

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, December 6, 2022 - 2:00 PM**

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

**Regular Meeting**

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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

### 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

1:30 PM

Wednesday

10:00 AM

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

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

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**Members Present:** Connie Chan, Matt Dorsey, Rafael Mandelman, Gordon Mar, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, and Shamann Walton

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*The Board of Supervisors of the City and County of San Francisco met in regular session, in-person with remote access and public comment also available via telephone, on Tuesday, December 6, 2022, with President Shamann Walton presiding.*

*President Walton called the meeting to order at 2:00 p.m.*

### **Remote Access to Information and Participation**

*The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 28, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).*

*Members of the public may submit their comments by email to: [bos@sfgov.org](mailto:bos@sfgov.org); all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Committee agendas and their associated documents are available at <https://sfbos.org/meetings/42>.*

*Please visit the Board's website ([www.sfbos.org](http://www.sfbos.org)) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184 or [bos@sfgov.org](mailto:bos@sfgov.org).*

### **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*On the call of the roll, Supervisors Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton were noted present.*

*All Members of the Board were present.*

*President Walton presented the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula, pursuant to Board Rule 4.7.1.*

### **COMMUNICATIONS**

*Alisa Somera, Legislative Deputy Director, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes in-person or by dialing the provided telephone number. In-person public comment will be taken before remote public comment is called. Those who are providing public comment remotely must dial \* 3 to be added to the remote queue to speak. Written comments may be submitted through email ([bos@sfgov.org](mailto:bos@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

## APPROVAL OF MEETING MINUTES

*President Walton inquired whether any Member of the Board had any corrections to the November 1, 2022, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.*

**Supervisor Stefani, seconded by Supervisor Dorsey, moved to approve the November 1, 2022, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

#### **220947 [Contracting Process - Communications Based Train Control System - Waiver of Administrative Code Contract Prohibition and Authorization to Use Negotiated Procurement Procedures]**

**Sponsors: Mayor; Mandelman, Melgar, Dorsey and Safai**

Ordinance authorizing the Municipal Transportation Agency to issue a Request for Proposals for a Communications Based Train Control System to be awarded by a contract with a term exceeding ten years; waiving the Administrative Code prohibition against issuing solicitations for a contract for general or professional services for a term longer than ten years; authorizing use of negotiated procurement procedures, stating that the award of the contract will be subject to the approval of the Board of Supervisors pursuant to Charter, Section 9.118(b); and adopting findings under the California Environmental Quality Act.

**Ordinance No. 252-22**

**FINALLY PASSED**

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

### **220729 [Settlement of Lawsuit - Phi Associates (Drisco Hotel) to Make Payments to Benefit the Swords to Plowshares Veterans Academy \$2,500,000]**

Ordinance authorizing settlement of the lawsuit filed by Phi Associates L.P., against the City and County of San Francisco for payments by Phi Associates of \$2,500,000 to provide construction loan repayment, and fund capital improvements and operating reserves, and thereby support affordable housing for veterans at the Veterans Academy located at 1030 Girard Road, San Francisco, operated by Swords to Plowshares ("Veterans Academy"), in exchange for the release of 16 Residential Hotel rooms from regulation under the Hotel Conversion Ordinance; the lawsuit was filed on March 17, 2021, in San Francisco Superior Court, Case No. CPF-21-517409, entitled Phi Assoc., L.P. v. City and County of San Francisco; the lawsuit involves petitioner's challenge to the City's enforcement of the Hotel Conversion Ordinance at the Drisco Hotel, located at 2901 Pacific Avenue, San Francisco. (City Attorney)

**Ordinance No. 251-22**

**FINALLY PASSED**

### **221048 [Settlement of Lawsuit - John LaSalle - \$489,000]**

Ordinance authorizing settlement of the lawsuit filed by John LaSalle against the City and County of San Francisco for \$489,000; the lawsuit was filed on January 21, 2021, in San Francisco Superior Court, Case No. CGC-21-589176; entitled John LaSalle v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from collision with City vehicle. (City Attorney)

**Ordinance No. 253-22**

**FINALLY PASSED**

### **221049 [Settlement of Lawsuit - Crystal Gomez and Martha Gomez - \$60,000]**

Ordinance authorizing settlement of the lawsuit filed by Crystal Gomez and Martha Gomez against the City and County of San Francisco for \$60,000; the lawsuit was filed on July 14, 2021, in U.S. District Court for the Northern District of California, Case No. 21-cv-05394 JCS; entitled Crystal Gomez and Martha Gomez v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

**Ordinance No. 254-22**

**FINALLY PASSED**

### **221050 [Settlement of Lawsuit - Linda Gebroe - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Linda Gebroe against the City and County of San Francisco for \$40,000; the lawsuit was filed on May 7, 2021, in San Francisco Superior Court, Case No. CGC-21-591651; entitled Linda Gebroe v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

**Ordinance No. 255-22**

**FINALLY PASSED**

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

### **220542 [Planning Code - Temporary Safe Overnight Parking and Cannabis Retail Uses]**

**Sponsor: Safai**

Ordinance amending the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; extending the date for expiration of temporary cannabis retail uses to January 1, 2024; 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.

