BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, March 14, 2023 - 2:00 PM

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

(remote access provided)
(remote public comment provided via teleconference)
www.sfgovtv.org

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	Meeting Days
Budget and Appropriations Committee Supervisors Chan, Mandelman, Safai, Ronen, Walton	Wednesday 1:30 PM
Budget and Finance Committee Supervisors Chan, Mandelman, Safai	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Preston, Stefani, Chan	1st and 3rd Thursday 10:00 AM
Homelessness and Behavioral Health Select Committee Supervisors Ronen, Mandelman, Walton	2nd and 4th Friday 10:00 AM
Land Use and Transportation Committee Supervisors Melgar, Preston, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Stefani, Engardio, Dorsey	2nd and 4th Thursday 10:00 AM
Rules Committee Supervisors Dorsey, Walton, Safai	Monday 10:00 AM
Youth, Young Adult, and Families Committee Supervisors Ronen, Safai, Engardio	2nd Friday 10:00 AM

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

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

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, March 14, 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 and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access, and remote public comment via teleconference (https://sfbos.org/remote-meeting-call). Members of the public may also submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record.

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Visit the Board's website (www.sfbos.org) for additional information or contact the Office of the Clerk of the Board at (415) 554-5184.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisor Safai was noted not present.

A quorum of the Board was present.

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

Supervisor Safai was noted present at 2:03 p.m.

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) 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 February 7, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Walton, seconded by Supervisor Stefani, moved to approve the February 7, 2023, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment.

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

221187 **[Administrative Code - Power to Sell for Nonresidential Commercial Properties]**
Ordinance amending the Administrative Code to allow the Tax Collector to sell tax-defaulted nonresidential commercial property after five years of nonpayment of property taxes instead of after three years. (Treasurer-Tax Collector)

Ordinance No. 037-23

FINALLY PASSED

221223 **[Environment Code - Repeal and Replace Chapter 7 Green Building Requirements]**

Sponsors: Mayor; Mandelman and Safai

Ordinance amending the Environment Code to repeal Chapter 7: Green Building Requirements for City Buildings and replace with new Chapter 7: Municipal Green Building Requirements; and affirming the Planning Department's determination under the California Environmental Quality Act. (Fiscal Impact)

Ordinance No. 038-23

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

221261 **[Planning Code, Zoning Map - The Village Special Use District]**

Sponsors: Mayor; Ronen, Preston, Melgar, Peskin, Dorsey, Safai, Mandelman and Chan

Ordinance amending the Planning Code and the Zoning Map to add The Village Special Use District, located adjacent to 56 Julian Avenue, at 80 Julian Avenue, and constituting Assessor's Parcel Block No. 3547, Lot No. 52; making findings 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.

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

Ordinance No. 039-23

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation From the Land Use and Transportation Committee

220815 **[Administrative Code - Definition of Tourist or Transient Use under Hotel Conversion Ordinance; Amortization Period]**

Sponsors: Peskin; Chan and Melgar

Ordinance amending the Administrative Code to add a definition of Tourist or Transient Use under the Residential Hotel Unit Conversion and Demolition Ordinance; to set the term of tenancy for such use at less than seven days, for two years after the effective date of this Ordinance, and, after that two-year period, at less than 30 days; to provide an amortization period applicable to hotels currently regulated under the Ordinance; to provide a process by which the owners or operators of regulated hotels can request that the amortization period be longer, on a case-by-case basis; to amend the definition of Permanent Resident, from a person who occupies a room for at least 32 days to one who occupies a room for at least 30 days; and affirming the Planning Department's determination under the California Environmental Quality Act.

Ordinance No. 036-23

FINALLY PASSED by the following vote:

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

Referred Without Recommendation From the Rules Committee

221147 **[Administrative Code - Removing Construction Agreements from the Prohibition on Contracting in States with Certain Types of Discriminatory Laws]**

Sponsors: Safai; Mandelman

Ordinance amending the Administrative Code to remove agreements let under Chapter 6 for Public Works or Improvement from the prohibitions in Chapter 12X on the City's entering into a contract with a contractor that has its United States headquarters in a state that allows discrimination against LGBT individuals, has restrictive abortion laws, or has voter suppression laws, or where any or all of the contract would be performed in such a state.
(Supervisors Chan, Melgar, Preston, and Walton voted no on First Reading.)

