



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, December 5, 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

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

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents: 1) Legislation; 2) Budget and Legislative Analyst report; 3) Department or Agency cover letter and/or report; 4) Public correspondence. 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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PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

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The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance No. 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

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Know Your Rights Under The Sunshine Ordinance

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

Ethics Requirements

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

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

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 October 31, 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 7

Recommendation of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

1. [231007](#) **[Business and Tax Regulations Code - Transfer Tax Exemption for Affordable Housing]**

Sponsors: Preston; Chan, Mandelman, Safai and Ronen

Ordinance amending the Business and Tax Regulations Code to broaden the exemption from the increased transfer tax rates when the consideration or value of the interest or property conveyed equals or exceeds \$5,000,000 for transfers of certain rent-restricted affordable housing; applying the exemption retroactively to transfers occurring on or after January 1, 2017; extending the exemption through December 31, 2030; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

11/28/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani, Chan

2. [231046](#) **[Settlement of Lawsuit - Yvonne Detert, et al. - \$137,785.78, Plus Statutory Interest]**

Ordinance authorizing settlement of the lawsuit filed by Yvonne Detert, et al. against the City and County of San Francisco, et al. for \$137,785.78, plus statutory interest; the lawsuit was filed on September 21, 2018, in San Francisco Superior Court, Case No. CGC-18-570011; entitled Yvonne Detert, et al. v. City and County of San Francisco, et al.; the lawsuit involves a claim of refund of penalties related to hotel taxes and fees for tax periods October 1, 2013, through and including December 31, 2013. (City Attorney)

11/28/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [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)
11/28/2023; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
4. [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)
11/28/2023; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
5. [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)
11/28/2023; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
6. [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)
11/28/2023; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Stefani, Engardio, Dorsey

7. [231077](#)

[Police Code - Cannabis Events]

Sponsor: Mandelman

Ordinance amending the Police Code to extend the end date of the Cannabis Event Pilot Program from December 31, 2023, to December 31, 2026.

11/28/2023; 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

8. [230446](#) **[Planning and Subdivision Codes, Zoning Map - Housing Production]**
Sponsors: Mayor; Engardio and Dorsey
 Ordinance amending the Planning Code to encourage housing production by 1) exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 and the Conditional Use requirement of Section 317, in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations; 2) removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District, projects that build additional units in lower density zoning districts, and senior housing projects that seek to obtain double density; 3) amending rear yard, front setback, lot frontage, minimum lot size, and residential open space requirements in specified districts; 4) allowing additional uses on the ground floor in residential buildings, homeless shelters, and group housing in residential districts, and administrative review of reasonable accommodations; 5) expanding the eligibility for the Housing Opportunities Mean Equity - San Francisco (HOME - SF) program and density exceptions in residential districts; 6) exempting certain affordable housing projects from certain development fees; 7) authorizing the Planning Director to approve State Density Bonus projects, subject to delegation from the Planning Commission; and 8) making conforming amendments to other sections of the Planning Code; amending the Zoning Map to create the Priority Equity Geographies Special Use District; amending the Subdivision Code to update the condominium conversion requirements for projects utilizing residential density exceptions in RH Districts; 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.

11/28/2023; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Safai

9. [230861](#) **[Police Code - Fees, Applications, and Conditions for Certain Entertainment Permits]**

Sponsors: Mayor; Safai

Ordinance amending the Police Code to 1) waive initial license and filing fees through June 30, 2025, for certain Entertainment Permits for former holders of Just Add Music Permits; 2) waive initial license and filing fees for Entertainment Permits for applicants who are newly eligible to apply for those permits due to recent Planning Code amendments; 3) eliminate masked ball permits; 4) require applicants for Arcade, Ancillary Use, Billiard and Pool Table, Place of Entertainment, Limited Live Performance, Fixed Place Outdoor Amplified Sound, and Extended-Hours Premises Permits to submit a new Permit application and filing fee if their existing application has not been granted, conditionally granted, or denied within 12 months of its submission; 5) authorize the Entertainment Commission Director ("Director") to issue Billiard and Pool Table Permits without a hearing, and provide that such permits may be suspended or revoked under the standards and procedures that apply to other Entertainment Permits; 6) exempt schools from the requirement to obtain a Place of Entertainment Permit, Limited Live Performance Permit, or Fixed Place Outdoor Amplified Sound Permit for any activities that occur on school premises in the regular course of school operations; 7) eliminate the requirement that applicants for Place of Entertainment Permits disclose with their permit application criminal history information regarding certain individuals connected with the applicant business; 8) narrow the categories of new criminal charges, complaints, or indictments brought against a Place of Entertainment Permittee or its employees or agents that the Permittee must report, to only those charges, complaints or indictments that could be grounds for suspension of the Permit; 9) allow the Director or the Entertainment Commission to require an applicant for a Limited Live Performance Permit to propose a Security Plan if necessary to protect the safety of persons and property or provide for the orderly dispersal of persons and traffic, to make compliance with the Security Plan a condition of the Permit, and to require revisions to the Security Plan as necessary; and 10) clarify that a single One Time Outdoor Amplified Sound Permit may extend across multiple consecutive or non-consecutive 24-hour periods.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. [231082](#) **[De-Appropriation and Appropriation - District 10 General City Responsibility - District 10 Projects - \$250,000; Children, Youth & Families - District 10 Allocations - \$20,000 - FY2023-2024]**