**Ordinance No. 249-22**

**FINALLY PASSED**

## **Recommendations of the Rules Committee**

### **220702 [Administrative Code - Definitions of Prohibited Discrimination in Contracting Ordinances and Human Rights Commission Ordinance]**

**Sponsors: Mayor; Mandelman, Dorsey and Mar**

Ordinance amending the Administrative Code to revise the definitions of gender identity, sex, and sexual orientation, and add the definition of gender expression, in Chapters 12B and 12C (ordinances prohibiting discrimination in contracting including property contracts); revise the definition of age in Chapters 12A (the Human Rights Commission ordinance) and 12B; and revise the definition of disability in Chapters 12A, 12B, and 12C.

**Ordinance No. 250-22**

**FINALLY PASSED**

### **221125 [Administrative Code - 706 Mission Fund]**

**Sponsors: Peskin; Dorsey, Chan and Mandelman**

Ordinance amending the Administrative Code to establish the 706 Mission Fund to receive funds provided to the City under the 2013 purchase and sale agreement regarding the property at 706 Mission Street; to authorize the Recreation and Park Department and the Mayor's Office of Housing and Community Development to expend monies from the Fund for specified purposes after receiving recommendations from the SoMa Community Stabilization Fund Community Advisory Committee; and to require the Recreation and Park Department and the Mayor's Office of Housing and Community Development to prepare reports regarding expenditures from the Fund.

**Ordinance No. 256-22**

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Rules Committee

#### **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.

**Supervisor Peskin requested this Ordinance be DUPLICATED.**

*See Duplicate File No. 221242.*

*Privilege of the floor was granted unanimously to Anne Pearson (Office of the City Attorney) who responded to questions raised throughout the discussion.*

*Supervisor Peskin, seconded by Supervisor Chan, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 8, Lines 8-15, by striking 'with the following modification: Section 1.A.5 ("Unmanned, remotely piloted, powered ground vehicle (ground): Authorized Use") is amended to replace the words "outweighs any other force option available to SFPD" with "officers cannot subdue the threat after using alternative force options or de-escalation tactics or conclude that they will not be able to subdue the threat after evaluating alternative force options and de-escalation tactics. Only the Chief, Assistant Chief of Operations, or Deputy Chief of Special Operations may authorize the use of robots as a deadly force option."' The motion carried by the following vote:*

*Ayes: 6 - Chan, Mar, Melgar, Peskin, Preston, Safai*

*Noes: 5 - Dorsey, Mandelman, Ronen, Stefani, Walton*

*Supervisor Ronen, seconded by Supervisor Melgar, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton*

**Supervisor Peskin, seconded by Supervisor Chan, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE in Board, on Page 8, Lines 8-15, by striking 'with the following modification: Section 1.A.5 ("Unmanned, remotely piloted, powered ground vehicle (ground): Authorized Use") is amended to replace the words "outweighs any other force option available to SFPD" with "officers cannot subdue the threat after using alternative force options or de-escalation tactics or conclude that they will not be able to subdue the threat after evaluating alternative force options and de-escalation tactics. Only the Chief, Assistant Chief of Operations, or Deputy Chief of Special Operations may authorize the use of robots as a deadly force option."' , and by adding 'robots will not be used as a deadly force option.'. The motion carried by the following vote:**

**Ayes: 8 - Chan, Mar, Melgar, Peskin, Preston, Ronen, Safai, Walton**

**Noes: 3 - Dorsey, Mandelman, Stefani**

Although it was not required, Supervisor Peskin, seconded by Supervisor Ronen, moved that this Ordinance be PASSED ON FIRST READING AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**221242 [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.

*Duplicated from File No. 220641.*

**Supervisor Peskin, seconded by Supervisor Chan, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 8, Lines 8-15, by only including references to the 'unmanned, remotely piloted, powered ground vehicle policy.'** The motion carried by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton  
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 relating to the use of unmanned, remotely piloted, powered aerial or ground vehicles.

