

Due to technical issues from a severed fiber optic cable, the

Tuesday, April 11, 2023

Board of Supervisors meeting

was RECESSED until

Wednesday, April 12, 2023 at

9:30 a.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

IN-PERSON MEETING

Legislative Chamber, Room 250

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

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PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001/ Meeting ID: 2496 214 3499 # #](tel:14156550001)

Tuesday, April 11, 2023 - 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Chan, Mandelman, Safai, Ronen, Walton

Budget and Finance Committee

Supervisors Chan, Mandelman, Safai

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Homelessness and Behavioral Health Select Committee

Supervisors Ronen, Mandelman, Walton

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Dorsey, Walton, Safai

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Engardio

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

2nd Friday

10:00 AM

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

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

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Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing 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 the public testimony time limit. 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 a document displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting. Hard copy documents may not be shared during in-person meetings.

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傳譯服務: 所有常規及特別市參事會會議和常務委員會會議將提供西班牙文, 中文以及菲律賓文的傳譯服務, 但必須在會議前最少48小時作出請求, 以確保能獲取到傳譯服務. 將因應請求提供交替傳譯服務, 以便公眾向有關政府機構 發表意見. 如需更多資訊或請求有關服務, 請致電 (415) 554-5184聯絡我們.

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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. The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

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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 sotf@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 <https://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 <https://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 <https://sfethics.org>.

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(Press *3 to enter the speaker line)

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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 March 7, 2023, Board Meeting Minutes.

AGENDA CHANGES

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

Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.

By eight (8) votes, the Board of Supervisors may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.

1. [230393](#) **[Formal Policy Discussions - April 11, 2023]**
Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss eligible topics submitted from the Supervisors. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

The following topic was noticed on the agenda representing District 10:

1. Reparations

Discussion: The Mayor shall DISCUSS eligible topic(s) with the Board of Supervisors.

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 2 through 11

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani, Chan

2. [230045](#) **[Settlement of Lawsuit - Andrea Cervantes - \$400,000]**
Ordinance authorizing settlement of the lawsuit filed by Andrea Cervantes against the City and County of San Francisco for \$400,000; the lawsuit was filed on August 10, 2020, in San Francisco Superior Court, Case No. CGC-20-586083; entitled Andrea Cervantes v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

04/04/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [230046](#) **[Settlement of Lawsuit - Erica Zweig - \$85,000]**
Ordinance authorizing settlement of the lawsuit filed by Erica Zweig against the City and County of San Francisco for \$85,000; the lawsuit was filed on August 20, 2021, in San Francisco Superior Court, Case No. CGC-21-594634; entitled Erica Zweig v. City and County of San Francisco; the lawsuit involves an alleged trip and fall on a City Street. (City Attorney)

04/04/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [230119](#) **[Settlement of Lawsuit - William Bailey - \$52,500]**
Ordinance authorizing settlement of the lawsuit filed by William Bailey against the City and County of San Francisco for \$52,500; the lawsuit was filed on October 27, 2020, in San Francisco Superior Court, Case No. CGC-20-587323; entitled William Bailey v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

04/04/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [230188](#) **[Settlement of Lawsuit - Precious Espinosa - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Precious Espinosa against the City and County of San Francisco for \$75,000; the lawsuit was filed on June 15, 2021, in San Francisco Superior Court, Case No. CGC-21-592684; entitled Precious Espinosa v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

04/04/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
6. [230189](#) **[Settlement of Lawsuit - Charlene Tuchman/Ellen Tuchman Rothmann - City to Receive \$250,000]**
Ordinance authorizing settlement of the lawsuits filed by Charlene Tuchman and by Ellen Tuchman Rothmann, as successor in interest to Charlene Tuchman, against the City and County of San Francisco for a payment to the City of \$250,000; the lawsuits were filed on March 24, 2021, and March 9, 2022, in San Francisco Superior Court, Case Nos. CGC-21-590596 and CGC-22-598595; the lawsuits involve personal injuries sustained on a City sidewalk; other material terms of the settlement are payment of \$250,000 to Plaintiff from 3800 Washington, LLC. (City Attorney)

