



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, January 23, 2024 - 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
CONNIE CHAN, MATT DORSEY, JOEL ENGARDIO, RAFAEL MANDELMAN,
MYRNA MELGAR, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI,
CATHERINE STEFANI, SHAMANN WALTON

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee
Supervisors Chan, Mandelman, Melgar, Walton, Peskin

Budget and Finance Committee
Supervisors Chan, Mandelman, Melgar

Government Audit and Oversight Committee
Supervisors Preston, Stefani, Chan

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee
Supervisors Stefani, Engardio, Dorsey

Rules Committee
Supervisors Ronen, Walton, Safai

Meeting Days

Wednesday
1:30 PM

Wednesday
10:00 AM

1st and 3rd Thursday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents: 1) Legislation; 2) Budget and Legislative Analyst report; 3) Department or Agency cover letter and/or report; 4) Public correspondence. These items are available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk or at <https://sfbos.org/legislative-research-center-lrc>.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where legislation is the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) vocal or audible support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones or electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room. Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives; except that public speakers using interpretation assistance will be allowed to testify for twice the amount of time. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want to display a document should place it on the overhead during their public comment and remove the document when they want the screen to return to live coverage of the meeting.

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PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

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

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

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV at www.sfgovtv.org or Cable Channels 26, 28, 78 or 99 (depending on your provider). Board and Committee meeting agendas and minutes are available on the Board's website www.sfbos.org and adhere to web development Federal Access Board's Section 508 Guidelines. For reasonable accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Board of Supervisors' Rules of Order 1.3.3 does not permit remote public comment by members of the public at meetings of the Board and its committees, except as legally required to enable people with disabilities to participate in such meetings. If you require remote access as a means of reasonable accommodation under ADA, please contact the Clerk's Office to request remote access, including a description of the functional limitation(s) that precludes your ability to attend in person. Requests made at least 48 hours in advance of the meeting will help to ensure availability. For further assistance, please contact Wilson Ng at (415) 554-5184 wilson.l.ng@sfgov.org

Know Your Rights Under The Sunshine Ordinance

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

Ethics Requirements

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

Pursuant to Board Rule 4.7.1 the President shall present the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula.

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the December 5, 2023, and December 12, 2023, Board Meeting Minutes.

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 3

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

1. [231125](#) **[Building, Green Building, Mechanical, and Plumbing Codes - Amending Findings Supporting Enactment of 2022 Codes]**
 Ordinance amending the local findings included by reference in the following Ordinances: 1) 2022 San Francisco Building Code (Ordinance No. 225-22); 2) 2022 San Francisco Green Building Code (Ordinance No. 227-22); 3) 2022 San Francisco Mechanical Code (Ordinance No. 228-22); 4) San Francisco Plumbing Code (Ordinance No. 230-22); and directing the Clerk of the Board to forward the Ordinance to the California Building Standards Commission as required by State law. (Building Inspection Commission)

01/09/2024; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

2. [231076](#) **[Administrative Code - Composition of Behavioral Health Commission]**
Sponsor: Dorsey
Ordinance amending the Administrative Code to reduce the membership of the Behavioral Health Commission from 17 to 12 seats; provide that the full Board of Supervisors rather than individual Supervisors makes these appointments; require that at least one seat be held by a veteran or veteran advocate; reduce the minimum number of seats reserved for consumers and families of consumers from nine to six; provide two seats for mental health professionals; update staggered terms for all seats; and retain existing members.