**Supervisor Peskin, seconded by Supervisor Chan, moved that this Ordinance be REFERRED AS AMENDED to Rules Committee. The motion carried by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Supervisor Safai was noted absent at 3:20 p.m. and present at 3:25 p.m.*

#### **221028 [Accept and Expend Grant - State of California General Fund Grant - Improvements for Japantown Peace Plaza, Buchanan Center Mall - \$5,000,000]**

**Sponsors: Mayor; Preston, Chan, Mar, Peskin, Walton and Safai**

Resolution approving the acceptance of \$5,000,000 of General Fund grant funds from the State of California for the planning, design, and construction of physical improvements and enhancements to the Japantown Peace Plaza at the Buchanan Center Mall; making certain certifications required to receive the funds; authorizing Public Works and other City departments to expend such funds for this project for the period of October 2022 through March 2026; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

*Supervisors Mar, Peskin, Walton, and Safai requested to be added as co-sponsors.*

*ADOPTED by the following vote:*

*Ayes: 10 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani, Walton*

*Absent: 1 - Safai*

*Supervisor Safai, seconded by Supervisor Chan, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton*

**Resolution No. 520-22**

**ADOPTED by the following vote:**

*Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton*

#### **221109 [Accept and Expend Grant - Retroactive - 2018 Repurposed Federal Earmark - Sloat Infrastructure Improvements - \$163,513]**

**Sponsors: Mayor; Melgar and Mar**

Resolution retroactively authorizing Public Works to accept and expend an earmark grant of \$163,513 from the Federal Highway Administration 2018 Earmark Repurposing Final Approved List to fund the construction of the Sloat Infrastructure Improvements project for a term of September 16, 2021, through December 1, 2023; authorizing Public Works to execute all required documents for the project; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

*Supervisor Mar requested to be added as a co-sponsor.*

**Resolution No. 521-22**

**ADOPTED by the following vote:**

*Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton*



**221119 [Contract Amendment - Richmond Area Multi Services, Inc. - Behavioral Health Peer Services - Not to Exceed \$29,116,181]**

Resolution approving Amendment No. 1 to the agreement between Richmond Area Multi Services, Inc. and the Department of Public Health (DPH), to provide behavioral health peer services, to increase the agreement by \$19,253,431 for an amount not to exceed \$29,116,181; to extend the term by three and one-half years from December 30, 2022, for a total agreement term of July 1, 2021, through June 30, 2026; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department)  
(Fiscal Impact)

**Resolution No.** 522-22

**ADOPTED by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**221120 [Site Use Agreement - VB Nimbus, LLC - Radio Equipment - 32322 S Corral Hollow Road, Tracy - Initial Annual Rent of \$30,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to enter into a Site Use Agreement with VB Nimbus, LLC, a Delaware limited liability company, for the installation, operation, maintenance, repair, and replacement of radio equipment at 32322 S Corral Hollow Road in Tracy, at an initial annual use fee of \$30,000 with annual increases of three percent for an initial five-year term, commencing January 1, 2023, through December 21, 2028, with four five-year extension options for the SFPUC Water Enterprise Radio Replacement Project (Project), pursuant to Charter, Section 9.118; affirming the Planning Department's determination that the project is categorically exempt from environmental review under the California Environmental Quality Act; and to authorize the General Manager of the SFPUC to enter into amendments or modifications to the Agreement 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 Utilities Commission)

**Resolution No.** 523-22

**ADOPTED by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**221148 [Accept and Expend Grant - Retroactive - California State Water Resources Control Board - Public Beach Safety Program Grant - \$87,675]**

**Sponsors: Mayor; Dorsey, Stefani, Mar and Walton**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$87,675 from the California State Water Resources Control Board, Division of Water Quality Beach Safety Program, to participate in a program, entitled "Public Beach Safety Program Grant," for the period of July 1, 2022, through June 30, 2025. (Public Health Department)

**Resolution No.** 516-22

**ADOPTED by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**221168 [Accept and Expend Grant; Cooperative Agreement - Retroactive - Caltrans Clean California Enhancement Program - Potrero Gateway Streetscape Improvement Project - \$1,275,000]**

**Sponsors: Mayor; Walton**

Resolution retroactively authorizing Public Works to accept and expend \$1,275,000 from the California Department of Transportation's ("Caltrans") Clean California Local Enhancement Program for the construction of improvements and enhancements on the state highway system in support of the Potrero Gateway Streetscape Improvement project to commence August 2022 through March 2026; approving and authorizing Public Works to enter into a Cooperative Agreement with Caltrans regarding project construction and implementation; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

**Resolution No. 524-22**

**ADOPTED by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**221172 [Loan Amendment - Maceo May Apts, L.P. - 100% Affordable Housing at 55 Cravath Street (formerly 401 Avenue of the Palms) - Not to Exceed \$39,238,000]**

**Sponsors: Mayor; Dorsey**

Resolution approving and authorizing the execution of a First Amendment to the Amended and Restated Loan Agreement with Maceo May Apts, L.P., a California limited partnership, to increase the loan amount by \$14,983,000 for a new total loan amount not to exceed \$39,238,000 to finance additional construction costs and loss of permanent financing related to the 100% affordable, 105 unit multifamily rental housing development (plus one staff unit) for low and moderate income veteran households located at 55 Cravath Street (formerly 401 Avenue of the Palms) on Treasure Island ("Maceo Project"); and adopting findings that the First Amendment to the Amended and Restated Loan Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

**Resolution No. 525-22**

**ADOPTED by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

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

### **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)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

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

### **220875 [Park Code - Upper Great Highway - Pilot Weekend and Holiday Vehicle Restrictions]**

**Sponsors: Mar; Preston, Dorsey and Mandelman**

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.

