

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, September 13, 2022 - 2:00 PM**

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

**Regular Meeting**

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SHAMANN WALTON, PRESIDENT

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

Angela Calvillo, Clerk of the Board

### BOARD COMMITTEES

#### **Committee Membership**

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

**Budget and Finance Committee**  
Supervisors Ronen, Safai, Mar

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

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

**Public Safety and Neighborhood Services Committee**  
Supervisors Mar, Stefani, Melgar

**Rules Committee**  
Supervisors Peskin, Mandelman, Chan

**Youth, Young Adult, and Families Committee**  
Supervisors Ronen, Safai, Dorsey

#### **Meeting Days**

Wednesday  
1:30 PM

Wednesday  
10:00 AM

1st and 3rd Thursday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
10:00 AM

2nd Friday  
10:00 AM

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session, in-person with remote access and public comment also available via telephone, on Tuesday, September 13, 2022, with President Shamann Walton presiding.*

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

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

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

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

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

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

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

*Supervisor Ronen was noted not present.*

*A quorum of the Board was present.*

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

*Supervisor Ronen was noted present at 2:06 p.m.*

## COMMUNICATIONS

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

## APPROVAL OF MEETING MINUTES

*President Walton inquired whether any Member of the Board had any corrections to the July 26, 2022, Regular Board Meeting Minutes, or the August 8, 2022, Special Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.*

**Supervisor Preston, seconded by Supervisor Mandelman, moved to approve the July 26, 2022, Regular Board Meeting Minutes, and the August 8, 2022, Special Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:**

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

## AGENDA CHANGES

*There were no agenda changes.*

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

### 220963 [Formal Policy Discussions - September 13, 2022]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topics submitted from the Supervisors representing Districts 5 and 8. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. Public Transit (District 5)
2. Homelessness and Street Conditions (District 8)

*Mayor London N. Breed addressed the Board of Supervisors regarding the City's economic recovery, including the increase of tourism for certain events and the need to continue efforts to draw in tourists and improve the conditions of the City. The Mayor then asked the Board to remain open to ideas and creative solutions that may be proposed to support the City's economic recovery. Mayor Breed then discussed the above referenced topics submitted by the District 5 and 8 Supervisors.*

*Supervisor Preston (District 5) began the discussion by asking the following question: What is your plan for restoring evening and nighttime Muni service? Mayor Breed responded that efforts need to be made to improve our economic recovery, but they need to be realistic about resources since there are staffing issues and additional operators need to be hired. The Municipal Transportation Agency is working to hire additional staff as soon as possible. Supervisor Preston then followed up with the following question: What is your message to the restaurant or theater worker who gets off at 11:00 p.m., to the janitor who finishes their shift in the early morning hours, and to the bartender leaving work at 2:00 a.m. who cannot use public transit to get home after a long night at work? Mayor Breed responded that the focus must be on whether Muni is reliable and reiterated that additional operators and mechanics are needed to run service on the additional lines. She further indicated that the portrayal of the problem wasn't entirely accurate when assessing the data and realizing many of the busses during these hours are empty. Mayor Breed did not ask any follow-up questions related to this topic.*

*Supervisor Mandelman (District 8) began the discussion by asking the following question: What can I tell my constituents in the Castro regarding homelessness and street conditions? Do we have a path forward? Can we make this better on a reasonable timeline? If so, how? If not, why not? Mayor Breed responded that she is also frustrated by the situation on the streets and listed the various new housing units, homeless resources and treatment beds that have recently been implemented or are in progress. The collaboration between City departments must be improved so that individuals who refuse services can be identified and referred appropriately. State laws also need to be changed, including those regarding conservatorships. The Mayor indicated she will continue to work with merchants and the Board, but acknowledges more must be done. Supervisor Mandelman then followed up with the following question: Increased coordination between departments is essential, what do you need from this Board of Supervisors to accelerate the stoppage of drug sales and homelessness? Mayor Breed responded the Board must support the Police Department, address criminal behavior, connect them to services, and work with her on the proposed changes to conservatorship programs that are moving through the state. She asked the Board to rally their constituents when solutions are brought before them for consideration. Mayor Breed did not ask any follow-up questions related to this topic.*