01/09/2024; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [231217](#) **[Administrative Code - Surveillance Technology Policy - City Administrator - Security Camera Systems]**
Ordinance approving a modified Surveillance Technology Policy for the City Administrator's Office's acquisition and use of security camera systems. (City Administrator)

01/09/2024; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Melgar

4. [231054](#) **[Authorization of American Registry for Internet Numbers Agreements with Department of Technology]**
Ordinance approving contracts between the City and the American Registry for Internet Numbers, LTD. (ARIN) for the registration of the City's internal network and the public-facing network Internet Protocol addresses, and granting waivers of specified contract-related requirements in the Administrative Code for this transaction. (Department of Technology)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. [231128](#) **[Appropriation - \$1,350,239 in Tax Increment Revenue Bond Proceeds in Treasure Island Infrastructure and Revitalization Financing District - FY2023-2024]**
Sponsors: Mayor; Dorsey
Ordinance appropriating \$1,350,239 from the issuance of Treasure Island Infrastructure and Revitalization Financing District (IRFD) Series 2023B Tax Increment Revenue Bonds to the affordable housing project in the Mayor's Office of Housing and Community Development; and placing these amounts on Controller's Reserve in Fiscal Year (FY) 2023-2024.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?
6. [231222](#) **[Accept and Expend Grant - Retroactive - State of California - Board of State and Community Corrections - Organized Retail Theft Vertical Prosecution Program - Amendment to the Annual Salary Ordinance - FY2023-2024 and FY2024-2025 - \$2,050,000]**
Sponsors: Mayor; Mandelman and Melgar
Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$2,050,000 from the State of California, Board of State and Community Corrections, to fund the Organized Retail Theft Vertical Prosecution Grant Program; and amending Ordinance No. 145-23 (Annual Salary Ordinance, File No. 230645 for Fiscal Years (FYs) 2023-2024 and 2024-2025) to provide for the addition of one grant-funded position in Class 8177 Attorney-Civil/Criminal (FTE 1.0) and one grant-funded position in Class 8550 District Attorney's Investigator-SFERS (FTE 1.0) at the Office of the District Attorney for the grant agreement period of October 1, 2023, through June 1, 2027.
(District Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?
7. [231277](#) **[Accept and Expend Grant - Retroactive - John D. and Catherine T. MacArthur Foundation - Safety and Justice Challenge - \$1,200,000]**
Sponsors: Mayor; Mandelman
Resolution retroactively authorizing the Office of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of \$1,200,000 from the John D. and Catherine T. MacArthur Foundation, for the grant period of January 1, 2023, through December 31, 2025, to support and sustain the City and County of San Francisco's comprehensive efforts to reduce jail incarceration and racial and ethnic disparities in jail usage as a site in the Safety and Justice Challenge. (District Attorney)

Question: Shall this Resolution be ADOPTED?
8. [231267](#) **[Organized Retail Theft Prevention Grant Program - Waiving Competitive Procurement Requirements Under Administrative Code]**
Sponsors: Mayor; Safai and Mandelman
Ordinance authorizing the Police Department to expend grant funds received from the Board of State and Community Corrections Organized Retail Theft Grant Program to procure equipment and services without competitive bidding under Administrative Code, Chapter 21.

