit Bar uses on the second floor in the Folsom Street NCT and Regional Commercial Districts; 5) principally permit Nighttime Entertainment on properties fronting Folsom Street between 7th Street and Division Street and properties fronting 11th Street between Howard Street and Division Street unless they are zoned Residential Enclave District (RED) or Residential Enclave District - Mixed (RED-MX); 6) principally permit Job Training, Public Facility, and Social Service and Philanthropic Facility Uses in the SoMa NCT District and certain Eastern Neighborhoods Districts; 7) require that large developments in South of Market Mixed Use Districts which contain commercial spaces provide a mix of commercial space sizes; 8) require that all Nighttime Entertainment uses comply with the Entertainment Commission’s good neighbor policies; and 9) remove certain limitations on location for Nighttime Entertainment and Animal Services uses in the Western SoMa Special Use District; and adopting environmental findings, findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/18/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [220971](#) **[Planning Code - Gates, Railings, and Grillwork Exceptions for Cannabis Retail Uses and Existing Non-Residential Uses and Change in 75% Gate Transparency Requirement to 20%]**
Sponsors: Safai; Preston, Melgar and Mandelman
Ordinance amending the Planning Code to exempt certain existing gates, railings, and grillwork at Non-Residential uses from transparency requirements, subject to the provisions for noncomplying structures, and exempt Cannabis Retail uses from transparency requirements for gates, railings, and grillwork for a three-year period, provided the Cannabis use installs artwork on any new exempt gates, and require removal of gates, railings, and grillwork installed pursuant to that exemption when a Cannabis Retail use's business permit becomes invalid or the business ceases to operate, and change the transparency requirement for gates, railings, and grillwork in Neighborhood Commercial Districts, Commercial Districts, Residential-Commercial Districts, and Mixed Use Districts from 75% to 20% open to perpendicular view with additional requirements for fire safety; 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 welfare findings pursuant to Planning Code, Section 302.

04/18/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [230311](#) **[Administrative Code - COVID-19 Tenant Protections]**
Sponsors: Preston; Walton, Peskin, Ronen and Chan
Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency; and including within those restrictions units where the rent is controlled or regulated by the City.

04/18/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

5. [230135](#) **[Administrative Code - Small Business Commission Duties]**
Sponsor: Peskin
Ordinance amending the Administrative Code to revise the duties of the Small Business Commission by replacing the duty to coordinate an application and selection process to recognize outstanding contributions by small businesses during Small Business Month with a duty to coordinate activities to encourage the general public to support San Francisco small businesses during Small Business Month.

04/18/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. [230408](#) **[Administrative Code - Public Works Contracting]**
Sponsor: Mandelman
Ordinance amending the Administrative Code to remove the minimum cost criterion weighting for Design-Build and Construction Manager/General Contractor best value procurements.

04/18/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani, Chan

7. [230259](#) **[Memorandum of Understanding - San Francisco Police Officers' Association]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association, to be effective July 1, 2023, through June 30, 2026.

(Supervisor Preston voted No on First Reading.)

04/18/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

8. [230169](#) **[Accept and Expend Grant - Bay Area Young Survivors - Golden Gate Park - \$500,000]**
Sponsors: Mayor; Chan, Mandelman and Safai
Resolution authorizing the Recreation and Park Department to accept and expend cash and/or in-kind grants from the Bay Area Young Survivors valued at up to \$500,000 for the design and construction of the renovated seating area with memorial elements in Golden Gate Park for the project term of upon approval of this Resolution until notice of substantial completion; and authorizes the Recreation and Park General Manager to enter into amendments or modifications to the grant that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the grant or this Resolution. (Recreation and Park Department)
Question: Shall this Resolution be ADOPTED?
9. [230170](#) **[Accept and Expend Grant - Retroactive - California State Parks Department Specified Grant - Portsmouth Square Renovation Project - \$6,000,000]**
Sponsors: Mayor; Peskin, Chan, Mandelman and Safai
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant from the California Department of Parks and Recreation in the amount of \$6,000,000 for the Portsmouth Square Renovation Project; approving the associated grant agreement for a term from July 1, 2022, through June 30, 2026; and authorizing the Recreation and Park Department to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the project or this Resolution.
Question: Shall this Resolution be ADOPTED?
10. [230171](#) **[Accept and Expend Grant - Retroactive - South Sunset Clubhouse and Playground Renovation Project - \$2,300,000]**
Sponsors: Mayor; Engardio, Chan, Mandelman and Safai
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant from the California Department of Parks and Recreation in the amount of \$2,300,000 for the South Sunset Clubhouse and Playground Renovation Project; approving the associated grant agreement for a term from July 1, 2022, through June 30, 2026; and authorizing the Recreation and Park Department to enter into amendments or modifications to the grant agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the project or this Resolution. (Recreation and Park Department)
Question: Shall this Resolution be ADOPTED?