04/04/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
7. [230190](#) **[Settlement of Lawsuit - Jose Chavarria - \$3,000,000]**
Ordinance authorizing settlement of the lawsuit filed by Jose Chavarria against the City and County of San Francisco for \$3,000,000; the lawsuit was filed on September 30, 2020, in San Francisco Superior Court, Case No. CGC-20-586880; entitled Jose Chavarria v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury arising out of police vehicle collision; other material terms of the settlement are City to waive \$33,607.51 offset for unpaid Zuckerberg San Francisco General Hospital bills. (City Attorney)

04/04/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
8. [230191](#) **[Settlement of Lawsuit - MJM Management Group - City to Receive \$400,000]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against MJM Management Group for \$400,000; the lawsuit was filed on April 29, 2020, in San Francisco Superior, Case No. CGC-20-584294; entitled City and County of San Francisco v. MJM Management Group, et al.; the lawsuit involves allegations of false claims for reimbursement in connection with property management expenses at Yerba Buena Gardens; consistent with the requirements of the California False Claims Act, a portion of the City's recovery shall be allocated to the qui tam plaintiff and to the City Attorney's Office. (City Attorney)

04/04/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. [230166](#) **[Police Code - Displaced Worker Protections Under Certain Service Contracts]**
Sponsors: Safai; Chan, Preston, Stefani, Walton, Ronen, Mandelman, Melgar and Dorsey
Ordinance amending the Police Code to require an awarding authority, following the termination or end of a contract for janitorial, security, or building maintenance services in San Francisco, to provide information to facilitate the successor contractor's retention of the terminated or ending contractor's employees; to strengthen enforcement by permitting the City Attorney or an aggrieved employee to bring a civil action against the awarding authority for injunctive relief; to further strengthen enforcement by authorizing the Office of Labor Standards Enforcement (OLSE) to, among other things, promulgate rules, investigate possible violations, and order interim or final relief, including backpay, administrative penalties, costs of investigation, and interest; and to establish procedures for a person subject to an OLSE investigation to appeal the OLSE's determination of violation.
- 04/04/2023; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

10. [230134](#) **[Police, Building Codes - Wage Theft Bonds]**
Sponsors: Mandelman; Chan
Ordinance amending the Police and Building Codes to require owners of certain residential construction projects to maintain a labor compliance bond at the time of issuance of the first construction document; and clarifying that the bonding requirement applies to projects that submitted an application for a building permit or a complete preliminary permit application pursuant to California Government Code, Section 65941.1, on or after June 6, 2022.
- 04/04/2023; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendation of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

11. [221245](#) **[Administrative Code - Reentry Council; Pretrial Services Seat]**
Sponsor: Ronen
Ordinance amending the Administrative Code to add a seat to the Reentry Council, to be appointed by the Board of Supervisors, designated for a representative of the entity responsible for the administration of pretrial services involving alternatives to incarceration.
- 04/04/2023; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani, Chan

12. [230194](#) **[Settlement of Unlitigated Claims against Walmart Inc. - City to Receive Approximately \$2,600,000 to \$6,800,000 Over 6 Years]**
Resolution authorizing settlement of unlitigated claims on behalf of the City and County of San Francisco and the People of the State of California against Walmart Inc. for abatement funds in the range of \$2,600,000 to \$6,800,000 to be paid over 6 years; the claims relate to Walmart Inc.'s allegedly improper and unlawful dispensing of prescription opioids at its pharmacies, which contributed to the epidemic of opioid abuse and misuse and caused a public nuisance. (City Attorney)

04/04/2023; CONTINUED.

Question: Shall this Resolution be ADOPTED?
13. [230195](#) **[Settlement of Unlitigated Claims against CVS Health Corporation and CVS Pharmacy, Inc. - City to Receive Approximately \$4,500,000 to \$12,000,000 Over 10 Years]**
Resolution authorizing settlement of unlitigated claims on behalf of the City and County of San Francisco and the People of the State of California against CVS Health Corporation and CVS Pharmacy, Inc. for abatement funds in the range of \$4,500,000 to \$12,000,000 to be paid over 10 years; the claims relate to CVS's allegedly improper and unlawful dispensing of prescription opioids at its pharmacies, which contributed to the epidemic of opioid abuse and misuse and caused a public nuisance. (City Attorney)

04/04/2023; CONTINUED.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

- 14. [210585](#) **[Planning Code - State-Mandated Accessory Dwelling Unit Controls]**
Sponsor: Mayor
 Ordinance amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings and to permit certain ADUs in the rear yard under the City’s local, discretionary approval program; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