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. [231118](#) **[Accept and Expend Grant - Retroactive - California Energy Commission - California Automated Permit Processing Program - \$100,000]**
Sponsors: Mayor; Mandelman
Resolution retroactively authorizing the Department of Building Inspection to accept and expend a grant in the amount of \$100,000 from the California Energy Commission for participation in the California Automated Permit Processing Program and for costs associated directly with the adoption and maintenance of SolarAPP+, an online, automated solar permitting platform, for the period of September 1, 2023, through May 31, 2027. (Building Inspection Department)
- Question: Shall this Resolution be ADOPTED?**
10. [231135](#) **[Accept and Expend Grant - Retroactive - United States Department of Justice - STOP School Violence Program - \$1,000,000]**
Sponsors: Mayor; Ronen, Mandelman and Melgar
Resolution retroactively authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$1,000,000 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for participation in a program, entitled "STOP School Violence Program," for the period of October 2, 2023, through October 1, 2026; the funds will enhance the current San Francisco School Crisis Support Coordination Project to improve San Francisco Unified School District's school climate. (Department of Children, Youth & Their Families)
- Question: Shall this Resolution be ADOPTED?**
11. [231169](#) **[Accept and Expend Grant - Retroactive - California State Coastal Conservancy - 900 Innes Redevelopment Project - \$5,100,000]**
Sponsors: Mayor; Walton
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant from the California State Coastal Conservancy for a term effective upon execution of the Grant Agreement through December 31, 2024, in the amount of \$5,100,000 for the 900 Innes Redevelopment Project; approving the associated grant agreement; approving the recording of a deed restriction that prohibits residential use and commercial uses defined as "sensitive" on the property in perpetuity; and authorizing the Recreation and Park Department to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the Project or this Resolution. (Recreation and Park Department)
- Question: Shall this Resolution be ADOPTED?**
12. [231174](#) **[Accept and Expend Grant - Retroactive - Andrew W. Mellon Foundation - Jail and Reentry Services Program - Not to Exceed \$375,000]**
Sponsor: Mayor; Mandelman
Resolution retroactively authorizing the San Francisco Public Library to accept and expend a grant not to exceed amount of \$375,000 from the Andrew W. Mellon Foundation to support the Jail and Reentry Services Program for the performance period of October 1, 2023, through December 31, 2024. (Public Library)
- Question: Shall this Resolution be ADOPTED?**

13. [231196](#) **[Adopting a Fixed Two-Year Budget in Multiple City Departments, FY 2024-2025 and FY 2025-2026]**
Sponsor: Mayor
Resolution adopting a fixed two-year budgetary cycle for the following City departments: Airport, Port, and Public Utilities Commission for Fiscal Years (FY) 2024-2025 and 2025-2026; defining terms and setting deadlines.
Question: Shall this Resolution be ADOPTED?
14. [231214](#) **[Master Lease Amendment - Retroactive - United States Navy - Treasure Island Land and Structures - Term Extension]**
Resolution retroactively approving Amendment No. 48 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2023, for a total term of November 19, 1998, through November 30, 2024; and to authorize the Treasure Island Director to execute and enter into amendments to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes and intent of this Resolution. (Treasure Island Development Authority)
Question: Shall this Resolution be ADOPTED?
15. [231238](#) **[Accept and Expend Grant - Retroactive - California Department of Social Services - Complex Care Capacity Building Allocation - Not to Exceed \$360,570]**
Sponsors: Mayor; Mandelman
Resolution retroactively authorizing the Department of Juvenile Probation to accept and expend a grant allocation from the California Department of Social Services in the amount of \$360,570 for the period of October 1, 2021, through September 30, 2026, for Intensive Foster Care and Family Preservation Services. (Juvenile Probation Department)
Question: Shall this Resolution be ADOPTED?
16. [231240](#) **[Accept and Expend Grant - Retroactive - Blue Shield California Foundation - Leveraging Collaboratives to End Domestic Violence Program - \$305,850.45]**
Sponsors: Mayor; Mandelman
Resolution retroactively authorizing the Department on the Status of Women to accept and expend a grant increase in the amount of \$155,850.45 for a total amount of \$305,850.45 from the Blue Shield California Foundation for a one-year grant period from April 1, 2023, through March 31, 2024, for the Leveraging Collaboratives to End Domestic Violence Program. (Department on the Status of Women)
Question: Shall this Resolution be ADOPTED?

Referred Without Recommendation From the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Melgar

- 17. [231202](#) **[Emergency Declaration - Zuckerberg San Francisco General Hospital Building 2 - Chiller and Boiler and Cooling Tower Replacement - Estimated Cost of Repairs Exceeds \$250,000]**

Sponsor: Mayor

Resolution approving the Director of Public Works' declaration of emergency under Administrative Code, Section 6.60, to replace chiller, boiler, and cooling tower and perform associated repair and upgrades at Zuckerberg San Francisco General Hospital located at 1001 Potrero Avenue, estimated to cost in excess of \$250,000; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

- 18. [231130](#) **[Existing Building Code - Supplemental Inspections for Tall Buildings]**

