

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, October 31, 2023 - 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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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

### 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.

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**Members Present:** Connie Chan, Matt Dorsey, Joel Engardio, Rafael Mandelman, Myrna Melgar, Aaron Peskin, 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 on Tuesday, October 31, 2023, with President Aaron Peskin presiding.*

*President Peskin called the meeting to order at 2:02 p.m.*

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

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

*Supervisor Preston was noted not present.*

*A quorum of the Board was present.*

*President Peskin 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.*

## **Supervisor Preston Excused from Attendance**

**Supervisor Chan, seconded by Supervisor Walton, moved that Supervisor Preston be excused from attending today's meeting. The motion carried by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton

Excused: 1 - Preston

## **COMMUNICATIONS**

*Angela Calvillo, Clerk of the Board, welcomed members of the public to attend Board meetings and provide comment in-person or view the meeting live on SFGovTV's award winning Cable Channel 26 or at [www.sfgovtv.org](http://www.sfgovtv.org). Those requiring interpretation services should contact the Office of the Clerk of the Board at least 48 hours in advance of the meeting, pursuant to Administrative Code, Section 91.7.*

*(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 Peskin inquired whether a Member of the Board had any corrections to the September 26, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.*

**Supervisor Mandelman, seconded by Supervisor Walton, moved to approve the September 26, 2023, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton  
Excused: 1 - Preston

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

#### **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)

**PASSED ON FIRST READING**

#### **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)

**PASSED ON FIRST READING**

**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)

**Resolution No. 520-23**

**ADOPTED**

**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)

**Resolution No. 521-23**

**ADOPTED**

**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)

**Resolution No. 522-23**

**ADOPTED**

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

**Ordinance No. 226-23**

**FINALLY PASSED**

**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)

**Ordinance No. 227-23**

**FINALLY PASSED**

**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.

**Ordinance No. 230-23****FINALLY PASSED****The foregoing items were acted upon by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton

Excused: 1 - Preston

**REGULAR AGENDA****UNFINISHED BUSINESS****Referred Without Recommendation From the Land Use and Transportation Committee****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.)

**Ordinance No. 225-23****FINALLY PASSED by the following vote:**

Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Melgar, Ronen, Safai, Stefani, Walton

Noes: 1 - Peskin

Excused: 1 - Preston

## **Recommendation of the Rules Committee**

### **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)

**Ordinance No. 228-23**

**FINALLY PASSED by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton  
Excused: 1 - Preston

## **NEW BUSINESS**

## **Recommendations of the Budget and Finance Committee**

### **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)

**Resolution No. 519-23**

**ADOPTED by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton  
Excused: 1 - Preston

**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)

**Resolution No.** 523-23

**ADOPTED by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton  
Excused: 1 - Preston

**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.

**Resolution No.** 524-23

**ADOPTED by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton  
Excused: 1 - Preston

President Peskin requested File Nos. 231022 and 231023 be called together.

**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]**  
**Sponsors: Mayor; Dorsey**

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)

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

**Resolution No. 505-23**

**ADOPTED by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton  
Excused: 1 - Preston

**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)]**  
**Sponsors: Mayor; Dorsey**

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)

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

**Resolution No. 525-23**

**ADOPTED by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton  
Excused: 1 - Preston



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

### **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)

**Resolution No. 518-23**

**ADOPTED by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton  
Excused: 1 - Preston

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

### **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)

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

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton  
Excused: 1 - Preston

## **Recommendations of the Rules Committee**

### **230986 [Charter Amendment - Mayoral Authority to Disapprove Certain SFMTA Budget Proposals]**

**Sponsors: Safai; Peskin and Ronen**

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.)

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

**CONTINUED to the Board of Supervisors meeting of November 7, 2023, by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton

Excused: 1 - Preston

### **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.

**CONTINUED to the Board of Supervisors meeting of November 7, 2023, by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton

Excused: 1 - Preston

## **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 Mandelman introduced, welcomed, and presented a Certificate of Honor to Dr. Gina Fromer, Ph.D, former Chief Executive Officer of the Children's Council, in recognition of her many accomplishments and devotion to social service, community advocacy, volunteerism, and family life. Supervisors Melgar, Walton, and Safai shared in this commendation.*

## COMMITTEE REPORTS

### Recommendation of the Land Use and Transportation Committee

#### **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.

*(This item was not sent as a committee report.)*

### Recommendations of the Rules Committee

#### **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.

*(This item was not sent as a committee report.)*

#### **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.

*Supervisors Melgar and Mandelman requested to be added as co-sponsors.*

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

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton

Excused: 1 - Preston

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Thierry Fill; shared concerns regarding humanities need to be united, problems around education, and the weaponization of technology.*

*Jordan Davis; expressed concerns regarding being misgendered as a transwoman.*

*Leah McGeever; expressed concerns regarding attacks on trans individuals.*

*JConr B. Ortega; shared concerns regarding the state of the City and ballot measures needed to restructure power in government.*

*Speaker; shared concerns regarding law enforcement and the need for more staffing for behavioral health programs.*

*Speaker; shared concerns regarding the time limit for public comment and her personal experience having her personal belongings taken after being detained.*

*Otto Duffy; shared concerns regarding homelessness and inflation.*

*Speaker; expressed gratitude for the Police Department and concerns regarding the Centers for Disease Control and Prevention's quarantine stations.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **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.