*Following public comment this matter was filed. No further action was taken.*

**HEARD AND FILED**

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

#### **220653 [Settlement of Lawsuit - Rebecca Michaels - \$280,000]**

Ordinance authorizing settlement of the lawsuit filed by Rebecca Michaels against the City and County of San Francisco for \$280,000; the lawsuit was filed on May 12, 2020, in San Francisco Superior Court, Case No. CGC-20-584429; entitled Rebecca Michaels v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injuries on a City sidewalk. (City Attorney)

**Ordinance No. 195-22**

**FINALLY PASSED**

#### **220697 [Settlement of Lawsuit - Morton Weisberg - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Morton Weisberg against the City and County of San Francisco for \$50,000; the lawsuit was filed on December 23, 2020, in San Francisco Superior, Case No. CGC-20-588596; entitled Morton Weisberg v. Gabriel Arteaga and City and County of San Francisco; the lawsuit involves alleged personal injuries from being struck by a City vehicle. (City Attorney)

**Ordinance No. 196-22**

**FINALLY PASSED**

#### **220700 [Settlement of Lawsuit - Elsa Acevedo Lubguban - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by Elsa Acevedo Lubguban against the City and County of San Francisco for \$175,000; the lawsuit was filed on March 23, 2020, in San Francisco Superior Court, Case No. CGC-20-583887; entitled Elsa Acevedo Lubguban v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from an alleged dangerous condition of public property. (City Attorney)

**Ordinance No. 197-22**

**FINALLY PASSED**

#### **220743 [Settlement of Lawsuit - Koreda Tan - \$180,000]**

Ordinance authorizing settlement of two (2) grievances, one (1) anticipated grievance, Public Employment Relations Board charge, and lawsuit filed by Koreda Tan against the City and County of San Francisco for \$180,000; Grievance ERD Ref. #08-19-3732 (20-day suspension); Grievance ERD Ref. #08-20-3882 (30-day suspension); PERB charge SF-CE-1810-M; the lawsuit was filed on December 3, 2019, in San Francisco Superior Court, Case No. CGC-19-581229, entitled Koreda Tan v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 198-22**

**FINALLY PASSED**

**220745 [Settlement of Lawsuit - Breonna Richard - \$47,500]**

Ordinance authorizing settlement of the lawsuit filed by Breonna Richard against the City and County of San Francisco for \$47,500; the lawsuit was filed on July 13, 2020, in U.S. District Court Northern District, Case No. 20-CV-04276-JSC; entitled Breonna Richard v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)

**Ordinance No. 199-22**

**FINALLY PASSED**

**220746 [Settlement of Lawsuit - Kevin Lee - \$35,000]**

Ordinance authorizing settlement of the lawsuit filed by Kevin Lee against the City and County of San Francisco and the San Francisco Police Department for \$35,000; the lawsuit was filed on November 22, 2019, in San Francisco Superior Court, Case No. CGC-19-580969; entitled Kevin Lee v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 200-22**

**FINALLY PASSED**

**Recommendation of the Land Use and Transportation Committee****220507 [Planning Code - Landmark Designation - 200 Rhode Island Street (aka Takahashi Trading Company)]**

**Sponsors: Dorsey; Peskin and Preston**

Ordinance amending the Planning Code to designate 200 Rhode Island Street (aka Takahashi Trading Company), Assessor's Parcel Block No. 3936, Lot No. 001, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

**Ordinance No. 194-22**

**FINALLY PASSED**

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

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

## REGULAR AGENDA

### NEW BUSINESS

#### Recommendations of the Budget and Finance Committee

*President Walton requested File Nos. 220801 and 220802 be called together.*

#### **220801 [Grant Agreement - Retroactive - Children's Council of San Francisco - Early Care and Education Integrated Services - Not to Exceed \$364,091,448]**

