

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, May 9, 2023 - 2:00 PM**

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

**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

### BOARD COMMITTEES

#### **Committee Membership**

##### **Budget and Appropriations Committee**

Supervisors Chan, Mandelman, Safai, Ronen, Walton

##### **Budget and Finance Committee**

Supervisors Chan, Mandelman, Safai

##### **Government Audit and Oversight Committee**

Supervisors Preston, Stefani, Chan

##### **Homelessness and Behavioral Health Select Committee**

Supervisors Ronen, Mandelman, Walton

##### **Land Use and Transportation Committee**

Supervisors Melgar, Preston, Peskin

##### **Public Safety and Neighborhood Services Committee**

Supervisors Stefani, Engardio, Dorsey

##### **Rules Committee**

Supervisors Dorsey, Walton, Safai

#### **Meeting Days**

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

**Volume 118    Number 17**

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**Members Present:** Connie Chan, Matt Dorsey, Joel Engardio, Rafael Mandelman, 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, May 9, 2023, with President Aaron Peskin presiding.*

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

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

*The Board of Supervisors ([www.sfbos.org](http://www.sfbos.org)) and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access (watch: [www.sfgovtv.org](http://www.sfgovtv.org)), and remote public comment via teleconference (<https://sfbos.org/remote-meeting-call>).*

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

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

*Supervisor Ronen was noted not present.*

*A quorum of the Board was present.*

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

### **COMMUNICATIONS**

*Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments in-person or by dialing the telephone number published on the agenda and scrolling across the screen. 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 Peskin inquired whether any Member of the Board had any corrections to the April 4, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Dorsey, moved to approve the April 4, 2023, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

## Supervisor Ronen Excused from Attendance

Supervisor Stefani, seconded by Supervisor Dorsey, moved that Supervisor Ronen be excused from attending today's meeting until her expected late arrival. The motion carried by the following vote:

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

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

#### **230291 [Waiving Contracting Requirements of the Administrative Code for Port Leases approved by the Port Commission and the Board of Supervisors]**

**Sponsors: Peskin; Mandelman**

Ordinance waiving the contracting requirements of the Administrative Code for tenant improvements performed by a Port tenant or its agents for Port leases approved by the Port Commission and the Board of Supervisors.

**Ordinance No. 085-23**

**FINALLY PASSED**

**230349 [Waiver of Municipal Code Requirements for Public Utilities Commission Agreements with Caltrans]**

Ordinance exempting from requirements of the Administrative Code and the Environment Code two agreements between the San Francisco Public Utilities Commission and the California Department of Transportation for professional services for two sewer improvement projects, the Lower Alemany Area Stormwater Improvement Project and the Folsom Area Stormwater Improvement Project; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Utilities Commission)

**Ordinance No. 088-23**

**FINALLY PASSED**

**Recommendations of the Government Audit and Oversight Committee****230203 [Settlement of Lawsuit - Christopher Wirowek - \$436,000]**

Ordinance authorizing settlement of the lawsuit filed by Christopher Wirowek against the City and County of San Francisco for \$436,000; the lawsuit was filed on July 27, 2020, in San Francisco Superior Court, Case No. CGC-20-585768; entitled Christopher Wirowek v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 078-23**

**FINALLY PASSED**

**230244 [Settlement of Lawsuit - Plaintiffs DOE 1 AND DOE 2 - \$120,000]**

Ordinance authorizing settlement of the lawsuit filed by Plaintiffs DOE 1 and DOE 2 against the City and County of San Francisco for \$120,000.00; the lawsuit was filed on February 2, 2021, in San Francisco Superior Court, Case No. CGC-21-589554; entitled DOE 1 and DOE 2 v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 079-23**

**FINALLY PASSED**

**230245 [Settlement of Lawsuit - Justin Tsai - \$185,000]**

Ordinance authorizing settlement of the lawsuit filed by Justin Tsai against the City and County of San Francisco et al. for \$185,000; the lawsuit was filed on November 10, 2020, in San Francisco Superior Court, Case No. CPF-20-517295; entitled Justin Tsai v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 080-23**

**FINALLY PASSED**

**230246 [Settlement of Lawsuit - Plaintiffs Robert Burchell, et al. - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Plaintiffs Robert Burchell, F/V Rose Marie, Inc., Erik Anfinson, John Barnett, Sarah Bates, F/V AL-W, Ken Burns, Chris Cameron, MJ Fisheries, Inc., Mike Costello, Andrew Evanow Jr., Andrew Evanow Sr., Michael Fontes, Chris Fox, Mike Harvie, Sean Hodges, David Kemp, Nick Krieger, WAC Fisheries, Inc., Philip Lafata, Daniel Lazzari, Patrick Lazzari, Benedetto Lo Grande, Chuck Louie, John Mellor, Savior Papetti, Mark Schwarz, and Shane Wehr against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 28, 2022, in San Francisco Superior Court, Case No. CGC-20-588665; entitled Robert Burchell, F/V Rose Marie, Inc., Erik Anfinson, John Barnett, Sarah Bates, F/V AL-W, Ken Burns, Chris Cameron, MJ Fisheries, Inc., Mike Costello, Andrew Evanow Jr., Andrew Evanow Sr., Michael Fontes, Chris Fox, Mike Harvie, Sean Hodges, David Kemp, Nick Krieger, WAC Fisheries, Inc., Philip Lafata, Daniel Lazzari, Patrick Lazzari, Benedetto Lo Grande, Chuck Louie, John Mellor, Savior Papetti, Mark Schwarz, and Shane Wehr v. City and County of San Francisco; the lawsuit involves a fire on Pier 45 that destroyed Shed C. (City Attorney)