Supervisor Mandelman requested to be added co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Dorsey, Engardio, Mandelman, Peskin, Ronen, Safai, Stefani
Noes: 4 - Chan, Melgar, Preston, Walton

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Peskin requested File Nos. 230050 and 230051 be called together.

230050 **[Agreement Amendment - AT&T dba AT&T Mobility - Wireless Communications Services - Not to Exceed $18,582,078]**

Resolution authorizing the Department of Technology approving the first amendment with AT&T dba AT&T Mobility to purchase cellular voice and data services for City departments to extend the agreement term by four years and one month from May 23, 2023, for a total term of June 1, 2020, through June 30, 2027; and increasing the agreement amount by $9,082,078 for a total contract amount of $18,582,078 pursuant to Charter, Section 9.118. (Department of Technology)
(Fiscal Impact)

Resolution No. 113-23

ADOPTED by the following vote:

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

230051 **[Agreement Amendment - AT&T dba AT&T Mobility - Public Safety-Grade Wireless Communications Services - Not to Exceed $22,252,968]**

Resolution authorizing the Department of Technology approving the first amendment with AT&T dba AT&T Mobility to purchase public safety-grade wireless communications services for first responders with no change to the term of up to five years and four months, increasing the agreement amount by $13,252,968 for a total contract amount of $22,252,968 pursuant to Charter, Section 9.118. (Department of Technology)
(Fiscal Impact)

Resolution No. 114-23

ADOPTED by the following vote:

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

230068 **[Accept and Expend Grant - Retroactive - Metropolitan Transportation Commission - Priority Conservation Area Grant - McLaren Park and Neighborhood Connections Planning Study - $194,000]**

Sponsors: Mayor; Ronen, Safai, Walton and Mandelman

Resolution retroactively authorizing the Recreation and Park Department to accept and expend the Priority Conservation Area Grant in the amount of $194,000 from the Metropolitan Transportation Commission to implement the McLaren Park and Neighborhood Connections Planning Study, and retroactively approving the Grant Terms and Conditions for the term of January 1, 2022, through December 30, 2025. (Recreation and Park Department)

Resolution No. 115-23

ADOPTED by the following vote:

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

230090 **[Real Property Lease Amendment - 101 South Van Ness, LLC - 110-12th Street - Not to Exceed $454,668.67 in the Initial Year]**

Resolution approving and authorizing the Director of Property, on behalf of the City's Department of Administration's ReproMail Services, to execute a lease amendment extending the term for five years for continued use of approximately 10,469 square feet of office space of real property located at 110-12th Street, with 101 South Van Ness, LLC for continued use of approximately 10,469 square feet of office space at a base rent of $454,668.67 per year with 3% annual rent increases beginning February 1, 2024, for an extended term commencing February 1, 2023, and expiring on January 31, 2028; and authorizing the Director of Property to execute any amendments to the Lease, make certain modifications and take certain actions that do not materially increase the obligations or liabilities to the City, do not materially decrease the benefits to the City and are necessary or advisable to effectuate the purposes of the Lease or this Resolution. (Real Estate Department) (Fiscal Impact)

Resolution No. 118-23

ADOPTED by the following vote:

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

230099 **[Accept and Expend Grant - San Francisco Bay Restoration Authority - Heron's Head Park Shoreline Resilience Project - $796,100]**

Sponsors: Mayor; Walton, Peskin, Mandelman and Safai

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $796,100 from the San Francisco Bay Restoration Authority to fund the Heron's Head Park Shoreline Resilience Project for a period to commence following Board approval, through December 2033; and to authorize the Port Executive Director to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Port)

Resolution No. 119-23

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

President Peskin requested File Nos. 230071 and 230072 be called together.