**Sponsors: Melgar; Ronen, Mar, Safai, Preston and Walton**

Resolution retroactively approving the grant agreement between the City and County of San Francisco and Children's Council of San Francisco for the provision of Early Care and Education Integrated Services to support the City's implementation of the San Francisco Citywide Plan for Early Care and Education for the period of July 1, 2022, through June 30, 2024, in an amount not to exceed \$364,091,448. (Human Services Agency)  
(Fiscal Impact)

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

**Resolution No. 382-22**

**ADOPTED by the following vote:**

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

#### **220802 [Grant Agreement - Retroactive - Wu Yee Children's Services - ECE Integrated Services - Not to Exceed \$144,496,672]**

**Sponsors: Melgar; Ronen, Mar, Safai, Preston and Walton**

Resolution retroactively approving the grant agreement between the City and County of San Francisco and Wu Yee Children's Services for the provision of Early Care and Education (ECE) Integrated Services to support the City's implementation of the San Francisco Citywide Plan For ECE for the period of July 1, 2022, through June 30, 2024, in an amount not to exceed \$144,496,672. (Human Services Agency)  
(Fiscal Impact)

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

**Resolution No. 383-22**

**ADOPTED by the following vote:**

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

President Walton requested File Nos. 220820 and 220821 be called together.

Supervisor Mandelman was noted absent at 2:35 p.m.

**220820 [Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - Medical Monitoring Project - \$1,164,614]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$108,790 from the Centers for Disease Control and Prevention for a total amount of \$1,164,614 for participation in a program, entitled "Medical Monitoring Project (MMP)," for the period of June 1, 2020, through May 31, 2022.

**Resolution No. 384-22**

**ADOPTED by the following vote:**

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

Absent: 1 - Mandelman

**220821 [Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - Strengthening Sexually Transmitted Disease Prevention and Control for Health Departments - \$3,365,404]**

**Sponsors: Mayor; Mandelman and Dorsey**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$2,246,359 from the Centers for Disease Control and Prevention for a total amount of \$3,365,404 for participation in a program, entitled "Strengthening Sexually Transmitted Disease Prevention and Control for Health Departments (STD PCHD)," for the period of January 1, 2022, through December 31, 2022.

**Resolution No. 385-22**

**ADOPTED by the following vote:**

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

Absent: 1 - Mandelman

Supervisor Mandelman was noted present at 2:38 p.m.

**220856 [Accept and Expend Grant - Retroactive - American Rescue Plan Act of 2021 - California State Water Resources Control Board - Assist Eligible Residential and Commercial Customers with Wastewater Customer Account Arrears - \$9,302,044]**

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

Resolution retroactively authorizing the San Francisco Public Utilities Commission to accept and expend federal funds sourced by the American Rescue Plan Act of 2021 and administered by the State Water Resources Control Board with a total amount of \$9,302,044 to assist eligible residential and commercial customers who accrued wastewater customer account arrears during the COVID-19 pandemic from March 4, 2020, through June 15, 2021. (Public Utilities Commission)

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

**Resolution No. 374-22**

**ADOPTED by the following vote:**

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



President Walton requested File Nos. 220881, 220883, and 220882 be called together.

**220881 [Grant Agreement Amendment - Five Keys Schools and Programs - Shelter-in-Place Hotel Support Services - Not to Exceed \$27,232,424]**

**Sponsor: Mayor**

Resolution approving the third amendment to the grant agreement between Five Keys Schools and Programs and the Department of Homelessness and Supportive Housing (HSH) for support services at a Shelter-in-Place hotel site located at 1231 Market Street; extending the grant term by three months from December 31, 2022, for a total term of September 1, 2020, through March 31, 2023; increasing the agreement amount by \$6,522,515 for a total amount not to exceed \$27,232,424; and authorizing HSH to enter into any additions, amendments, or other modifications to the agreement that do not materially increase the obligations or liabilities or materially decrease the benefits to the City.