Sponsor: Peskin

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

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 19. [231261](#) **[Conditional Property Exchange Agreement - Kensington Way LLC - Potential Exchange of Vacant Land on Edgehill Mountain Near Kensington Way for Vacant Land Near Moraga Avenue and Noriega Avenue]**

Sponsor: Melgar

Resolution authorizing an agreement for the conditional exchange of vacant land located on Edgehill Mountain for City's property on paper street areas near Moraga Avenue and Noriega Avenue; finding that the exchange agreement is a conditional land acquisition agreement under California Environmental Quality Act Guidelines, Section 15004(b)(2)(A); finding City's property to be exempt surplus land under California Government Code, Section 54221(f)(1)(C); and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of the exchange agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the exchange agreement or this Resolution.

Question: Shall this Resolution be ADOPTED?

Referred Without Recommendation From the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

20. [231216](#) [Planning Code - Landmark Designation - Westwood Park Entrance Gateways and Pillars]

Sponsor: Melgar

Ordinance amending the Planning Code to designate the Westwood Park Entrance Gateways and Pillars, located at the intersections of Miramar Avenue and Monterey Boulevard, Miramar Avenue and Ocean Avenue, and Judson Avenue and Frida Kahlo Way, 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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Public Safety and Neighborhood Services Committee

Present: Supervisors Engardio, Dorsey

21. [231158](#) [Health Code - Regulating Medical Specimen Test Collection Sites]

Sponsors: Preston; Ronen and Dorsey

Ordinance amending the Health Code to require that sites that collect medical specimens on behalf of clinical laboratories partner with either a governmental entity, a licensed health care provider located in the City, or an educational or academic institution, establish hygiene, sanitation, and privacy standards, and adhere to the Health Insurance Portability and Accountability Act; prohibiting such sites from paying individuals to take a medical test; and providing that a violation of the specimen collection standards is a misdemeanor offense and a public health nuisance subject to an administrative penalty that may be imposed by the Department of Public Health.

11/07/2023; DUPLICATED.

11/07/2023; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/07/2023; RE-REFERRED AS AMENDED to the Public Safety and Neighborhood Services Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. [231087](#) **[Support for the SOMA Pilipinas Gateway Cultural Marker]**
Sponsors: Dorsey; Peskin, Mandelman, Stefani, Engardio, Ronen, Safai, Chan, Preston, Melgar and Walton
Resolution expressing support for a permanent cultural monument for the Filipino Cultural Heritage District; urging the Arts Commission to commission new works that center voices and stories that are not currently reflected by the current collection, such as the voices that reflect Filipino culture and identity; and finding that the SOMA Pilipinas Gateway Project could provide a model for the City to advance social and racial equity by producing cultural monuments that lift up the rich history and collective experience, contributions, struggles, and triumphs of people of color and immigrant communities who are an important part of San Francisco's diversity and soul as a City.

10/24/2023; REFERRED to the Public Safety and Neighborhood Services Committee.

Question: Shall this Resolution be ADOPTED?
23. [231114](#) **[Liquor License Transfer - 690 Sacramento Street - RM212]**
Resolution determining that the person-to-person, premise-to-premise transfer of a Type-48 on-sale general public premises liquor license to Triple Chan Enterprises, to do business as the RM212, located at 690 Sacramento Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Question: Shall this Resolution be ADOPTED?
24. [231157](#) **[Liquor License Issuance - 177 Eddy Street - The Record Bar]**
Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to SR Visions LLC, to do business as The Record Bar located at 177 Eddy Street (District 5), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

25. [231124](#) **[Campaign and Governmental Conduct Code - Form 700 Filers - General Services Agency - City Administrator]**
Ordinance amending the Campaign and Governmental Conduct Code to update and clarify the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements for officers and employees in the General Services Agency under the City Administrator. (City Administrator)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

(The President may entertain a motion to continue this Hearing and associated Motions to the Board of Supervisors meeting of February 6, 2024. Public Comment will be taken on the continuance.)