**Ordinance No. 081-23**

**FINALLY PASSED**

**230279 [Settlement of Lawsuit - Lyn Rawles - \$200,000]**

Ordinance authorizing settlement of the lawsuit filed by Lyn Rawles against the City and County of San Francisco for \$200,000; the lawsuit was filed on December 4, 2020, in San Francisco Superior Court, Case No. CGC-20-588157; entitled Lyn Rawles v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)

**Ordinance No. 083-23**

**FINALLY PASSED**

**230334 [Settlement of Lawsuit - Alexis Krup - \$3,325,000]**

Ordinance authorizing settlement of the lawsuit filed by Alexis Krup against the City and County of San Francisco for \$3,325,000; the lawsuit was filed on October 9, 2020, in San Francisco Superior Court, Case No. CGC-20-587218; entitled Alexis Krup v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injuries from a vehicle collision. (City Attorney)

**Ordinance No. 086-23**

**FINALLY PASSED**

**230335 [Settlement of Lawsuit - M. Hernandez Construction, Inc. - \$137,000]**

Ordinance authorizing settlement of the lawsuit filed by M. Hernandez Construction, Inc. against the City and County of San Francisco by the payment of \$137,000; the lawsuit was filed on March 16, 2022, in the Superior Court of California, County of San Francisco, Case No. CGC-22-598639; entitled M. Hernandez Construction, Inc. dba Hernandez Engineering vs. City and County of San Francisco; the lawsuit involves alleged breach of contract. (City Attorney)

**Ordinance No. 087-23**

**FINALLY PASSED**

**230350 [Settlement of Lawsuit - San Francisco Care Center, L.P. - \$825,000]**

Ordinance authorizing settlement of the lawsuit City and County of San Francisco, et al., v. San Francisco Care Center, L. P., et al., for \$825,000; the lawsuit was filed on March 23, 2018, in San Francisco Superior Court, Case No. CGC 18-565184; the lawsuit involves alleged breaches of contract and Building Code violations. (City Attorney)

**Ordinance No. 089-23**

**FINALLY PASSED**

**230351 [Settlement of Lawsuit - Ronnie Jones - \$149,000]**

Ordinance authorizing settlement of the lawsuit filed by Ronnie Jones against the City and County of San Francisco for \$149,000; the lawsuit was filed on February 17, 2021, in San Francisco Superior Court, Case No. CGC-21-589810; entitled Ronnie Jones v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 090-23**

**FINALLY PASSED**

**Recommendations of the Land Use and Transportation Committee****230058 [Planning Code, Zoning Map - Rezone Designated RM-2 Parcel]**

**Sponsor: Stefani**

Ordinance amending the Planning Code and Zoning Map to rezone Assessor's Parcel Block No. 0976, Lot No. 001, located in the Residential Mixed, Moderate Density (RM-2) District to permit use for up to 47 Tourist Hotel Rooms; 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 under Planning Code, Section 302.

**Ordinance No. 076-23**

**FINALLY PASSED**

**230280 [General Plan - Environmental Justice Framework and General Plan Introduction]**

Ordinance amending the General Plan by adopting the San Francisco Environmental Justice Framework and amending the Introduction to the General Plan; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and general welfare under Planning Code, Section 340, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Department)

(Pursuant to Charter, Section 4.105, the Planning Commission recommends General Plan amendments to the Board of Supervisors for approval or rejection. If the Board fails to act within 90 days of receipt, the proposed General Plan amendment shall be deemed approved. Transmittal Date: March 10, 2023.)

**Ordinance No. 084-23**

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

### **221062 [Administrative Code - Funding, Acquisition, and Use of Certain Sheriff's Department Equipment]**

Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment of the Sheriff's Department consistent with the criteria set forth in state law; and approving the Sheriff's Department's Use of Equipment Policy. (Sheriff)

**Ordinance No. 077-23**

**FINALLY PASSED**

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

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

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

### **230257 [Appropriation - Ambulance Service Revenue - Fire Department - \$4,236,098, and De-Appropriations \$62,348,096 and Appropriations - Various Departments - \$66,584,194 - FY2022-2023]**

**Sponsor: Mayor**

Ordinance appropriating \$4,236,098 in Ambulance Service Revenue in the Fire Department, de-appropriating \$62,348,096 from permanent salaries and mandatory fringe benefits, and appropriating \$65,429,619 to overtime in the Department of Emergency Management, Department of Public Health, Department of Public Works, Fire Department, San Francisco Public Utilities Commission, Sheriff's Department, and the Recreation and Parks Department and appropriating \$1,154,575 to Materials and Supplies in the Fire Department, in order to support the Departments' projected increases in overtime as required per Administrative Code Section 3.17; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors, pursuant to Charter Section 9.113(c).