(Fiscal Impact)

**Resolution No. 375-22**

**ADOPTED by the following vote:**

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

**220883 [Contract Amendment - 1231 Market Street Owner L.P. - Emergency Agreement - Not to Exceed \$88,568,327]**

**Sponsor: Mayor**

Resolution approving a sixth amendment to an emergency agreement between the Human Services Agency and 1231 Market Street Owner L.P., for the City's continued use of 459 hotel rooms and associated services; increasing the contract amount by \$9,596,148 for a total amount not to exceed \$88,568,327; and extending the booking period for a potential total term of April 8, 2020, to March 31, 2023.

(Fiscal Impact)

**Resolution No. 377-22**

**ADOPTED by the following vote:**

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

**220882 [Grant Agreement Amendment - St. Vincent de Paul Society of San Francisco - Multi-Service Center South - Not to Exceed \$25,938,348]**

**Sponsor: Mayor**

Resolution approving the fourth amendment to the grant agreement between the St. Vincent de Paul Society of San Francisco and the Department of Homelessness and Supportive Housing (HSH) to provide shelter operations and services at the Multi-Service Center South; increasing the grant agreement amount by \$16,986,582 for a total amount not to exceed \$25,938,348; extending the grant agreement term by 21 months, for a total term of July 1, 2021, through June 30, 2024; and authorizing HSH to enter into amendments or modifications to the fourth amendment 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 grant.

(Fiscal Impact)

**Resolution No. 376-22**

**ADOPTED by the following vote:**

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

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

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

*Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to the Golden Gate Men's Chorus on the occasion of their 40th Anniversary, and in recognition of their outstanding performances and many accomplishments.*

## SPECIAL ORDER 3:00 P.M.

*President Walton requested File Nos. 220783 and 220784 be called together.*

## Board of Supervisors Sitting as a Committee of the Whole

### **220783 [Hearing - Committee of the Whole - Renewal and Expansion - Tourism Improvement District - September 13, 2022, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on September 13, 2022, at 3:00 p.m., to consider the renewal of a business-based business improvement district known as the Tourism Improvement District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code, Article 15; scheduled pursuant to Resolution No. 298-22 contained in File No. 220649, adopted on June 28, 2022. (Clerk of the Board)

*President Walton opened the public hearing and inquired as to whether any individual wished to address the Committee of the Whole relating to the renewal and expansion of the Tourism Improvement District (File Nos. 220783 and 220784). Chris Corgas (Office of Economic and Workforce Development) and Joe D'Alessandro, President/CEO (San Francisco Travel), provided an overview of the business improvement district and responded to questions raised throughout the discussion. Peter Kwan; Linda White-Heiser; Katherine Bloom; Matt Middlebrook; Jonathan Birnbaum; Michael Dinanyan; Terry Lewis; Stefan Mueller; Alex Bastian; Dr. Carol Tang; Ike Kwon; John Anderson; Dean Ma; Sylvie Elliott; Marcia Madrigal; Morat Boramy; Laurie Thomas; Corrin Luna; Matt Humphries; spoke in support of the business improvement district. Lyle Sweeney; Blair Jeffers; Matt Kootsa; Eileen Glotser; spoke in opposition to the business improvement district. The President closed public comment, declared the matter heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

**220784 [Resolution to Establish (Renew and Expand) - Tourism Improvement District]****Sponsors: Peskin; Dorsey and Safai**

Resolution to establish (renew and expand) the business-based business improvement district known as the "Tourism Improvement District;" ordering the levy and collection of assessments against defined hotel and short-term residential rental businesses located in that district for 15 years commencing January 1, 2024, subject to conditions as specified; approving modifications to the district management plan; and making environmental findings.