04/04/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

- 15. [230055](#) **[Public Employment - Amendment to the Salary Ordinance for the Office of the Public Defender - Immigration Legal Defense Support - FY2022-2023]**
Sponsors: Mayor; Melgar, Safai and Mandelman
 Ordinance amending Ordinance No. 162-22 (Salary Ordinance Fiscal Years 2022-2023 and 2023-2024) to reflect the addition of two positions (0.34 FTEs) in the Office of the Public Defender to support Immigration Legal Defense in Fiscal Year (FY) 2022-2023.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 16. [230209](#) **[Appropriation - \$1,051,298 State Settlement Award to the Office of Public Defender - FY2022-2023]**
Sponsors: Mayor; Safai and Mandelman
 Ordinance appropriating \$1,051,298 of state settlement funds to support immigration legal defense in the Office of the Public Defender (PDR) in Fiscal Year (FY) 2022-2023.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. [230210](#) **[Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - California Department of Public Health - Future of Public Health Funding - \$3,639,888]**

Sponsor: Mayor

Ordinance retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$3,639,888 from the California Department of Public Health for participation in a program, entitled "Future of Public Health Funding," for the period of July 1, 2022, through June 30, 2023; and amending Ordinance No. 162-22 (Annual Salary Ordinance File No. 220670 for Fiscal Years 2022-2023 and 2023-2024) to provide for the addition of 17 grant-funded full-time positions in Class 0923 Manager II (0.5 FTE), Class 0931 Manager III (0.25 FTE), Class 0941 Manager VI (0.25 FTE), Class 1823 Senior Administrative Analyst (0.25 FTE), Class 1824 Principal Administrative Analyst (0.25 FTE), Class 2586 Health Worker II (0.75 FTE), Class 2802 Epidemiologist I (0.5 FTE), Class 2803 Epidemiologist II (0.5 FTE), and 2830 Public Health Nurse (1.0 FTE). (Public Health Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. [230211](#) **[Appropriation - California Public Utilities Commission Revenue - San Francisco Public Utilities Commission - Community Food Service Energy Efficiency Program - \$4,579,056 - FY2022-2023]**

Sponsors: Mayor; Safai and Mandelman

Ordinance appropriating \$4,579,056 of California Public Utilities Commission revenue in the San Francisco Public Utilities Commission for CleanPowerSF Capital Improvements to implement the Community Food Service Energy Efficiency Program; and placing \$3,052,704 on Controller's Reserve, in Fiscal Year (FY) 2022-2023.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. [230217](#) **[Grant Agreement - Planned Parenthood Northern California - Security Services - Not to Exceed \$400,000 - Waiver of Competitive Solicitation Requirement]**

Sponsors: Stefani; Mandelman

Ordinance authorizing the Department of Public Health ("Department") to award a one-time grant to Planned Parenthood Northern California ("Planned Parenthood NC") by waiving the competitive solicitation requirements of Administrative Code, Chapter 21G, for the purpose of funding security personnel to support access to family planning and other sexual and reproductive healthcare services in an amount not to exceed \$400,000, for a term not to exceed two years; and requiring the Department to provide an annual report to the Board of Supervisors on the security personnel selected by Planned Parenthood NC and security incidents experienced by Planned Parenthood NC. (Public Health Department)

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. [230234](#) **[Joint Exercise of Powers Agreement - County Assessors Technology Improvements Funding - Up to \$30,000,000]**
Sponsor: Peskin
Resolution authorizing the Assessor to enter into a Joint Exercise of Powers Agreement with other California counties to become a member of the California County Assessors' Information Technology Authority to receive, manage, and expend up to \$30,000,000 of State funds for technology improvements for County Assessor Offices.

Question: Shall this Resolution be ADOPTED?