Sponsor: Walton

Ordinance de-appropriating \$250,000 from General City Responsibility (GEN) and \$20,000 from Children, Youth & Families (DCYF); and re-appropriating \$270,000 to the Human Rights Commission (HRC) for District 10 safe passages, Hope SF trainings, violence prevention events, and to support District 10 neighborhoods most impacted by violence in (FY) 2023-2024.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Chan, Peskin

11. [231160](#) **[De-Appropriation and Appropriation - Expenditures of \$39,500,000 Supporting Increased Overtime Expenditures - Department of Public Health - FY2023-2024]**

Sponsor: Mayor

Ordinance de-appropriating \$39,500,000 from permanent salaries and dependent coverage fringe benefits, and appropriating \$39,500,000 to overtime in the Department of Public Health, in order to support the Department's projected increases in overtime as required, pursuant to Administrative Code, Section 3.17. (Public Health Department)

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Chan, Safai

12. [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.

Question: Shall this Resolution be ADOPTED?

13. [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)
- Question: Shall this Resolution be ADOPTED?**
- Present: Supervisors Chan, Peskin*
14. [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)
- Question: Shall this Resolution be ADOPTED?**
15. [231154](#) **[Contract Amendment - Golden Gate Petroleum - Renewable Diesel - Not to Exceed \$86,750,000]**
Resolution authorizing the Office of Contract Administration to enter into a Third Amendment (Modification 3) to Contract 1000013880 between the City and County of San Francisco and Golden Gate Petroleum for the purchase of renewable diesel for all City departments, increasing the contract amount by \$18,750,000 for a new total not to exceed amount of \$86,750,000 and extending the duration by five months from May 31, 2024, for a total agreement term of June 1, 2019, through October 31, 2024; and to authorize the Office of Contract Administration 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. (Office of Contract Administration)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

16. [231170](#) **[Accept and Expend Grant - San Francisco Foundation - India Basin Waterfront Park - \$50,000,000]**
Sponsors: Mayor; Walton
Resolution authorizing the Recreation and Park Department to accept and expend a grant valued at approximately \$50,000,000 from the San Francisco Foundation for the India Basin Waterfront Park Initiative for a term to begin upon approval of the Resolution through December 2026; and authorizing the Recreation and Park Department to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the Project or this Resolution. (Recreation and Park Department)
- Question: Shall this Resolution be ADOPTED?**
17. [231182](#) **[Accept and Expend In-Kind Grant - Trust for Public Land - India Basin Waterfront Park - Valued Approximately \$2,794,638]**
Sponsors: Mayor; Walton
Resolution authorizing the Recreation and Park Department to accept and expend an in-kind grant valued at approximately \$2,794,638 from the Trust for Public Land for the India Basin Waterfront Park Initiative for the term to begin upon approval of the Resolution through December 2026; and authorizing the Recreation and Park Department to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the Project or this Resolution. (Recreation and Park Department)
- Question: Shall this Resolution be ADOPTED?**
18. [231183](#) **[Accept and Expend In-Kind Grant - A. Philip Randolph Institute - India Basin Waterfront Park - Valued Approximately \$1,000,000]**
Sponsors: Mayor; Walton
Resolution authorizing the Recreation and Park Department to accept and expend an in-kind grant valued at approximately \$1,000,000 from the A. Philip Randolph Institute for the India Basin Waterfront Park Initiative for the term to begin upon approval of the Resolution through December 2026; and authorizing the Recreation and Park Department to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the Project or this Resolution. (Recreation and Park Department)
- Question: Shall this Resolution be ADOPTED?**
19. [231184](#) **[Accept and Expend In-Kind Grant - San Francisco Parks Alliance - India Basin Waterfront Park - Valued Approximately \$2,000,000]**
Sponsors: Mayor; Walton
Resolution authorizing the Recreation and Park Department to accept and expend an in-kind grant valued at approximately \$2,000,000 from the San Francisco Parks Alliance for the India Basin Waterfront Park Initiative for the term to begin upon approval of the Resolution through December 2026; and authorizing the Recreation and Park Department to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the Project or this Resolution. (Recreation and Park Department)
- Question: Shall this Resolution be ADOPTED?**