*Supervisors Dorsey and Safai requested to be added as co-sponsors.*

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 10-12, by changing 'Section 4(e) of Article XIID of the California Constitution and Section 53753 of the California Government Code' to 'Section 36623(b) of the California Streets and Highways Code'. The motion carried by the following vote:**

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

**Resolution No. 381-22**

**ADOPTED AS AMENDED by the following vote:**

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

Absent: 1 - Safai

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole****220619 [Hearing - Committee of the Whole - Laguna Honda Hospital's Strategy for Recertification and the Submission of a Closure and Patient Transfer and Relocation Plan - November 1, 2022, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, November 1, 2022, at 3:00 p.m., to hold a public hearing on Laguna Honda Hospital's Strategy for Recertification and the Submission of a Closure and Patient Transfer and Relocation Plan; and requesting the Department of Public Health to present; scheduled pursuant to Motion No. M22-098 (File No. 220618), approved on May 24, 2022. (Clerk of the Board)

*President Walton opened the public hearing and inquired as to whether any individual wished to address the Committee of the Whole relating to Laguna Honda Hospital's strategy for recertification and the relocation plan (File No. 220619). Roland Pickens (Department of Public Health) provided an overview of the subject hearing matter and responded to questions raised throughout the discussion. Kristin Hardy; Melanie Grossman; Dan Mirror; Brenda Barros; Susan Englander; Kim Tavaglione; Dr. Theresa Palmer; Michael Lyon; Claude Joseph; Donna D'Eufemia; Speaker; Theresa Rutherford; Art Perskyo; Betty Traynor; Karen Fishkin; Regina Smead; Cheryl Thornton; spoke on various concerns relating to the subject hearing matter. The President closed public comment, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**Supervisor Melgar, seconded by Supervisor Chan, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of November 1, 2022. The motion carried by the following vote:**

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

## Committee of the Whole Adjourn and Report

### ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

### PUBLIC COMMENT

*Valerie Sheibels; expressed support of the Resolution urging support for the Burmese people in the long fight against oppression (File No. 220956).*

*Sarah Benton; expressed concerns regarding their experience with homelessness.*

*Grace Shimizu; expressed support of the Resolution urging signage to acknowledge Sharp Park's dark history as a concentration camp (File No. 220958).*

*Jordan Davis; expressed concerns regarding revisiting whether remote public comment shall be allowed for Board meetings.*

*Supervisor Safai was noted absent at 5:40 p.m.*

### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*Supervisor Safai was noted present at 5:57 p.m.*

#### **220955 [Urging Plan Approval - Interdepartmental Staff Committee on Traffic and Transportation - How Weird Street Faire Admission Fee]**

##### **Sponsor: Dorsey**

Resolution urging the Interdepartmental Staff Committee on Traffic and Transportation to approve a proposed plan to allow the How Weird Street Faire to charge an admission fee.

**Resolution No. 386-22**

**ADOPTED**

#### **220960 [Childhood Cancer Awareness Month - September]**

##### **Sponsors: Walton; Chan, Preston, Mandelman and Mar**

Resolution recognizing every September as Childhood Cancer Awareness Month in the City and County of San Francisco.

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

**Resolution No. 389-22**

**ADOPTED**

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

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

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

*Supervisor Mar requested that File No. 220956 be severed so that it may be considered separately.*

### **220956 [Urging Support for the Burmese People in the Long Fight Against Oppression]**

**Sponsors: Mar; Walton, Mandelman and Melgar**

Resolution supporting the Burmese People, a return to a democratic and civilian run government, and urging the Myanmar Military to cease violence against peaceful protestors and release political prisoners detailed after the February 1, 2021, coup d'état.

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

**Resolution No. 387-22**

**ADOPTED by the following vote:**

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

*Supervisor Peskin requested that File No. 220958 be severed so that it may be considered separately.*

### **220958 [Urging the Recreation and Parks Department to Develop and Install Signage Acknowledging Sharp Park Dark History as a Concentration Camp]**

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

Resolution urging the Recreation and Parks Department to develop and install appropriate interpretive signage onsite at Sharp Park, acknowledging and setting forth the site's dark chapter in San Francisco and American history as a concentration camp, in consultation with the Japanese American Community.