21. [230317](#) **[Multifamily Housing Revenue Note - Hunters Point Shipyard Block 52-54 - 151 and 351 Friedell Street - Not to Exceed \$63,000,000]**
Sponsors: Mayor; Walton, Safai and Mandelman
Resolution approving for purposes of the Internal Revenue Code of 1986, as amended, and authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$63,000,000 for the purpose of providing financing for the acquisition and construction of a 112-unit multifamily rental housing project located at 151 and 351 Friedell Street; approving the form of and authorizing the execution of a funding loan agreement; providing the terms and conditions of the loan from the funding lender to the City, and the execution and delivery of the note; approving the form of and authorizing the execution of a project loan agreement; providing the terms and conditions of the loan from the City to the Borrower; approving the form of and authorizing the execution of two regulatory agreements and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

22. [230124](#) **[Administrative and Public Works Codes - Shared Spaces Program]**
Sponsors: Peskin; Dorsey and Engardio
Ordinance amending the Administrative Code to extend the grace period for an additional 120 days for permit applicants to operate under pandemic shared spaces permits, including any Just-Add-Music approvals related to these spaces, convert the shared space use into a post-pandemic permit, and modify the consent procedures for fronting tenants and property owners; amending the Public Works Code to address abandonment of structures as part of shared spaces enforcement; and affirming the Planning Department's determination under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. [230156](#) **[Environment Code - Safe Drug Disposal]**
Sponsors: Mayor; Mandelman and Dorsey
Ordinance amending the Environment Code to eliminate the requirement that certain drugs (“covered drugs”) be disposed of at either a permitted hazardous waste disposal facility or permitted large municipal waste combustor, as those terms are defined by Environmental Protection Agency regulations, or at a facility that provides equivalent or superior environment and human health protection to such facilities, and to instead require that covered drugs be disposed of at a waste disposal facility operating in compliance with all local, state, and federal requirements applicable to that waste disposal facility; to require regular reporting of the compliance status of disposal facilities used; to change drug wholesalers’ obligation to update the City’s list of covered drug producers from an annual update to an update on request of the Environment Department’s Director; to remove the requirement that operators of a drug stewardship plan receive prior approval of a change in manufacturers, and instead add a requirement that such operators receive prior approval of a change in disposal facilities used; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. [230230](#) **[Commemorative Street Name Designation - “Emperor Norton Place” - 600 Block of Commercial Street]**
Sponsor: Peskin
Resolution adding the Commemorative Street Name “Emperor Norton Place” to the 600 block of Commercial Street in recognition of his contribution to San Francisco as a celebrated figure in American history.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

25. [230186](#) **[Mayoral Appointment, Treasure Island Development Authority Board of Directors - Timothy Reyff]**
Motion approving the Mayor’s nomination for the appointment of Timothy Reyff to the Treasure Island Development Authority Board of Directors, term ending February 26, 2026. (Clerk of the Board)

(Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are not City officers are only effective upon approval by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal Date: February 15, 2023.)

Question: Shall this Motion be APPROVED?

26. [230254](#) **[Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Steve Heminger]**

Motion approving the Mayor's nomination for the reappointment of Steve Heminger to the Municipal Transportation Agency Board of Directors, term ending March 1, 2027. (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: March 7, 2023.)

Question: Shall this Motion be APPROVED?

27. [230255](#) **[Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Amanda Eaken]**

Motion approving the Mayor's nomination for the reappointment of Amanda Eaken to the Municipal Transportation Agency Board of Directors, term ending March 1, 2027. (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: March 7, 2023.)

Question: Shall this Motion be APPROVED?

28. [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)

Question: Shall this Motion be APPROVED?

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

29. 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.

30. 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.

PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001 / Meeting ID: 2496 214 3499 # #](tel:14156550001)

(Press *3 to enter the speaker line)

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 31 through 39 will be taken during Item 30 - General Public Comment.)

Items 31 through 39

31. [230383](#) [Opposing Funding Cuts to the Statewide Public Defense Pilot Program]

Sponsors: Chan; Peskin, Ronen and Preston

Resolution urging Governor Gavin Newsom and the California State Legislature to retain the full state funding of the Public Defense Pilot Program for three years.

04/04/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. [230384](#) **[Recognizing the Wild Parrots of San Francisco as the Official Animal of San Francisco]**

Sponsors: Melgar; Peskin and Safai

Resolution recognizing the Wild Parrots of San Francisco as the official animal of the City and County of San Francisco.

04/04/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. [230385](#) **[City Policy Restricting Payment to Twitter for Blue Checkmark Verification]**

Sponsors: Peskin; Ronen, Melgar and Walton

Resolution setting forth official City policy regarding restricting payment to Twitter for blue checkmark verification (Twitter Blue Service).

04/04/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. [230387](#) **[Filicide Awareness Week - April 9 through April 15, 2023]**

Sponsor: Stefani

Resolution declaring the week of April 9 through April 15, 2023, to be Filicide Awareness Week in the City and County of San Francisco and supporting "Pierce's Pledge."