230071 **[Civic Center Community Benefit District - Annual Report - CY2021]**

Sponsor: Dorsey

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

Resolution No. 116-23

ADOPTED by the following vote:

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

230072 **[rCentral Market Community Benefit District - Annual Report - CY2021]**

Sponsor: Dorsey

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

Resolution No. 117-23

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

220878 **[Planning, Building Codes - Penalties for Code Enforcement]**

Sponsors: Ronen; Peskin and Chan

Ordinance amending the Planning and Building Codes to increase fines and penalties for violations of Planning and Building Code provisions; clarify that violations affecting more than one unit in a building constitute multiple violations for purposes of assessing penalties; requiring the Planning Commission and the Historic Preservation Commission to adopt factors for the Zoning Administrator to consider in determining the appropriate amount of civil penalties; establishing penalties for residential units merged, constructed, or divided without required permits or approvals; establishing penalties for violations involving illegal demolition and enhancement of penalty amounts for certain buildings by age or historic status; providing additional notices for Responsible Parties; 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: 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 Ronen introduced, welcomed, and presented a Certificate of Honor to Lisa Haut of District 9 for her contributions working in the tech industry at IBM in San Jose, and her volunteer work with Court Appointed Special Advocates (CASA) working against human trafficking, and supporting unhoused people.

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 3:53 p.m. The President resumed the chair 3:56 p.m.

At the request of President Peskin, Supervisor Walton assumed the chair at 5:46 p.m. The President resumed the chair 5:51 p.m.

At the request of President Peskin, Supervisor Walton assumed the chair at 6:47 p.m. The President resumed the chair at 6:51 p.m.

At the request of President Peskin, Supervisor Walton assumed the chair at 7:04 p.m. The President resumed the chair at 7:35 p.m.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

230078 **[Hearing - Committee of the Whole - Draft San Francisco Reparations Plan and Dream Keeper Initiative Updates - September 19, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, September 19, 2023, at 3:00 p.m., to hold a public hearing on the Draft San Francisco Reparations Plan and Dream Keeper Initiative updates; and requesting the Human Rights Commission, the African American Reparations Advisory Committee, and the Dream Keeper Initiative to present; scheduled pursuant to Motion No. M23-021 (File No. 230077), approved on January 31, 2023. (Clerk of the Board)

President Peskin opened the public hearing and inquired as to whether any individual wished to address the Committee of the Whole relating to the Draft Reparations Plan (File No. 230078).

Dr. Sheryl Davis, Executive Director, Dr. Saidah Leatutufu, and Brittni Chicuata (Human Rights Commission); Eric McDonnell, Chair, and Tinisch Hollins (African American Reparations Advisory Committee); provided an overview of the Draft Reparations Plan and responded to questions raised throughout the discussion.

Linda Parker Pennington; Reverend Amos Brown; Commissioner Karen Clopton (Human Rights Commission); April; Speaker; Pastor Ace Walker; Lenika Howard; Brenda Barris; Cheryl Thorton; Reverend Tony Pierce (Black Wall Street); Janelle Pierce; Hope Williams; Naj Daniels; Antoinette; Tamika Blue; Ricky Lynn Harris; Greg Ledbetter; Speaker; Sheron Hunter (Stanley Peace International); Kenny Aboral; Erica Burrell; Lent Marshine; Katherine (Black Panther); Erica Burrell; Derek Tolliver; Anietie Ekanem (African American Reparations Advisory Committee); Jamil Patterson (Dream Keepers); Didi Hewitt; Latoya Pitcher; Tiffany; Pia Harris (San Francisco Housing Development Corporation); Joseph Shore; Lashonda Griffith; Jeanette Wright; Nicole Cunningham (African American Reparations Advisory Committee); Leticia Irving; Ronald Carter; Michael Morse; Rory Grambell; E.J. Jones; Gwyn Brown (San Francisco Black Wall Street); Jake Crawford; James Taylor (African American Reparations Advisory Committee); Larry Dorsey; Tuli Delfi; Karen Fleshman; Barbara Wilson; Speaker; Drew Jenkins; Felicia Jones; Antwan Matthews (Code Tenderloin San Francisco); Speaker; Cheryl Shanks (Tenderloins Peoples Congress); Vanessa Russell (Love Never Fails); Amelia Ashley-Ward; Drew Glover (Homeless Children's Network); Jeffrey Allen Junior; Dr. Trashia Brown; Shawneshia Hoover and Dr. Hazel Benigo (Homeless Children's Network); Antoinette Mowgly; Joan Mavis; Darlene Brass; Yolanda Wiliams; Monique McNeely; Speaker;Delia Fitzpatrick; Speaker; Dennis Bishop; Esta McCaba; Renee Curran; Larry Merton; Jeffrey Grier; Adrian Tirtanadi; Elgin Rose Sr. (Code Tenderloin); Shavonne Allen; Linda Hill; Donna Hilliard; Debra Levy; Theresa Ballard; Theresa Bowes; Anne Rueben (San Francisco Black and Jewish Unitiy Coalition); Jaime Viloria; Tammy Brown; Kevin Epps; Biance Burton; Arch Bishop Greg Richardson; Alicia R. Mayo; Erica; Gloria Berry; Speaker; Curtis Bradford, Co-Chair (Tenderloin People's Congress); Valerie Tulier-Laiwa; Lynette; Monique LeSarre, Executive Director (Rafki Coalition); Oscar James; Ranisha Powell; Ms. Carlos; Ace Washington; Asale-Haquekya Chandler;