**Resolution No. 526-23**

**ADOPTED by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani, Walton

Excused: 1 - Preston

## 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

### **231128 [Appropriation - \$1,350,239 in Tax Increment Revenue Bond Proceeds in Treasure Island Infrastructure and Revitalization Financing District - FY2023-2024]**

**Sponsors: Mayor; Dorsey**

Ordinance appropriating \$1,540,000 from the issuance of Treasure Island Infrastructure and Revitalization Financing District (IRFD) Series 2023B Tax Increment Revenue Bonds to the affordable housing project in the Mayor's Office of Housing and Community Development; and placing these amounts on Controller's Reserve in Fiscal Year (FY) 2023-2024.  
(Fiscal Impact)

10/31/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/30/2023.

### **231129 [Administrative Code - Extending Sunset Date of Contracting Waivers for Homeless Services]**

**Sponsors: Mayor; Ronen and Mandelman**

Ordinance amending the Administrative Code to extend by five years, from May 5, 2024, through May 5, 2029, the sunset date of the provisions authorizing the Department of Homelessness and Supportive Housing ("HSH") to enter into and amend contracts without requiring competitive bidding for services relating to sites and programs for people experiencing homelessness ("Projects Addressing Homelessness"), and the Department of Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and services relating to Projects Addressing Homelessness; and affirming the Planning Department's determination under the California Environmental Quality Act.  
(Supervisors Chan, Dorsey, Peskin, and Safai voted No on First Reading.)

10/31/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/30/2023.

### **231130 [Existing Building Code - Supplemental Inspections for Tall Buildings]**

**Sponsor: Peskin**

Ordinance amending the Existing Building Code to require buildings with 15 or more stories to conduct and submit supplemental inspection reports that will focus on windows and exterior glass surfaces to identify any defective or damaged materials that may cause glass failure; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/31/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/30/2023.

## RESOLUTIONS

### **231131 [Supplementing Resolution No. 7-17 to Authorize Issuance of Bonds by City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) - Not to Exceed \$10,000,000]**

**Sponsors: Mayor; Dorsey**

Resolution supplementing Resolution No. 7-17 of the Board of Supervisors to authorize the issuance and sale by the City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) of one or more series of bonds in an aggregate principal amount not to exceed \$10,000,000 approving related documents, including an Official Statement, one or more supplements to Indentures of Trust, Bond Purchase Agreements and Continuing Disclosure Certificates; and determining other matters in connection therewith, as defined herein.  
(Fiscal Impact)

10/31/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **231132 [Agreement - Mission Bay Parks and Open Spaces - Maintenance and Operations and Termination of Ground Lease]**

**Sponsors: Mayor; Dorsey**

Resolution authorizing an agreement with the Office of Community Investment and Infrastructure (OCII), operating as the Successor Agency to the San Francisco Redevelopment Agency, acting in its capacity as the legislative body of Community Facilities District No. 5 (Mission Bay Maintenance District), for the City to receive funding for its operation and maintenance of the Mission Bay Parks, and to authorize the Port and the Recreation and Park Department to coordinate the operation and maintenance; authorizing the termination of OCII's Ground Lease to the Mission Bay Parks; and to authorize the Port Executive Director and the Recreation and Park Department General Manager 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.

10/31/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **231133 [Loan Amendment - Sunnydale Infrastructure 1A3 LLC - Sunnydale HOPE SF Development - Not to Exceed \$26,567,405]**

**Sponsors: Mayor; Walton, Safai and Mandelman**

Resolution approving and authorizing the execution of a Second Amendment to the Loan Agreement with Sunnydale Infrastructure Phase 1A3 LLC, a California limited liability company, to increase the loan amount by \$1,495,294 for a new total loan amount not to exceed \$26,567,405 to finance additional construction costs for the second phase of infrastructure improvements and housing development related to the revitalization and master development of up to 1770 units of replacement public housing, affordable housing and market rate housing, commonly known as the Sunnydale HOPE SF Development ("Sunnydale Project"); adopting findings that the loan agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the City's General Plan, and the priority policies of Planning Code, Section 101.1; and to authorize the Director of Mayor's Office of Housing and Community Development to enter into any amendments or modifications to the Agreement that do not materially increase the obligations or liabilities for the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Mayor's Office of Housing and Community Development)  
(Fiscal Impact)

