

# BOARD OF SUPERVISORS

# CITY AND COUNTY OF SAN FRANCISCO

## AGENDA

### IN-PERSON MEETING

Legislative Chamber, Room 250

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

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### PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001/ Meeting ID: 2483 240 2124 ##](tel:14156550001)

Tuesday, December 13, 2022 - 2:00 PM

### Regular Meeting

SHAMANN WALTON, PRESIDENT

CONNIE CHAN, MATT DORSEY, RAFAEL MANDELMAN, GORDON MAR,  
MYRNA MELGAR, AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI,  
CATHERINE STEFANI

Angela Calvillo, Clerk of the Board

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### BOARD COMMITTEES

#### Committee Membership

##### **Budget and Appropriations Committee**

Supervisors Ronen, Safai, Chan, Mar, Walton

##### **Budget and Finance Committee**

Supervisors Ronen, Safai, Chan

##### **Government Audit and Oversight Committee**

Supervisors Preston, Chan, Mandelman

##### **Land Use and Transportation Committee**

Supervisors Melgar, Preston, Peskin

##### **Public Safety and Neighborhood Services Committee**

Supervisors Mar, Stefani, Melgar

##### **Rules Committee**

Supervisors Peskin, Mandelman, Chan

##### **Youth, Young Adult, and Families Committee**

Supervisors Ronen, Safai, Dorsey

#### Meeting Days

Wednesday

1:00 PM

Wednesday

12:30 PM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

2nd Friday

10:00 AM

### **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

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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](mailto: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. Hard copy documents may not be shared during in-person meetings.

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### **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 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 [sotf@sfgov.org](mailto:sotf@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 <https://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 <https://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 <https://sfethics.org>.

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### **PUBLIC COMMENT CALL-IN**

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(Press \*3 to enter the speaker line)

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## **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 [November 8, 2022](#), Board Meeting Minutes.

## **AGENDA CHANGES**

## **SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board**

*Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.*

*By eight (8) votes, the Board of Supervisors may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.*

1. [221260](#) **[Formal Policy Discussions - December 13, 2022]**

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topic submitted from the Supervisors representing Districts 5 and 7. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. Overdose Prevention (District 5)
2. Vision and desired outcomes for Compassionate Alternative Response Team (CART) and other non-law enforcement tools to address the homelessness and mental health crises (District 7)

**Discussion: The Mayor shall DISCUSS eligible topic(s) with the Board of Supervisors.**

## 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 2 through 9

#### Recommendation of the Government Audit and Oversight Committee

*Present: Supervisors Preston, Chan*

- 2. [221118](#) **[Settlement of Lawsuit - Victor Jimenez - \$100,000]**  
Ordinance authorizing settlement of the lawsuit filed by Victor Jimenez against the City and County of San Francisco for \$100,000; the lawsuit was filed on July 20, 2021, in San Francisco Superior Court, Case No. CGC-21-593613; entitled Victor Jimenez v. City and County of San Francisco; the lawsuit alleged property damage and personal injuries arising from a dangerous condition of public property, i.e., a sinkhole that opened in the roadway underneath plaintiff’s vehicle. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

#### Recommendations of the Land Use and Transportation Committee

*Present: Supervisors Melgar, Preston, Peskin*

- 3. [220811](#) **[Planning Code - Automotive Uses]**  
**Sponsors: Mayor; Mandelman**  
Ordinance amending the Planning Code to increase density on lots with auto-oriented uses where housing is permitted, except for Residential-Mixed (RM) and Residential-Commercial (RC) districts and designated historic districts, but which do not currently have any residential use or a legacy business, and to remove the Conditional Use requirement to change the use of an Automobile Service Station or Automotive Use to another use, and amend zoning control tables to reflect this change; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare as required by Planning Code, Section 302.

12/06/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

4. [221065](#) **[General Plan - Adopting the 2022 Safety & Resilience Element]**  
Ordinance amending the San Francisco General Plan by repealing the 2012 Community Safety Element and adopting the 2022 Safety & Resilience Element; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and general welfare under Planning Code, Section 340, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Department)

12/06/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

5. [221103](#) **[Fire Code - Repealing 2019 Code, Adopting 2022 Code]**  
**Sponsors: Mayor; Peskin and Chan**  
Ordinance repealing the existing San Francisco Fire Code in its entirety and enacting a new San Francisco Fire Code consisting of the 2022 California Fire Code and portions of the 2018 International Fire Code, together with amendments specific to San Francisco, including provisions for fees for permits, inspections, and various City services, with an operative date of January 1, 2023; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

12/06/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors Melgar, Preston, Dorsey*