Andrea Draper; Speaker; Johnathan Butler; Speaker; Speaker; Paulette Brown; Speaker; Natre Ford; Speaker; Tad Buckner; Marisa Robinson; Speaker; Ruben Diaz; Willie Walker; James Berger; Joffrey Wolfman; Art Persyko (San Francisco Grey Panthers); Danielle McGriff; Tes Welborn; Dante King; Speaker; India; Virginia Marshall; Monique; Speaker; Meg Brown; LaDonna Williams; Speaker; Janice Caldwell; Alex Lemberg; Thomas Simpson; Victoria Lewis; Kathy Bouchard; Alyssa Williams; Denise Murray; Laura Green; Speaker; Speaker; Lisa Shepard; Francisco Da Costa; Speaker; Malcom Mowgli; Phyllis Bouey; Lailani; Mario Benton; Toni Heinz; Queen Vanessa Banks; Speaker; Speaker; Lonnie Mason; Diane McKinney; Speaker; Freddy Martin; Geoffrea Morris; Nefia Edwards; spoke on various concerns relating to the Draft Reparations Plan. There were no other speakers. The President closed public comment, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Supervisor Walton, seconded by Supervisor Chan, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of September 19, 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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

200777 **[Hearing - Committee of the Whole - Update on Findings and Recommendations Regarding Law Enforcement Practices - May 21, 2024, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on May 21, 2024, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive updates on the progress and implementation status of the Unites States Department of Justice recommendations regarding reforms within the Police Department; scheduled pursuant to Motion No. M20-125, approved on September 15, 2020. (Clerk of the Board)

President Peskin opened the public hearing and inquired as to whether any individual wished to address the Committee of the Whole relating to law enforcement practices (File No. 200777). Chief William Scott, Sgt. Gabriel Rivera, Catherine McGuire, and Will Sanson-Mosier (Police Department); provided an update on the findings and recommendations regarding law enforcement practices and responded to questions raised throughout the discussion. Gloria Berry; Uzuri Pease-Greene, Speaker; Speaker; spoke on various concerns relating to law enforcement practices. There were no other speakers. The President closed public comment, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Supervisor Walton, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of October 3, 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

COMMITTEE REPORTS

Recommendation of the Rules Committee

230057 **[Administrative Code - Health Service System Eligibility for Members of New Commission]**

Sponsors: Safai; Walton

Ordinance amending the Administrative Code to provide that members of the Homelessness Oversight Commission and Refuse Rate Board are eligible for health insurance coverage through the San Francisco Health Service System.

PASSED ON FIRST READING 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 expressed concerns regarding ability to pay rents and earn a wage.
Speaker expressed concerns regarding firearm carry permit and mental health care.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

230266 **[Initiating Landmark Designation - Alexandria Theatre]**

Sponsor: Chan

Resolution initiating a landmark designation under Article 10 of the Planning Code for the Alexandria Theatre, at 5400 Geary Boulevard, Assessor's Parcel Block No. 1450, Lot No. 048.