26. [231285](#) [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 2395 Sacramento Street Project]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a General Plan Evaluation by the Planning Department on October 23, 2023, for the proposed project at 2395 Sacramento Street, to allow the rehabilitation of an existing 24,850 square-foot, 4 ½ -story former medical library building at 2395 Sacramento Street (Assessor's Parcel Block No. 0637, Lot No. 016) and to develop an adjacent 3,497 square foot vacant lot at Assessor's Parcel Block No. 0637, Lot No. 015, in order to construct a 68,531 square-foot, 7-story over basement, 78 foot-10 inch tall, residential building containing 24 residential units (1 one-bedroom, 10 two-bedroom, 9 three-bedroom, and 4 four-bedroom), 26 below-grade vehicle parking spaces and 38 Class 1 bicycle parking spaces, seeking waivers from development standards under the individually requested state density bonus program, including Rear Yard (Section 134), Exposure (Section 140), and Height Limit (Section 260), within the RM-3 (Residential, Mixed Use) Zoning District and a 40-X Height and Bulk District. (District 2) (Appellant: Richard Toshiyuki Drury of Lozeau Drury LLP, on behalf of Jonathan Clark) (Filed December 11, 2023) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

27. [231286](#) **[Affirming the General Plan Evaluation - 2395 Sacramento Street]**
Motion affirming the determination by the Planning Department that the proposed project at 2395 Sacramento Street is exempt from further environmental review under a General Plan Evaluation. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
28. [231287](#) **[Conditionally Reversing the General Plan Evaluation - 2395 Sacramento Street]**
Motion conditionally reversing the determination by the Planning Department that the proposed project at 2395 Sacramento Street is exempt from further environmental review, under a General Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
29. [231288](#) **[Preparation of Findings to Reverse the General Plan Evaluation - 2395 Sacramento Street]**
Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 2395 Sacramento Street is exempt from further environmental review under a General Plan Evaluation. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, January 18, 2024, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, January 23, 2024.

30. [231273](#) **[Settlement of Claims, Litigation - SFPUC Water Pipeline Break - Fillmore Street and Green Street - Not to Exceed \$7,000,000]**
Sponsor: Stefani
Ordinance authorizing the San Francisco Public Utilities Commission (SFPUC) and the Office of the City Attorney to approve settlements of claims arising out of the September 10, 2023, break of the SFPUC's water transmission pipeline at the intersection of Fillmore and Green Streets for amounts exceeding \$25,000 per claim, notwithstanding Administrative Code, Section 10.22, et. seq., but not to exceed \$1,000,000 per claim, and delegating authority under Charter, Section 6.102(5) for the settlement of related litigation, if any, up to an aggregate total settlement amount not to exceed \$7,000,000, subject to periodic reporting to the Board of Supervisors Government Audit and Oversight Committee. (Public Utilities Commission)
Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Regular Meeting on Monday, January 22, 2024, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, January 23, 2024.

31. [231254](#) [Mayoral Appointment, Municipal Transportation Agency Board of Directors - Janet Tarlov]

Motion approving/rejecting the Mayor's nomination for appointment of Janet Tarlov, term ending March 1, 2024, to the Municipal Transportation Agency Board of Directors. (Clerk of the Board)

(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: November 30, 2023.)

Question: Shall this Motion be APPROVED?

32. [240033](#) [Mayoral Appointment, Controller - Greg Wagner]

Motion approving/rejecting the Mayor's appointment of Greg Wagner as the Controller for the City and County of San Francisco, for a ten-year term, pursuant to Charter, Section 3.105. (Clerk of the Board)

(Charter, Section 3.105, provides that this appointment is subject to confirmation by the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: January 10, 2024.)

Question: Shall this Motion be APPROVED?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

(PUBLIC COMMENT for Items 35 through 37 will be taken during Item 34 - General Public Comment.)

