



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

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

Tuesday, October 31, 2023 - 2:00 PM

#### Regular Meeting

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

Angela Calvillo, Clerk of the Board

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#### BOARD COMMITTEES

##### Committee Membership

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

**Budget and Finance Committee**  
Supervisors Chan, Mandelman, Safai

**Government Audit and Oversight Committee**  
Supervisors Preston, Stefani, Chan

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

**Land Use and Transportation Committee**  
Supervisors Melgar, Preston, Peskin

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

**Rules Committee**  
Supervisors Dorsey, Walton, Safai

##### Meeting Days

Wednesday  
1:30 PM

Wednesday  
10:00 AM

1st and 3rd Thursday  
10:00 AM

2nd and 4th Friday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
10:00 AM

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

### **Agenda Item Information**

Each item on the Consent or Regular agenda may include the following documents: 1) Legislation; 2) Budget and Legislative Analyst report; 3) Department or Agency cover letter and/or report; 4) Public correspondence. These items are available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk or at <https://sfbos.org/legislative-research-center-lrc>.

### **Meeting Procedures**

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where legislation is the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) vocal or audible support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones or 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 time. 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 to display a document should place it on the overhead during their public comment and remove the document when they want the screen to return to live coverage of the meeting.

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

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### **Americans with Disabilities Act (ADA) and Reasonable Accommodations**

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.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV at [www.sfgovtv.org](http://www.sfgovtv.org) or Cable Channels 26, 28, 78 or 99 (depending on your provider). Board and Committee meeting agendas and minutes are available on the Board's website [www.sfbos.org](http://www.sfbos.org) and adhere to web development Federal Access Board's Section 508 Guidelines. For reasonable accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Board of Supervisors' Rules of Order 1.3.3 does not permit remote public comment by members of the public at meetings of the Board and its committees, except as legally required to enable people with disabilities to participate in such meetings. If you require remote access as a means of reasonable accommodation under ADA, please contact the Clerk's Office to request remote access, including a description of the functional limitation(s) that precludes your ability to attend in person. Requests made at least 48 hours in advance of the meeting will help to ensure availability. For further assistance, please contact Wilson Ng at (415) 554-5184 [wilson.l.ng@sfgov.org](mailto:wilson.l.ng@sfgov.org)

### **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at [sof@sfgov.org](mailto:sof@sfgov.org). Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>.

### **Ethics Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit <http://www.sfethics.org>.

## 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 September 26, 2023, Board Meeting Minutes.*

## AGENDA CHANGES

## CONSENT AGENDA

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

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

### Items 1 through 8

### Recommendations of the Government Audit and Oversight Committee

*Present: Supervisors Preston, Chan, Mandelman*

1. [230959](#) **[Settlement of Lawsuit - Katy Sullivan - \$207,500]**  
Ordinance authorizing settlement of the lawsuit filed by Katy Sullivan against the City and County of San Francisco for \$207,500; the lawsuit was filed on August 13, 2021, in San Francisco Superior Court, Case No. CGC-21-593827; entitled Katy Sullivan v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

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

2. [230996](#) **[Settlement of Lawsuit - Adam Smith, et al. - \$130,401.66]**  
Ordinance authorizing settlement of the lawsuit filed by Adam Smith, et al., against the City and County of San Francisco for return of the Expedited Conversion Program fee in the amount of \$130,401.66; the lawsuit was filed on September 28, 2021, in San Francisco Superior Court, Case No. CPF-21-517578; entitled Adam Smith, et al. v. City and County of San Francisco; the lawsuit challenges the Board of Supervisors' denial of Petitioners' application to convert their six-unit building at 424-434 Francisco Street to condominiums under the City's Expedited Conversion Program (Subd. Code, Section 1396.4); the settlement includes return of Petitioners' Expedited Conversion Program fee and waiver of the City's litigation costs; other material terms of the settlement are the parties' agreement to withdraw their respective appeals. (City Attorney)

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

3. [230963](#) **[Settlement of Unlitigated Claim - Macquarie Holdings (U.S.A.) Inc. - \$252,526.71]**  
Resolution approving the settlement of the unlitigated claim filed by Macquarie Holdings (U.S.A.) Inc. against the City and County of San Francisco for \$252,526.71; the claim was filed on May 1, 2023; the claim involves a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)