6. [221165](#) **[Planning Code - Landmark Designation - St. James Presbyterian Church]**  
**Sponsor: Walton**  
Ordinance amending the Planning Code to designate St. James Presbyterian Church, at 240 Leland Avenue, Assessor's Parcel Block No. 6246, Lot No. 012, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

12/06/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**



**Recommendations of the Rules Committee**

*Present: Supervisors Peskin, Chan, Stefani*

7. [221024](#) **[Administrative Code - Special Needs Trusts as Retirement Beneficiaries]**  
**Sponsors: Safai; Mandelman and Chan**  
Ordinance amending the Administrative Code to permit members of the San Francisco Employees' Retirement System (SFERS) to designate Special Needs Trusts as retirement beneficiaries in certain circumstances, and to specify requirements for those trusts.

12/06/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors Peskin, Mandelman, Chan*

8. [221126](#) **[Administrative Code - Social Impact Commitments in Contracting]**  
**Sponsors: Ronen; Safai, Preston, Stefani, Peskin, Chan, Mar, Walton, Melgar, Dorsey and Mandelman**

Ordinance amending the Administrative Code to authorize the San Francisco Public Utilities Commission to include Social Impact Commitment criteria as a qualitatively scored element in solicitations for certain contracts at designated thresholds.

12/06/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

9. [221159](#) **[Memorandums of Understanding - Citywide Amendment - Hospital and Skilled Nursing Facility COVID-19 Worker Retention Pay]**  
**Sponsor: Mayor**  
Ordinance adopting and implementing an Amendment to the current Memorandums of Understanding and Collective Bargaining Agreements between the City and County of San Francisco and each of the Unions identified in Appendix A of the Proposed Amendment, to provide hospital and skilled nursing facility Covid-19 worker retention pay to select classifications of workers, effective January 31, 2023.

12/06/2022; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**



## REGULAR AGENDA

## UNFINISHED BUSINESS

### Referred Without Recommendation from the Land Use and Transportation Committee

*Present: Supervisors Melgar, Preston, Peskin*

10. [220875](#) **[Park Code - Upper Great Highway - Pilot Weekend and Holiday Vehicle Restrictions]**  
**Sponsors: Mar; Preston and Dorsey**  
Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.
- 12/06/2022; NOT AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 12/06/2022; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Rules Committee**

*Present: Supervisors Peskin, Mandelman, Chan*

**11. 220641 [Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law, and approving the Police Department's use of Equipment Policy.

11/29/2022; NOT AMENDED.

11/29/2022; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/29/2022; DIVIDED.

11/29/2022; AMENDED.

11/29/2022; AMENDED.

11/29/2022; PASSED ON FIRST READING AS AMENDED.

12/06/2022; DUPLICATED.

12/06/2022; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/06/2022; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

**NEW BUSINESS**

**Recommendations of the Budget and Finance Committee**

*Present: Supervisors Ronen, Safai, Chan*

**12. 221069 [Public Works Code - Exemption of Banner Fees and Inspection Fees - Leather and LGBTQ Cultural District and SoMa Pilipinas-Filipino Cultural Heritage District]**

**Sponsors: Dorsey; Ronen and Safai**

Ordinance amending the Public Works Code to exempt the Leather and Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Cultural District from banner permit fees and inspection fees for the placement of up to 200 banners on up to 200 City-owned poles within that Cultural District; and to codify the existing exemption of the SoMa Pilipinas - Filipino Cultural Heritage District from banner permit fees and inspection fees for the placement of up to 300 banners on up to 300 City-owned poles within that Cultural District; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

13. [221106](#) **[Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk Sales During the Holiday Season]**  
**Sponsors: Stefani; Mandelman, Dorsey, Chan, Preston, Ronen and Safai**  
Ordinance waiving the fee required under Public Works Code, Section 724.1(b), for temporary street space occupancy permits on San Francisco streets on November 25-27, December 2-4, and December 9-11, 2022, to promote sidewalk sales of merchandise during the holiday season; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
14. [221123](#) **[Appropriation - \$4,711,123 in Tax Increment Revenue Bond Proceeds - Treasure Island Infrastructure and Revitalization Financing District - FY2022-2023]**  
**Sponsors: Mayor; Safai and Ronen**  
Ordinance appropriating \$4,711,123 from the issuance of Treasure Island Infrastructure and Revitalization Financing District (IRFD) No. 1 Tax Increment Revenue Bonds and appropriating to the affordable housing project in the Mayor's Office of Housing and Community Development in Fiscal Year (FY) 2022-2023.
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
15. [221156](#) **[Lease and Property Management Agreement - Dolores Street Community Services - 5630-5638 Mission Street - Not to Exceed \$10,741,000; Certain Administrative Code Waivers]**  
**Sponsors: Mayor; Safai**  
Ordinance 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing ("HSH") to enter into a Lease and Property Management Agreement ("Agreement") with Dolores Street Community Services to lease, operate, and maintain the real property and residential improvements at 5630-5638 Mission Street ("Property") for an initial five-year term to commence upon the first day of the month following the effective date of this Ordinance with one five-year option to extend, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$10,741,000; 2) determining, in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings that the Property is "exempt surplus land" under the California Surplus Land Act; 4) exempting the Property from contracting requirements in Administrative Code, Chapter 6, but requiring compliance with the prevailing wage and apprenticeship requirements of Administrative Code, Section 23.61; 5) authorizing the Director of Property and the Executive Director of HSH to make certain modifications to the Agreement and take certain actions in furtherance of the Agreement and this Ordinance, as defined herein; 6) ratifying all prior actions taken by any City employee or official with respect to the Agreement; and 7) affirming the Planning Department's determination under the California Environmental Quality Act, and adopting the Planning Department's findings that the Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