**Supervisor Melgar, seconded by Supervisor Chan, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 23, and on Page 6, Line 9, to change the time of restriction to Saturday at 6:00 a.m. to Monday at 6:00 a.m. The motion FAILED by the following vote:**

Ayes: 3 - Chan, Melgar, Walton

Noes: 8 - Dorsey, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Dorsey, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Noes: 2 - Chan, Melgar

## **Recommendation of the Rules Committee**

### **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.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

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

*Without objection, Rule 5.36 of the Rules of the Board of Supervisors was suspended to grant privilege of the floor to the following guest(s).*

*Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Brandon Lee in recognition of his activism and bravery after the assassination attempt on his life by the Philippine government.*

*Supervisor Chan introduced, welcomed, and presented a Certificate of Honor to Matilda "Miss Tilly" Abbe on the occasion of her retirement after 52 years teaching ballet to thousands of San Francisco children.*

*Supervisor Safai introduced, welcomed, and presented a Certificate of Honor to Ahmed Abozayd on the occasion of his retirement after 25 years of service with SEIU Local 87 and the 23 years he served as Vice President. Supervisors Dorsey, Mandelman, Ronen, Melgar, and Walton shared in this commendation.*

## COMMITTEE REPORTS

### Recommendations of the Land Use and Transportation Committee

#### **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.

*Supervisor Mandelman requested to be added as a co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**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.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**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)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**Recommendations of the Rules Committee****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.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**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.

*Privilege of the floor was granted unanimously to Ardis Graham (Department of Human Resources) who responded to questions raised throughout the discussion.*

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Hadar Aviram; spoke in support of the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Jordan Davis; expressed concerns regarding housing evictions.*

*Linda Chapman; expressed concerns regarding organizing in support of housing.*

*Brent Turner; expressed concerns regarding the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Speaker; expressed concerns regarding the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Dave Schmidt; expressed concerns regarding the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Carla Kincaid Yoshikawa; expressed concerns regarding the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Shane Keely; spoke in support of the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Alec Bash; spoke in support of the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Mark; expressed concerns regarding open streets and the Department of Elections.*

*Mayank Patel; spoke in support of the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Speaker; expressed concerns on various topics.*

*Francisco Da Costa; expressed concerns regarding the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*John Anderson; spoke in support of the Resolution urging the inclusion of Climate Action Plan funding priorities in the General Obligation Bond Schedule (File No. 221208).*

*Elliott Hellman; spoke in support of the Resolution urging the inclusion of Climate Action Plan funding priorities in the General Obligation Bond Schedule (File No. 221208).*

*Michael Petrelis; expressed concerns regarding the placement of general public comment on the Board agenda and the loss of seats at the Castro Theatre.*

*Susan Greene; spoke in support of the Resolution urging the inclusion of Climate Action Plan funding priorities in the General Obligation Bond Schedule (File No. 221208).*

*Carl Carter; expressed concerns regarding the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Leo Samuelson; spoke in support of the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*David Pilpel; spoke in support of File Nos. 221210, 221211, and 221212.*

*Michael Bleeker; spoke in support of the Resolution of Intent to not appropriate fundings for recruitment services and urging reappointment of the Director of Elections (File No. 221210).*

*Stephanie Ciancio; spoke in support of the Resolution urging the inclusion of Climate Action Plan funding priorities in the General Obligation Bond Schedule (File No. 221208).*

*Tom Whitehead; spoke in support of the Resolution urging the inclusion of Climate Action Plan funding priorities in the General Obligation Bond Schedule (File No. 221208).*

*Citizen 22; expressed concerns regarding law enforcement and women's rights.*

*Sarah Greenwalk; spoke in support of the Resolution urging the inclusion of Climate Action Plan funding priorities in the General Obligation Bond Schedule (File No. 221208).*

*Speaker; expressed concerns regarding various matters.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*Supervisor Ronen was noted not present at 5:29 p.m. and attending remotely at 5:31 p.m.*

### **221207 [Josè Sarria Day - December 13, 2022]**

**Sponsors: Mandelman; Dorsey, Preston and Mar**

Resolution declaring December 13, 2022, to be "Josè Sarria Day" in the City and County of San Francisco, in recognition of his significant contributions to San Francisco and LGBTQ+ history, and in celebration of his 100th Birthday.