20. [231253](#) **[Behested Payment Waiver - India Basin Waterfront Park]**
Sponsors: Mayor; Walton
Resolution authorizing the Mayor, officers and employees of the Office of the Mayor, and officers and employees of the Recreation and Park Department to solicit donations for the India Basin Waterfront Park Initiative from nonprofits, private organizations, grantmakers, and foundations for six months from the effective date of this Resolution, notwithstanding the Behested Payment Ordinance.
Question: Shall this Resolution be ADOPTED?
21. [231198](#) **[Loan Agreement - 1234 Great Highway LLC - 1234 Great Highway - 100% Affordable Housing - Not to Exceed \$24,000,000]**
Sponsors: Mayor; Engardio
Resolution approving and authorizing the Mayor and the Director of the Mayor's Office of Housing and Community Development to execute loan documents relating to a loan to provide financing for the acquisition of real property located at 1234, 1270, and 1280 Great Highway (the "Property"), and predevelopment activities for a 100% affordable multifamily rental building for seniors, in an aggregate amount not to exceed \$24,000,000; approving the form of the loan agreement and ancillary documents; ratifying and approving any action heretofore taken in connection with the property; granting general authority to City officials to take actions necessary to implement this Resolution; as defined herein; and finding that the loan is consistent with the General Plan, and the priority policies of Planning Code, Section 101.1.

(Fiscal Impact)
Question: Shall this Resolution be ADOPTED?
22. [231199](#) **[Loan Agreement - Grove Street Development, L.P. - 650 Divisadero Street - 100% Affordable Housing - Not to Exceed \$15,000,000]**
Sponsors: Mayor; Preston
Resolution approving and authorizing the Mayor and the Director of the Mayor's Office of Housing and Community Development to execute loan documents relating to a loan to provide financing for the acquisition of real property located at 650 Divisadero Street (the "Property"), and predevelopment activities for a 100% affordable multifamily rental building, in an aggregate amount not to exceed \$15,000,000; approving the form of the loan agreement and ancillary documents; ratifying and approving any action heretofore taken in connection with the property, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and finding that the loan is consistent the General Plan, and the priority policies of Planning Code, Section 101.1.

(Fiscal Impact)
Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

23. [230505](#) [Planning Code, Zoning Map, Local Coastal Program Amendment - Wawona Street and 45th Avenue Cultural Center Special Use District]

Sponsors: Engardio; Melgar

Ordinance amending the Planning Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District (Assessor's Parcel Block No. 2513, Lot No. 026) to facilitate the redevelopment of a cultural center; amending the Zoning Map to show the Wawona Street and 45th Avenue Cultural Center Special Use District; amending the Local Coastal Program to add the Wawona Street and 45th Avenue Cultural Center Special Use District, subject to certification by the California Coastal Commission; 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

24. [230973](#) [Administrative Code - Monitoring of Nonprofits that Contract with the City]
Sponsors: Stefani; Safai

Ordinance amending the Administrative Code to clarify the Controller's audit and monitoring responsibilities with respect to nonprofit organizations contracting with the City; directing the Controller to establish measurable performance goals for contracts with nonprofit organizations; directing the Controller to periodically review and, as necessary, revise policies regarding contractors' compliance with City requirements; and requiring the Controller to perform an annual review of departments' compliance with policies for auditing and monitoring nonprofit organizations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. [230918](#) [Administrative Code - Surveillance Technology Policy for Fine Arts Museums of San Francisco]