16. [221171](#) **[Lease and Property Management Agreement - Housing for Independent People, Inc. - 333-12th Street - Not to Exceed \$20,080,000]**

**Sponsors: Mayor; Dorsey and Safai**

Resolution 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing (“HSH”) to enter into a Lease and Property Management Agreement (“Agreement”) with Housing for Independent People, Inc. to lease, operate, and maintain the real property and residential improvements located at 333-12th Street for an initial five-year term to commence on February 1, 2023, with an option to extend for up to an additional five years, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$20,080,000; 2) determining in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings declaring that the Property is “exempt surplus land” under the California Surplus Land Act; 4) authorizing the Director of Property and the Executive Director of HSH to execute the Agreement, make certain modifications, and take certain actions in furtherance of the Agreement and this Resolution, as defined herein; 5) ratifying all prior actions taken by any City employee or official with respect to the Agreement, as defined herein; and 6) affirming the Planning Department’s determination under the California Environmental Quality Act, and adopting the Planning Department’s findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1.

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

17. [221157](#) **[Lease and Property Management Agreement - Dolores Street Community Services - 3055-3061 16th Street - Not to Exceed \$7,147,000; Certain Administrative Code Waivers]**

**Sponsors: Mayor; Ronen and Safai**

Ordinance 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing (“HSH”) to enter into a Lease and Property Management Agreement (“Agreement”) with Dolores Street Community Services to lease, operate, and maintain the real property and residential improvements at 3055-3061 16th Street (“Property”) for an initial five-year term to commence upon the first day of the month following the effective date of this Ordinance with one five-year option to extend, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$7,147,000; 2) determining, in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose, by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings that the Property is “exempt surplus land” under the California Surplus Land Act; 4) exempting the Property from contracting requirements in Administrative Code, Chapter 6, but requiring compliance with the prevailing wage and apprenticeship requirements of Administrative Code, Section 23.61; 5) authorizing the Director of Property and the Executive Director of HSH to make certain modifications to the Agreement and take certain actions in furtherance of the Agreement and this Ordinance, as defined herein; 6) ratifying all prior actions taken by any City employee or official with respect to the Agreement; and 7) affirming the Planning Department’s determination under the California Environmental Quality Act, and adopting the Planning Department’s findings that the Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**\*\* 18. [221158](#) [Lease and Property Management Agreement - Five Keys Schools and Programs - 835 Turk Street - Not to Exceed \$16,682,000; Certain Administrative Code Waivers]**

**Sponsors: Mayor; Stefani and Safai**

Ordinance 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing (“HSH”) to enter into a Lease and Property Management Agreement (“Agreement”) with Five Keys Schools and Programs to lease, operate, and maintain the real property and residential improvements at 835 Turk Street (“Property”) for an initial five-year term to commence upon the first day of the month following the effective date of this Ordinance with one five-year option to extend, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$16,682,000; 2) determining, in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose, by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings that the Property is “exempt surplus land” under the California Surplus Land Act; 4) exempting the Property from contracting requirements in Administrative Code, Chapter 6, but requiring compliance with the prevailing wage and apprenticeship requirements of Administrative Code, Section 23.61; 5) authorizing the Director of Property and the Executive Director of HSH to make certain modifications to the Agreement and take certain actions in furtherance of the Agreement and this Ordinance, as defined herein; 6) ratifying all prior actions taken by any City employee or official with respect to the Agreement; and 7) affirming the Planning Department’s determination under the California Environmental Quality Act, and adopting the Planning Department’s findings that the Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**19. [221170](#) [Execute Standard Agreement and Accept and Expend Grant - California Department of Housing and Community Development - 2021 Homekey Grant - 333-12th Street - Not to Exceed \$56,578,000]**