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

4. [230981](#) **[Settlement of Unlitigated Claims - The Bank of New York Mellon Trust Company, N.A. - \$1,355,943.09]**  
Resolution approving the settlement of the unlitigated claims filed by The Bank of New York Mellon Trust Company, N.A. against the City and County of San Francisco for \$1,355,943.09; the claims were filed on July 13, 2023; the claims involve a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)

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

5. [230997](#) **[Settlement of Unlitigated Claims - PFP Holdings, Inc. - \$1,039,237.26]**  
Resolution approving the settlement of the unlitigated claims filed by PFP Holdings, Inc. against the City and County of San Francisco for \$1,039,237.26; the claims were filed on May 4, 2023; the claims involve a refund of payroll expense, gross receipts, and homelessness gross receipts taxes. (City Attorney)

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

**Recommendations of the Rules Committee**

*Present: Supervisors Dorsey, Walton, Safai*

**6. [230860](#) [Administrative Code - Library Laureate Programs]**

**Sponsors: Mayor; Dorsey**

Ordinance amending the Administrative Code to establish the Library Laureate Programs, and authorizing the Library to grant stipends to individuals selected through a competitive process as Laureates or Finalists in recognition of their achievements, leadership, and cultural contributions, and in exchange for their service to the City.

10/24/2023; PASSED ON FIRST READING.

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

*Present: Supervisors Dorsey, Safai*

**7. [230885](#) [Administrative Code - Assessment Appeals Board Remote and Hybrid Remote Hearings and Conferences]**

Ordinance amending the Administrative Code to authorize the Assessment Appeals Board (AAB) to hold remote hearings and conferences at which no AAB members are physically present, and hybrid remote hearings and conferences at which some but not all AAB members are physically present. (Clerk of the Board)

10/24/2023; PASSED ON FIRST READING.

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

**8. [231004](#) [Administrative Code - Establishing Graffiti Advisory Board]**

**Sponsors: Chan; Mandelman**

Ordinance amending the Administrative Code to establish the Graffiti Advisory Board to advise the Board of Supervisors and the Mayor on issues relating to graffiti prevention and abatement; and setting forth the membership and duties of the Advisory Board.

10/24/2023; 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*

9. [220709](#) **[Planning Code - Nighttime Entertainment Castro Street Neighborhood Commercial District]**

**Sponsors: Mandelman; Dorsey**

Ordinance amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to exclude Article 10 Landmark buildings from use size limitation and allow Nighttime Entertainment with a Conditional Use authorization on the second floor; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

(Supervisor Peskin voted No on First Reading.)

10/24/2023; PASSED ON FIRST READING.

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

### Recommendation of the Rules Committee

*Present: Supervisors Dorsey, Safai*

10. [230897](#) **[Administrative Code - Cash Revolving Funds]**

Ordinance amending the Administrative Code to remove the authorization for cash revolving funds for certain City departments (Fire, Medical Examiner, Public Works, Recreation and Park, Sheriff, San Francisco Employees’ Retirement System, and War Memorial) and reduce the maximum amount of the cash revolving fund for the Port of San Francisco. (Treasurer-Tax Collector)

10/24/2023; PASSED ON FIRST READING.

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Chan, Safai*

11. [230693](#) **[Grant Amendment - Retroactive - YMCA Urban Services - Truancy Assessment and Resource Center (TARC) Program - Not to Exceed \$5,390,219]**  
Resolution retroactively approving a seventh amendment to Contract No. 1000014469 for the YMCA Urban Services - Truancy Assessment and Resource Center (TARC) Program between the YMCA Urban Services and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families, to increase the grant amount by \$606,040 for a total not to exceed amount of \$5,390,219 and to extend the grant term for one year from July 1, 2023, for a new term of July 1, 2013, through June 30, 2024, with Board of Supervisors' approval under Charter, Section 9.118. (Department of Children, Youth & Their Families)  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**
12. [231001](#) **[Emergency Declaration - Repair of Fillmore and Green 16" Water Main Break - Total Estimated Cost Not to Exceed \$5,000,000]**  
Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to contract resources to perform sewer main, water main, and street repairs on Fillmore Street between Green Street and Union Street, which were damaged by a water main failure, with a total estimated cost not to exceed \$5,000,000. (Public Utilities Commission)  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**
13. [231011](#) **[Gift Acceptance - Friends of Harvey Milk - Redesign of Harvey Milk Plaza - Estimated Value at \$1,275,000]**  
**Sponsors: Mayor; Mandelman, Engardio and Chan**  
Resolution accepting a gift of design documents with an estimated value at \$1,275,000 from the Friends of Harvey Milk Plaza to assist Public Works in the redesign of Harvey Milk Plaza; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
**Question: Shall this Resolution be ADOPTED?**