*Supervisors Mandelman, Mar, Melgar, Safai, Stefani, and Ronen requested to be added as co-sponsors.*

**Supervisor Peskin, seconded by Supervisor Ronen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 10, by changing 'in' to 'into ten', Lines 11-12, by adding 'under the jurisdiction of the War Relocation Authority (WRA)', Lines 20-21, by adding 'by the Immigration and Naturalization Service (INS)', Lines 21-22, by adding 'including non-citizens of Japanese descent from California and Peru', Line 22, by changing 'non citizens' to 'nationals', Lines 22-23, by adding 'including Germany, Italy and China', and Line 24, by striking 'government' and adding 'operated by the Department of Justice (DOJ)'; on Page 2, Lines 1-2, by adding 'glibly-named "Camp Sharp Park" is today understood to have been the', and Line 2, by adding 'and'; and on Page 3, Lines 6-10, by adding 'and FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board to transmit a copy of this Resolution as formal city policy once adopted to the Director of the Recreation and Park Department, along with a request to the Recreation and Park Commission to hold a hearing and take action on this Resolution.' The motion carried by the following vote:**

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

**Resolution No. 388-22**

**ADOPTED AS AMENDED by the following vote:**

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

## IMPERATIVE AGENDA

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

## ORDINANCES

**220969 [Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - Centers for Disease Control and Prevention - Coronavirus Disease 2019 Public Health Crisis Response and the Public Health Workforce Development Supplemental Funding - \$1,557,822]**

**Sponsor: Mayor**

Ordinance retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,557,822 from the Centers for Disease Control and Prevention, through the California Department of Public Health as a pass-through entity, for participation in a coronavirus disease 2019 (COVID-19)-related program, entitled "COVID-19 Public Health Crisis Response and the Public Health Workforce Development Supplemental Funding," for the period of July 1, 2021, through June 30, 2023; and amending Ordinance No. 109-21 (Annual Salary Ordinance, File No. 210644 for Fiscal Years 2021-2022 and 2022-2023) to provide for the addition of four grant-funded full-time positions in Class 0931 Manager III (2.5 FTE), Class 2593 Health Program Coordinator III (1.25 FTE), and 2119 Health Care Analyst (1.25 FTE).

09/13/22; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/13/2022.

**220970 [Waiver of Permit, License, and Business Registration Fees for Certain Small Businesses]****Sponsors: Ronen; Chan and Safai**

Ordinance amending the program established in Ordinance No. 143-21 waiving certain first-year permit, license, and business registration fees for certain businesses, retroactive to November 1, 2021, to 1) extend the program through June 30, 2023; 2) increase the gross receipts permissible for a business to qualify for the tax and fee waiver from \$2,000,000 to \$5,000,000; 3) remove the requirement that the business be located on the ground floor; 4) extend the period for refunds to the later of one year from the date of payment or June 30, 2023; 5) revise the procedures for challenging Tax Collector determinations that a business improperly claimed a waiver under this Ordinance; 6) increase the gross receipts above which the waiver would be retroactively revoked from \$10,000,000 to \$15,000,000 in the calendar year of, or in any calendar year during the three full calendar years following, the date the business commenced business within San Francisco or opened a new business location for commercial use; and 7) make other administrative and reporting changes, as defined herein.

(Fiscal Impact)

09/13/22; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/13/2022.