Items 35 through 37

35. [240027](#) **[Urging Safeway to Reverse Plan to Close a Grocery Store in the Fillmore]**
Sponsors: Preston; Walton, Safai, Peskin and Chan
Resolution urging Safeway Incorporated to reverse plan to close a grocery store at 1335 Webster Street in the Fillmore in March 2024.
- 01/09/2024; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
36. [240028](#) **[Supporting California Senate Bill No. 905 (Wiener) - Closing the “Locked Door” Loophole In Auto Break-In Burglary Cases]**
Sponsor: Stefani
Resolution supporting California State Senate Bill No. 905, introduced by Senator Scott Wiener, to close the “locked door loophole” that creates barriers to successfully prosecuting auto burglary.
- 01/09/2024; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
37. [240043](#) **[Committee of the Whole - Ground Lease Agreements - Transbay Block 2 West - February 13, 2024, at 3:00 p.m.]**
Sponsor: Dorsey
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on February 13, 2024, at 3:00 p.m. to hold a public hearing under California Health and Safety Code, Section 33433, and Redevelopment Plan, Section 4.7.2, for the Transbay Redevelopment Project Area to consider approval of ground leases with Transbay 2 Senior, LP and CCDC Transbay 2 Commercial, LLC, for the construction and operation of a mixed-use affordable housing development located at 200 Folsom Street, Assessor’s Parcel Block No. 3739, Lot Nos. 015 and 016, also referred to as Transbay Block 2 West within the Transbay Redevelopment Project Area.
- 01/17/2024; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

38. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

(PUBLIC COMMENT WILL BE TAKEN on any Imperative Agenda item introduced.)

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES**240034 [Settlement of Lawsuit - Jeffrey Paillet - \$835,000]**

Ordinance authorizing settlement of the lawsuit filed by Jeffrey Paillet against the City and County of San Francisco for \$835,000; the lawsuit was filed on November 2, 2021, in San Francisco Superior Court, Case No. CGC-21-596176; entitled Jeffrey Paillet v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

01/09/2024; RECEIVED FROM DEPARTMENT.

01/23/2024; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

240035 [Settlement of Lawsuit - Mason Masuda - \$9,000,000]

Ordinance authorizing settlement of the lawsuit filed by Mason Masuda against the City and County of San Francisco for \$9,000,000; the lawsuit was filed on May 9, 2023, in San Francisco Superior Court, Case No. CGC-23-606369; entitled Mason Masuda v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

01/12/2024; RECEIVED FROM DEPARTMENT.

01/23/2024; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

240036 [Business and Tax Regulations Code - Transient Occupancy Tax Returns]

Ordinance amending the Business and Tax Regulations Code for tax periods beginning on or after January 1, 2024, to require short-term rental hosts that do not operate through a qualified website company to file transient occupancy tax returns annually, waive the requirement for those hosts to obtain a certificate of authority from the Tax Collector, change the period for filing transient occupancy tax returns from annually to monthly for all hotel small operators other than short-term rental hosts, codify the Tax Collector's qualified website company program and the return and payment requirements for Tourism Improvement District and Moscone Expansion District assessments, and require qualified website companies to collect and remit Tourism Improvement District assessments. (Treasurer-Tax Collector)

01/12/2024; RECEIVED FROM DEPARTMENT.

01/23/2024; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

PROPOSED RESOLUTIONS

240037 [Settlement of Unlitigated Claims - Florence Kong; Kin Wo Construction, Inc.; Kwan Wo Ironworks, Inc.; and SFR Recovery, Inc. - San Francisco to Receive \$750,000]

Resolution approving settlement of unlitigated claims against Florence Kong; Kin Wo Construction, Inc.; Kwan Wo Ironworks, Inc.; and SFR Recovery, Inc. (collectively “the Kong Parties”) for restitution and civil penalty payments totaling \$750,000; the claims involve allegations that Florence Kong provided gifts to a City official with the intent to unlawfully influence City officials in award of City contracts to the Kong Parties; other material terms of the settlement are that all of the Kong Parties will be debarred except for Kwan Wo Ironworks, Inc., which will remain suspended for a minimum term of three years and until full payment of the settlement amount of \$750,000. (City Attorney)

01/12/2024; RECEIVED FROM DEPARTMENT.

