

# 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: 2498 351 2701 # #](tel:4156550001)

Tuesday, November 8, 2022 - 2:00 PM

## Regular Meeting

SHAMANN WALTON, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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## BOARD COMMITTEES

### Committee Membership

### Meeting Days

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

Supervisors Ronen, Safai, Chan, Mar, Walton

Wednesday

1:00 PM

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

Supervisors Ronen, Safai, Chan

Wednesday

12:30 PM

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

Supervisors Preston, Chan, Mandelman

1st and 3rd Thursday

10:00 AM

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

Supervisors Melgar, Preston, Peskin

Monday

1:30 PM

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

Supervisors Mar, Stefani, Melgar

2nd and 4th Thursday

10:00 AM

#### **Rules Committee**

Supervisors Peskin, Mandelman, Chan

Monday

10:00 AM

#### **Youth, Young Adult, and Families Committee**

Supervisors Ronen, Safai, Dorsey

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>.

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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) 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](mailto: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.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee and will be shared with the Members.

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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.

### **Americans with Disabilities Act (ADA)**

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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### **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 [sotf@sfgov.org](mailto: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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Members of the public may provide public comment in-person at the noticed location or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>). Individuals who wish to share documents during a hearing must provide them to the Clerk 48 hours in advance ([bos@sfgov.org](mailto:bos@sfgov.org)). Persons attending the meeting in-person 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. Members of the public may also submit their comments by email to: [bos@sfgov.org](mailto:bos@sfgov.org); all comments received will be made a part of the official record.

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### **PUBLIC COMMENT CALL-IN**

[1 \(415\) 655-0001 / Meeting ID: 2498 351 2701 # #](tel:4156550001)

(Press \*3 to enter the speaker line)

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

## **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**

## **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. [221133](#) **[Formal Policy Discussions - November 8, 2022]**  
Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topic submitted from the Supervisor representing District 1. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. Housing and Services for the Unhoused (District 1)

**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 12

#### Recommendations of the Budget and Finance Committee

Present: Supervisors Ronen, Safai, Chan

2. [220970](#) **[Waiver of Permit, License, and Business Registration Fees for Certain Small Businesses]**

**Sponsors: Ronen; Chan, Safai, Dorsey, Mandelman, Mar and Stefani**

Ordinance amending the program established in Ordinance No. 143-21 waiving certain first-year permit, license, and business registration fees for certain businesses, retroactive to November 1, 2021, to 1) extend the program through June 30, 2023; 2) increase the gross receipts permissible for a business to qualify for the tax and fee waiver from \$2,000,000 to \$5,000,000; 3) remove the requirement that the business be located on the ground floor; (4) expand the business types covered by the waiver from commercial businesses in certain Planning Code categories to all commercial businesses; 5) extend the period for refunds to the later of one year from the date of payment or June 30, 2023; 6) revise the procedures for challenging Tax Collector determinations that a business improperly claimed a waiver under this Ordinance; 7) increase the gross receipts above which the waiver would be retroactively revoked from \$10,000,000 to \$15,000,000 in the calendar year of, or in any calendar year during the three full calendar years following, the date the business commenced business within San Francisco or opened a new business location for commercial use; and 8) make other administrative and reporting changes, as defined herein.

(Fiscal Impact)

11/01/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

3. [221003](#) **[Administrative Code - Low-Value Real Property and Possessory Interest Tax Exemptions]**

**Sponsors: Stefani; Mandelman**

Ordinance amending the Administrative Code to exempt from property taxation real property valued at \$500 or less and possessory interests valued at \$4,000 or less, beginning in the 2023-2024 assessment year.

11/01/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

### **Recommendations of the Government Audit and Oversight Committee**

*Present: Supervisors Preston, Chan, Mandelman*

4. [220730](#) **[Settlement of Lawsuit - Theodore Belizaire - \$186,642.33]**

Ordinance authorizing settlement of the lawsuit filed by Theodore Belizaire against the City and County of San Francisco for \$186,642.33; the lawsuit was filed on July 20, 2020, in San Francisco Superior Court, Case No. CGC-20-585672, entitled Theodore Belizaire v. City and County of San Francisco; the lawsuit involves alleged personal injuries in a collision with a City vehicle; other material terms of the settlement include payment of \$99,142.33 to Zuckerberg San Francisco General Hospital for a medical lien. (City Attorney)