10/31/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**231134 [Accept and Expend Grant - Retroactive - California Department of Insurance - Automobile Insurance Fraud Program - \$312,297]****Sponsor: Mayor**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$312,297 from the California Department of Insurance for the Automobile Insurance Fraud Program, for the grant period of July 1, 2023, through June 30, 2024. (District Attorney)

10/31/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**231135 [Accept and Expend Grant - Retroactive - United States Department of Justice - STOP School Violence Program - \$1,000,000]****Sponsors: Mayor; Ronen, Mandelman, Melgar, Engardio, Stefani and Safai**

Resolution retroactively authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$1,000,000 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for participation in a program, entitled "STOP School Violence Program," for the period of October 2, 2023, through October 1, 2026; the funds will enhance the current San Francisco School Crisis Support Coordination Project to improve San Francisco Unified School District's school climate. (Department of Children, Youth & Their Families)

10/31/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**231136 [Accept and Expend Grant - Retroactive - San Francisco Health Plan - SFDPH (San Francisco Department of Public Health) Department of Homelessness and Supportive Housing (HSH) Consulting - \$341,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$341,000 from the San Francisco Health Plan for participation in a program, entitled "SFDPH (San Francisco Department of Public Health) Department of Homelessness and Supportive Housing (HSH) Consulting," for the grant period of October 3, 2022, through December 31, 2023. (Public Health Department)

10/31/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**231137 [Local Coastal Program Amendment - 2700-45th Avenue - Wawona Street and 45th Avenue Cultural Center Special Use District]****Sponsor: Engardio**

Resolution transmitting to the California Coastal Commission for review and certification an amendment to the Implementation Program portion of the certified Local Coastal Program for the creation of the Wawona Street and 45th Avenue Cultural Center Special Use District on the parcel located at 2700-45th Avenue; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/31/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**231138 [United Against Hate Week - November 12 through November 18, 2023]****Sponsors: Mandelman; Melgar, Peskin, Walton, Dorsey, Ronen, Engardio, Stefani, Preston, Chan and Safai**

Resolution recognizing the week of November 12 through November 18, 2023, as United Against Hate Week in the City and County of San Francisco.

10/31/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**231139 [Lower Polk Community Benefit District - Annual Report - FY2021-2022]**

**Sponsors: Peskin; Preston**

Resolution receiving and approving an annual report for the Lower Polk Community Benefit District for Fiscal Year (FY) 2021-2022, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

10/31/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**231140 [Urging the Mayor and DHR to Initiate Emergency Hiring Plan to Fill Behavioral Health Workforce Vacancies]**

**Sponsors: Ronen; Walton, Peskin, Preston, Melgar, Chan and Safai**

Resolution urging the Mayor and Department of Human Resources (DHR) to initiate an emergency hiring plan with recruitment and retention incentives for behavioral healthcare workers to fill city employee vacancies and vacancies at city-contracted providers.

10/31/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

## REQUEST FOR HEARING

**231141 [Hearing - San Francisco Health Plan Rate Trends]**

**Sponsor: Chan**

Hearing to request information on health insurance rate trends and its impact on the rate the City will pay on behalf of its employees in advance and consideration of the City's Budget process; and requesting the Health Service System to report.

10/31/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.



## **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)

10/20/23; RECEIVED FROM DEPARTMENT.

10/31/23; RECEIVED AND ASSIGNED to 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)

10/20/23; RECEIVED FROM DEPARTMENT.

10/31/23; RECEIVED AND ASSIGNED to 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)

10/23/23; RECEIVED FROM DEPARTMENT.

10/31/23; RECEIVED AND ASSIGNED to 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)

10/23/23; RECEIVED FROM DEPARTMENT.

10/31/23; RECEIVED AND ASSIGNED to 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)

10/23/23; RECEIVED FROM DEPARTMENT.

10/31/23; ASSIGNED to 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)

10/23/23; RECEIVED FROM DEPARTMENT.

10/31/23; RECEIVED AND ASSIGNED to 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)

10/19/23; RECEIVED FROM DEPARTMENT.

10/31/23; RECEIVED AND ASSIGNED to 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)

10/19/23; RECEIVED FROM DEPARTMENT.

10/31/23; RECEIVED AND ASSIGNED to 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]****Sponsor: Chan**

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)

(Fiscal Impact)

10/23/23; RECEIVED FROM DEPARTMENT.

10/31/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriam**

*Jose Orlando Salazar - Supervisor Ahsha Safai*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 3:15 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 December 5, 2023.*

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Angela Calvillo, Clerk of the Board