01/23/2024; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

240038 [Public Auction - Tax-Defaulted Real Property]

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property, as defined herein. (Treasurer-Tax Collector)

01/05/2024; RECEIVED FROM DEPARTMENT.

01/23/2024; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

240039 [Grant of Non-Exclusive Easement - Midtown Lands LLC - Assessor’s Parcel Block No. 2781, Lot No. 022]

Resolution approving and authorizing an Easement Agreement and Quitclaim between the City and Midtown Lands LLC, fixing and perfecting the location and terms of an easement reserved in a 1957 subdivision instrument, for vehicular and pedestrian access and subsurface utilities within Assessor’s Parcel Block No. 2781, Lot No. 022, a City parcel located in the Twin Peaks neighborhood; adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; affirming the Planning Department’s determination under the California Environmental Quality Act; and to authorize the Director of Property to enter into amendments or modifications to the Easement Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Easement Agreement or this Resolution. (Real Estate Department)

01/08/2024; RECEIVED FROM DEPARTMENT.

01/23/2024; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

240040 [Petitions and Communications]

Petitions and Communications received from January 4, 2024, through January 18, 2024, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on January 23, 2024.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the President of the Board of Supervisors, submitting the 2024 Board of Supervisors Committee Assignments. Copy: Each Supervisor. (1)

From the Office of the Mayor, making appointments to the following bodies. Copy: Each Supervisor. (2)

Appointment pursuant to Charter, Section 3.105:

- Controller
 - o Greg Wagner - for a ten-year term from the effective date of such appointment

Appointments pursuant to Charter, Sections 3.100(18) and 4.134:

- Small Business Commission
 - o Lawanda Dickerson - term ending January 6, 2028
 - o Cynthia Huie - term ending January 6, 2028

Appointments pursuant to Charter, Sections 3.100(18) and 4.110:

- Health Commission
 - o Susan Christian, for a four-year term ending January 15, 2028
 - o Cecilia Chung, for a four-year term ending January 15, 2028

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

From the Department of Homelessness and Supportive Housing (HSH), pursuant to Resolution No. 432-23, submitting a report, entitled "Vacancies in Permanent Supportive Housing: Update Report." File No. 230950. Copy: Each Supervisor. (4)

From the San Francisco Public Utilities Commission (SFPUC), pursuant to Resolution No. 413-22, submitting annual performance monitoring evaluation for Contract CS-235. File No. 220791. Copy: Each Supervisor. (5)

From the Department on the Status of Women (DSW), submitting a Monthly Update on the Status of Abortion Rights. Copy: Each Supervisor. (6)

From the Clerk of the Board of Supervisors, regarding Sole Source Annual Report reminders. Copy: Each Supervisor. (7)

From the Office of the Controller (CON), pursuant to Administrative Code, Section 3.18, submitting a Fiscal Year 2022-23 Surplus Transfers Report. Copy: Each Supervisor. (8)

From San Francisco International Airport (AIR), pursuant to Charter, Section 4.104, submitting amended rules and regulations. Copy: Each Supervisor. (9)

From Dave Warner, regarding a proposed set of questions for the San Francisco Utilities Commission Citizens Advisory Committee. Copy: Each Supervisor. (10)

From Mira Martin-Parker, regarding multiple topics. Copy: Each Supervisor. (11)

From a Josephine Zhao, regarding High Occupancy Vehicle (HOV) lanes on Park Presidio Boulevard and Lombard Street. Copy: Each Supervisor. (12)