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

**Ordinance No. 082-23**

**FINALLY PASSED by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **230281 [Administrative Code - Purchase and Sale of Electricity and Related Products - Public Utilities Commission]**

Ordinance amending the Administrative Code to modify the waivers of specified contract-related requirements in the Administrative and Environment Codes for electricity and related product transactions, authorize binding arbitration for contracts with Investor Owned Utilities, and increase the annual expenditure limit for energy procurements from \$150,000,000 to \$200,000,000. (Public Utilities Commission)  
(Fiscal Impact)

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

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

#### **230315 [Emergency Declaration - Plumbing Repair at San Francisco Main Public Library - 100 Larkin Street - Estimated Cost of Repairs \$550,000]**

**Sponsor: Mayor**

Resolution approving the Director of Public Works' declaration of an emergency under Administrative Code, Section 6.60, for repairs and remediation work at the San Francisco Main Public Library, estimated to cost approximately \$550,000. (Public Works)  
(Fiscal Impact)

**Resolution No. 239-23**

**ADOPTED by the following vote:**

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

#### **230405 [Contract Amendment - 21 Tech, LLC - Service and Support Agreement - Not to Exceed \$18,150,173]**

Resolution authorizing the Office of the Treasurer & Tax Collector to amend a service and support agreement with 21 Tech, LLC which enables the City and County of San Francisco to accept online tax filings, to extend the contract term for an additional 10 years, increasing the contract amount by \$9,950,173 for a total amount not to exceed \$18,150,173 to commence upon Board of Supervisors and Mayoral approval for the period of May 31, 2023, through May 31, 2033. (Treasurer-Tax Collector)  
(Fiscal Impact)

**Resolution No. 245-23**

**ADOPTED by the following vote:**

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



**230453 [Accept and Expend Grant - Retroactive - Governor's Office of Business and Economic Development - Cannabis Equity Grants Program for Local Jurisdictions - \$1,511,791.11]**

**Sponsors: Mayor; Mandelman**

Resolution retroactively authorizing the Office of Cannabis to accept and expend a grant award in the amount of \$1,511,791.11 from April 1, 2023, through October 31, 2024, from the Governor's Office of Business and Economic Development for the Local Equity Grants Program for Local Jurisdictions; authorizing the Office of Cannabis to execute the agreement with the Governor's Office of Business and Economic Development, and any extensions, amendments, or contracts subsequent thereto, on behalf of the City and County of San Francisco; and indemnifying the Governor's Office of Business and Economic Development for liability arising out of the performance of this contract.

**Resolution No. 247-23**

**ADOPTED by the following vote:**

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

**Recommendations of the Budget and Appropriations Committee**

**230265 [Ten-Year Capital Expenditure Plan - FYs 2024-2033]**

**Sponsor: Mayor**

Resolution adopting the City's Ten-Year Capital Expenditure Plan for Fiscal Years (FYs) 2024-2033 pursuant to Administrative Code, Section 3.20.

**Resolution No. 238-23**

**ADOPTED by the following vote:**

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

**230420 [Calling on the Mayor to Fund 2,000 New Shelter or Temporary Housing Placements]**

**Sponsors: Mandelman; Engardio**

Resolution calling on Mayor London N. Breed to fund 2,000 new shelter or temporary housing placements over the next two fiscal years.

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

**Resolution No. 251-23**

**ADOPTED by the following vote:**

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

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**Recommendations of the Homelessness and Behavioral Health Select Committee**

*President Peskin requested File Nos. 230343, 230353, and 230354 be called together.*

**230343 [Contract Amendment - Richmond Area Multi-Services, Inc. - Behavioral Health Services for Adults, Older Adults, and Transitional Age Youth - Not to Exceed \$61,137,386]**

Resolution approving Amendment No. 2 to the agreement between Richmond Area Multi-Services, Inc. and the Department of Public Health (DPH), for behavioral health services for adults, older adults, and transitional age youth; to increase the agreement by \$37,669,562 for an amount not to exceed \$61,137,386; to extend the term by four years, from June 30, 2023, for a total agreement term of July 1, 2018, through June 30, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department)  
(Fiscal Impact)

**Resolution No. 240-23**

**ADOPTED by the following vote:**

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

**230353 [Contract Amendment - Westside Community Mental Health Center, Inc. - Substance Use Disorder Services - Not to Exceed \$15,580,935]**

Resolution approving Amendment No. 2 to the agreement between Westside Community Mental Health Center, Inc. and the Department of Public Health (DPH), for substance use disorder services; to increase the agreement by \$6,526,688 for an amount not to exceed \$15,580,935; to extend the term by three years from June 30, 2023, for a total agreement term of July 1, 2017, through June 30, 2026; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department)  
(Fiscal Impact)

**Resolution No. 241-23**

**ADOPTED by the following vote:**

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

**230354 [Contract Amendment - Homeless Children's Network - Mental Health Services for Homeless Children and Families - Not to Exceed \$17,465,319]**

Resolution approving Amendment No. 2 to the agreement between Homeless Children's Network and the Department of Public Health (DPH), for mental health services for homeless children and families; to increase the agreement by \$7,473,592 for a total amount not to exceed \$17,465,319; to extend the term by four years and six months, from June 30, 2023, for a total agreement term of July 1, 2018, through December 31, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department)  
(Fiscal Impact)

**Resolution No. 242-23**

**ADOPTED by the following vote:**

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

**230415 [Grant Agreement Amendment - Five Keys Schools and Programs - Baldwin SAFE Navigation Center - Not to Exceed \$37,072,314]**