11. [230207](#) **[Contract Agreement - Retroactive - Michelin North America, Inc. - SFMTA Tire Lease and Associated Services - Not to Exceed \$18,900,000]**
Resolution retroactively authorizing the Office of Contract Administration to enter into Contract 1000028080 between the City and County of San Francisco and Michelin North America, Inc., for the lease of tires and associated services for San Francisco Municipal Transportation Agency (SFMTA) buses and trolleys with an initial contract not to exceed amount of \$13,500,000 for five years and \$5,400,000 for an optional additional two years, for a total not to exceed amount of \$18,900,000 and total contract duration of seven years commencing on April 1, 2023, and ending on March 31, 2030. (Office of Contract Administration)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
- Present: Supervisors Chan, Mandelman*
12. [230221](#) **[Accept and Expend Grant - Retroactive - California Coastal Conservancy - Islais Creek Interpretive Program - \$70,000]**
Sponsors: Mayor; Walton and Mandelman
Resolution retroactively authorizing the Port of San Francisco to accept and expend grant funds in the amount of \$70,000 from the California Coastal Conservancy to fund the Islais Creek Interpretive Program from February 1, 2023, through February 29, 2024.
- Question: Shall this Resolution be ADOPTED?**
- Present: Supervisors Chan, Mandelman, Safai*
13. [230337](#) **[Contract Amendment - Bay Cities Produce Co, Inc. - Purchase of Fresh and Frozen Produce for ZSFGH and LHH - Not to Exceed \$11,100,000]**
Resolution authorizing the Office of Contract Administration to execute a second modification (Modification 2) to Contract 1000015904 with Bay Cities Produce Co, Inc. for the purchase of fresh and frozen produce for Zuckerberg San Francisco General Hospital (ZSFGH) and Laguna Honda Hospital (LHH) by Department of Public Health, increasing the contract amount by \$5,082,284.57 for a total not to exceed amount of \$11,100,000 and extending the term by two years from September 30, 2024, for a total contract duration of seven years from October 1, 2019, through September 30, 2026. (Office of Contract Administration)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
14. [230344](#) **[Authorization to Gift Debenham Comedy Recording Collection to Emerson College]**
Resolution authorizing the San Francisco Public Library to gift the Debenham Comedy Recording Collection to Emerson College. (Public Library)
- Question: Shall this Resolution be ADOPTED?**

15. [230376](#) **[Multifamily Housing Revenue Notes - Sunnydale HOPE SF Block 3A - Not to Exceed \$68,761,006]**

Sponsors: Mayor; Walton, Mandelman and Safai

Resolution authorizing the execution and delivery of a multifamily housing revenue note (tax-exempt) in a principal amount not to exceed \$43,761,006 and a multifamily housing revenue note (taxable) in an aggregate principal amount not to exceed \$25,000,000 for the purpose of providing financing for the construction of a 80-unit multifamily rental housing project known as "Sunnydale HOPE SF Block 3A," for a total amount not to exceed \$68,761,006; 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 identified therein to the City and for the execution and delivery of the notes; approving the form of and authorizing the execution of a borrower 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; approving the form of and authorizing the execution of an assignment of deed of trust and loan documents; authorizing the collection of certain fees; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance, execution and delivery of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$53,000,000 (tax-exempt); approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the notes 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.

