

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

N-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 287 0040 # #](tel:4156550001)

Tuesday, November 15, 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, AISHA SAFAI,
CATHERINE STEFANI

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Ronen, Safai, Chan, Mar, Walton

Budget and Finance Committee

Supervisors Ronen, Safai, Chan

Government Audit and Oversight Committee

Supervisors Preston, Chan, Mandelman

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Mar, Stefani, Melgar

Rules Committee

Supervisors Peskin, Mandelman, Chan

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Dorsey

Meeting Days

Wednesday

1:00 PM

Wednesday

12:30 PM

1st and 3rd Thursday

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

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), 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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LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

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.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyon pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at

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

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. 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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The Board of Supervisors and its committees will convene hybrid meetings that will allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 28, 78 or 99 (depending on your provider).

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). 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; all comments received will be made a part of the official record.

Members of the public attending in-person may be required to wear masks or adhere to current orders, please visit https://sfbos.org/in_person_meeting_guidelines for the current guidelines. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>.

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(Press *3 to enter the speaker line)

Please visit the Board's website (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

CONSENT AGENDA

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

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

Items 1 through 4

Recommendations of the Budget and Finance Committee

Present: Supervisors Ronen, Safai, Chan

1. [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.

11/08/2022; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [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.

11/08/2022; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

3. **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.

11/08/2022; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Peskin, Mandelman, Chan

4. **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)

11/08/2022; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ronen, Safai, Chan

5. [221070](#) **[Business and Tax Regulations Code - Temporary Suspension of Cannabis Business Tax]**
Sponsor: Mandelman
Ordinance amending the Business and Tax Regulations Code to suspend the imposition of the Cannabis Business Tax through December 31, 2025.

(Fiscal Impact)

(Supervisor Chan dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. [220920](#) **[Emergency Contract - Retroactive - Health Management Associates, Inc. - Specialized Consulting Services - Not to Exceed \$5,863,302]**
Resolution retroactively authorizing the Department of Public Health to enter into an emergency contract with Health Management Associates, Inc., in compliance with Section 21.15 of the Administrative Code requiring approval by the Board of Supervisors for any emergency contract in excess of \$100,000 for the purpose of providing specialized consulting services, in an amount not to exceed \$3,782,365 for a term of thirteen and one-half months, from May 9, 2022, through June 30, 2023; and approving Amendment 1 to the agreement for providing specialized consulting services to increase the agreement by \$2,080,937 for an amount not to exceed \$5,863,302 with no change to the contract term from May 9, 2022, through June 30, 2023; and to authorize the Department of Public Health to enter into any amendments or modifications to the contract that do not otherwise materially increase the obligations or liabilities to the City and are necessary or advisable to effectuate the purposes of the contract or this Resolution. (Public Health Department)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

- 7. [221055](#) **[Contract Modification - MSC Industrial Supply Company Inc. - Purchase of Industrial Supplies - Not to Exceed \$15,177,623]**
Resolution authorizing the Office of Contract Administration to execute Modification No. 7 to Contract 1000001663 between the City and County of San Francisco and MSC Industrial Supply Company Inc. for the purchase of industrial supplies for City departments, increasing the contract amount by \$900,000 for a total contract amount not to exceed \$15,177,623 with no change to the total contract duration of May 1, 2017, through June 30, 2023. (Office of Contract Administration)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

- 8. [221056](#) **[Contract Amendment - W.W. Grainger, Inc. - Industrial Supplies - Not to Exceed \$20,900,000]**
Resolution authorizing the Office of Contract Administration to execute Amendment No. 4 to Contract 1000018631 between the City and County of San Francisco and W.W. Grainger, Inc., for the purchase of industrial supplies for City departments, increasing the contract amount by \$8,800,000 for a total contract amount not to exceed \$20,900,000 and extending the term by one year for a total contract duration of July 15, 2020, through December 31, 2023. (Office of Contract Administration)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