**Sponsor: Mayor**

Resolution approving the second amendment to the grant agreement between Five Keys Schools and Programs and the Department of Homelessness and Supportive Housing ("HSH") for services at the Baldwin SAFE Navigation Center; extending the grant term by 36 months for a total term of July 1, 2022, through June 30, 2026; increasing the agreement amount by \$27,272,314 for a total amount not to exceed \$37,072,314; 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. 246-23**

**ADOPTED by the following vote:**

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

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

*President Peskin requested File Nos. 221021 and 221105 be called together.*

### **221021 [Planning, Administrative Codes - HOME-SF]**

**Sponsors: Dorsey; Peskin**

Ordinance amending the Planning Code to allow projects to qualify for a density bonus under the Housing Opportunities Mean Equity (HOME-SF) Program by agreeing to subject new dwelling units to the rent increase limitations of the Rent Ordinance; modifying the zoning changes available to HOME-SF projects; making conforming amendments in the Administrative Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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

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

### **221105 [Planning Code - HOME-SF]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to exclude designated historic districts under Article 10 of the Planning Code from the provisions of the Home Ownership Means Equity-San Francisco (HOME-SF) Program; 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.

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

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

### **230216 [Administrative Code - Displaced Tenant Preference in City Affordable Housing]**

**Sponsors: Ronen; Walton, Chan and Dorsey**

Ordinance amending the Administrative Code to expand the Displaced Tenant Preference in City Affordable Housing Programs to cover tenants where the tenant's unlawful unit has been removed as a residential unit by a written approval by the Planning Commission of the demolition, conversion, or merger of the residential unit, or denial by the Planning Commission of an application to legalize the unlawful unit.

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

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

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

**230373 [Existing Building Code - Façade Inspections for Tall Buildings]****Sponsor: Peskin**

Ordinance amending the Existing Building Code to require buildings with 15 or more stories constructed after 1998 to conduct and submit façade inspection reports; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

*President Peskin requested File Nos. 230137 and 230138 be called together.*

**230137 [Street Naming - Mayor Edwin M. Lee Avenue]****Sponsors: Melgar; Chan and Mandelman**

Resolution renaming Lee Avenue from its intersection with Ocean Avenue to its current northern terminus to Mayor Edwin M. Lee Avenue and applying this new street name to the future public right-of-way extension of Lee Avenue to its proposed end point near the southern boundary of Archbishop Riordan High School.

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

**Resolution No. 249-23****ADOPTED by the following vote:**

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

**230138 [Official Naming of Unnamed Streets - Balboa Reservoir Project]****Sponsor: Melgar**

Resolution approving Diego Lane, Loquat Lane, Meyer Lane, and Wisteria Lane as the official street names for certain yet to be constructed unnamed streets located within the Balboa Reservoir Project.

**Resolution No. 250-23****ADOPTED by the following vote:**

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

**Recommendation of the Public Safety and Neighborhood Services Committee****230309 [Police Code - Limited Live Performance Permit in Polk Street Neighborhood Commercial District]****Sponsor: Peskin**

Ordinance amending the Police Code to change from 10:00 p.m. to 11:00 p.m., the time at which a Live Performance in the Polk Street Neighborhood Commercial District under a Limited Live Performance Permit must conclude; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

## **Recommendations of the Rules Committee**

*Supervisor Ronen was noted present at 2:17 p.m.*

### **230167 [Campaign and Governmental Conduct Code - Permit Prioritization]**

**Sponsor: Safai**

Ordinance amending the Campaign and Governmental Conduct Code to create a Permit Prioritization Task Force responsible for developing a recommended Citywide list of prioritized permits and project types and recommending permit prioritization guidelines to the Department of Building Inspection, the Planning Department, and the Department of Public Works, requiring those departments to review and update their permit prioritization guidelines periodically, and requiring the commissions that oversee each department to approve the department's permit prioritization guidelines; and affirming the Planning Department's determination under the California Environmental Quality Act. (Supervisors Chan, Melgar, and Peskin voted No on First Reading.)

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

Ayes: 8 - Dorsey, Engardio, Mandelman, Preston, Ronen, Safai, Stefani, Walton  
Noes: 3 - Chan, Melgar, Peskin

### **230457 [City Corporate Seal - Use by District 6, Supervisor Matt Dorsey]**

**Sponsor: Dorsey**

Resolution approving the use of the City's Corporate Seal for the purpose of jackets for District 6 Supervisor Matt Dorsey and his staff that identify them as a member of the Board of Supervisors and Board of Supervisors staff representing District 6.

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

**Supervisor Dorsey, seconded by Supervisor Melgar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 17, by striking 'Bryan Dahl, Leo Alfaro, Madison Tam, and Mahanaz Ebadi'. The motion carried by the following vote:**

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

**Resolution No. 248-23**

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

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

### **230388 [Amending the Rules of Order - Dissolving the Youth, Young Adult, and Families Committee]**

**Sponsor: Ronen**

Motion amending the Board of Supervisors' Rules of Order by amending Rules 3.25 and 3.25.1, and striking Rule 3.31 to dissolve the Youth, Young Adult, and Families Committee.

(Pursuant to Board Rule 3.26.1, an amendment to the Board of Supervisors' Rules of Order shall be adopted by the affirmative vote of two-thirds (8 votes) of the Board of Supervisors.)