Ordinance approving Surveillance Technology Policy for Fine Arts Museums of San Francisco use of a camera management and video monitoring system. (Fine Arts Museum)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
27. [231161](#) **[Administrative Code - Surveillance Technology Policy - Police Department - Automatic License Plate Readers]**
Sponsor: Mayor
Ordinance amending and approving the Surveillance Technology Policy governing the use of Automatic License Plate Readers by the Police Department; and making the required findings in support of said approvals. (Police Department)
Question: Shall this Ordinance be PASSED ON FIRST READING?
28. [231209](#) **[Reappointment, California State Association of Counties - Supervisor Rafael Mandelman]**
Motion reappointing Supervisor Rafael Mandelman, term ending December 1, 2024, to the California State Association of Counties. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
29. [231210](#) **[Reappointment, Association of Bay Area Governments, Executive Board - Supervisor Rafael Mandelman]**
Motion reappointing Supervisor Rafael Mandelman, term ending June 30, 2025, to the Association of Bay Area Governments, Executive Board. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

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

COMMITTEE REPORTS

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

The following items will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, December 4, 2023, at 1:30 p.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, December 5, 2023.

30. [230701](#) **[Planning Code - Citywide Expansion of Allowable Commercial, Restaurant, and Retail Uses]**
Sponsors: Mayor; Engardio, Dorsey, Melgar, Stefani and Mandelman
Ordinance amending the Planning Code to 1) permit additional commercial, retail, and restaurant uses on the ground floor in certain neighborhood commercial districts (NCDs) and residential districts; 2) principally permit Flexible Retail on the ground floor in certain NCDs and Chinatown mixed use districts; 3) principally permit Retail Professional Services uses on all floors and conditionally permit Non-Retail Professional Services on the ground floor in specified NCDs; 4) create regulations for music entertainment venues and non-profit theaters distinct from regulations for Bars; 5) allow Limited Corner Commercial Uses that are not Formula Retail in certain residential districts; 6) amend Section 311 to remove neighborhood notice requirements for changes of use in the Eastern Neighborhoods mixed use districts; 7) expand business types that qualify for the Planning Department priority review program and establish that the program will not apply in the North Beach NCD and North Beach Special Use District (SUD); 8) clarify that multiple allowable uses may co-locate on one site; 9) clarify and modify various other use regulations and processes; 10) permit additional retail and non-retail uses in specified NCDs; and 11) eliminate the Mission Street Formula Retail Restaurant Subdistrict; and 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 pursuant to Planning Code, Section 302.
- (Economic Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
31. [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?**

32. [231142](#) [Planning and Subdivision Codes, Zoning Map - Housing Production]**Sponsors: Mayor; Engardio**

Ordinance amending the Planning Code to encourage housing production by (1) exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 and the Conditional Use requirement of Section 317, in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations, and areas outside RH (Residential House) Districts within the Family Housing Opportunity Special Use District; (2) removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District, projects to build to the allowable height limit, projects that build additional units in lower density zoning districts, and senior housing projects that seek to obtain double density, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; (3) amending rear yard, front setback, lot frontage, minimum lot size, and residential open space requirements in specified districts, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; (4) allowing additional uses on the ground floor in residential buildings, homeless shelters, and group housing in residential districts, and administrative review of reasonable accommodations; (5) expanding the eligibility for the Housing Opportunities Mean Equity - San Francisco (HOME - SF) program and density exceptions in residential districts; (6) exempting certain affordable housing projects from certain development fees; (7) authorizing the Planning Director to approve State Density Bonus projects, subject to delegation from the Planning Commission; (8) sunsetting the Conditional Use requirements established by the Corona Heights Large Residence and the Central Neighborhoods Large Residence Special Use Districts at the end of 2024, and thereafter limiting the size of any Dwelling Units resulting from residential development in those Special Use Districts to 3,000 square feet of Gross Floor Area; and (9) making conforming amendments to other sections of the Planning Code; amending the Zoning Map to create the Priority Equity Geographies Special Use District; amending the Subdivision Code to update the condominium conversion requirements for projects utilizing residential density exceptions in RH Districts; 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. [231165](#) [Fire Code - Lithium-Ion Batteries in Powered Mobility Devices]**Sponsor: Peskin**

Ordinance amending the Fire Code to provide fire protection standards for the charging and storage of lithium-ion batteries used in powered mobility devices (such as electric bikes, scooters, skateboards, and hoverboards), prohibit use of damaged lithium-ion batteries in such devices, prohibit use of lithium-ion batteries assembled or reconditioned using cells removed from used batteries in such devices, and require the Fire Department to conduct an informational campaign; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. [230948](#) **[Commemorative Street Name Designation - “Panos Place” - 100-200 Block of Corbett Avenue]**

Sponsor: Mandelman

Resolution adding the commemorative street name “Panos Place” to Corbin Place between the 100 and 200 block of Corbett Avenue in recognition of San Francisco resident Panagiotis Koutsoyannis.