**Sponsors: Mayor; Dorsey and Ronen**

Resolution authorizing the Department of Homelessness and Supportive Housing (“HSH”) to execute a Standard Agreement with the California Department of Housing and Community Development for a total amount not to exceed \$56,578,000 of Project Homekey grant funds; to accept and expend those funds for the acquisition of the property located at 333-12th Street for Permanent Supportive Housing for families and to support its operations upon execution of the Standard Agreement through June 30, 2026; approving and authorizing HSH to commit approximately \$98,800,000 in required matching funds for acquisition of the property and a minimum of five years of operating subsidy; affirming the Planning Department’s determination under the California Environmental Quality Act; and adopting the Planning Department’s findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing HSH to enter into any additions, amendments, or other modifications to the Standard Agreement and the Homekey Documents that do not materially increase the obligations or liabilities of the City or materially decrease the benefits to the City. (Department of Homelessness and Supportive Housing)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

20. [221169](#) **[Apply for Grant - California Natural Resources Agency's Urban Greening Program - Planting Trees and Growing Green Jobs Project - South of Market Tree Nursery - \$456,250]**

**Sponsors: Mayor; Dorsey, Ronen, Chan and Safai**

Resolution authorizing the Department of Public Works to apply to the California Natural Resources Agency's Urban Greening Program for a grant in the amount of \$456,250 to fund the Planting Trees and Growing Green Jobs Project at the South of Market Tree Nursery; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

**Question: Shall this Resolution be ADOPTED?**

21. [221173](#) **[Cost-Sharing Agreement - Retroactive - BART - Paratransit Services - Reimbursement by BART]**

**Sponsors: Mayor; Melgar and Safai**

Resolution retroactively authorizing the Director of Transportation to execute a new Cost-Sharing Agreement for paratransit services between the City and County of San Francisco, through the Municipal Transportation Agency (SFMTA), and the Bay Area Rapid Transit District (BART), under which BART will reimburse the SFMTA for providing BART's paratransit services within San Francisco for a one year period from July 1, 2022, through June 30, 2023, with nine one-year automatic renewal options, for a maximum term of ten years. (Municipal Transportation Agency)

**Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the Government Audit and Oversight Committee**

*Present: Supervisors Preston, Chan, Dorsey*

22. [220863](#) **[Fisherman's Wharf Landside Community Benefit District and Fisherman's Wharf Portside Community Benefit District - Annual Report - FY2020-2021]**

**Sponsor: Peskin**

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et seq.), Section 36650, and the Districts' Management Agreements with the City, Section 3.4.

**Question: Shall this Resolution be ADOPTED?**

23. [220865](#) **[Japantown Community Benefit District - Annual Report - FY2020-2021]**

**Sponsors: Preston; Chan**

Resolution receiving and approving an annual report for the Japantown Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4.

**Question: Shall this Resolution be ADOPTED?**



24. [220891](#) **[Noe Valley Community Benefit District - Annual Report - FY2020-2021]**  
**Sponsor: Mandelman**  
Resolution receiving and approving an annual report for the Noe Valley Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

**Question: Shall this Resolution be ADOPTED?**

25. [221089](#) **[North of Market/Tenderloin Community Benefit District - Annual Report - FY2020-2021]**  
**Sponsors: Preston; Dorsey**  
Resolution receiving and approving an annual report for the North of Market/Tenderloin Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Preston, Chan*

26. [221052](#) **[Settlement of Unlitigated Claim - 100-120 Powell Owner L.P., L.L.C. - \$5,362,325]**  
Resolution approving the settlement of the unlitigated claim filed by 100-120 Powell Owner L.P., L.L.C. against the City and County of San Francisco for \$5,362,325; the claim was filed on January 14, 2022; the claim involves allegations of property damage to the Hotel Union Square caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney)

**Question: Shall this Resolution be ADOPTED?**

27. [221174](#) **[Settlement of Unlitigated Claims against Sunset Scavenger Company, et al. - San Francisco Refuse Ratepayers to Receive \$25,000,000 Credit to Offset Cost of Living Adjustments and Rate Increases]**

**Sponsors: Mayor; Peskin**

Resolution approving the settlement of pre-litigation claims against Sunset Scavenger Company, Golden Gate Disposal & Recycling Company, Recology San Francisco, and Recology Properties Inc. through the acceptance of a \$25,000,000 reimbursement to San Francisco ratepayers; the claims involve alleged retention of profits above the 9 percent target profit approved in the 2017 public rate setting process, and the timing and appropriateness of cost of living adjustments to rates; additional material terms of the settlement are that rental costs of select real properties will not be passed through to ratepayers once acquisition costs are paid, and ratepayers will be reimbursed for up to approximately \$26,000,000 in rental payments in the event that those properties are no longer available for the benefit of San Francisco refuse ratepayers.