**Motion No. M23-071**

**APPROVED by the following vote:**

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, 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 Melgar introduced, welcomed, and presented a Certificate of Honor to the Waldorf High School Basketball Team, including Head Coach Nick Cerone, Assistant Coach Patrick Yalon, Assistant Coach Michael Guerrero, Team Manager Cyrus Costa, Hayes Appel, Ben Sarig, Micah Gowe, Dashiell Hall, Sam Kite, Finian Hudgens, Miles McDonald, Lorenzo von Rombs, Elango Ketheesan, Jeff Zhou, Jasper Burgard, and Huge Rutherford, in recognition of their State Championship victory.*

## SPECIAL ORDER 3:00 P.M.

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

#### **230035 [Hearing - Committee of the Whole - Laguna Honda Hospital's Strategy for Recertification and the Submission of a Closure and Patient Transfer and Relocation Plan - September 26, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, September 26, 2023, 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. M23-010 (File No. 230034), approved on January 24, 2023. (Clerk of the Board)

*President Peskin opened the public hearing and Supervisor Melgar provided opening remarks relating to the Laguna Honda Hospital's strategy for recertification, as referenced in File No. 230035. The President then inquired as to whether any member of the public wished to address the Committee of the Whole. Roland Pickens (Department of Public Health) provided an overview of the hearing matter and responded to questions raised throughout the discussion. Patrick Monette-Shaw; Norman Degelman; Laura Slade Chiera; Carol Bettencourt; Jim McAfee; Roma Guy; Speaker; Jessica Inouye; Claude Joseph; Debra; Theresa Rutherford; Speaker; Melody Grossman; Speaker; Otto Duffy; Louise; Dr. Theresa Palmer; Speaker; Art Persyko; Michael Lyon; Jeremy Miller; Francisco Da Costa; Speaker; spoke on various concerns relating to the 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 Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of September 26, 2023. The motion carried by the following vote:**

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

### Committee of the Whole Adjourn and Report

## **Appointment of President Pro Tempore**

*At the request of President Peskin, Supervisor Walton assumed the chair at 4:11 p.m. The President resumed the chair 4:16 p.m.*

*President Peskin requested File Nos. 230356, 230357, 230359, and 230360 be called together.*

## **SPECIAL ORDER 4:00 P.M.**

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

#### **230356 [Hearing - Committee of the Whole - Report of Assessment Costs for Sidewalk Inspection and Repair Program - May 9, 2023, at 4:00 p.m.]**

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for by the City and County out of a revolving fund; scheduled pursuant to Motion No. M23-061, approved on April 18, 2023. (Clerk of the Board)

*President Peskin opened the public hearings and inquired as to whether any member of the public wished to address the Board relating to assessments as referenced in File Nos. 230356, 230357, 230359, and 230360. Michael Lennon (Public Works) provided an overview of the assessments and responded to questions raised throughout the discussion. There were no other speakers. 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**



## **From the Board**

### **230357 [Report of Assessment Costs - Sidewalk Inspection and Repair Program]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to the provisions of Public Works Code, Section 706.9, and Administrative Code, Chapter 80, the costs thereof having been paid for out of a revolving fund. (Public Works)

*President Peskin reported that Public Works requested the following address be removed from the accompanying report due to recent resolution or receipt of payment: 954 Girard Street.*

*Supervisor Safai, seconded by Supervisor Ronen, moved that the accompanying report be amended as requested by Public Works and included in File No. 230357. The motion carried without objection.*

**Resolution No. 243-23**

**ADOPTED, after accepting the amendment to the accompanying report, by the following vote:**

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

## **SPECIAL ORDER 4:00 P.M.**

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

### **230359 [Hearing - Committee of the Whole - Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program - May 9, 2023, at 4:00 p.m.]**

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for by the City and County out of a blight abatement fund; scheduled pursuant to Motion No. M23-062, approved on April 18, 2023. (Clerk of the Board)

*President Peskin opened the public hearings and inquired as to whether any member of the public wished to address the Board relating to assessments as referenced in File Nos. 230356, 230357, 230359, and 230360. Michael Lennon (Public Works) provided an overview of the assessments and responded to questions raised throughout the discussion. There were no other speakers. 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**

## **From the Board**

### **230360 [Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, ordered to be performed by said Director pursuant to the provisions of Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

*President Peskin reported there were no addresses requested to be removed from the accompanying report.*

**Resolution No. 244-23**

**ADOPTED by the following vote:**

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

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Eve Chiu; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Jordan Davis; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Avalon Edwards; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared in song certain concerns regarding San Francisco.*

*Jaylen Clark; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Maliya; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Tory; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Zanaya; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Ace Madison; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Cleo Sadie; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Nick; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Roma Guy; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Sandra; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

*Nancy; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Jaime Viloria; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Paul; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Shawn Richards; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting, and in support of the Resolution to keep Pier 94 Backlands Temporary Shelter site open (File No. 230516).

Otto Duffy; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Sierra Redding; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Shawn; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Jeremy Miller; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Francisco Da Costa; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Yolanda Williams; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Yolette; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Gilbert Crisswell; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Audrey Liu; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Cheryl Thornton; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Bonnie Belly; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Iris Biblowitz; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

San Francisco; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Speaker; provided information on various food banks in San Francisco.

Brenda Barros; shared her personal experiences regarding Laguna Honda Hospital and the District Attorney's decision to not charge a security guard for a recent shooting.

Joe Kunzler; shared concerns regarding public comment and the legislative processes.

Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Jay Jay; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Jennifer Friedenbach; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

Speaker; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.