11/01/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

5. [220731](#) **[Settlement of Lawsuit - Donna James - \$125,000]**

Ordinance authorizing settlement of the lawsuit filed by Donna James against the City and County of San Francisco for \$125,000; the lawsuit was filed on April 20, 2021, in United States District Court, Case No. 3:21-cv-02939-RS; entitled Donna James v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

11/01/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

6. [220732](#) **[Settlement of Lawsuit - Susan Bell - \$160,000]**

Ordinance authorizing settlement of the lawsuit filed by Susan Bell against the City and County of San Francisco, et al. for \$160,000; the lawsuit was filed on December 6, 2018, in San Francisco Superior Court, Case No. CGC-18-571878; entitled Susan Bell v. City and County of San Francisco, et al.; the lawsuit involves claims of alleged civil rights violations and use of excessive force. (City Attorney)

11/01/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

7. [220794](#) **[Settlement of Lawsuit - Phris M. Keaton - \$45,000]**  
Ordinance authorizing settlement of the lawsuit filed by Phris M. Keaton against the City and County of San Francisco for \$45,000; the lawsuit was filed on April 21, 2021, in San Francisco Superior Court, Case No. CGC-21-591264; entitled Phris M. Keaton v. Garret Edwards, et al.; the lawsuit involves alleged personal injury due to excessive force by Sheriff's Deputy. (City Attorney)  
11/01/2022; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
8. [220915](#) **[Settlement of Lawsuit - Michael Petersen - \$75,000]**  
Ordinance authorizing settlement of the lawsuit filed by Michael Petersen against the City and County of San Francisco for \$75,000; the lawsuit was filed on September 12, 2019, in San Francisco Superior Court, Case No. CGC-19-579234; entitled Michael Petersen v. City and County of San Francisco; the lawsuit involves alleged personal injury in a City park. (City Attorney)  
11/01/2022; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
9. [220964](#) **[Settlement of Lawsuit - Rachell Evans - \$100,000]**  
Ordinance authorizing settlement of the lawsuit filed by Rachell Evans against the City and County of San Francisco for \$100,000; the lawsuit was filed on May 14, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02935-SI; entitled Rachell Evans v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)  
11/01/2022; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
10. [220965](#) **[Settlement of Lawsuit - Aliitasi T. Alapati - \$100,000]**  
Ordinance authorizing settlement of the lawsuit filed by Aliitasi T. Alapati against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 11, 2020, in United States District Court, Case No. 21-cv-04144-SI; entitled Aliitasi T. Alapati v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)  
11/01/2022; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
11. [220966](#) **[Settlement of Lawsuit - Brandon Murphy - \$50,000]**  
Ordinance authorizing settlement of the lawsuit filed by Brandon Murphy against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 10, 2019, in San Francisco Superior Court, Case No. CGC-19-572705; entitled Brandon Murphy v. Regents of The University of California, et al.; the lawsuit involves alleged personal injury from medical negligence. (City Attorney)  
11/01/2022; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**



12. [220967](#) **[Settlement of Lawsuit - Gayatri Kishore - \$44,775]**  
Ordinance authorizing settlement of the lawsuit filed by Gayatri Kishore against the City and County of San Francisco for \$44,775; the lawsuit was filed on August 27, 2020, in San Francisco Superior Court, Case No. CGC-20-586409; entitled Gayatri Kishore v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

11/01/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

13. [221102](#) **[Settlement of Lawsuit - U.S. Department of Health and Human Services and Xavier Becerra - City to Pay \$203,885 - Sole Source Contract for Quality Improvement Expert - Not to Exceed \$3,000,000 - Waiver of Certain Administrative Code Provisions]**  
**Sponsor: Mayor**  
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against U.S. Department of Health and Human Services and Xavier Becerra, Secretary of Health and Human Services for \$203,885; and in connection with the settlement agreement, authorizing the Department of Public Health to enter into a contract with a Quality Improvement Expert without engaging in a competitive procurement process, and without adhering to specified contract requirements in the Administrative Code; the lawsuit was filed on August 3, 2022, in the United States District Court for the Northern District of California, Case No. 3:22-cv-4500-WHA; entitled City and County of San Francisco v. U.S. Department of Health and Human Services; Xavier Becerra, Secretary of the Department of Health and Human Services; the lawsuit involves allegations that defendants violated the Administrative Procedure Act and the City's due process rights by deciding to terminate federal funding for Laguna Honda Hospital and Rehabilitation Center before residents could safely be transferred to other facilities and before the City's administrative appeal could be heard. (City Attorney)