14. [231022](#) **[Issuance of Special Tax Bonds - Special Tax District No. 2020-1 (Mission Rock Facilities and Services) - Development Special Tax Bonds, Office Special Tax Bonds, Shoreline (Tax Zone 1) Special Tax Bonds - Not to Exceed \$58,335,000]**

**Sponsor: Mayor**

Resolution supplementing Resolution No. 196-20 authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services) in the aggregate principal amount not to exceed \$58,335,000 to be repaid from Development Special Taxes, Office Special Taxes and Shoreline Special Taxes levied in Tax Zone 1 of the Special Tax District, as applicable; approving related documents, as defined herein, including an Official Statement, a Second Supplement to Development Special Tax Fiscal Agent Agreement, Office Special Tax Fiscal Agent Agreement, Shoreline (Tax Zone 1) Special Tax Fiscal Agent Agreement, Bond Purchase Agreement, and Continuing Disclosure Certificate; interpreting the Rate and Method of Apportionment of Special Tax; and determining other matters in connection therewith, as defined herein.

(Fiscal Impact)

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

15. [231023](#) **[Pledge Agreement Related Documents - CCSF Infrastructure Financing District No. 2 (Port of San Francisco), Sub-Project Areas I-1 through I-13 - Special Tax Bonds - CCSF Special Tax District No. 2020-1 (Mission Rock Facilities and Services)]**

**Sponsor: Mayor**

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

(Fiscal Impact)

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

**Referred Without Recommendation From the Budget and Finance Committee**

*Present: Supervisors Chan, Safai*

**16. [230692](#) [Grant Amendment - Japanese Community Youth Council - Opportunities for All Intermediary Program - Not to Exceed \$13,327,411]**

Resolution approving a fourth amendment to Contract No. 10000014147 for the Japanese Community Youth Council, Opportunities for All Intermediary Program, between the Japanese Community Youth Council and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families, to increase the grant amount by \$3,000,953 for a total not to exceed amount of \$13,327,411 with Board of Supervisors' approval under Charter, Section 9.118, and with no change to the grant term. (Department of Children, Youth & Their Families)

(Fiscal Impact)

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

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

*Present: Supervisors Preston, Chan, Mandelman*

**17. [230960](#) [Settlement of Lawsuit - Twilio Inc. - \$18,000,000]**

Ordinance authorizing settlement of the lawsuit filed by Twilio Inc. against the City and County of San Francisco for \$18,000,000; the lawsuit was filed on May 27, 2021, in San Francisco Superior Court, Case No. CGC-21-592267; entitled Twilio Inc. v. City and County of San Francisco; the lawsuit involves a claim for refund of telephone users taxes and access line taxes, and related penalties and interest, for tax periods June 1, 2009, through and including December 31, 2018; other material terms of the settlement are that the City will not impose additional telephone users taxes and access line taxes, and any related penalties and interest, for any periods through two months after the settlement is paid, and Twilio Inc. will collect and remit telephone users taxes and access line taxes in a certain manner for all subsequent periods. (City Attorney)

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

**Recommendations of the Rules Committee**

*(Pursuant to the provisions of Board of Supervisors Rule 2.22.7, at least six days must intervene between the first appearance of a proposed Charter Amendment, before the Board as a referral from Committee, and any Board order of submission to the electorate. In accordance therewith, consideration of the following proposed Charter Amendments appropriately may be continued at least one week.)*

*Present: Supervisors Dorsey, Walton, Safai*

**18. [230986](#) [Charter Amendment - Mayor Approval Required for Certain SFMTA Budget Proposals]**

**Sponsors: Safai; Peskin**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor must affirmatively approve in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals as part of the SFMTA’s proposed budget or budget amendment; proposals subject to the approval requirement include changes to fares, parking meter maximum rates, and hours or days of parking meter operation; at an election to be held on March 5, 2024.