Resolution No. 122-23

ADOPTED

230268 **[Supporting Proposed Changes to BAAQMD Rules 9-4 and 9-6: Zero-Emission Appliance Standards]**

Sponsors: Mandelman; Peskin, Ronen and Preston

Resolution supporting Bay Area Air Quality Management District's (BAAQMD) proposed Regulation 9 Rules 4 and 6; Rules 9-4 and 9-6 as amended would require new furnaces, water heaters, and boilers sold or installed in the Bay Area to be pollution-free as early as 2027.

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

Resolution No. 123-23

ADOPTED

230270 **[Urging Amendments to the Brown Act to Allow for Remote Participation Accommodations on Boards and Commissions Due to Pregnancy, Childbirth, Breastfeeding, and Other Related Medical Conditions]**

Sponsors: Melgar; Stefani, Walton, Chan, Mandelman, Ronen and Preston

Resolution urging Governor Gavin Newsom, State Senator Scott Wiener, Assembly Members Phil Ting, and Matt Haney to amend the Brown Act to allow for remote participation accommodations on boards and commissions due to pregnancy, childbirth, breastfeeding, and other related medical conditions.

Supervisors Walton, Chan, Mandelman, Ronen, and Preston requested to be added as co-sponsors.

Resolution No. 124-23

ADOPTED

230272 **[Urging City Departments to Initiate a Public Education Campaign and Raise Awareness on the Availability of the Employee Retention Tax Credit]**

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

Resolution urging the Office of Economic and Workforce Development and the Office of Small Business to initiate a public education campaign and raise awareness on the availability of the Employee Retention Tax Credit; and to coordinate with the Office of Civic Engagement and Immigrant Affairs to ensure that materials are made available in languages other than English.

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

Resolution No. 126-23

ADOPTED

230273 **[Declaring the Intent to Waive Fee for Major Encroachment Permit - Pasadena-Velasco Hillside Open Space Project]**

Sponsor: Walton

Resolution of intent to waive the Major Encroachment Permit fee and ongoing fees, including the street improvement permit, annual assessment, and street improvement annual assessment fees, for the Pasadena-Velasco Hillside Open Space Project.

Resolution No. 127-23

ADOPTED

230275 **[Supporting California State Assembly Bill No. 1356 (Haney) - Mass Layoffs]**

Sponsors: Walton; Safai and Chan

Resolution supporting California State Assembly Bill No. 1356, Mass Layoffs, authored by Assembly Member Matt Haney, to expand the California Worker Adjustment and Retraining (WARN) Act to include coverage for contract workers, extend the required advance notice to 90 days, and ban companies from forcing workers to sign a non-disclosure agreement as a condition of receiving the WARN Act notice or pay.

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

Resolution No. 129-23

ADOPTED

230278 **[Urging the Recreation and Parks Department to Adopt Immediate Changes to its Acquisition Strategies to Serve the Tenderloin, Lower Polk and Lower Nob Hill Neighborhoods]**

Sponsors: Peskin; Preston, Chan and Walton

Resolution urging the Recreation and Parks Department and its Commission to immediately adopt flexible criteria for its acquisition of potential open space and green recreation, parklet and pocket park sites in the Tenderloin, Lower Polk and Lower Nob Hill, including prioritizing smaller parcels of 2,000 square feet to 5,000 square feet, that would not require years of demolition and construction, but rather think strategically about a holistic approach that maximizes more parcels if they must be necessarily smaller by design, and urging them to make considerable progress by the end of this calendar year on the voter-mandated equity priorities in its Open Space Acquisition plan.

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

Resolution No. 130-23

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Walton requested that File No. 230109 be severed so that it may be considered separately.

230109 **[Accepting the Draft San Francisco Reparations Plan of the African American Reparations Advisory Committee]**

Sponsors: Walton; Preston, Mandelman, Safai, Ronen and Melgar

Resolution accepting the Draft San Francisco Reparations Plan of the African American Reparations Advisory Committee.

Supervisors Safai, Ronen, and Melgar requested to be added as co-sponsors.