11/01/2022; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Ronen, Safai, Chan*

14. [221019](#) **[Authorizing Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 (Transbay Transit Center) - Not to Exceed Aggregate Principal Amount of \$90,000,000]**  
**Sponsors: Mayor; Dorsey**  
Resolution authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) in the aggregate principal amount not to exceed \$90,000,000 approving related documents, including an Official Statement, Fourth Supplement to Fiscal Agent Agreement, Bond Purchase Agreement and Continuing Disclosure Undertaking, and determining other matters in connection therewith, as defined herein.  
**Question: Shall this Resolution be ADOPTED?**
15. [221020](#) **[Appropriation - \$90,000,000 in Special Tax Bond Proceeds - Transbay Transit Center Project - FY2022-2023]**  
**Sponsors: Mayor; Dorsey**  
Ordinance appropriating \$90,000,000 from the issuance of one or more series of Special Tax Bonds for the Transbay Transit Center Project and placing these on Controller's Reserve in Fiscal Year (FY) 2022-2023.  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
16. [221022](#) **[Business and Tax Regulations Code - Installment Payments for Delinquent License Fees]**  
**Sponsors: Mandelman; Chan, Ronen and Safai**  
Ordinance amending the Business and Tax Regulations Code to permit the Tax Collector to enter into payment plans on or before April 30, 2023, for the collection of delinquent Department of Public Health license fees collected on the uniform license bill that were due or payable before March 31, 2023.  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
17. [221054](#) **[Contract Agreement - Retroactive - California Department of Health Care Services - San Francisco Mental Health Plan - \$0]**  
Resolution retroactively approving Agreement No. 22-20129, between Department of Public Health, Community Behavioral Health Services and the California Department of Health Care Services, for the San Francisco Mental Health Plan, in the amount of \$0 for a five year term of July 1, 2022, through June 30, 2027; and to authorize the Department of Public Health to enter into amendments or modifications to the agreement 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 agreement or this Resolution. (Public Health Department)  
**Question: Shall this Resolution be ADOPTED?**

18. [221058](#) **[Grant Agreement Amendment - Mid-Market Foundation - Mid-Market/Tenderloin Community-Based Safety Program - Not to Exceed \$20,490,000]**  
Resolution approving Amendment No. 1 to a grant agreement between the Office of Economic and Workforce Development and Mid-Market Foundation, for management of the Mid-Market/Tenderloin Community-Based Safety Program; to increase the grant amount by \$11,490,000 for a total not to exceed amount of \$20,490,000 and to extend the term for three months for the total period of July 1, 2022, through June 30, 2023, effective upon approval of this Resolution; and to authorize the Director of the Office of Economic and Workforce Development 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. (Department of Economic and Workforce Development)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
19. [221059](#) **[Contract - Intercare Holdings Insurance Services, Inc. - Workers' Compensation Third Party Administrator Services - \$33,771,962]**  
Resolution authorizing the Municipal Transportation Agency to execute an agreement with Intercare Holdings Insurance Services, Inc. for Workers' Compensation Third Party Administrator services for an amount not to exceed \$33,771,962 for a three-year base term from November 1, 2022, through October 31, 2025, and two three-year options to extend, with said options to be exercised by the Municipal Transportation Agency without further approval of the Board of Supervisors; and where applicable, affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
20. [221060](#) **[Contract Agreement - Intercare Holdings Insurance Services, Inc. - Workers' Compensation Claims Management Services - Not to Exceed \$29,357,361]**  
Resolution authorizing the Department of Human Resources to execute an agreement with Intercare Holdings Insurance Services, Inc. for Workers' Compensation Third Party Administrator services for an amount not to exceed \$29,357,361 for a three-year base term from November 1, 2022, through October 31, 2025, and two three-year options to extend, with said options to be exercised by the Department of Human Resources without further approval of the Board of Supervisors. (Human Resources Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