Question: Shall this Resolution be ADOPTED?

16. [230377](#) **[Loan Agreement - Sunnydale Block 3A Housing Partners, L.P. - Sunnydale HOPE SF Block 3A - 100% Affordable Housing - Loan Amount Not to Exceed \$27,272,065]**

Sponsors: Mayor; Walton, Mandelman and Safai

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to (1) execute an Amended and Restated Loan Agreement with Sunnydale Block 3A Housing Partners, L.P., a California limited partnership, for a total loan amount not to exceed \$14,862,818 to finance the construction of a 80-unit multifamily rental housing development for low-income households, which will be known as Sunnydale HOPE SF Block 3A (the "Project"), and (2) to execute a Loan Agreement with Sunnydale Commercial LLC, a California limited liability company, for a total loan amount not to exceed \$12,409,247 to finance the community-serving commercial parcel connected to the 100% affordable housing Project (the "Commercial Project") for a total amount not to exceed \$27,272,065; and adopting findings that the loan agreements are consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Mayor's Office of Housing and Community Development)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

17. [230378](#) **[Accept and Expend Grant - California Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Sunnydale Block 3A - \$21,205,299]**

Sponsors: Mayor; Walton, Mandelman and Safai

Resolution authorizing the Mayor's Office of Housing and Community Development ("MOHCD") to execute the Standard Agreements with the California Department of Housing and Community Development ("HCD" or "Department") under the Affordable Housing and Sustainable Communities Program for a total award of \$21,205,299 including \$10,850,000 disbursed by HCD as a loan to the Sunnydale Block 3A Housing Partners, L.P. ("Developer") for a 100% affordable housing project at 1545 Sunnydale Avenue and \$10,355,299 to be disbursed as a grant to the City for public transportation improvements near 1545 Sunnydale Avenue, for the period starting on the execution date of the Standard Agreements to November 30, 2042; and authorizing MOHCD to accept and expend the grant of up to \$10,355,299 for transportation, streetscape and pedestrian improvements and other transit oriented programming and improvement as approved by HCD. (Mayor's Office of Housing and Community Development)

Question: Shall this Resolution be ADOPTED?

18. [230379](#) **[Multifamily Housing Revenue Note - Hunters View Phase 3 - Vertical - Not to Exceed \$76,000,000]**

Sponsors: Mayor; Walton, Mandelman and 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 \$76,000,000 for the purpose of providing financing for the construction of a 118-unit multifamily rental housing project known as "Hunters View Phase 3 - Vertical"; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the construction loan from the construction funding lender to the City, and the execution and delivery of the construction note; approving the form of and authorizing the execution of a project loan agreement providing the terms and conditions of the construction loan from the City to the borrower; approving the form of and authorizing the execution of an amended and restated funding loan agreement providing the terms and conditions of the permanent loan from the permanent funding lender to the City, and the execution and delivery of the permanent note; approving the form of and authorizing the execution of an amended and restated project loan agreement providing the terms and conditions of the permanent loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants for each site of the subject project; authorizing the collection of certain fees; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$76,000,000; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the notes 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.

Question: Shall this Resolution be ADOPTED?

19. [230380](#) **[Loan Agreement - HV Partners 3, LP - Hunters View HOPE SF Vertical Phase III - 100% Affordable Housing - Not to Exceed \$50,495,000]**

Sponsors: Mayor; Walton, Mandelman and Safai

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development ("MOHCD") to execute an Amended and Restated Loan Agreement with HV Partners 3, LP, a California limited partnership, for a total loan amount not to exceed \$50,495,000 to finance the construction of a 118-unit multifamily rental housing development for low-income households, which will be known as Hunters View HOPE SF Vertical Phase III (the "Project"); adopting findings that the loan agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of MOHCD or his or her designee to enter into any amendments or modifications to the loan agreement and any other documents or instruments necessary in connection therewith that the Director determines are in the best interest of the City, do not materially increase the obligations or liabilities for the City or materially diminish the benefits of the City, and are necessary or advisable to effectuate the purposes and intent of this Resolution. (Mayor's Office of Housing and Community Development)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Referred Without Recommendation From the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