**Question: Shall this Resolution be ADOPTED?**

### **Recommendation of the Land Use and Transportation Committee**

*Present: Supervisors Melgar, Preston, Peskin*

28. [221082](#) **[Agreement Amendment - Caltrans Maintenance Agreement - Incorporate Traffic Control Devices]**  
**Sponsors: Mayor; Walton**  
Resolution approving the Third Amendment to the Agreement for Maintenance of State Highways in San Francisco between the City and the State of California Department of Transportation (Caltrans) to include City's maintenance and operation of additional traffic control devices on right-of-way within Caltrans jurisdiction, along State Route 280, on eastbound Alemany Boulevard at San Bruno Avenue; affirming the Planning Department's determination under the California Environmental Quality Act; and authorizing the Public Works Director to enter into modifications and amendments to the Third Amendment that do not materially increase the obligations or liabilities to the City or materially decrease the public benefits accruing to the City and are necessary to effectuate the purposes of the project or this Resolution.

**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Peskin, Chan, Stefani*

**29. [221117](#) [Mayoral Appointment, Treasure Island Development Authority Board of Directors - Jeanette Howard]**

Motion approving the Mayor's nomination for appointment of Jeanette Howard to the Treasure Island Development Authority Board of Directors, term ending February 26, 2025. (Clerk of the Board)

(Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are not City officers are only effective upon approval by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal Date: October 26, 2022.)

**Question: Shall this Motion be APPROVED?**

**30. [221225](#) [Appointments, Immigrant Rights Commission - Jessy Ruiz Navarro, Haregu Gaime, Kudrat Dutta Chaudhary, Marco Senghor, and Elahe Enssani]**

Motion appointing Jessy Ruiz Navarro, Haregu Gaime (residency requirement waived), Kudrat Dutta Chaudhary, Marco Senghor, and Elahe Enssani, terms ending June 6, 2024, to the Immigrant Rights Commission. (Rules Committee)

**Question: Shall this Motion be APPROVED?**

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

## SPECIAL ORDER 3:00 P.M.

### APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

### **PUBLIC COMMENT WILL BE TAKEN**

[1 \(415\) 655-0001 / Meeting ID: 2483 240 2124 # #](tel:4156550001)

(Press \*3 to enter the speaker line)

### 31. [221141](#) [Hearing - Appeal of Conditional Use Authorization Approval - 4835 Mission Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 202.2, 303, and 720 of the Planning Code, for a proposed project at 4835 Mission Street, Assessor's Parcel Block No. 6272, Lot No. 021, identified in Planning Case No. 2021-011352CUA, issued by the Planning Commission by Motion No. 21178, dated September 29, 2022, to establish an approximately 1,300 square-foot Cannabis Retail use within the ground floor commercial space of the existing two-story mixed-use building, with no on-site smoking or vaporizing of cannabis products within the Excelsior Outer Mission Street NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. (District 11) (Appellant: Olinda Meza Vega) (Filed October 31, 2022) (Clerk of the Board)

#### **Question: Shall this Hearing be HEARD AND FILED?**

*Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.*

**(Only one of the following two Motions should be approved.)**

32. [221142](#) **[Approving Conditional Use Authorization - 4835 Mission Street]**  
Motion approving the decision of the Planning Commission by its Motion No. 21178, approving a Conditional Use Authorization, identified as Planning Case No. 2021-011352CUA, for a proposed project located at 4835 Mission Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)  
**Question: Shall this Motion be APPROVED?**
33. [221143](#) **[Conditionally Disapproving the Conditional Use Authorization - 4835 Mission Street]**  
Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 21178, approving a Conditional Use Authorization, identified as Planning Case No. 2021-011352CUA, for a proposed project at 4835 Mission Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)  
  
(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)  
**Question: Shall this Motion be APPROVED?**
34. [221144](#) **[Preparation of Findings Related to Conditional Use Authorization - 4835 Mission Street]**  
Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2021-011352CUA for a proposed project at 4835 Mission Street. (Clerk of the Board)  
**Question: Shall this Motion be APPROVED?**

## 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, December 12, 2022, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, December 13, 2022.*

35. [221110](#) **[Initiating Landmark Designation - 1200 Taraval Street (aka Parkside Library)]**  
**Sponsors: Mar; Chan, Melgar and Peskin**  
Resolution initiating a landmark designation under Article 10 of the Planning Code of 1200 Taraval Street (aka Parkside Library) in the Sunset District, Assessor's Parcel Block No. 2351, Lot No. 001.  
**Question: Shall this Resolution be ADOPTED?**

The following item will be considered by the Public Safety and Neighborhood Services Committee at a Regular Meeting on Thursday, December 8, 2022, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, December 13, 2022.