04/04/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. [230394](#) **[Supporting BAHFA November 2024 General Obligation Bond for Affordable Housing]**

Sponsors: Peskin; Melgar, Ronen and Chan

Resolution expressing the City and County of San Francisco's support for the Bay Area Housing Finance Agency's (BAHFA) proposal to place a general obligation bond on the November 2024 ballot to finance the production, protection and preservation of affordable housing in San Francisco and throughout the Bay Area; and urging the Capital Planning Committee, in collaboration with the Mayor's Office of Housing and Community Development, Planning Department, the Controller's Office and affordable housing developers, to assess the viability of a combination of local and regional housing bond scenarios in conjunction with the City's Capital Plan for the 2024 Presidential Primary and General Election cycles.

04/05/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. [230395](#) **[The Week of the Young Child in San Francisco - April 2 through April 8, 2023]**
Sponsors: Melgar; Safai, Chan, Ronen, Walton and Peskin
Resolution celebrating early care educators and families of young children during “The Week of the Young Child,” April 2 through April 8, 2023, in the City and County of San Francisco.
- 04/05/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
37. [230396](#) **[Closed Session - Anticipated Litigation - Funding Overdose Prevention Centers - April 18, 2023]**
Sponsors: Ronen; Dorsey, Preston and Peskin
Motion that the Board of Supervisors convene in closed session on April 18, 2023, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(2), for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation in which the City may be a plaintiff or defendant, regarding existing and possible future claims and demands related to the City’s potential use of City funds, including opioid settlement funds, to support overdose prevention centers.
- 04/05/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
38. [230348](#) **[Appointment, Park, Recreation, and Open Space Advisory Committee - Joanne Scott]**
Motion appointing Joanne Scott, term ending February 1, 2025, to the Park, Recreation, and Open Space Advisory Committee. (Clerk of the Board)
- 04/04/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
39. [230365](#) **[Committee of the Whole - Report of Assessment Costs - Building Code Enforcement Violations - May 23, 2023, at 3:00 p.m.]**
Motion scheduling the Board of Supervisors to convene as a Committee of the Whole on May 23, 2023, at 3:00 p.m., to hold a public hearing on a Resolution confirming a report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)
- 04/04/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

40. 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.)
[1 \(415\) 655-0001 / Meeting ID: 2496 214 3499 # #](tel:14156550001)
(Press *3 to enter the speaker line)

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

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

03/31/2023; RECEIVED FROM DEPARTMENT.

04/11/2023; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

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

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

03/31/2023; RECEIVED FROM DEPARTMENT.

04/11/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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

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

04/03/2023; RECEIVED FROM DEPARTMENT.

04/11/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

230352 [Contract Amendment - Asian and Pacific Island Wellness Center dba San Francisco Community Health Center - Intensive Case Management and Mobile Delivered Care and Services - Not to Exceed \$15,240,599]

Resolution approving Amendment No. 3 to the agreement between Asian and Pacific Islander Wellness Center dba San Francisco Community Health Center and the Department of Public Health (DPH), to provide intensive case management and mobile delivered care and services to severe need and special populations living with HIV/AIDS who reside in San Francisco, to increase the agreement by \$5,585,276 for an amount not to exceed \$15,240,599; to extend the term by three years from February 29, 2024, for a total agreement term of May 1, 2017, through February 28, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department)

03/31/2023; RECEIVED FROM DEPARTMENT.

04/11/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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

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

03/31/2023; RECEIVED FROM DEPARTMENT.

04/11/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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

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

04/03/2023; RECEIVED FROM DEPARTMENT.

04/11/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230357

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

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

04/03/2023; RECEIVED FROM DEPARTMENT.

04/11/2023; RECEIVED AND ASSIGNED to the Board of Supervisors.

230360

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

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

04/03/2023; RECEIVED FROM DEPARTMENT.

04/11/2023; RECEIVED AND ASSIGNED to the Board of Supervisors.

230398 **[Petitions and Communications]**

Petitions and Communications received from March 30, 2023, through April 6, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 11, 2023.