20. [230318](#) **[Loan Amendment - 4840 Mission Associates, L.P. - 100% Affordable Housing - 4840 Mission Street - Not to Exceed \$37,728,757]**

Sponsors: Mayor; Safai and Mandelman

Resolution approving and authorizing the execution of a First Amendment to the Loan Agreement with 4840 Mission Associates, L.P., a California limited partnership, to increase the loan amount by \$8,977,307 for a new total loan amount not to exceed \$37,728,757 to finance additional construction costs related to the 100% affordable, 137-unit multifamily rental housing development (plus two staff unit) for low and moderate income households located at 4840 Mission Street; authorizing the Mayor and the Director of Mayor's Office of Housing and Community Development, to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein; and to authorize the Mayor and the Director of Mayor's Office of Housing and Community Development to enter into amendments or modifications to the First Amendment 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. (Mayor's Office of Housing and Community Development)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

21. [230319](#) **[Loan Amendment - TURK 500 ASSOCIATES, L.P. - 100% Affordable Housing - 555 Larkin Street - Not to Exceed \$23,805,311]**

Sponsors: Mayor; Preston and Mandelman

Resolution approving and authorizing the execution of a First Amendment to the Amended and Restated Loan Agreement with TURK 500 ASSOCIATES, L.P., a California limited partnership, to increase the loan amount by \$4,266,311 for a new total loan amount not to exceed \$23,805,311 to finance additional construction costs and loss of permanent financing related to the 100% affordable, 108-unit multifamily rental housing development (plus one staff unit) for low and moderate income households located at 555 Larkin Street in the Tenderloin neighborhood ("Project"); adopting findings that the First Amendment to the Amended and Restated Loan Agreement is consistent with the General Plan, and the priority policies of Planning Code, Section 101.1; and to authorize the Mayor and the Director of Mayor's Office of Housing and Community Development to enter into amendments or modifications to the First Amendment 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.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

22. [230213](#) [Administrative Code - Repealing Prohibitions on City Travel and Contracting Related to States with Certain Types of Discriminatory Laws]

Sponsors: Mandelman; Stefani, Peskin, Ronen, Safai, Dorsey and Engardio

Ordinance amending the Administrative Code to repeal Chapter 12X, and thereby repeal the prohibitions on City-funded travel to a state, and the City's entering into a contract with a contractor that has its United States headquarters in a state or where any or all of the contract would be performed in a state, that allows discrimination against LGBT individuals, has restrictive abortion laws, or has voter suppression laws.

(Supervisor Walton dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. [230193](#) [Annual Surveillance Report Regarding Surveillance Technology]

Resolution accepting Annual Surveillance Reports under Administrative Code, Section 19B.6, for the following departments: Airport, Arts Commission, Asian Art Museum, Child Support Services, City Administrator's Office - Real Estate Division, Department of Emergency Management, Department of Homelessness and Supportive Housing, Department of Human Resources, Department of Public Health, Department of Public Works, Department of Technology, Fire Department, Human Services Agency, Municipal Transportation Agency, Police Department, Port of San Francisco, Public Library, Public Utilities Commission, Recreation and Park Department, Rent Stabilization and Arbitration Board, and War Memorial Department. (City Administrator)

Question: Shall this Resolution be ADOPTED?

24. [230346](#) [Appointment, African American Reparations Advisory Committee - Frederick Martin]

Motion appointing Frederick Martin, for an indefinite term, to the African American Reparations Advisory Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

SPECIAL ORDER 3:00 P.M.