36. [221124](#)

**[Police Code - Private Sector Military Leave Pay]**

**Sponsors: Mar; Melgar, Dorsey, Preston, Stefani and Walton**

Ordinance amending the Police Code to require private employers to pay employees who are military reservists and are called for military duty the difference between their military salary and their salary as employees, for up to 30 days in a calendar year, and to create procedures for implementation and enforcement of this requirement.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

The following items will be considered by the Rules Committee at a Regular Meeting on Monday, December 12, 2022, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, December 13, 2022.

37. [221224](#)

**[Appointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Ahsha Safai]**

Motion appointing Supervisor Ahsha Safai, term ending January 31, 2025, to the Golden Gate Bridge, Highway and Transportation District Board of Directors. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

38. [221226](#)

**[Mayoral Reappointment, Redevelopment Successor Agency Oversight Board - Anna Van Degna]**

Motion approving/rejecting the Mayor's nomination for reappointment of Anna Van Degna to the Redevelopment Successor Agency Oversight Board, term ending January 24, 2026. (Clerk of the Board)

(Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: December 2, 2022)

**Question: Shall this Motion be APPROVED?**

39. [221227](#)

**[Mayoral Reappointment, Redevelopment Successor Agency Oversight Board - Moses Corrette]**

Motion approving/rejecting the Mayor's nomination for reappointment of Moses Corrette to the Redevelopment Successor Agency Oversight Board, term ending January 24, 2026. (Clerk of the Board)

(Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: December 2, 2022.)

**Question: Shall this Motion be APPROVED?**

40. [221228](#) **[Reappointment, Metropolitan Transportation Commission - Supervisor Hillary Ronen]**

Motion reappointing Supervisor Hillary Ronen, term ending February 10, 2027, or the conclusion of her term as a Member of the Board of Supervisors, to the Metropolitan Transportation Commission. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

41. [221239](#) **[Mayoral Reappointment, Historic Preservation Commission - Kate Black]**

Motion approving/rejecting the Mayor's nomination of Kate Black for reappointment to the Historic Preservation Commission, term ending December 31, 2026. (Clerk of the Board)

(Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: December 1, 2022.)

**Question: Shall this Motion be APPROVED?**

42. [221240](#) **[Appointment, Police Commission]**

Motion appointing one member, term ending April 30, 2027, to the Police Commission. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

43. **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.*

44. **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: 2483 240 2124 # #](#)

*(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 45 through 58 will be taken during Item 44 - General Public Comment.)

### Items 45 through 58

45. [221210](#) **[Resolution of Intent to Not Appropriate Funding for Executive Recruitment Services and Urging Reappointment of Incumbent Director of Elections]**  
**Sponsors: Peskin; Chan, Stefani, Mar, Preston, Dorsey, Melgar, Mandelman, Ronen, Walton and Safai**  
Resolution declaring the Board of Supervisors' intent to not appropriate funding for the services of an executive recruitment firm to engage in a search for a new Director of Elections, and urging the Elections Commission to reappoint the incumbent Director.
- 11/29/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 12/06/2022; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**
46. [221249](#) **[Urging the Mayor and HSH to Prevent Displacement of Families at the Oasis Inn; Support Efforts to Acquire the Oasis Inn to Safely House Families Experiencing Homelessness]**  
**Sponsors: Preston; Stefani, Peskin, Ronen and Walton**  
Resolution urging the Mayor and Department of Homelessness and Supportive Housing (HSH) to prevent displacement of families at the Oasis Inn (located at 900 Franklin Street); and to support efforts to acquire the Oasis Inn to safely house families experiencing homelessness.
- 12/06/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

47. [221250](#) **[Urging Employers, Including Twitter, Inc., to Comply with the Displaced Workers Act]**  
**Sponsors: Safai; Walton**  
Resolution urging employers, including Twitter, Inc., to comply with the Displaced Workers Act, Article 33 of the Police Code, to provide opportunities for janitorial staff and security guards to continue employment.  
  
12/06/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
48. [221251](#) **[Commending Nancy Pelosi, Speaker of the United States House of Representatives]**  
**Sponsors: Stefani; Walton**  
Resolution commending Nancy Patricia Pelosi for her eight years as Speaker of the United States House of Representatives, serving nearly 20 years as Leader of the House Democratic Caucus, and 35 years of dedicated service to the City and County of San Francisco and to the United States of America.  
  