*(Supervisor Dorsey dissented in committee.)*

**Question: Shall this Charter Amendment be CONTINUED?**

**19. [230987](#) [Charter Amendment - Establishing the Department of Emergency Management in the Charter]**

**Sponsor: Safai**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to establish within the Charter the Department of Emergency Management, the position of the Director of the Department, and the Director’s qualifications and appointing authority; at an election to be held on March 5, 2024.

**Question: Shall this Charter Amendment be CONTINUED?**

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

## 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, October 30, 2023, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, October 31, 2023.*

20. [230768](#) **[Public Works Code - Authorizing and Permitting Neighborhood Amenities]**  
**Sponsors: Melgar; Stefani, Mandelman, Ronen, Engardio and Chan**  
 Ordinance amending the Public Works Code to streamline and authorize the approval of certain neighborhood amenities, also known as Love Our Neighborhoods Projects, in sidewalks and other public right-of-ways within the Department of Public Works' jurisdiction, to reduce fees for certain minor encroachment permits, to waive certain annual encroachment assessments, to clarify the approval process for commemorative plaques, and to clarify the permitting, revocation, and restoration requirements for all minor encroachment permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

**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, October 30, 2023, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, October 31, 2023.*

*(Pursuant to the provisions of Board of Supervisors Rule 2.22.7, at least six days must intervene between the first appearance of a proposed Charter Amendment, before the Board as a referral from Committee, and any Board order of submission to the electorate. In accordance therewith, consideration of the following proposed Charter Amendments appropriately may be continued at least one week.)*

21. [230985](#) **[Charter Amendment - Minimum Police Department Staffing and Five-Year Annual Funding Requirement]**  
**Sponsors: Dorsey; Engardio and Mandelman**  
 Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to establish minimum staffing levels for sworn officers of the Police Department, requiring for a period of five years that the Mayor and Board of Supervisors appropriate funds to meet staffing levels, establishing a Police Full Staffing Fund for a period of five years for purposes of facilitating minimum police staffing, and allowing for a temporary freeze of appropriations to the Police Full Staffing Fund in a budget or economic emergency; at an election to be held on March 5, 2024.

**Question: Shall this Charter Amendment be CONTINUED?**

22. [231008](#) **[Administrative Code - Community Policing and Foot and Bike Patrols]**  
**Sponsors: Safai; Engardio, Peskin, Ronen, Chan, Walton and Dorsey**  
 Ordinance amending the Administrative Code to require the Chief of Police to adopt a foot and bike patrol strategy for the Police Department, and to require the Police Commission to hold annual hearings regarding community policing and foot and bike patrols.

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

**23. 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.*

**24. 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.*

## 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 Item 25 will be taken during Item 24 - General Public Comment.)*

### Item 25

**25. [231119](#) [Urging Report on Implementation of Assembly Bill No. 57 - Names of Candidates]**

**Sponsors: Chan; Walton and Ronen**

Resolution urging the San Francisco Department of Elections to report back on the implementation of Assembly Bill No. 57 (Low) for the 2024 elections.

10/24/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

### **26. 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.)*

## 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 ORDINANCES

### 231105

#### **[Settlement of Lawsuit - International Business Machines Corporation - \$1,361,454.60]**

Ordinance authorizing settlement of the lawsuit filed by International Business Machines Corporation against the City and County of San Francisco for \$1,361,454.60; the lawsuit was filed on February 25, 2022, in San Francisco Superior Court, Case No. CGC-22-598342; entitled International Business Machines Corporation v. City and County of San Francisco; the lawsuit involves a claim for refund of payroll expense and gross receipts taxes, and related penalties and interest, for the tax year ended December 31, 2018; other material terms of the settlement are that International Business Machines Corporation and its related entities shall take certain filing positions with respect to their gross receipts, homelessness gross receipts, and overpaid executive gross receipts taxes, as applicable, for tax year 2019 and subsequent tax years, and the City will not impose penalties arising from those filing positions for tax years 2019 through 2022. (City Attorney)

10/20/2023; RECEIVED FROM DEPARTMENT.