**220971 [Planning Code - Gates, Railings, and Grillwork Exceptions for Cannabis Retail Uses and Existing Non-Residential Uses and Change in 75% Gate Transparency Requirement to 20%]****Sponsors: Safai; Preston and Melgar**

Ordinance amending the Planning Code to exempt certain existing gates, railings, and grillwork at Non-Residential uses from transparency requirements, subject to the provisions for noncomplying structures, and exempt Cannabis Retail uses from transparency requirements for gates, railings, and grillwork for a three-year period, and require removal of gates, railings, and grillwork installed pursuant to that exemption when a Cannabis Retail use's business permit becomes invalid or the business ceases to operate; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

## RESOLUTIONS

**220972 [Mental Health Services Act Annual Update - FY2022-2023]****Sponsor: Mayor**

Resolution authorizing adoption of the San Francisco Mental Health Services Act Annual Update Fiscal Year (FY) 2022-2023.

09/13/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**220973 [Accept and Expend Grant - Retroactive - California Board of State and Community Corrections - Public Defense Pilot Program - \$1,194,950]****Sponsors: Mayor; Ronen**

Resolution retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of \$1,194,950 from the California Board of State and Community Corrections, to comply with Penal Code, Sections 170(d)/1170.03/1172.1, 1170.95/1172.6, 1473.7 and 3501's mandate to use these funds to support the resentencing of individuals, for the period March 1, 2022, through March 1, 2025. (Public Defender)

09/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220974 [Contract Amendment - TEGSCO, LLC - Vehicle Towing, Storage, and Disposal Services for Abandoned and Illegally-Parked Vehicles - Not to Exceed \$121,400,000]****Sponsor: Safai**

Resolution approving the seventh amendment to the contract between the Municipal Transportation Agency and TEGSCO, LLC, for services related to the towing, storage, and disposal of abandoned and illegally parked vehicles, to increase the contract amount by \$49,000,000 for a total contract amount not to exceed \$137,200,000 for the balance of the second year and the last three years of the five-year extension effective upon approval of this Resolution. (Municipal Transportation Agency) (Fiscal Impact)

09/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## MOTIONS

**220976 [Committee of the Whole - Kaiser Permanente Mental Health Care Workers' Strike and its Effects on City Workers, the Majority of Whom are Kaiser Patients, and Other San Franciscans - September 27, 2022, at 3:00 p.m.]****Sponsors: Ronen; Chan**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 27, 2022, at 3:00 p.m. during the regular Board of Supervisors meeting, to hold a public hearing on Kaiser Permanente Mental Health Care Workers' Strike which is entering its fifth week and its effects on city workers, the majority of whom are Kaiser patients, and other San Franciscans; and requesting the Health Service System, Department of Public Health, Chief Executive Officer of Kaiser Foundation Health Plan, Inc., and Chief Executive Officer of the Permanente Medical Group to attend.

09/13/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**220728 [Presidential Appointment, Board of Appeals - Jefferson Robert Eppler]**

Motion approving/rejecting the President of the Board of Supervisors Shamann Walton's nomination of Jefferson Robert Eppler for appointment to the Board of Appeals, for a term ending July 1, 2026.

(Clerk of the Board)

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: September 9, 2022.)

09/13/22; RECEIVED AND ASSIGNED to Rules Committee.

**220983 [Appointment, Child Care Planning and Advisory Council - Savitha Moorthy]**

Motion appointing Savitha Moorthy (residency requirement waived), term ending September 14, 2023, to the Child Care Planning and Advisory Council. (Clerk of the Board)

## REQUESTS FOR HEARING

**220978 [Hearing - Update on FY2020-2021 Annual Proposition T (Treatment on Demand) Report]**

**Sponsors: Mandelman; Stefani, Dorsey and Ronen**

Hearing to provide an update on the Fiscal Year (FY) 2020-2021 Annual Proposition T (Treatment on Demand) Report; and requesting the Department of Public Health, Adult Probation Department, Sheriff's Department, Superior Court, District Attorney's Office, Police Department, and Treatment on Demand Coalition to report.

09/13/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**220979 [Hearing - To Receive Updates on Affordable Housing Payments from 706 Mission Street Project]**

**Sponsors: Peskin; Dorsey**

Hearing to receive updates on the developer payments for affordable housing required by the 706 Mission Purchase and Sale Agreement; and requesting the Office of Community Investment and Infrastructure and Mayor's Office of Housing and Community Development to report.