Question: Shall this Resolution be ADOPTED?

35. [231091](#) **[Initiating Landmark Designation - Gregangelo & Velocity Art & Entertainment - 225 San Leandro Way]**

Sponsor: Melgar

Resolution initiating a landmark designation under Article 10 of the Planning Code of Gregangelo & Velocity Art & Entertainment, located at 225 San Leandro Way, Assessor's Parcel Block No. 3253, Lot No. 015.

Question: Shall this Resolution be ADOPTED?

36. [231175](#) **[Urging the City Attorney and the Mayor to Respond to HCD’s “Policy and Practice Review” by Seeking Extensions of Deadlines for Required Actions, and Certain Revisions and Corrections; and Setting City Policy for Implementation of the Housing Element]**

Sponsors: Peskin; Chan and Mandelman

Resolution urging the City Attorney and the Mayor to request that the State Department of Housing and Community Development (HCD): 1) extend the deadlines for Required Actions in HCD's Policy and Practice Review to ensure that all of San Francisco's extensive, collaborative work to further housing development does not lead to de-certification of San Francisco's adopted Housing Element; 2) revise and correct HCD's Policy and Practice Review to be consistent with all policies in San Francisco's adopted Housing Element, including its policies and actions related to affordable housing and equity, as well as the City's legal obligations to affirmatively further fair housing, and to be consistent with San Francisco's status as a Charter City imbued with the power of local action over municipal affairs; and setting forth that as part of the City's Housing Element implementation, it is the policy of the City to address the dual goals of production of new housing as well as the preservation of existing housing.

Question: Shall this Resolution be ADOPTED?

37. **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.

38. 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 Items 39 and 40 will be taken during Item 38 - General Public Comment.)

Items 39 and 40

39. 231242 [Board of Supervisors Regular Meeting Schedule - 2024]

Motion establishing the 2024 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 16, February 20, May 28, October 15, November 12, and December 3; and all Regular Board and Committee meetings during the spring, summer and winter breaks from April 8 through April 12, August 5 through September 3, and December 18, 2024, through January 8, 2025; 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)

11/29/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. [231244](#) **[Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments - March 5, 2024]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters for the March 5, 2024. (Clerk of the Board)

11/29/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

41. **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.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

231217 [Administrative Code - Surveillance Technology Policy - Security Camera Systems]

Ordinance approving a modified Surveillance Technology Policy for the City Administrator's Office's acquisition and use of security camera systems. (City Administrator)

11/27/2023; RECEIVED FROM DEPARTMENT.

12/05/2023; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

231218 [Petitions and Communications]

Petitions and Communications received from November 21, 2023, through November 30, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 5, 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 Controller (CON), submitting a Memorandum on Fiscal Year (FY) 2023-2024 Quarter 1 Department Overtime Spending and Projections. Copy: Each Supervisor. (1)

From the Department of Elections (REG), submitting a response to a Letter of Inquiry issued by Supervisor Connie Chan at the October 24, 2023, Board of Supervisors meeting. Copy: Each Supervisor. (2)

From the Office of the Treasurer & Tax Collector (TTX), pursuant to California State Government Code, Section 53646, submitting the Pooled Investment Report for October 2023. Copy: Each Supervisor. (3)

From the Planning Department (CPC), pursuant to Administrative Code, Section 8.12.5, submitting a Draft Environmental Impact Report for the Islais Creek Bridge. Copy: Each Supervisor. (4)

From various departments, pursuant to Administrative Code, Section 12B.5-1(d)(1), submitting approved Chapter 12B Waiver Request Forms. 2 Contracts. Copy: Each Supervisor. (5)

From members of the public, regarding a proposed Ordinance amending the Planning Code to encourage housing production. File No. 230446. 21 Letters. Copy: Each Supervisor. (6)

From members of the public, regarding a proposed Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to define "Full-Duty Sworn Officers" for purposes of establishing minimum staffing levels for sworn officers of the Police Department; and, contingent upon the Controller's certification that a future tax measure passed by the voters will generate sufficient additional revenue to fund the cost of employing Full-Duty Sworn Officers at specified minimum staffing levels and the minimum amount necessary to implement a police staffing fund. File No. 230985. 127 Letters. Copy: Each Supervisor. (7)