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*Kendrick; shared concerns regarding the District Attorney's decision to not charge a security guard for a recent shooting.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*Supervisor Mandelman requested that File No. 230512 be severed so that it may be considered separately.*

### **230512 [National Mental Health Awareness Month - May 2023]**

**Sponsors: Mandelman; Ronen, Melgar, Engardio, Dorsey, Walton, Peskin and Preston**  
Resolution recognizing May 2023 as National Mental Health Awareness Month in the City and County of San Francisco. (Clerk of the Board)

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

**Resolution No. 252-23**

**ADOPTED by the following vote:**

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

*Supervisor Walton requested that File No. 230516 be severed so that it may be considered separately.*

### **230516 [Keep Pier 94 Backlands Temporary Shelter Site Open]**

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

Resolution urging the Port of San Francisco, San Francisco Port Commission, the Department of Homelessness and Supportive Housing, and the Homelessness Oversight Commission to keep the Pier 94 Backlands Temporary Shelter Site open to prevent the eviction of over 100 residents.

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

**Resolution No. 253-23**

**ADOPTED by the following vote:**

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

President Peskin requested that File No. 230523 be severed so that it may be considered separately.

**230523 [Urging the District Attorney and SFPD to Release Information Brought by the SFPD for Filing Charges in the Case of Banko Brown's Killing]**

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

Resolution urging the District Attorney and the San Francisco Police Department (SFPD) to release police reports, witness accounts and video information from the April 27, 2023, killing of Banko Brown, that form the factual basis in the case presented by the SFPD for filing charges by the District Attorney.

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

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

**Supervisor Peskin, seconded by Supervisor Dorsey, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by adding 'and SFPD', Line 3, by adding 'and the San Francisco Police Department (SFPD)', Line 18, by changing 'murder' to 'homicide', and Lines 19-20, by adding 'and Police Department'. The motion carried by the following vote:**

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

**Resolution No. 254-23**

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

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, 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

### 230447 [Building, Planning Codes - Existing Awning Amnesty Program]

**Sponsors: Mayor; Peskin, Stefani, Chan and Preston**

Ordinance amending the Building and Planning Codes to create a temporary amnesty program for unpermitted awnings that streamlines the application process to legalize awnings, waives applicable fees, and confers legal nonconforming status for awnings that do not comply with the Planning Code; 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.

04/18/23; ASSIGNED to Land Use and Transportation Committee.

04/26/23; REFERRED TO DEPARTMENT.

05/09/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

### 230540 [Planning Code, Zoning Map - Mission and 9th Street Special Use District]

**Sponsor: Dorsey**

Ordinance re-adopting the former Planning Code section and Zoning Map designation creating the Mission and 9th Street Special Use District (SUD) at 1270 Mission Street, located at Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, in the area generally bounded by Mission Street on the south, Laskie Street on the east, Assessor's Parcel Block No. 3701, Lot Nos. 22, 23, and 24 on the west, and Assessor's Parcel Block No. 3701, Lot No. 66 to the north; changing the height limit on Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, within the SUD, from 120-X to 200-X; 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 convenience, necessity, and welfare under Planning Code, Section 302.

05/09/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/8/2023.

**230493 [Planning Code - Landmark Designation - The Church for the Fellowship of All Peoples]****Sponsors: Peskin; Preston and Melgar**

Ordinance amending the Planning Code to designate The Church for the Fellowship of All Peoples, at 2041 Larkin Street, Assessor's Parcel Block No. 0572, Lot No. 003, 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)

04/28/23; RECEIVED FROM DEPARTMENT.

05/09/23; ASSIGNED to Land Use and Transportation Committee.

## RESOLUTIONS

**230541 [Real Property Lease - YMCA of San Francisco - Building 49 - 701 Illinois Street - Crane Cove Park - Initial Annual Base Rent \$92,809.80]****Sponsors: Mayor; Walton, Mandelman and Safai**

Resolution approving and authorizing the execution, delivery, and performance of Lease No. 16997 for Building 49 located at 701 Illinois Street within Crane Cove Park by the Young Men's Christian Association (YMCA) of San Francisco, for an initial term of 10 years plus options to extend for a total term of up to 34 years, 11 months, with an initial annual base rent of \$92,809.80 and a fee waiver for a companion license agreement, effective upon approval of this Resolution; making findings under the California Environmental Quality Act; and to authorize the Executive Director of the Port to enter into any additions, amendments or other modifications to the Lease that do not materially increase the obligations or liabilities of the City or Port and are necessary or advisable to complete the transactions which this Resolution contemplates and effectuate the purpose and intent of this Resolution. (Port)

05/09/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**230542 [Asian American and Pacific Islander Against Bullying and Hate Day - May 18, 2023]****Sponsors: Chan; Peskin, Safai, Walton, Ronen, Mandelman, Engardio, Melgar, Preston and Dorsey**

Resolution declaring May 18, 2023, as Asian American and Pacific Islander Against Bullying and Hate Day in the City and County of San Francisco.

05/09/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**230550 [Urging the Administration of Equitable and Just Victim Services]****Sponsors: Chan; Preston**

Resolution urging San Francisco law enforcement agencies to administer victim services and justice equitably.



**230543 [Jewish American Heritage Month - May 2023]**

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

Resolution recognizing the month of May 2023 as Jewish American Heritage Month in the City and County of San Francisco, in appreciation of the achievements and contributions made by members of the Jewish community.