Resolution No. 120-23

ADOPTED by the following vote:

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

Supervisor Ronen requested that File No. 230179 be severed so that it may be considered separately.

230179 **[Urging Governor Gavin Newsom, Senator Scott Wiener, Assembly Member Matt Haney, and Assembly Member Phil Ting to Legalize Sex Work in California]**

Sponsor: Ronen

Resolution urging Governor Gavin Newsom, Senator Scott Wiener, Assembly Member Matt Haney, and Assembly Member Phil Ting to legalize consensual adult prostitution in the State of California; legalization is a proven effective method to protect the health and safety of sex workers while reducing crime and violence.

Supervisor Ronen, seconded by Supervisor Mandelman, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 21, 2023. The motion carried by the following vote:

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

Supervisor Preston requested that File No. 230271 be severed so that it may be considered separately.

230271 **[Urging the California State Legislature to Provide Supplemental CalFresh Benefits]**

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

Resolution urging the California State Legislature to provide supplemental CalFresh benefits to offset the loss of emergency CalFresh benefits.

Supervisors Chan, Mandelman, Ronen, Engardio, Safai, Dorsey, Stefani, and Melgar requested to be added as a co-sponsors.

Resolution No. 125-23

ADOPTED by the following vote:

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

Supervisor Walton requested that File No. 230274 be severed so that it may be considered separately.

230274 **[Supporting California State Assembly Bill No. 881 (Ting) - Be The Jury California]**
Sponsors: Walton; Peskin, Mandelman, Preston and Ronen
Resolution supporting California State Assembly Bill No. 881, Be The Jury California, authored by Assembly Member Phil Ting, to increase jury diversity in California by eliminating economic hardship barriers with raising juror pay.

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

Supervisor Walton, seconded by Supervisor Mandelman, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 11-13, by adding 'California Assembly Public Safety Committee Chair Reginald Jones Sawyer, California Assembly Appropriations Committee Chair Chris Holden'. The motion carried by the following vote:

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

Resolution No. 128-23

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

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.

03/14/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/13/2023.

230292 **[Appropriation - General Reserve - Tenderloin Emergency Safety - Office of Economic and Workforce Development and Department of Public Health - $10,000,000 - FY2022-2023]**

Sponsor: Preston

Ordinance appropriating $10,000,000 from the General Reserve for the following uses: $4,000,000 to the Office of Economic and Workforce Development for nonpolice ambassadors for areas of the Tenderloin that currently lack such coverage, $3,000,000 to the Office of Economic and Workforce Development for small business safety and security grants, and $3,000,000 to the Department of Public Health to launch the Tenderloin Street Dealing Intervention Program in Fiscal Year (FY) 2022-2023.

(Fiscal Impact)

03/14/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/13/2023.

RESOLUTIONS

230293 **[Accept and Expend Grant - Retroactive - California Department of Health Care Services - Bridge Navigator Program - $120,000]**

Sponsors: Mayor; Mandelman and Safai

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $120,000 from the California Department of Health Care Services through the Public Health Institute for participation in a program, entitled “Bridge Navigator Program,” for the period of July 1, 2022, through June 30, 2023. (Public Health Department)

03/14/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230294 **[Accept and Expend Grant - Retroactive - University of California, San Francisco - Construction Community Outreach Program - $150,000]**

Sponsors: Mayor; Chan

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of $150,000 from the University of California, San Francisco (UCSF) for the CityBuild program to assist UCSF’s Construction Community Outreach Program in achieving their voluntary local hire goal of 30% on UCSF projects during the grant period of July 1, 2022, through June 30, 2023. (Department of Economic and Workforce Development)

03/14/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230295 **[Commemorating the 125th Anniversary of United States v. Wong Kim Ark - March 28, 2023]**

Sponsors: Engardio; Walton, Stefani and Melgar

Resolution commemorating March 28, 2023, as the 125th anniversary of the landmark Supreme Court decision in United States v. Wong Kim Ark, which affirmed the birthright citizenship of everyone born in the United States including children of immigrants.