*Supervisors Preston and Mar requested to be added as co-sponsors.*

**Resolution No. 526-22**

**ADOPTED**

### **221208 [Urging the Inclusion of Climate Action Plan Funding Priorities in the General Obligation Bond Schedule]**

**Sponsors: Mar; Melgar**

Resolution urging the Capital Planning Committee to include Climate Action Plan (CAP) funding priorities recommended by the Center for Law, Energy & the Environment (CLEE) Report, entitled "Funding San Francisco Climate Action: Strategies for Revenue, Implementation, and Equity," in the proposed General Obligation (GO) Bond schedule.

*Supervisor Melgar requested to be added as a co-sponsor.*

**Resolution No. 527-22**

**ADOPTED**

### **221213 [Commemorating World Expo 2025 in Osaka, Kansai, Japan]**

**Sponsor: Stefani**

Resolution commemorating the World Expo Event "Expo 2025 Osaka, Kansai Japan" held in Osaka, Japan.

**Resolution No. 530-22**

**ADOPTED**

### **221214 [Committee of the Whole - Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area - Zone One, Block 2 - January 10, 2023, at 3:00 p.m.]**

**Sponsor: Dorsey**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on January 10, 2023, at 3:00 p.m., to hold a public hearing to consider an Ordinance for the proposed Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area to increase bulk limits on Block 2 of Zone One of the Transbay Redevelopment Project Area (Assessor's Parcel Block No. 3739, Lot No. 014), located on the north side of Folsom Street between Beale and Main Streets, by increasing certain maximum floor plate sizes.

**Motion No. M22-186**

**APPROVED**



**221195 [Final Map No. 11079 - 3452-3456 Sacramento Street]**

Motion approving Final Map No. 11079, a three-lot vertical subdivision, and a three-unit condominium project, located at 3452-3456 Sacramento Street, being a subdivision of Assessor's Parcel Block No. 1009, Lot No. 012; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-187**

**APPROVED**

**221196 [Final Map No. 9713 - 2918 Mission Street]**

Motion approving Final Map No. 9713, a 75 residential unit and four commercial unit condominium project, located at 2918 Mission Street, being a subdivision of Assessor's Parcel Block No. 6529, Lot No. 051; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-188**

**APPROVED**

**221197 [Final Map No. 10742 - 30 Van Ness Avenue]**

Motion approving Final Map No. 10742, a 333 residential unit and five commercial unit mixed-use condominium project, located at 30 Van Ness Avenue, being a subdivision of Assessor's Parcel Block No. 0835, Lot No.004; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-189**

**APPROVED**

**221198 [Final Map No. 11008 - 2525 Van Ness Avenue]**

Motion approving Final Map No. 11008, a 28 unit residential and one commercial unit condominium project, located at 2525 Van Ness Avenue, being a subdivision of Assessor's Parcel Block No. 0527, Lot No. 004; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-190**

**APPROVED**

**221199 [Final Map No. 11009 - 923-937 Kansas Street]**

Motion approving Final Map No.11009, an eight residential unit condominium project, four lots being two residential condominiums, located at 923-937 Kansas Street, being a subdivision of Assessor's Parcel Block No. 4094, Lot Nos. 045, 046, 047, and 048; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-191**

**APPROVED**

**221200 [Final Map No. 11026 - 986 South Van Ness Avenue]**

Motion approving Final Map No. 11026, a 15-unit residential condominium project, located at 986 South Van Ness Avenue, being a subdivision of Assessor's Parcel Block No. 3610, Lot No. 010; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-192**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Peskin requested that File Nos. 221210, 221211, and 221212 be severed so that they may be considered separately.*

**221210 [Resolution of Intent to Not Appropriate Funding in FY 2022-2023 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.

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of December 13, 2022. The motion carried by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**221211 [Ethics Commission Audits Backlog]**

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

Resolution urging the Ethics Commission to timely complete backlog of outstanding campaign finance and lobbyists audits.

*Supervisors Mar and Stefani requested to be added as co-sponsors.*

**Resolution No. 528-22**

**ADOPTED by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**221212 [City Policy - Autonomous Vehicles Declaration of Policy]****Sponsors: Peskin; Mandelman, Walton and Chan**

Resolution declaring the official policy of the City and County of San Francisco regarding Autonomous Vehicle (AV) services and programs, by urging the National Highway Traffic Safety Administration (NHTSA), state and local agencies to condition the granting of permits and incentives on addressing San Francisco's safety concerns.