From various departments, pursuant to Administrative Code, Sections 12B.5-1(d)(1) and 12B.5-1(d)(2), submitting approved Chapter 12B Waiver Request Forms. 7 Forms. Copy: Each Supervisor. (13)

From Idan Perez, regarding a Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to define "Full-Duty Sworn Officers" for purposes of establishing minimum staffing levels for sworn officers of the Police Department; and, contingent upon the Controller's certification that a future tax measure passed by the voters will generate sufficient additional revenue to fund the cost of employing Full-Duty Sworn Officers at specified minimum staffing levels and the minimum amount necessary to implement a police staffing fund. File No. 230985. Copy: Each Supervisor. (14)

From the Castro Community Benefit District, regarding landmarking the Gilbert Baker Rainbow Flag at Harvey Milk Plaza. Copy: Each Supervisor. (15)

From the Latino Task Force, regarding the reappointment of William Ortiz-Cartagena to the Small Business Commission. Copy: Each Supervisor. (16)

From a member of the public, regarding the Board of Supervisors. Copy: Each Supervisor. (17)

From Joe Kunzler, regarding public comment. Copy: Each Supervisor. (18)

From members of the public, regarding a proposed Resolution calling for a sustained ceasefire in Gaza, humanitarian aid, release of hostages, and condemning antisemitic, anti-Palestinian, and Islamophobic rhetoric and attacks. 116 Letters. File No. 231263. Copy: Each Supervisor. (19)

From the Health Commission, pursuant to Health Code, Article 31, Section 3107, submitting revised Hunters Point Shipyard regulations. Copy: Each Supervisor. (19)

From Pacific Gas and Electric Company (PG&E), submitting a notice of PG&E's request to increase rates in its helms uprate cost application. Copy: Each Supervisor. (20)

From Katherine Wheeler, regarding conditions at the Bayview Safety Awareness for Everyone (SAFE) Navigation Center. Copy: Each Supervisor. (21)

From Positive Resource Center (PRC), regarding the Citywide Nonprofit Monitoring and Capacity Building Program Fiscal Year 2022-2023 Annual Report issued by the Controller's Office. Copy: Each Supervisor. (22)

From Julien DeFrance, regarding homelessness. Copy: Each Supervisor. (23)

From Kim Simms, regarding a proposed Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024. File No. 230986. Copy: Each Supervisor. (24)

From members of the public, regarding a proposed Ordinance prohibiting the Recreation and Park Department and Planning Department from performing environmental review of, or otherwise implementing, a project to clean up and reconstruct the Marina Yacht Harbor in a manner that would extend the West Harbor Marina by more than 150 feet from its current boundary. 2 letters. File No. 231191. Copy: Each Supervisor. (25)

From members of the public, regarding a proposed Resolution urging Safeway Incorporated to reverse plan to close a grocery store at 1335 Webster Street in the Fillmore in March 2024. 4 letters. File No. 240027. (26)

From the California Fish and Game Commission, submitting Notice of Revised Proposed Regulatory Language concerning the Klamath River. Copy: Each Supervisor. (27)

From members of the public, regarding light shows in Golden Gate Park. 3 Letters. Copy: Each Supervisor. (28)

From members of the public, regarding John F. Kennedy Drive. 2 letters. Copy: Each Supervisor. (29)

From Monica D., regarding various subjects. 11 Letters. Copy: Each Supervisor. (30)

From members of the public, regarding a Resolution urging the Municipal Transportation Agency (MTA) to develop and implement a plan for No Turn On Red (NTOR) at every signalized intersection in San Francisco and approve a citywide NTOR policy. File No. 231016; Resolution No. 481-23. 45 Letters. Copy: Each Supervisor. (31)

From members of the public, regarding San Francisco Municipal Transportation Agency (SFMTA) Director of Transportation Jeffrey Tumlin. 14 Letters. Copy: Each Supervisor. (32)

From members of the public, regarding an upzoning proposal. 15 letters. Copy: Each Supervisor. (33)

ADJOURNMENT