(Pending approval of the Motion contained in Item 36, File No. 230462)

PUBLIC COMMENT WILL BE TAKEN

[1 \(415\) 655-0001 / Meeting ID: 2595 925 5116 # #](#)

*(Press *3 to enter the speaker line)*

Board of Supervisors Sitting as a Committee of the Whole

- 25. [230463](#) **[Hearing - Committee of the Whole - Labor Disputes at the Felton Institute and the Operational Impact on Employment and Public Services - April 25, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors to sit as a Committee of the Whole on Tuesday, April 25, 2023, at 3:00 p.m., to hold a public hearing on the operational impact of labor disputes at the Felton Institute on the employees, patient services, compliance with written agreements, and workplace harmony; and requesting the Felton Institute administrators, representatives from SEIU 1021, and unaffiliated workers to attend; to be scheduled pending approval of the Motion contained in File No. 230462, to be considered on April 25, 2023. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, April 24, 2023, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, April 25, 2023.

- 26. [230426](#) **[LAFCo Study - Future Management Options for the Midtown Park Apartments]**

Sponsor: Preston

Motion requesting the San Francisco Local Agency Formation Commission (LAFCo) study future management options for the Midtown Park Apartments and conduct a request for proposals for a facilitator to conduct a resident engagement process to inform this study.

Question: Shall this Motion be APPROVED?

27. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

28. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001 / Meeting ID: 2595 925 5116 # #](tel:4156550001)

(Press *3 to enter the speaker line)

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

(PUBLIC COMMENT for Items 29 through 36 will be taken during Item 28 - General Public Comment.)

Items 29 through 36

29. [230456](#) **[Supporting Julie Su for United States Labor Secretary]**
Sponsors: Chan; Peskin, Ronen, Preston and Melgar
 Resolution supporting Julie Su and urging her timely confirmation as United States Secretary of Labor.

04/18/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. [230458](#) **[Armenian Genocide Commemoration Day - April 24, 2023]**
Sponsors: Peskin; Safai, Melgar and Ronen
Resolution marking the 108th anniversary of the Armenian Genocide and declaring April 24, 2023, as "Armenian Genocide Commemoration Day" in the City and County of San Francisco.

04/18/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
31. [230459](#) **[Supporting California State Assembly Resolution No. 59 (Rivas) - Stuttering Awareness Week]**
Sponsors: Preston; Ronen, Dorsey, Melgar, Peskin and Chan
Resolution supporting California State Assembly Resolution No. 59, introduced by Assembly Member Robert Rivas, to designate the week of May 8 through May 13, 2023, as 2023 Stuttering Awareness Week.

04/18/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
32. [230460](#) **[Daniel Ellsberg Week - April 24 through April 30, 2023]**
Sponsors: Ronen; Peskin
Resolution declaring the week of April 24 through April 30, 2023, to be Daniel Ellsberg Week in the City and County of San Francisco, in honor of Daniel Ellsberg's lifelong advocacy to achieve peace, prevent nuclear war and address pressing issues facing the globe, as a scholar, speaker, writer and activist for more than 50 years.

04/18/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
33. [230461](#) **[Directing the Clerk of the Board of Supervisors to Purchase the Book "Poverty, by America" for Staff Responsible for the City Budget]**
Sponsor: Ronen
Resolution directing the Clerk of the Board of Supervisors to purchase 20 copies of Matthew Desmond's book "Poverty, by America" as necessary educational context for the City's budget process.

04/18/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. [230362](#) **[Committee of the Whole - Report of Assessment Costs for Blighted Properties - May 16, 2023, at 4:00 p.m.]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 16, 2023, at 4:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

04/18/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

35. [230443](#) **[Appointment, Park, Recreation, and Open Space Advisory Committee - Kurt Grimes]**

Motion appointing Kurt Grimes, term ending February 1, 2025, to the Park, Recreation, and Open Space Advisory Committee. (Clerk of the Board)

04/18/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

36. [230462](#) **[Committee of the Whole - Labor Disputes at the Felton Institute and the Operational Impact on Employment and Public Services - April 25, 2023, at 3:00 p.m.]**

Sponsor: Melgar

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on April 25, 2023, at 3:00 p.m., to hold a public hearing on the operational impact of labor disputes at the Felton Institute on the employees, patient services, compliance with written agreements, and workplace harmony; and requesting the Felton Institute administrators, representatives from SEIU 1021, and unaffiliated workers to attend.