From members of the public, regarding a proposed Resolution directing the City Attorney and the City Lobbyist to Request that the State Department of Housing and Community Development (HCD) Extend the Housing Element Implementation Action Plan Deadline and Revise and Correct the "Policy and Practice Review" Letter. File No. 231175. 3 Letters. Copy: Each Supervisor. (8)

From Nicholas Mangrum, regarding community service. Copy: Each Supervisor. (9)

From M. D. Ballard, regarding fees for online property tax payment. Copy: Each Supervisor. (10)

From Sara Powell, regarding Section 8 housing vouchers. Copy: Each Supervisor. (11)

From Denise Dickerman, regarding pet care. Copy: Each Supervisor. (12)

From Christopher Eldemir, regarding an Ordinance to appropriate \$27,640,247 of General Fund General Reserves to the Police Department; de-appropriating \$31,151,450 from permanent salaries, mandatory fringe benefits, and overtime for increased overtime budget in the Police Department in Fiscal Year (FY) 2022-2023. File No. 230158. Ordinance No. 43-23. Copy: Each Supervisor. (13)

From Aaron Goodman, regarding cleanliness in Bay Area Rapid Transit (BART) cars and stations. Copy: Each Supervisor. (14)

From Jorge Garcia, regarding modular housing. Copy: Each Supervisor. (15)

From members of the public, regarding a proposed Resolution adding the commemorative street name "Panos Place" to Corbin Place between the 100 and 200 block of Corbett Avenue in recognition of San Francisco resident Panagiotis Koutsoyannis. File No. 230948. 3 Letters. Copy: Each Supervisor. (16)

From members of the public, regarding a proposed Resolution reaffirming support for the fundamental role of an independent, impartial, and qualified judiciary in upholding the law in the pursuit of justice and the functional operation of a healthy democracy. File No. 231180. 2 Letters. Copy: Each Supervisor. (17)

From Allen Jones, regarding a proposed Resolution approving and authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing, to execute a lease agreement with LAWRENCE B. STONE PROPERTIES #08, LLC, for use of the property located at 2177 Jerrold Avenue as a temporary shelter program for the term of 15 years. File No. 231197. Copy: Each Supervisor. (18)

From Rod Forbes, regarding John F. Kennedy Drive. Copy: Each Supervisor. (19)

From Anna Contreras, regarding a street vending ban in the Mission Street corridor. Copy: Each Supervisor. (20)

From Monica D., regarding various topics. 4 Letters. Copy: Each Supervisor. (21)

From members of the public, regarding a 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. File No. 231016; Resolution No. 481-23. 27 Letters. Copy: Each Supervisor. (22)

From Jason Schlachet, regarding a Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to Qualia Entertainment Inc., to do business as Arena SF located at 2565 Mission Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco. File No. 230469; Resolution No. 341-23. Copy: Each Supervisor. (23)

From Emilie Kim, regarding a Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to delay implementing meter hour extension until the completion of an independent economic impact report that specifically analyzes the projected impact to San Francisco small businesses, City revenues, and the City's overall economic recovery and said report is reviewed by the Board of Supervisors and the SFMTA Board. File No. 230587; Resolution No. 289-23. Copy: Each Supervisor. (24)

From members of the public, regarding quality-of-life concerns. 2 Letters. Copy: Each Supervisor. (25)

From members of the public, regarding small businesses. 2 Letters. Copy: Each Supervisor. (26)

From Dan Foldes, regarding a proposed Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024. File No. 230986. Copy: Each Supervisor. (27)

From Mari Eliza, regarding parking on Valencia Street. Copy: Each Supervisor. (28)

From Margaret Wrench, regarding a Resolution urging the Recreation and Park Commission to remove the name Stow from the Lake at John F. Kennedy Drive and Martin Luther King Jr. Drive, the Boathouse located in Golden Gate Park surrounding Strawberry Hill, and the Drive circling Strawberry Hill; and to rename the Lake, Boathouse, and Drive to a name that reflects San Francisco's expressed values of celebrating diversity. File No. 221088; Resolution No. 255-23. Copy: Each Supervisor. (29)

From Hayward City Councilmember Dan Goldstein, regarding a planned proposed Resolution calling for a cease-fire in the conflict between Israel and Hamas. Copy: Each Supervisor. (30)

From a member of the public, regarding algal blooms. Copy: Each Supervisor. (31)

From Melissa Ippolito, regarding taxpayer funded legal counsel. Copy: Each Supervisor. (32)

ADJOURNMENT