*Supervisors Walton and Chan requested to be added as co-sponsors.*

**Resolution No. 529-22****ADOPTED by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

*President Walton requested that File No. 221217 be severed so that it may be considered separately.*

**221217 [Board of Supervisors Regular Meeting Schedule - 2023]**

Motion establishing the 2023 Board of Supervisors Regular Meeting Schedule, pursuant to Board of Supervisors Rules of Order, Sections 4.2 and 4.2.1, by cancelling the Regular Board meetings of January 17, February 21, May 30, June 20, July 4, October 10, and November 28; and all Regular Board and Committee meetings during the spring, summer and winter breaks from March 27 through March 31, July 31 through September 4, and December 18, 2023, through January 5, 2024; and further suspending portions of Board Rule 4.2 to effectuate certain dates within the regular meeting schedule to augment the flow of business. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Melgar, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 6, and Page 2, Line 4, by changing 'November 28' to 'November 21'; and on Page 2, Lines 13-17, by adding 'FURTHER MOVED, To suspend the portion of Board Rule 4.2 that requires the Board to meet during the week of Thanksgiving and prohibits the Board from meeting the week after Thanksgiving, cancelling the meeting of November 21 to observe the Thanksgiving holiday during the week of Thanksgiving, and scheduling the Board to meet on November 28; and, be it'. The motion carried by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton  
Motion establishing the 2023 Board of Supervisors Regular Meeting Schedule, pursuant to Board of Supervisors Rules of Order, Sections 4.2 and 4.2.1, by cancelling the Regular Board meetings of January 17, February 21, May 30, June 20, July 4, October 10, and November 21; and all Regular Board and Committee meetings during the spring, summer and winter breaks from March 27 through March 31, July 31 through September 4, and December 18, 2023, through January 5, 2024; and further suspending portions of Board Rule 4.2 to effectuate certain dates within the regular meeting schedule to augment the flow of business. (Clerk of the Board)

**Motion No. M22-193****APPROVED AS AMENDED by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

**IMPERATIVE AGENDA**

*There were no imperative agenda items.*

## 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.*

## ORDINANCES

### **221223 [Environment Code - Repeal and Replace Chapter 7 Green Building Requirements]**

**Sponsors: Mayor; Mandelman and Safai**

Ordinance amending the Environment Code to repeal Chapter 7: Green Building Requirements for City Buildings and replace with new Chapter 7: Municipal Green Building Requirements; and affirming the Planning Department's determination under the California Environmental Quality Act. (Fiscal Impact)

12/06/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/6/2023.

### **221243 [Prohibiting Use of Appropriated Funds to Hire a Vendor to Conduct a Search to Fill the Director of Elections Position]**

**Sponsor: Peskin**

Ordinance prohibiting the Department of Elections and the Elections Commission from using funds appropriated to the Department of Elections and the Elections Commission in the Annual Budget and Appropriation Ordinance for Fiscal Year 2022-2023 for the purpose of contracting with a vendor to provide services to conduct a search to fill the position of Director of Elections for the five-year term scheduled to commence on May 21, 2023.

12/06/22; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/5/2023.

### **221244 [Administrative Code - Extension of Sunset Date and Deadline for Required Reports of Reinvestment Working Group]**

**Sponsors: Preston; Chan**

Ordinance amending the Administrative Code to extend the time for the Reinvestment Working Group to submit required reports to the Board of Supervisors and the Local Agency Formation Commission, from the current one-year deadline to September 30, 2023, and to extend the sunset date for the Working Group to December 31, 2023.

12/06/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/5/2023.

**221245 [Administrative Code - Reentry Council; Pretrial Services Seat]****Sponsor: Ronen**

Ordinance amending the Administrative Code to add a seat to the Reentry Council, to be appointed by the Board of Supervisors, designated for a representative of the entity responsible for the administration of pretrial services involving alternatives to incarceration.

12/06/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/5/2023.

**221246 [Administrative, Business and Tax Regulations Codes - Homelessness Oversight Commission and Related City Bodies]****Sponsors: Safai; Mandelman**

Ordinance amending the Administrative Code and Business and Tax Regulations Code as required by Proposition C, adopted at the November 8, 2022, election, to provide that the Homelessness Oversight Commission ("Commission") appoint all members of the Local Homeless Coordinating Board ("Coordinating Board"); that the Coordinating Board's sole duties are to serve as the governing body required to participate in the federal Continuum of Care Program and to advise the Commission on issues relating to the Continuum of Care; that the Shelter Monitoring Committee advise the Commission in lieu of the Coordinating Board; that the Our City, Our Home Oversight Committee ("Oversight Committee") advise and make recommendations to the Commission and the Health Commission; and that the Oversight Committee inform the Department of Homelessness and Supportive Housing's strategic planning process.

12/06/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/5/2023.