04/18/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

37. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

(PUBLIC COMMENT WILL BE TAKEN on any Imperative Agenda item introduced.)
[1 \(415\) 655-0001 / Meeting ID: 2595 925 5116 # #](tel:14156550001)
(Press *3 to enter the speaker line)

LEGISLATION INTRODUCED AT ROLL CALL

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.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

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

230431 **[Settlement of Unlitigated Claim - Bonifacio Rei Q Salvador - \$39,223.18]**
Resolution approving the settlement of the unlitigated claim filed by Bonifacio Rei Q Salvador against the City and County of San Francisco for \$39,223.18; the claim was filed on December 21, 2021; the claim involves alleged property damage and personal injury from a vehicle collision. (City Attorney)

04/11/2023; RECEIVED FROM DEPARTMENT.

04/25/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230432 **[Authorization to Expend Funds for Yosemite Slough Sediment Site Studies]**
Resolution authorizing the San Francisco Public Utilities Commission to expend funds, subject to appropriation, to perform pre-design technical studies in support of cleanup of the Yosemite Slough Sediment Site as required by the interim settlement of the United States Environmental Protection Agency's unlitigated claim against the City and County of San Francisco approved in Resolution No. 350-16 and Ordinance No. 18-20. (City Attorney)

04/17/2023; RECEIVED FROM DEPARTMENT.

04/25/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230433 **[Agreement - Retroactive - San Francisco Unified School District - Special Education Services - Anticipated Revenue to the City of \$1,000,000 or More]**
Resolution retroactively approving an agreement between the San Francisco Department of Public Health and the San Francisco Unified School District having anticipated revenue to the City of \$1,000,000 or more for students with disabilities to receive special education and educationally related mental health services; and to authorize the Department of Public Health to enter into amendments or modifications to the agreement 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 agreement or this Resolution. (Public Health Department)

04/11/2023; RECEIVED FROM DEPARTMENT.

04/25/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230434

[Lease Amendment - Smarte Carte, Inc - Airport Luggage Cart Lease and Operating Agreement - Provision of Free Luggage in the Federal Inspection Service Area of the Airport]

Resolution approving Amendment No. 3 to the Airport Luggage Cart Lease and Operating Agreement No. 19-0069 between Smarte Carte, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, to modify the methodology used for escalating the flat service fee associated with the provision of free luggage cart service in the Federal Inspection Service (FIS) Area. (Airport Commission)

04/11/2023; RECEIVED FROM DEPARTMENT.

04/25/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230468 [Petitions and Communications]

Petitions and Communications received from April 13, 2023, through April 20, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 25, 2023.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, making the following (re)appointments to the following bodies. Copy: Each Supervisor. (1)

Pursuant to Administrative Code, Section 5.241:

- City Hall Preservation Advisory Commission
- Ellen Schumer - term ending January 13, 2026
 - Mae Woo - term ending January 13, 2026

From the Revenue Bond Oversight Committee, pursuant to Administrative Code, Section 5A.32, submitting Fiscal Year (FY) 2022 Annual Report. Copy: Each Supervisor. (2)

From members of the public, regarding a proposed Resolution recognizing the irreplaceable public value of libraries, including online libraries like the Internet Archive. File No. 230418. 61 Letters. Copy: Each Supervisor. (3)

From Department of Homelessness and Supportive Housing, submitting “Home by the Bay: An Equity-Driven Plan to Prevent and End Homelessness in San Francisco” report. Copy: Each Supervisor. (4)

From the Controller’s Office, regarding General Obligation Bonds, Series 2023ABC, comprised of Health & Recovery Bond, Embarcadero Seawall Earthquake Safety Bond, and Affordable Housing Bond. Copy: Each Supervisor. (5)