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

From the Office of the Mayor, making the following appointment to the following body.
Copy: Each Supervisor. (1)

Appointment pursuant to California Health and Safety Code, Section 34173(g), and Ordinance No. 215-12

- Successor Agency Commission
- o Vanessa Aquino - term ending November 3, 2024

From the Office of Economic and Workforce Development, CityBuild Program, pursuant to Administrative Code, Section 82.9(f), submitting a 2023 Annual Report on the San Francisco Local Hiring Policy for Consideration. Copy: Each Supervisor. (2)

From the Office of the Controller, pursuant to Administrative Code, Section 3.6(b), submitting the Joint Report. Copy: Each Supervisor. (3)

From the Department on the Status of Women, submitting the Monthly Update on the Status of Abortion Rights Memorandum. Copy: Each Supervisor. (4)

From the San Francisco Public Utilities Commission, pursuant to Administrative Code, Section 21.43, submitting a Power Quarterly Report on Delegated Authority Contracts. Copy: Each Supervisor. (5)

From the San Francisco Municipal Transportation Agency, submitting a response to a Letter of Inquiry issued by Supervisor Connie Chan at the March 7, 2023, Board of Supervisors meeting. Copy: Each Supervisor. (6)

From the Recreation and Park Department, submitting the Golden Gate Park Access and Safety Program Quarterly Report - Winter 2023. Copy: Each Supervisor. (7)

From various departments, pursuant to Administrative Code, Section 12B.5-1.3, submitting Chapter 12B Waiver Request Forms. 6 Contracts. Copy: Each Supervisor. (8)

From the Controller's Office, submitting a "Status of the San Francisco Economy: March 2023" report. Copy: Each Supervisor. (9)

From Mari Eliza, regarding proposed Motions to approve the Mayor's nomination for the reappointments of Steve Heminger and Amanda Eaken to the Municipal Transportation Agency Board of Directors. File Nos. 230254 and 230255. Copy: Each Supervisor. (10)

From Ellen Lee Zhou, regarding a proposed Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency. File No. 230260. Copy: Each Supervisor. (11)

From the United Brotherhood of Carpenters and Joiners of America, Local Union No. 22, regarding a proposed Motion approved the Mayor's nomination for the appointment of

Timothy Reyff to the Treasure Island Development Authority Board of Directors. File No. 230186. Copy: Each Supervisor. (12)

From members of the public, regarding homelessness. 2 Letters. Copy: Each Supervisor. (13)

From Andrew Sullivan, regarding bike lanes on Valencia Street. Copy: Each Supervisor. (14)

From Wynship Hillier, regarding the Behavioral Health Commission. Copy: Each Supervisor. (15)

From members of the public, regarding a proposed Ordinance amending the Landmark Designation for Landmark No. 100, 429-431 Castro Street (the Castro Theatre). File No. 230192. 7 Letters. Copy: Each Supervisor. (16)

From Chris Ward Kline, regarding an Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment. File No. 220641. Copy: Each Supervisor. (17)

From Shareef Kellie, regarding private security and downtown crime. Copy: Each Supervisor. (18)

From Matt Brown, regarding the McLaren Park Dog Play Area. Copy: Each Supervisor. (19)

From Blair Beekman, regarding fentanyl in the Bay Area. Copy: Each Supervisor. (20)

From Monica D., regarding Resolutions approving settlements of unlitigated claims for property damage by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic (File Nos. 230007, 221052, 230047, 230339, and 230338). Copy: Each Supervisor. (21)

From Pat Brooks, regarding agal bloom in the San Francisco Bay. Copy: Each Supervisor. (22)

From Monica D., regarding the death of Bob Lee. Copy: Each Supervisor. (23)

From members of the public, regarding an Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025. File No. 221202. 2 Letters. Copy: Each Supervisor. (24)

From Michael Hartman, regarding John F. Kennedy Drive. Copy: Each Supervisor. (25)

From Julien DeFrance, regarding various topics. Copy: Each Supervisor. (26)

From George Dugan, regarding the use of overtime at the San Francisco Public Utilities Commission. Copy: Each Supervisor. (27)

From members of the public, regarding recovery programs. 20 Letters. Copy: Each Supervisor. (28)

From members of the public, regarding a proposed Ordinance appropriating General Fund General Reserves to the Human Rights Commission to establish the Office of Reparations and to implement approved recommendations in Fiscal Year (FY) 2022-2023. File No. 230313. 2 Letters. Copy: Each Supervisor. (29)

From Shobhna Devani, regarding a California Rent Relief appeal. Copy: Each Supervisor.
(30)

ADJOURNMENT