03/14/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230296 **[Recognizing National Surveyors Week and Global Surveyors Day]**
Sponsors: Mandelman; Chan and Peskin
Resolution recognizing the week of March 19, 2023, through March 25, 2023, as National Surveyors Week, and March 21, 2023, as Global Surveyors Day in the City and County of San Francisco.
03/14/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230297 **[Initiating Landmark Designation - Westwood Park Entrance Gates and Pillars]**
Sponsor: Melgar
Resolution initiating a landmark designation under Article 10 of the Planning Code for the Westwood Park Entrance Gates, located at the intersection of Miramar Avenue and Monterey Boulevard, and the Westwood Park Entrance Pillars located at the intersection of Miramar Avenue and Ocean Avenue.
03/14/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230247 **[Five-Year Information and Communication Technology Plan - FYs 2024-2028]**
Sponsor: Peskin
Resolution adopting the City's five-year Information and Communication Technology Plan for Fiscal Years (FYs) 2023-2024 through 2027-2028, pursuant to Administrative Code, Section 22A.6. (City Administrator)
02/28/23; RECEIVED FROM DEPARTMENT.

03/14/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230298 **[Recognizing Problem Gambling Awareness Month - March 2023]**
Sponsors: Peskin; Chan, Engardio, Walton, Stefani and Mandelman
Resolution recognizing March 2023 as Problem Gambling Awareness Month in the City and County of San Francisco.
03/14/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230299 **[Initiating Landmark Designation - Carnaval Mural - 1311 South Van Ness Avenue]**
Sponsor: Ronen
Resolution initiating landmark designation under Article 10 of the Planning Code of the Carnaval Mural, located at 1311 South Van Ness Avenue, Assessor's Parcel Block No. 6519, Lot No. 039.
03/14/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230300 **[Initiating Landmark Designation - Chata Gutierrez Mural - 3175-24th Street]**
Sponsor: Ronen
Resolution initiating a landmark designation under Article 10 of the Planning Code of the Chata Gutierrez Mural, located at 3175-24th Street, Assessor's Parcel Block No. 6519, Lot No. 041.
03/14/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230305 **[Supporting California State Assembly Bill No. 28 (Gabriel) - The Gun Violence Prevention, Healing, and Recovery Act]**
Sponsors: Stefani; Walton and Chan
Resolution supporting California State Assembly Bill No. 28, introduced by Assembly Member Jesse Gabriel, the Gun Violence Prevention, Healing, and Recovery Act, which would state the intent of the Legislature to enact legislation to impose a tax on firearms and ammunition sales to fund measures to protect against gun violence.

MOTIONS

230284 **[Mayoral Appointment, Port Commission - Ed Harrington]**
Motion approving/rejecting the Mayor's nomination for appointment of Ed Harrington to the Port Commission, term ending May 1, 2024. (Clerk of the Board)
(Charter, Section 4.114, provides that the Mayor's appointment is subject to confirmation by a majority (six votes) of the Board of Supervisors, with no timeframe to confirm specified. Transmittal Date: March 13, 2023.)
03/14/23; RECEIVED AND ASSIGNED to Rules Committee.

230306 **[Amending the Rules of Order - Providing for Remote Public Comment Opportunities]**
Motion amending the Board of Supervisors' Rules of Order by creating a new Rule 1.3.3, In-Person and Remote Public Comment, and amending Rule 4.22, Public Comment, to provide for remote comment opportunities by all members of the public who wish to comment remotely. (Clerk of the Board)
03/14/23; RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

230301 **[Hearing - Prop G "Student Success Fund" Implementation Plan]**
Sponsor: Ronen
Hearing on the Prop G "Student Success Fund" implementation plan, application procedures, selection criteria and the information/outreach plan that will be conducted to inform schools on the process and encourage application for these funds; and requesting the Department of Children, Youth and Their Families and San Francisco Unified School District to report.
03/14/23; RECEIVED AND ASSIGNED to Youth, Young Adult, and Families Committee.

230302 **[Hearing - Review of City Contracts with TODCO and Health and Safety Complaints against TODCO Buildings]**

Sponsor: Stefani

Hearing to review the monitoring and oversight of City and County of San Francisco contracts with Tenants and Owners Development Corporation (TODCO) and review the number of historical complaints filed against TODCO buildings; and requesting the Department of Homelessness and Supportive Housing, Mayor's Office of Housing and Community Development, Department of Building Inspection, and Planning Department to report.