## RESOLUTIONS

**221247 [Lease and Operating Agreement - Golden Gate Park Golf Development Foundation - Golden Gate Park Golf Management and Operation - Annual Base Rent \$275,000]****Sponsors: Mayor; Chan and Safai**

Resolution approving and authorizing a Lease and Operating Agreement between the City and County of San Francisco, acting by and through its Recreation and Park Department (RPD), and Golden Gate Park Golf Development Foundation for the management and operation of the clubhouse and golfing operations at Golden Gate Park Golf, located at 970-47th Avenue, for an initial term of six years, with one option to extend the term for an additional nine years, with an annual base rent of \$275,000 plus a share of revenues, effective upon approval of this Resolution; determining that the rental rate under the Agreement is appropriate and that the Agreement will serve a public purpose in accordance with Administrative Code, Sections 23.30 and 23.33; adopting findings declaring that the Property is "exempt surplus land" under the California Surplus Lands Act; and to authorize the RPD General Manager to enter into amendments or modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Recreation and Park Department)  
(Fiscal Impact)

12/06/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221248 [Accept and Expend Grant - Retroactive - Office of Refugee Health - Refugee Health Assessment Program (RHAP) - Federal Fiscal Year (FFY) 2022-23 Award Number 22-38-90899-00 - \$324,061]**

**Sponsors: Mayor; Ronen**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$324,061 from the Office of Refugee Health through the California Department of Public Health for participation in a program, entitled "Refugee Health Assessment Program (RHAP) - Federal Fiscal Year (FFY) 2022-23 Award Number 22-38-90899-00," for the period of October 1, 2022, through September 30, 2023. (Public Health Department)

12/06/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**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, Walton, Safai, Mar, Dorsey and Melgar**

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.

12/06/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**221250 [Urging Employers, Including Twitter, Inc., to Comply with the Displaced Workers Act]**

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

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.

12/06/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**221251 [Commending Nancy Pelosi, Speaker of the United States House of Representatives]**

**Sponsors: Stefani; Walton, Chan, Mandelman, Ronen, Peskin, Safai, Dorsey, Melgar, Preston and Engardio**

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.

12/06/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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)

12/06/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

12/06/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**MOTIONS****221254 [Advanced Written Determination Regarding Statement of Incompatible Activities - Small Business Commission - Miriam Zouzounis]****Sponsor: Dorsey**

Motion finding that Miriam Zouzounis' proposal to apply for grants administered by the Office of Economic and Workforce Development ("OEWD") and to seek assistance from OEWD relating to the non-profit on whose Board she serves on are not incompatible with the Statement of Incompatible Activities of the Small Business Commission, of which she is a member, subject to conditions.

12/06/22; RECEIVED AND ASSIGNED to Rules Committee.

**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)

12/06/22; RECEIVED AND ASSIGNED to Rules Committee.

**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.)

12/02/22; RECEIVED AND ASSIGNED to Rules Committee.

**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)

12/02/22; RECEIVED AND ASSIGNED to Rules Committee.

**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.)

12/05/22; RECEIVED AND ASSIGNED to Rules Committee.

**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)

12/06/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**221262 [Mayoral Reappointment, Historic Preservation Commission - Lydia So]**

Motion approving/rejecting the Mayor's nomination for reappointment of Lydia So 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 7, 2022.)

12/06/22; RECEIVED AND ASSIGNED to Rules Committee.

**221255 [Amending the Budget and Legislative Analyst Services Contract - Harvey M. Rose Associates, LLC]**

Motion authorizing the Clerk of the Board of Supervisors to take all administrative steps to amend the Budget and Legislative Analyst Services contract with Harvey M. Rose Associates, LLC for additional work under the existing scope of services, to the extent that funds are appropriated for that purpose. (Clerk of the Board)

12/06/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**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)

12/06/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



## REQUESTS FOR HEARING

**221257 [Hearing - Updates on the Findings of the Joint DBI and Planning Investigation into Building Code and Planning Code Violations, Including Potential Illegal Conversions, of Twitter Headquarters]**

**Sponsors: Peskin; Dorsey, Preston and Ronen**

Hearing regarding updates on the findings of the joint Department of Building Inspection (DBI) and Planning investigation into Building Code and Planning Code violations, including potential illegal conversions, of the Twitter Headquarters located at 1355 Market Street as reported on by Forbes Magazine, and potential labor and human rights violations of immigrant workers; and requesting DBI, the Zoning Administrator and Planning Enforcement, Office of Labor Standards Enforcement and Human Rights Commission to report.

12/06/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**221258 [Hearing - Evictions in Permanent Supportive Housing Project-Based Sites]**

**Sponsor: Preston**

Hearing on the evictions in the City's Permanent Supportive Housing (PSH) project-based sites that receive city funds, and efforts to prevent and reduce evictions at PSH sites; and requesting the Department of Homelessness and Supportive Housing, Department of Public Health, and Mayor's Office of Housing and Community Development to report.