21. [221073](#) **[Management Agreement - LAZ Parking California, LLC - Garage Management Services - Not to Exceed \$180,000,000]**

**Sponsors: Mayor; Safai**

Resolution approving an agreement with LAZ Parking California, LLC, for the management of seven parking garages and two lots operated by the San Francisco Municipal Transportation Agency (SFMTA), for an amount not to exceed \$180,000,000 and a term of five years, with two two-year options to extend, and with said options the SFMTA may exercise without further approval by the Board of Supervisors, effective upon approval of this Resolution. (Municipal Transportation Agency)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

22. [221094](#) **[Management Agreement - IMCO Parking, LLC - Garage Management Services - Not to Exceed \$180,000,000]**

**Sponsors: Mayor; Safai**

Resolution approving an agreement with IMCO Parking, LLC, for the management of 11 parking garages and one lot operated by the San Francisco Municipal Transportation Agency (SFMTA), for an amount not to exceed \$180,000,000 and a term of five years, with two two-year options to extend, and with said options the SFMTA may exercise without further approval by the Board of Supervisors, effective upon approval of this Resolution. (Municipal Transportation Agency)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

23. [221074](#) **[Authorizing Expenditures - SoMa Community Stabilization Fund - Contract Extensions - \$512,500]**

**Sponsors: Mayor; Dorsey**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of \$512,500 to address various impacts of destabilization on residents and businesses in SoMa and extend the term for an additional six months from December 31, 2022, for a total term of January 1, 2022, through June 30, 2023. (Mayor's Office of Housing and Community Development)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

**24. [221075](#) [Grant Agreement - Mercy Housing California - Sunnydale HOPE SF Community Building - 1500 Sunnydale Avenue - Not to Exceed \$11,000,000] Sponsors: Mayor; Walton and Safai**

Resolution approving and authorizing the Director of the Mayor’s Office of Housing and Community Development to execute a Grant Agreement with Mercy Housing California, a nonprofit California public benefit corporation for a total grant amount not to exceed \$11,000,000 for a term of 55 years effective upon execution of the Grant Agreement, to finance the construction of an approximately 28,000 square foot community center, consisting of an 8,000 square foot childcare center; a 12,000 square foot space for the San Francisco Boys and Girls Club, and an 8,000 square foot neighborhood space that will include community rooms and outdoor space, which will be known as Sunnydale HOPE SF Community Building; and adopting findings that the grant agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

**25. [221076](#) [Accept and Expend In-Kind Gift - Retroactive - CORO Northern California - Consulting Services - Valued at \$300,000] Sponsors: Mayor; Chan**

Resolution retroactively authorizing the Mayor’s Office of Housing and Community Development (“MOHCD”) to accept an in-kind gift of consulting services valued at \$300,000 from Coro Northern California (“CORO”) for a term of September 1, 2022, through August 31, 2024. (Mayor’s Office of Housing and Community Development)

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Melgar, Preston, Peskin*

26. [221018](#) **[5M Project - Accepting the Phase 1 and Phase 2 Public Infrastructure]**  
**Sponsors: Mayor; Dorsey**  
Ordinance accepting irrevocable offers of public infrastructure and real property associated (“Public Infrastructure”) with the 5M Project, a mixed use development located generally between Mission, Fifth, and Howard Streets, including the improvements described and depicted in Public Works Permit Nos. 18IE-0725 (“Phase 1”) and 18IE-0726 (“Phase 2”) and subsequent Instructional Bulletins; declaring City property and additional property as shown on official Public Works maps as open public right-of-way; dedicating the Phase 1 and Phase 2 Public Infrastructure to public use; designating said Public Infrastructure for street and roadway purposes; accepting the Phase 1 and Phase 2 Public Infrastructure for City maintenance and liability purposes, subject to specified limitations; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; establishing official public right-of-way widths; amending Ordinance No. 1061, entitled “Regulating the Width of Sidewalks,” to establish official sidewalk widths on the abovementioned street areas; authorizing official acts, as defined herein, in connection with this Ordinance; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