09/13/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**220980 [Hearing - Large Refuse Generators]**

**Sponsors: Safai; Peskin**

Hearing to consider results of waste audits and the implementation of the Large Refuse Generator program established by Ordinance No. 300-18; and requesting the Department of Environment and City Administrator to report.

09/13/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**220981 [Hearing - Economic Impact Review of Vacancies and Reduced Daytime Population in the Economic Core]****Sponsor: Safai**

Hearing to review the economic impact, real estate valuations and potential tax revenue loss, and City budget consequence of vacant office buildings and reduced daytime population in the Economic Core, including the Financial District, SOMA and Embarcadero; and requesting the Office of Economic and Workforce Development, Assessor-Recorder, Department of Building Inspection, Controller's Office, Small Business Commission, Planning Department, the City Economist, and Assessment Appeals Board to report.

09/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220982 [Hearing - Future of Commercial Real Estate and the Impact on the Local Economy and Tax Revenue]****Sponsor: Stefani**

Hearing on the pandemic's impact on the future of commercial real estate in San Francisco and the effects on the local economy and tax revenue; and requesting the Assessor-Recorder's Office, Office of Economic and Workforce Development, Office of the Controller, and City Economist to report.

09/13/22; 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****220940 [Building Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]**

Ordinance repealing the 2019 Building Code in its entirety and enacting a 2022 Building Code consisting of the 2022 California Building Code and the 2022 California Residential Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2023; and directing the Clerk of the Board to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

**220941 [Existing Building Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]**

Ordinance repealing the 2019 Existing Building Code in its entirety and enacting a 2022 Existing Building Code consisting of the 2022 California Existing Building Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2023; and directing the Clerk of the Board to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

**220942 [Green Building Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]**

Ordinance repealing the 2019 Green Building Code in its entirety and enacting a 2022 Green Building Code consisting of the 2022 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2023; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

**220943 [Mechanical Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]**

Ordinance repealing the 2019 Mechanical Code in its entirety and enacting a 2022 Mechanical Code consisting of the 2022 California Mechanical Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2023; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

**220944 [Electrical Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]**

Ordinance repealing the 2019 Electrical Code in its entirety and enacting a 2022 Electrical Code consisting of the 2022 California Electrical Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2023; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

**220945 [Plumbing Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]**

Ordinance repealing the 2019 Plumbing Code in its entirety and enacting a 2022 Plumbing Code consisting of the 2022 California Plumbing Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2023; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

## PROPOSED RESOLUTION

**220925 [Non-Renewal of a Mills Act Historical Property Contract - 621 Waller Street]**

**Sponsors: Peskin; Mandelman**

Resolution regarding non-renewal of a Mills Act historical property contract with Claude Zellweger and Renee Zellweger, the owners of 621 Waller Street, Assessor's Parcel Block No. 0864, Lot No. 023, under Chapter 71 of the San Francisco Administrative Code; notifying the Assessor-Recorder's Office of such non-renewal; and authorizing the Planning Director to send notice of the non-renewal of the historical property contract to the owner and record a notice of non-renewal. (Historic Preservation Commission)

08/30/22; RECEIVED FROM DEPARTMENT.

09/13/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## Request Granted

*From: Supervisor Rafael Mandelman*

*To: Controller and Treasurer*

*Requesting: Requesting, by April 1, 2023, an analysis on the long-term economic trends of San Francisco's post-pandemic recovery, the implications for the City's revenues, and potential issues and recommendations regarding the City's tax structure the City should consider as we emerge from the pandemic.*

## In Memoriams

*Andrew Tonken - Supervisor Rafael Mandelman*

*Monsignor John Sandersfeld - Supervisor Catherine Stefani*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 6:07 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 October 18, 2022.*

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Angela Calvillo, Clerk of the Board