12/06/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**221259 [Hearing - Mayor's Five Year Budget Projections Report and Budget Instructions]**

**Sponsor: Ronen**

Hearing on the City and County of San Francisco's five-year budget projections and budget instructions to Departments on behalf of Mayor London N. Breed; and requesting the Controller and Mayor's Budget Director to report.

12/06/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221215 [Hearing - Committee of the Whole - Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area - Zone One, Block 2 - January 10, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 10, 2023, at 3:00 p.m., during the regular Board of Supervisors meeting, to hold a public hearing to consider an Ordinance for the proposed Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area to increase bulk limits on Block 2 of Zone One of the Transbay Redevelopment Project Area (Assessor's Parcel Block No. 3739, Lot No. 014), located on the north side of Folsom Street between Beale and Main Streets, by increasing certain maximum floor plate sizes; scheduled pursuant to Motion No. M22-186 (File No. 221214), approved on December 6, 2022. (Clerk of the Board)

12/06/22; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**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 ORDINANCES****221187 [Administrative Code - Power to Sell for Nonresidential Commercial Properties]**

Ordinance amending the Administrative Code to allow the Tax Collector to sell tax-defaulted nonresidential commercial property after five years of nonpayment of property taxes instead of after three years. (Treasurer-Tax Collector)

11/21/22; RECEIVED FROM DEPARTMENT.

12/06/22; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/5/2023.

**221188 [Settlement of Lawsuit - Margarita Herrera - \$650,000]**

Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for \$650,000; the lawsuit was filed on July 30, 2019, in San Francisco Superior Court, Case No. CGC-19-578026; entitled Margarita Herrera v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

11/28/22; RECEIVED FROM DEPARTMENT.

12/06/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**221189 [Settlement of Lawsuit - Dante King - \$562,500]**

Ordinance authorizing settlement of the lawsuit filed by Dante King against the City and County of San Francisco for \$562,500; the lawsuit was filed on September 21, 2022, in San Francisco Superior Court, Case No. CGC-22-601923; entitled Dante King v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

11/28/22; RECEIVED FROM DEPARTMENT.

12/06/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**221190 [Settlement of Lawsuit - Michael Oakes - \$95,000]**

Ordinance authorizing settlement of the lawsuit filed by Michael Oakes against the City and County of San Francisco for \$95,000; the lawsuit was filed on July 10, 2020, in San Francisco Superior Court, Case No. CGC-20-585373; entitled Michael Oakes v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

11/28/22; RECEIVED FROM DEPARTMENT.

12/06/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**221191 [Settlement of Lawsuit - Jo-Theresa Elias-Jackson - \$92,000]**

Ordinance authorizing settlement of the lawsuit filed by Jo-Theresa Elias-Jackson against the City and County of San Francisco for \$92,000; the lawsuit was filed on April 23, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02937-PJH; entitled Jo-Theresa Elias-Jackson v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

11/28/22; RECEIVED FROM DEPARTMENT.

12/06/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**221192 [Settlement of Unlitigated Claim - Cassandra McQuaid - \$75,000]**

Resolution approving the settlement of the unlitigated claim filed by Cassandra McQuaid against the City and County of San Francisco for \$75,000; the claim was filed on September 10, 2021; the claim involves an employment dispute. (City Attorney)

11/28/22; RECEIVED FROM DEPARTMENT.

12/06/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**221193 [Settlement of Unlitigated Claim - Osterweis Capital Management, LLC - \$106,978.79]**

Resolution approving the settlement of the unlitigated claim filed by Osterweis Capital Management, LLC against the City and County of San Francisco for \$106,978.79; the claim was filed on September 26, 2022; the claim involves a refund of gross receipts tax. (City Attorney)

11/28/22; RECEIVED FROM DEPARTMENT.

12/06/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**221194 [Contract Agreement - Retroactive - San Francisco AIDS Foundation - Health Access Point Services - Not to Exceed \$11,886,595]**

Resolution approving an original contract agreement between the San Francisco AIDS Foundation and the Department of Public Health (DPH), to provide Health Access Point services in an amount not to exceed \$11,886,595 for a total initial contract term of January 1, 2023, through June 30, 2026, and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department) (Fiscal Impact)

11/22/22; RECEIVED FROM DEPARTMENT.

12/06/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## **In Memoriams**

*Samuel Lepie Hallward – Supervisor Ronen  
Kabir Kapur – Supervisor Ronen  
Ernie Yates – Supervisor Safai  
Fred Ross Jr. – Entire Board*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 6:17 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on January 10, 2023.*

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Angela Calvillo, Clerk of the Board