12/06/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
49. [221252](#) **[Declaration of Election Results - November 8, 2022, Consolidated General Election]**  
Resolution declaring the results of the November 8, 2022, Consolidated General Election. (Clerk of the Board)  
  
12/06/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
50. [221253](#) **[Commending Supervisor Gordon Mar]**  
**Sponsor: Board of Supervisors**  
Resolution commending and honoring Supervisor Gordon Mar for his decades of work for a fairer and more just San Francisco and his distinguished service on behalf of District 4 as a Member of the San Francisco Board of Supervisors.  
  
12/06/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
51. [221241](#) **[Appointment, Park, Recreation, and Open Space Advisory Committee - Therese Oxford]**  
Motion appointing Therese Oxford, terms ending February 1, 2023, and February 1, 2025, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board)  
  
12/06/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Motion be APPROVED?**

- 52.    [221256](#)    **[Findings to Allow Teleconferenced Meetings During Declared Emergency]**  
Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board)**

12/06/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**
  
- 53.    [221233](#)    **[Final Map No.10332 3000-3008 Larkin Street & 884-898 North Point Street]**  
Motion approving Final Map No. 10332, a four-lot vertical subdivision; lot one being a five-unit residential condominium project; lot three being three-unit commercial condominium project, located at 3000-3008 Larkin Street and 884-898 North Point Street, being a subdivision of Assessor’s Parcel Block No. 0025, Lot No. 024; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)**

11/29/2022; RECEIVED FROM DEPARTMENT.

12/07/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**
  
- 54.    [221234](#)    **[Final Map No. 9625 - 1532 Howard Street]**  
Motion approving Final Map No. 9625, a 15-unit residential condominium project, located at 1532 Howard Street, being a subdivision of Assessor’s Parcel Block No. 3511, Lot No. 015; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)**

12/05/2022; RECEIVED FROM DEPARTMENT.

12/07/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**
  
- 55.    [221235](#)    **[Final Map No. 10314 - 764 Cole Street]**  
Motion approving Final Map No. 10314, a six-unit residential condominium project, located at 764 Cole Street, being a subdivision of Assessor’s Parcel Block No. 1252, Lot No. 033; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)**

12/05/2022; RECEIVED FROM DEPARTMENT.

12/07/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

- 56. [221236](#) [Final Map No. 10851 - 709 Lyon Street]**  
Motion approving Final Map No. 10851, a five residential unit condominium project, located at 709 Lyon Street, being a subdivision of Assessor's Parcel Block No. 1159, Lot No. 004; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)  
  
12/05/2022; RECEIVED FROM DEPARTMENT.  
  
12/07/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Motion be APPROVED?**
- 57. [221237](#) [Final Map No. 11065 - 2750-19th Street]**  
Motion approving Final Map No. 11065, a 63 residential unit and two commercial unit mixed-use condominium project, located at 2750-19th Street, being a subdivision of Assessor's Parcel Block No. 4023, Lot No. 004A; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)  
  
12/05/2022; RECEIVED FROM DEPARTMENT.  
  
12/07/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Motion be APPROVED?**
- 58. [221238](#) [Final Map No. 11111 - 793 South Van Ness Avenue]**  
Motion approving Final Map No. 11111, a 78-unit mixed-use (75 residential and three commercial) condominium project, located at 793 South Van Ness Avenue, being a subdivision of Assessor's Parcel Block No. 3591, Lot No. 024; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)  
  
12/05/2022; RECEIVED FROM DEPARTMENT.  
  
12/07/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Motion be APPROVED?**

**59. 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: 2483 240 2124 # #](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](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 ORDINANCE**

### **221229 [Settlement of Lawsuit - New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility - \$0]**

Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility against the City and County of San Francisco for \$0; the lawsuit was filed on April 21, 2021, in United States District Court for the Northern District of California, Case No. 4:21-cv-02871-JST; entitled New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility v. City and County of San Francisco, California; the lawsuit involves the denial of a Conditional Use Authorization to install a wireless telecommunications facility at 590-2nd Avenue; other material terms of the settlement are approval of the Planning Commission's Conditional Use Authorization based on a modification of the proposed facility's design which moves a screened equipment enclosure away from the building edge, rescission of Board of Supervisors Motions Nos. M21-052, M21-053, and M21-75 that disapproved that Conditional Use Authorization, directed the preparation of findings, and made findings pertaining to the same, dismissal of the lawsuit in its entirety with prejudice; and making environmental findings (City Attorney)

11/29/2022; RECEIVED FROM DEPARTMENT.

12/13/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

### **221230 [Settlement of Un-litigated Claims - A2Z Development USA, Inc. - \$1,399,196]**

Resolution approving the settlement of the Un-litigated claims filed by A2Z Development USA, Inc. against the City and County of San Francisco for \$1,399,196; the claims were filed on February 28, 2022; the claims involve a refund of payroll expense and gross receipts taxes. (City Attorney)

12/01/2022; RECEIVED FROM DEPARTMENT.