## **Recommendations of the Rules Committee**

*Present: Supervisors Peskin, Mandelman, Chan*

27. [221043](#) **[Administrative Code - Approval of Surveillance Technology Policies for Multiple City Departments]**  
Ordinance approving Surveillance Technology Policies governing the use of Body-Worn Cameras by the Recreation and Park Department, Security Cameras by the Department of Elections, and Third-Party Security Cameras by the Airport, and making required findings in support of said approvals. (City Administrator)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
28. [221097](#) **[Reappointment, California State Association of Counties - Supervisor Rafael Mandelman]**  
Motion reappointing Supervisor Rafael Mandelman, term ending December 1, 2023, to the California State Association of Counties. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

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

## 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, November 3, 2022, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, November 8, 2022.*

29. [221090](#) **[Urging the Continuation of Services After the Closure of the Tenderloin Center]**

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

Resolution urging the Mayor's Office and Department of Public Health to ensure no gap in services for the hundreds of people served daily by the Tenderloin Center.

**Question: Shall this Resolution be ADOPTED?**

30. **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.*

31. **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: 2498 351 2701 # #](#)

*(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 32 through 35 will be taken during Item 31 - General Public Comment.)*

### Items 32 through 35

32. [221130](#) **[Commending Congresswoman Jackie Speier]**  
**Sponsors: Chan; Walton, Melgar, Safai, Mar and Peskin**  
Resolution commending Congresswoman Jackie Speier on the occasion of her retirement from the United States Congress after 14 years as a Member of the United States House of Representatives, and nearly 40 years as an elected leader for the San Francisco Bay Area.
- 11/01/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
33. [221134](#) **[Reappointment, Child Care Planning and Advisory Council - Elizabeth Winograd]**  
Motion reappointing Elizabeth Winograd, term ending March 19, 2024, to the Child Care Planning and Advisory Council. (Clerk of the Board)
- Elizabeth Winograd, seat 5, succeeding themselves, must be a nominee of the District 5 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for the unexpired portion of a three-year term ending March 19, 2024.
- 11/02/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**



34. [221135](#) **[Appointment, Child Care Planning and Advisory Council - Heather Cassandra Morado]**

Motion appointing Heather Cassandra Morado (residency requirement waived), term ending March 19, 2023, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Heather Cassandra Morado (residency requirement waived), seat 8, succeeding Fonda Davidson, term expired, must be a nominee of the District 8 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for the unexpired portion of a three-year term ending March 19, 2023.

11/02/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

35. [221137](#) **[Appointment, Child Care Planning and Advisory Council - Jonathan Skolnick]**

Motion appointing Jonathan Skolnick, term ending March 19, 2025, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Jonathan Skolnick, seat 10, succeeding Nur Jehan Khaliq, term expired, must be a nominee of the District 10 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for the unexpired portion of a three-year term ending March 19, 2025.

11/02/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

36. **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: 2498 351 2701 # #](tel:4156550001)

*(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](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 ORDINANCE

### 221118

#### **[Settlement of Lawsuit - Victor Jimenez - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Victor Jimenez against the City and County of San Francisco for \$100,000; the lawsuit was filed on July 20, 2021, in San Francisco Superior Court, Case No. CGC-21-593613; entitled Victor Jimenez v. City and County of San Francisco; the lawsuit alleged property damage and personal injuries arising from a dangerous condition of public property, i.e., a sinkhole that opened in the roadway underneath plaintiff's vehicle. (City Attorney)

10/28/2022; RECEIVED FROM DEPARTMENT.

11/08/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

### 221119 [Contract Amendment - Richmond Area Multi Services, Inc. - Behavioral Health Peer Services - Not to Exceed \$29,116,181]

Resolution approving Amendment No. 1 to the agreement between Richmond Area Multi Services, Inc. and the Department of Public Health (DPH), to provide behavioral health peer services, to increase the agreement by \$19,253,431 for an amount not to exceed \$29,116,181; to extend the term by three and one-half years from December 30, 2022, for a total agreement term of July 1, 2021, 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)

10/28/2022; RECEIVED FROM DEPARTMENT.