05/09/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**230544 [Supporting California State Senate Bill No. 272 (Laird) - Sea Level Rise: Planning and Adaptation]**

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

Resolution supporting California State Senate Bill No. 272, introduced by Senator John Laird on Sea Level Rise: Planning and Adaptation, which addresses the impacts of sea level rise in California by adding Division 20.6.9 to the Public Resources Code, establishing a comprehensive approach to adapt to and mitigate the impacts of sea level rise.

05/09/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**230549 [Supporting San Francisco's Inflation Reduction Act Grant Request for Urban and Community Forestry]**

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

Resolution supporting San Francisco's grant application to the U.S. Department of Agriculture in response to its Forest Service Urban and Community Forestry Inflation Reduction Act Notice of Funding Opportunity (NOFO), which would provide once-in-a-generation funding to restore San Francisco's urban canopy damaged by recent storms, as well as make long-term tree canopy investments in high-need environmental justice communities in San Francisco, and create urban forestry and green workforce opportunities.

**230545 [Supporting the Writers' Guild of America West in Their Campaign for Fair Compensation and Reasonable Working Conditions]**

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

Resolution supporting the Writers' Guild of America West in their campaign for fair compensation and reasonable working conditions, urging the employers to negotiate in good faith to swiftly reach an agreement that recognizes the writers' important work, and urging the Film Office to report on the strike impact on a regular basis.

05/09/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## MOTION

**230526 [Appointment, Park, Recreation, and Open Space Advisory Committee - Hillary Brown]**

Motion appointing Hillary Brown, term ending February 1, 2025, to the Park, Recreation, and Open Space Advisory Committee. (Clerk of the Board)

05/09/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

### **230546 [Hearing - Update on the Healthy Airport Ordinance Implementation]**

**Sponsors: Peskin; Chan**

Hearing to receive an update on the current implementation of the Healthy Airport Ordinance, including presentations on 1) a list of contractors responsible for complying with the Healthy Airport Ordinance; 2) a comparison of airport contractor worker wages to other comparable industries; 3) whether San Francisco Airport (SFO) contractor leases and contracts include compliance language with the Healthy Airport Ordinance; and 4) worker retention for low-wage workers versus other workers, utilizing badging data; and requesting for the San Francisco Airport to present.

05/09/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **230547 [Hearing - Citywide Plan for DPH Treatment Facilities and Behavioral Health Real Estate Acquisitions]**

**Sponsors: Peskin; Ronen and Mandelman**

Hearing on the citywide plan for treatment and behavioral health facilities and real estate acquisitions, including 1035 Van Ness Avenue and 10 United Nations Plaza; and requesting the Department of Public Health (DPH) and Real Estate Division to report.

05/09/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

### **230548 [Hearing - Behavioral Health and Substance Use Case Management]**

**Sponsor: Ronen**

Hearing on Department of Public Health's Behavioral Health Services case management system; specifically examining how many behavioral health and substance use case managers are in the system, their work location, the process for providing case management at varying levels of need, frequency of case managers interacting with their clients, the caseload of case managers at every level of care, and the number of funded but vacant case manager positions exist in the entire system of care; and requesting Department of Public Health's Behavioral Health Services to report.

05/09/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select 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****230494 [Settlement of Lawsuit - Esquivel Grading & Paving, Inc. and Con-Quest Contractors, Inc. - \$250,000]**

Ordinance authorizing settlement of the lawsuit filed by Esquivel Grading & Paving, Inc. against the City and County of San Francisco by the payment of \$250,000; the action against the City was filed on April 12, 2022, in the Superior Court of California, County of San Francisco, Case No. CGC-20-587321; entitled Con-Quest Contractors, Inc. v. Esquivel Grading & Paving, Inc., et al.; the lawsuit involves alleged breach of contract; material terms of the settlement are that the City will pay Con-Quest Contractors, Inc. \$250,000 and Esquivel will pay Con-Quest \$150,000. (City Attorney)

05/01/23; RECEIVED FROM DEPARTMENT.

05/09/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230495 [Settlement of Lawsuit - Richard F. Bettencourt, et al. - City to Receive \$300,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco for payment to San Francisco for \$300,000; the lawsuit was filed on November 15, 2019, in Stanislaus County Superior Court, Case No. CV-19-006916; entitled City and County of San Francisco v. Richard F. Bettencourt, et al.; the lawsuit involves damage to approximately 500 feet of San Joaquin Pipeline ("SJPL No. 1"); other material terms of the settlement are the City shall receive \$300,000. (City Attorney)

05/01/23; RECEIVED FROM DEPARTMENT.

05/09/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230496 [Settlement of Lawsuit - Cheryl Thornton - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Cheryl Thornton against the City and County of San Francisco for \$100,000; the lawsuit was filed on April 20, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02938-SI; entitled Cheryl Thornton v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

05/01/23; RECEIVED FROM DEPARTMENT.

05/09/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230497 [Settlement of Lawsuit - Darlene Daevu - \$90,000]**

Ordinance authorizing settlement of the lawsuit filed by Darlene Daevu against the City and County of San Francisco for \$90,000; the lawsuit was filed on April 20, 2021, in United States District Court, Northern District of California, Case No. 4:21-cv-02936-JST; entitled Darlene Daevu v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

05/01/23; RECEIVED FROM DEPARTMENT.