12/13/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

### **221231 [Settlement of Unlitigated Claim - AmerisourceBergen Drug Corporation - \$76,250]**

Resolution approving the settlement of the unlitigated claim filed by AmerisourceBergen Drug Corporation against the City and County of San Francisco for \$76,250; the claim was filed on July 11, 2022; the claim involves an alleged overpayment of Homelessness Gross Receipts Tax penalties and interest for the 2019 tax year. (City Attorney)

12/05/2022; RECEIVED FROM DEPARTMENT.

12/13/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**221232**

**[Tolling Agreement - A-N SFD Owner, LLC - Sir Francis Drake Hotel - Real Property Transfer Tax Dispute]**

Resolution approving a Tolling Agreement to extend the statute of limitations for A-N SFD Owner, LLC for the former Sir Francis Drake Hotel to bring potential litigation against the City and County of San Francisco for a refund of real property transfer tax to allow for possible resolution of the matter without litigation. (City Attorney)

12/05/2022; RECEIVED FROM DEPARTMENT.

12/13/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.



**221178 [Petitions and Communications]**

Petitions and Communications received from December 1, 2022, through December 8, 2022, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 13, 2022.

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 reappointments to the following body. Copy: Each Supervisor. (1)

Reappointments pursuant to Charter, Section 3.100(18)

- The War Memorial and Performing Arts Center Board of Trustees
  - o Thomas Horn - term ending January 2, 2027
  - o Brenda Wright - term ending January 2, 2027
  - o Lt. General Michael A. Rocco - term ending January 2, 2027
  - o Stanlee Gatti - term ending January 2, 2027

From various departments, pursuant to Administrative Code, Section 12B.5-1.3, submitting Chapter 12B Waiver Request Forms. 2 Contracts. Copy: Each Supervisor. (2)

From the San Francisco Unified School District (SFUSD), pursuant to Education Code, Section 1240(c)(2)(A)(i), submitting the Annual Williams Report. Copy: Each Supervisor. (3)

From concerned citizens, regarding the proposed Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law, and approving the Police Department's use of Equipment Policy. File No. 220641. 175 Letters. Copy: Each Supervisor. (4)

From concerned citizens, regarding the proposed Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025. File No. 220875. 60 Letters. Copy: Each Supervisor. (5)

From concerned citizens, regarding a proposed Resolution urging the inclusion of Climate Action Plan Funding Priorities in the General Obligation Bond Schedule. File No. 221208. 90 Letters. Copy: Each Supervisor. (6)

From concerned citizens, regarding a proposed Resolution of Intent to not appropriate funding for Executive Recruitment Services and urging reappointment of Incumbent Director of Elections. File No. 221210. 2 Letters. Copy: Each Supervisor. (7)

From concerned citizens, regarding John F. Kennedy Drive. 2 Letters. Copy: Each Supervisor. (8)

From concerned citizens, regarding the reopening of Lake Street to through traffic. 20 Letters. Copy: Each Supervisor. (9)

From concerned citizens, regarding a permanent Slow Streets program. 351 Letters. Copy: Each Supervisor. (10)

From concerned citizens, regarding algal bloom in the San Francisco Bay. 2 Letters.

Copy: Each Supervisor. (11)

From Amelio Schembari, regarding parklets. Copy: Each Supervisor. (12)

From Aaron Goodman, regarding Stonestown and Parkmerced. Copy: Each Supervisor. (13)

From Joan Vivaldo, regarding quality-of-life issues in San Francisco. Copy: Each Supervisor. (14)

From Alexis Reusser-Lenhardt, regarding an Ordinance amending the Administrative Code to allow contracting parties that offer multiple health benefit plans at the San Francisco International Airport (SFO) to charge covered employees a limited share of premium costs on more expensive plans. File No. 210216. Copy: Each Supervisor. (15)

From San Francisco Heritage, regarding the proposed appointment of Prof. Dr. Robert W. Chenery to the Historic Preservation Commission. Copy: Each Supervisor. (16)

From Joe Kunzler, regarding a proposed Motion limiting teleconferencing and remote public comment at meetings of the Board of Supervisors and its Committees. File No. 221008. Copy: Each Supervisor. (17)

From Michael Kemper, regarding the San Francisco Police Department and pretext stops. Copy: Each Supervisor. (18)

From concerned citizens, regarding a Hearing on the approval of a Conditional Use Authorization for a project at 4835 Mission Street. File No. 221141. 3 Letters. Copy: Each Supervisor. (19)

## **ADJOURNMENT**