10/31/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**231106****[Settlement of Lawsuit - Mohammad Habib - \$455,000]**

Ordinance authorizing settlement of the lawsuit filed by Mohammad Habib against the City and County of San Francisco for \$455,000; the lawsuit was filed on August 29, 2018, in San Francisco Superior Court, Case No. CGC-18-569287; entitled Mohammad Habib v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

10/20/2023; RECEIVED FROM DEPARTMENT.

10/31/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**231107****[Settlement of Lawsuit - Frederick Schiff et al. - \$380,000]**

Ordinance authorizing settlement of the lawsuit filed by Frederick Schiff et al. against the City and County of San Francisco et al. for \$380,000; the lawsuit was filed on June 11, 2019, in the United States District Court for the Northern District of California, Case No. 4:19-cv-03260-YGR; entitled Frederick Schiff et al v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

10/23/2023; RECEIVED FROM DEPARTMENT.

10/31/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**231108****[Settlement of Lawsuit - Madison Cullinane - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Madison Cullinane against the City and County of San Francisco for \$40,000; the lawsuit was filed on January 27, 2022, in San Francisco Superior Court, Case No. CGC-22-597860; entitled Madison Cullinane v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a motor vehicle accident. (City Attorney)

10/23/2023; RECEIVED FROM DEPARTMENT.

10/31/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**231109****[Administrative Code - Approval of Surveillance Technology Policy for Multiple City Departments]**

Ordinance approving Surveillance Technology Policy governing the use of social media monitoring software for the following City departments: Airport; Arts Commission; Assessor - Recorder Office; Asian Art Museum; City Administrator's Office - 311; City Administrator's Office - Animal Care & Control; City Administrator's Office - Central Office; City Administrator's Office - Office of Civic Engagement and Immigrant Affairs; City Administrator's Office - Office of Transgender Initiatives; City Planning Department; Controller's Office; Department of Building Inspection; Department of Children, Youth, and Their Families; Department of Early Childhood; Department of Emergency Management; Department of Homelessness and Supportive Housing; Department of Police Accountability; Department of Public Health; Department of Technology and SFGov/SFGovTV; Environment Department; Ethics Commission; Human Rights Commission; Mayor's Office; Municipal Transportation Agency; Office of Economic and Workforce Development; Port of San Francisco; Public Utilities Commission; and Recreation and Park Department. (City Administrator)

10/23/2023; RECEIVED FROM DEPARTMENT.

10/31/2023; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.



## PROPOSED RESOLUTIONS

**231110 [Settlement of Unlitigated Claim - Sentinel Insurance Company, Ltd. - \$100,000]**

Resolution approving the settlement of the unlitigated claim filed by Sentinel Insurance Company, Ltd. against the City and County of San Francisco for \$100,000; the claim was filed on March 23, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

10/23/2023; RECEIVED FROM DEPARTMENT.

10/31/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**231111 [Real Property Lease - Recology San Francisco - Pier 96 - Approximately \$369,500 Per Month]**

Resolution approving Port Commission Lease L-17035 with Recology San Francisco, a California corporation, located at Pier 96 for approximately 196,369 square feet of shed, outbuilding and loading dock space, and approximately 252,319 square feet of paved land and yard space which will initially generate revenue to the Port of approximately \$369,500 per month, for a term of approximately 74 months, effective upon approval of this Resolution; adopting findings under the California Environmental Quality Act; and to authorize the Executive Director of the Port 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 contract or this Resolution. (Port)

10/19/2023; RECEIVED FROM DEPARTMENT.

10/31/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**231112 [Real Property Lease - Anderson Enterprises, Inc. - Portion of Pier 68/70 Shipyard - Initial Monthly Rent of \$66,702.15]**

Resolution approving Port Commission Lease No. L-17093 with Anderson Enterprises, Inc., a California corporation, located at the Pier 68/70 Shipyard for approximately 116,343 square feet of paved land and 2,010 square feet of shed space for an initial monthly rent of \$66,702.15 and a term of three years with three mutually agreeable one-year extension options, effective upon approval of this Resolution; and to authorize the Executive Director of the Port of San Francisco to enter into amendments or modifications to the Port Commission License No. L-17093 that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of this Resolution. (Port)

10/19/2023; RECEIVED FROM DEPARTMENT.