03/14/23; RECEIVED AND ASSIGNED to Government Audit and Oversight 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

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)

03/06/23; RECEIVED FROM DEPARTMENT.

03/14/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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)

03/06/23; RECEIVED FROM DEPARTMENT.

03/14/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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)

03/06/23; RECEIVED FROM DEPARTMENT.

03/14/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

230248 **[Airport Professional Services Agreement - T1 Partners - Program Management Support Services for the Terminal 1/Boarding Area B Redevelopment Program - Term Extension]**

Resolution approving Modification No. 18 to Airport Contract 9185.9, Program Management Support Services for the San Francisco International Airport, Terminal 1/Boarding Area B Redevelopment Program, with T1 Partners, a Joint Venture consisting of The Allen Group, LLC, and EPC Consultants, Inc., to extend the term from July 7, 2023, through July 31, 2025, with no change to the contract amount not to exceed $38,000,000 pursuant to Charter, Section 9.118(b). (Airport Commission)

03/03/23; RECEIVED FROM DEPARTMENT.

03/14/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230249 **[Settlement of Unlitigated Claim - Joseph Goldmark - $35,000]**

Resolution approving the settlement of the unlitigated claim filed by Joseph Goldmark against the City and County of San Francisco for $35,000; the claim was filed on November 29, 2022; the claim involves alleged property damage due to flooding caused by a water main rupture. (City Attorney)

03/06/23; RECEIVED FROM DEPARTMENT.

03/14/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230250 **[Settlement of Unlitigated Claim - Chinatown Community Development Center - $70,000]**

Resolution approving the settlement of the unlitigated claim filed by Chinatown Community Development Center against the City and County of San Francisco for $70,000, the claim was filed on September 20, 2022; the claim involves alleged property damage due to fire suppression and rescue training activities. (City Attorney)

03/06/23; RECEIVED FROM DEPARTMENT.

03/14/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230251 **[Settlement of Unlitigated Claim - Michael Gwilliam - $38,350]**

Resolution approving the settlement of the unlitigated claim filed by Michael Gwilliam against the City and County of San Francisco for $38,350; the claim was filed on October 14, 2022; the claim involves alleged property damage due to flooding caused by a water main rupture. (City Attorney)

03/06/23; RECEIVED FROM DEPARTMENT.

03/14/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230252 **[Settlement of Unlitigated Claim - BRIDGE Housing Corporation - $100,000]**

Resolution approving the settlement of the unlitigated claim filed by BRIDGE Housing Corporation against the City and County of San Francisco for $100,000; the claim was filed on September 8, 2022; the claim involves alleged property damage due to flooding caused by a water main rupture. (City Attorney)

03/06/23; RECEIVED FROM DEPARTMENT.

03/14/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests Granted

From Supervisor Ahsha Safai
To: The Office of the City Attorney
Requests: Requesting a draft Ordinance amending the San Francisco Building Code to make the site permits processes more predictable, require simultaneous review of all site permits, put limitations on what City plan reviewers will review in the site permit process (applicable to all site permits except high rise development) and how many times they provide comments to applicants. The legislation will allow the City to meet state post-entitlement review requirements established in AB 2234 (Rivas).

From: Supervisor Ahsha Safai
To: The Office of the Treasurer & Tax Collector, Retirement Board, Mayor's Office of Housing and Community Development, Office of Community Investment & Infrastructure, Controller's Office, Office of Economic and Workforce Development and the Office of the City Attorney
Requests: Request the Following:
• The Office of the Treasurer & Tax Collector and the Retirement Board report a thorough accounting of possible related investments handled by Silicon Valley Bank (SVB).
• The Mayor's Office of Housing and Community Development and Office of Community Investment to report on how the failure of SVB impacts the housing pipeline.
• The Controller's Office and Office of Economic Workforce Development to report on any broader economic issues that may impact the City and County of San Francisco's business community due to the failure of SVB.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 9:23 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 April 18, 2023.

Angela Calvillo, Clerk of the Board