11/08/2022; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

### 221120 [Site Use Agreement - VB Nimbus, LLC - Radio Equipment - 32322 S Corral Hollow Road, Tracy - Initial Annual Rent of \$30,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to enter into a Site Use Agreement with VB Nimbus, LLC, a Delaware limited liability company, for the installation, operation, maintenance, repair, and replacement of radio equipment at 32322 S Corral Hollow Road in Tracy, at an initial annual use fee of \$30,000 with annual increases of three percent for an initial five-year term, commencing January 1, 2023, through December 21, 2028, with four five-year extension options for the SFPUC Water Enterprise Radio Replacement Project (Project), pursuant to Charter, Section 9.118; affirming the Planning Department's determination that the project is categorically exempt from environmental review under the California Environmental Quality Act; and to authorize the General Manager of the SFPUC to enter into amendments or modifications to the Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Utilities Commission)

10/31/2022; RECEIVED FROM DEPARTMENT.

11/08/2022; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**221136 [Petitions and Communications]**

Petitions and Communications received from October 27, 2022, through November 3, 2022, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 8, 2022.

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 Department of Public Health, submitting an Update on Monkeypox (MPX) Response as of October 31, 2022. Copy: Each Supervisor. (1)

From the San Francisco Public Utilities Commission, submitting a Quarterly Power Report on Delegated Authority Contracts in accordance with Administrative Code, Section 21.43. Copy: Each Supervisor. (2)

From the Office of the City Administrator, Risk Management Division, submitting a Quarterly Report of Hold Harmless Agreements for Fiscal Year (FY) 2022-2023, Quarter 1, in accordance with Administrative Code, Section 1.24. Copy: Each Supervisor. (3)

From the Behavioral Health Commission, pursuant to Section 5604.2 of the California Welfare and Institutions Code, submitting the Annual Report for Fiscal Year (FY) 2021-2022. Copy: Each Supervisor. (4)

From the San Francisco War Memorial and Performing Arts Center, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (5)

From the Port of San Francisco, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (6)

From the Office of the City Administrator, Real Estate Division, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (7)

From the Department of Human Resources, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (8)

From the Department of Public Health, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (9)

From the Department of Technology, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (10)

From the San Francisco Fire Department, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor (11)

From the San Francisco Public Library, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (12)

Form the Department of Homelessness and Supportive Housing, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (13)

From the Human Services Agency, submitting an Annual Surveillance Report in

accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (14)

From San Francisco Public Works, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (15)

From the Rent Board, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (16)

From the San Francisco Arts Commission, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (17)

From the Recreation and Park Department, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (18)

From the San Francisco Public Utilities Commission, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (19)

From Marc Paulsen, regarding the San Francisco Municipal Transportation Agency Taxi Driver Drug and Alcohol Testing Policy. Copy: Each Supervisor. (20)

From Rachel Fenichel, regarding the San Francisco Fire Department and the Golden Gate Greenway Project in the Tenderloin. Copy: Each Supervisor. (21)

From Chime Financial Inc., submitting a California WARN Act Notice in accordance with California Labor Code, Section 1401-1408 LC. Copy: Each Supervisor. (22)

From concerned citizen, regarding algal bloom in the San Francisco Bay. Copy: Each Supervisor. (23)

Form the Asian Art Museum, submitting an Annual Surveillance Report in accordance with Administrative Code, Section 19B.6(a). Copy: Each Supervisor. (24)

From GoFundMe, submitting a California WARN Act Notice in accordance with California Labor Code, Section 1401-1408 LC. Copy: Each Supervisor. (25)

From Anonymous, regarding 1999 Proposition G. Copy: Each Supervisor. (26)

From Grove House, regarding Baker Places and Positive Resource Center (PRC). Copy: Each Supervisor. (27)

From Julianna Gardi, regarding homeless voting. Copy: Each Supervisor. (28)

From concerned citizen, regarding police equipment. Copy: Each Supervisor. (29)

From Sophie Rich, regarding the discontinuation of services at the Tenderloin Center. Copy: Each Supervisor. (30)

From Celia Shuman, regarding parking enforcement. Copy: Each Supervisor. (31)

From concerned citizens, regarding public safety. 2 Letters. Copy: Each Supervisor. (32)

From concerned citizens, regarding John F. Kennedy Drive. 3 Letters. Copy: Each Supervisor. (33)

From concerned citizens, regarding the Great Highway. 4 Letters. Copy: Each Supervisor (34)

From concerned citizens, regarding the Slow Streets Program on Lake Street. 10 Letters.  
Copy: Each Supervisor. (35)

From Lana August, regarding safe sleeping site at Shotwell Street and 26th Street. Copy:  
Each Supervisor. (36)

## **ADJOURNMENT**