10/31/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**231113**

**[Prevailing Wage Rates - Various Workers Pursuant to Administrative Code, Section 6.22(e) and Sections 21C.1 through 21C.11]**

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public works and improvements; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City; 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission)

10/23/2023; RECEIVED FROM DEPARTMENT.

10/31/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**231122 [Petitions and Communications]**

Petitions and Communications received from October 19, 2023, through October 26, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 31, 2023.

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

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

Reappointments pursuant to Charter, Sections 3.100(18) and 4.107.

- Human Rights Commission
- Irene Yee Riley - term ending September 2, 2027
- Reverend Ann Shaw - term ending September 2, 2027
- Jayson Johnson - term ending September 2, 2027

From the San Francisco Public Utilities Commission, in accordance with Ordinance No. 159-22, submitting Quarterly Report on the Status of Green Infrastructure Grant Program for July 2023 - September 2023. Copy: Each Supervisor. (2)

From the Capital Planning Committee, pursuant to Administrative Code, Section 3.21, regarding Issuance of Special Tax Bonds for Mission Rock Facilities and Services, Pledge Agreement for Infrastructure Financing District No. 2 (Port of San Francisco), and Calendar Year (CY) 2024 Annual Infrastructure Construction Cost Inflation Estimate. Copy: Each Supervisor. (3)

From members of the public, regarding the proposed Ordinance amending the Administrative Code to clarify the Controller's audit and monitoring responsibilities with respect to nonprofit organizations contracting with the City. 70 Letters. File No. 230973. Copy: Each Supervisor. (4)

From members of the public, regarding proposed Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to establish minimum staffing levels for sworn officers of the Police Department. 452 Letters. File No. 230985. Copy: Each Supervisor. (5)

From members of the public, regarding the proposed Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor must affirmatively approve in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals as part of the SFMTA's proposed budget or budget amendment; proposals subject to the approval requirement include changes to fares, parking meter maximum rates, and hours or days of parking meter operation. 40 Letters. File No. 230986. Copy: Each Supervisor. (6)

From members of the public, regarding the Resolution urging the Municipal Transportation Agency (MTA) to develop and implement a plan for No Turn On Red (NTOR) at every signalized intersection in San Francisco and approve a citywide NTOR policy. 17 Letters. File No. 231016. Copy: Each Supervisor. (7)

From members of the public, regarding the Resolution urging the Mayor and City agencies to inform residents and vulnerable communities of security, transportation, and service impacts from Asia-Pacific Economic Cooperation (APEC) activities; to prioritize City funding towards mitigation of impacts on neighborhoods, small businesses, and vulnerable

communities; and to protect people's rights to freedom of speech and uphold City Sanctuary policies. 17 Letters. File No. 231086. Copy: Each Supervisor. (8)

From members of the public, regarding water recycling and algal blooms. 2 Letters. Copy: Each Supervisor. (9)

From Barry Minkin, regarding various subjects. 3 Letters. Copy: Each Supervisor. (10)

From Monica D., regarding various subjects. 4 Letters. Copy: Each Supervisor. (11)

From Mike Regan, regarding John F. Kennedy Drive. Copy: Each Supervisor. (12)

From Richard Skaff, regarding the Marina Improvement and Remediation Project. Copy: Each Supervisor. (13)

From Eli Harrison, regarding a walkout by students of the San Francisco Unified School District on October 18, 2023. Copy: Each Supervisor. (14)

From members of the public, regarding San Francisco Police Department (SFPD) Department General Order (DGO) 5.25, Foot Pursuits. 2 Letters. Copy: Each Supervisor. (15)

From members of the public, regarding San Francisco Police Department (SFPD) Department General Order (DGO) 6.21, SFPD use of Social Media. 3 Letters. Copy: Each Supervisor. (16)

From members of the public, regarding quality of life issues. 9 Letters. Copy: Each Supervisor. (17)

From Ronald Carter, regarding the San Francisco Reparations Plan and Dream Keeper Initiative. (18)

## **ADJOURNMENT**