05/09/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230498 [Settlement of Lawsuit - Dellfinia Hardy - \$116,250]**

Ordinance authorizing settlement of the lawsuit filed by Dellfinia Hardy against the City and County of San Francisco for \$116,250; the lawsuit was filed on April 20, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02934-SI; entitled Dellfinia Hardy v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

05/01/23; RECEIVED FROM DEPARTMENT.

05/09/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230501 [Zoning Map - Port of San Francisco Waterfront Plan Update; Waterfront Zoning Correction]**

Ordinance amending the Zoning Map of the Planning Code to rezone certain waterfront parcels from P (Public) to M-1 (Light Industrial), and to add Waterfront Special Use District No. 4 covering areas east of the Mission Bay and Southern Waterfront areas; and making environmental findings, including adopting a statement of overriding considerations, and 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. (Planning Department)

05/01/23; RECEIVED FROM DEPARTMENT.

05/09/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/8/2023.

**230502 [General Plan - Port of San Francisco Waterfront Plan Update]**

Ordinance amending the Recreation and Open Space Element, Central Waterfront Area Plan, and Northeastern Waterfront Area Plan of the General Plan to maintain consistency with the Port of San Francisco's Waterfront Plan update; and making environmental findings, including adopting a statement of overriding considerations, and 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 340. (Planning Department)

(Pursuant to Charter, Section 4.105, the Planning Commission recommends General Plan amendments to the Board of Supervisors for approval or rejection. If the Board fails to act within 90 days of receipt, the proposed General Plan amendment shall be deemed approved. Transmittal Date: May 1, 2023.)

05/01/23; RECEIVED FROM DEPARTMENT.

05/09/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/8/2023.

**230503 [Planning Code - Port of San Francisco Waterfront Plan Update]**

Ordinance amending the Planning Code to revise certain Waterfront Special Use District controls and to add Waterfront Special Use District No. 4 covering areas east of the Mission Bay and Southern Waterfront areas; and making environmental findings, including adopting a statement of overriding considerations, and 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. (Planning Department)

05/01/23; RECEIVED FROM DEPARTMENT.

05/09/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/8/2023.

## PROPOSED RESOLUTIONS

**230499 [Settlement of Unlitigated Claim - Wing Kwok and Lai Leng Lei - \$71,000]**

Resolution approving the settlement of the unlitigated claim filed by Wing Kwok and Lai Leng Lei against the City and County of San Francisco for \$71,000; the claim was filed on November 8, 2022; the claim involves alleged property damage due to flooding caused by a water main rupture. (City Attorney)

05/01/23; RECEIVED FROM DEPARTMENT.

05/09/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230500 [Airport Professional Services Agreement Modification - KONE Inc. - Escalator and Electric Walk Maintenance Services - Not to Exceed \$48,465,600]**

Resolution approving Modification No. 5 to Airport Contract No. 50205, Escalator and Electric Walk Maintenance, Repair, and On-Call Services, with KONE Inc., to increase the contract amount by \$14,000,000 for a new not to exceed contract amount of \$48,465,600 with no change to the contract term of July 1, 2019, through June 30, 2024, pursuant to Charter, Section 9.118(b). (Airport Commission)  
(Fiscal Impact; No Budget and Legislative Analyst Report)

04/28/23; RECEIVED FROM DEPARTMENT.

05/09/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisor Shamann Walton*

*To: Walgreens and their security subcontractors, ALTO Alliance, and Group Protective Services*

*Requests: Requesting the public release of the video footage showing the circumstances around the shooting of Banko Brown by a downtown Walgreens security guard.*

*From: Supervisor Shamann Walton*

*To: The San Francisco Police Department*

*Requests: Requesting the public release of the video footage showing the circumstances around the shooting of Banko Brown by a downtown Walgreens security guard.*

*From: Supervisor Hillary Ronen*

*To: Trent Rhorer, Executive Director of the Human Services Agency*

*Requests: Requesting responses to the following questions:*

- 1. What are the different welfare programs currently administered by the Human Services Agency?*
- 2. How many people are estimated to be eligible for each program?*
- 3. How many people are enrolled in each program?*
- 4. What is the dollar value of the aide distributed through each program and the estimated value of dollars unclaimed by San Francisco residents who are likely eligible for the programs?*

*From: Supervisor Connie Chan*

*To: The District Attorney and the San Francisco Police Department*

*Requests: Requesting the District Attorney's Office and San Francisco Police Department provide a report on the victim services provided by their departments including responses to the following questions:*

- 1. What is the number of victims your agency served in 2021, 2022, and to date in 2023?*
- 2. What is the demographic breakdown of those victims?*
- 3. What services have been provided to the victims your agency has served?*
- 4. List your agency's protocol to ensure victim privacy.*
- 5. What is your agency's protocol to prevent misgendering and deadnaming transgender victims?*
- 6. What is your agency's protocol to provide victim services with cultural and language competency?*
- 7. Status update on the implementation of the JUSTIS integrated data and technology program.*
- 8. Status update on the implementation of the Office of Victim and Witness Rights.*
- 9. In the event of a specific group, such as the homeless community or Asian community, becoming targets of violent crimes, what is the protocol for public notification?*

**In Memoriam**

*Marvis J. Phillips - Supervisor Dean Preston*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 7:28 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 June 13, 2023.*

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Angela Calvillo, Clerk of the Board