From the Police Department, pursuant to Administrative Code, Section 10.170-1(H), submitting grant budget revision of the 2021 and 2022 DNA Capacity Enhancement Backlog Reduction Programs. Copy: Each Supervisor. (6)

From various departments, pursuant to Administrative Code, Section 12B.5-1.3, submitting Chapter 12B Waiver Request Forms. 6 Contracts Copy: Each Supervisor. (7)

From the Office of the Treasurer and Tax Collector, pursuant to California State Government Code, Section 53646, submitting the CCSF Pooled Investment Report as of March 31, 2023. Copy: Each Supervisor. (8)

From the California Fish and Game Commission, submitting notice of proposal for a 90-day extension of emergency regulations regarding the use of hoop nets for the recreational take of crab and lobster, Copy: Each Supervisor. (9)

From the Public Utilities Commission, regarding Ocean Beach Climate Change Adaptation Project status and related updates. Copy: Each Supervisor. (10)

From the California Public Utilities Commission, submitting notice of a project from Verizon Wireless. Copy: Each Supervisor. (11)

From members of the public, regarding a proposed Charter Amendment establishing

minimum police staffing levels. 138 Letters. Copy: Each Supervisor. (12)

From members of the public, regarding Taxi drivers and the Board of Appeals. 2 Letters. Copy: Each Supervisor. (13)

From members of the public, regarding coordination of recovery programs by City departments. 12 Letters. Copy: Each Supervisor. (14)

From Kathy Haber, regarding access to John F. Kennedy Drive. Copy: Each Supervisor. (15)

From members of the public, regarding a proposed Ordinance to amend the Administrative Code to permit law enforcement officials to respond to a federal immigration officer's request for voluntary notification that a person will be released from local custody, for adults who have been convicted of a felony for the sale, possession for sale, or transport for sale, of Fentanyl, and been held to answer for a felony for the sale, possession for sale, or transport for sale, of Fentanyl. File No. 230161. 8 Letters. Copy: Each Supervisor. (16)

From a member of the public, regarding GrowSF's Safe Streets Pledge. Copy: Each Supervisor. (17)

From members of the public, regarding quality of life issues. 4 Letters. Copy: Each Supervisor. (18)

From members of the public, regarding proposed Ordinance amending the Landmark Designation for Landmark No. 100, 429-431 Castro Street (the Castro Theatre). File No. 230192. 13 Letters. Copy: Each Supervisor. (19)

From members of the public, regarding public safety and a call for action for various agencies. 15 Letters. Copy: Each Supervisor. (20)

From John Hurabiell, Sr., regarding the City budget. Copy: Each Supervisor. (21)

From R. Michael Olexo, regarding climate focused bonds. Copy: Each Supervisor. (22)

From Shundo David Haye, regarding an interaction with an officer of the Police Department. Copy: Each Supervisor. (23)

From Harold Schapelhouman, regarding COVID-19 after action reporting. Copy: Each Supervisor. (24)

From Chinatown Transportation Research and Improvement Project (TRIP) regarding a proposed Resolution urging Governor Gavin Newsom and the State Legislature to provide multi-year operations funding to assist California's transit systems as they recover from the pandemic and to develop long-term funding plans to serve the millions of Californians who rely on public transit. File No. 230424. Copy: Each Supervisor. (25)

From Glenn Rogers, regarding Parkmerced. Copy: Each Supervisor. (26)

From Richie Greenberg, regarding a proposed Ordinance appropriating \$50,000,000 of General Fund General Reserves to the Human Rights Commission to establish the Office of Reparations and other matters related to reparations. File No. 230313. Copy: Each Supervisor. (27)

From Corey Urban, regarding a traffic incident. Copy: Each Supervisor. (28)

From Mark Solomon, regarding proposed project at 800 Taraval Street. File No. 230285.

Copy: Each Supervisor. (29)

From Wynship Hillier, regarding the Executive Committee of the Behavioral Health Commission. Copy: Each Supervisor. (30)

ADJOURNMENT