- 9. [221057](#) **[Contract Modification - Buckles-Smith Electric Co. - Purchase of Electrical Supplies and Fixtures - Not to Exceed \$16,946,868]**
Resolution authorizing the Office of Contract Administration to execute Modification No. 6 to Contract 1000005805 between the City and County of San Francisco and Buckles-Smith Electric Co. for the purchase of electrical supplies and fixtures for City departments, increasing the contract amount by \$3,000,000 for a total not to exceed amount of \$16,946,868 with no change to the total contract duration of July 5, 2017, through June 30, 2023. (Office of Contract Administration)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

10. [221067](#) **[Real Property Sale Agreement - State of California - Portions of SFPUC Parcel Nos. 57 and 65 - State Route 84 / Niles Canyon Safety Improvement Project in Alameda County - \$11,970]**

Resolution 1) approving and authorizing the General Manager of the San Francisco Public Utilities Commission ("SFPUC") and/or the Director of Property, on behalf of the City and County of San Francisco ("City"), to sell fee and easement interest in certain real property located along State Route 84 in the City of Fremont and in unincorporated Alameda County to the State of California, acting through its California Department of Transportation ("Caltrans"); 2) approving and authorizing an Agreement for Sale of Real Estate, Temporary Construction Easement, and Utility Easement ("Sale Agreement") for the sale of the Property, as defined herein, to Caltrans; 3) authorizing the SFPUC General Manager and/or City's Director of Property to execute the Sale Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Sale Agreement, as defined herein; 4) adopting findings declaring that the real property is "surplus land" and "exempt surplus land" pursuant to the California Surplus Land Act; 5) determining that a competitive bidding process for the conveyance of the Property is impractical and not in the public interest, in accordance with Administrative Code, Section 23.3; 6) adopting responsible agency findings under the California Environmental Quality Act ("CEQA") and Section 15091 of the CEQA Guidelines; and 7) adopting the Planning Department's findings that the Sale Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

11. [221077](#) **[Accept and Expend Grant - Grant Contract - Retroactive - California Department of Parks and Recreation Habitat Conservation Fund - Twin Peaks Trail Improvements Project - \$350,000]**

Sponsors: Mayor; Melgar

Resolution retroactively authorizing the Recreation and Park Department (RPD) to accept and expend a California Department of Parks and Recreation Habitat Conservation Fund Grant in the amount of \$350,000 to support trail improvements within the Twin Peaks Open Space for the term of July 1, 2022, through June 30, 2027; approving a Grant Contract that requires RPD to maintain the trail for the duration of the contract performance period from July 1, 2022, through June 30, 2042, pursuant to Charter, Section 9.118(a); and authorizing the RPD General Manager to enter into modifications and amendments to the grant contract that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the project or this Resolution. (Recreation and Park Department)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

12. [221078](#) **[Accept and Expend Grant - Retroactive - California State Department of Parks and Recreation, Division of Boating and Waterway - Vessel Turn-In Program Grant - \$211,000]**

Sponsors: Mayor; Stefani

Resolution retroactively authorizing the Recreation and Park Department (RPD) to accept and expend a \$211,000 grant from the California State Department of Parks and Recreation, Division of Boating and Waterways for the San Francisco Marina Vessel Turn-In Program; retroactively approving the Grant Terms and Conditions for the term of August 1, 2022, through September 30, 2023; and authorizing RPD to enter into amendments or modifications to the Grant Terms and Conditions and to execute further agreements that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the project or this Resolution.

Question: Shall this Resolution be ADOPTED?

13. [221079](#) **[Accept and Expend Grant - Grant Contract - United States Department of Housing and Urban Development - Herz Playground Recreation Center Project - \$1,500,000]**

Sponsors: Mayor; Walton and Safai

Resolution authorizing the Recreation and Park Department (RPD) to accept and expend a Community Project Funding Grant in the amount of \$1,500,000 from the United States Department of Housing and Urban Development for the Herz Playground Recreation Center Project; authorizing the Recreation and Park Department to enter into a grant agreement, effective upon approval of this Resolution; and to authorize the RPD General Manager to enter into modifications and amendments to the grant 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. (Recreation and Park Department)

Question: Shall this Resolution be ADOPTED?

14. [221080](#) **[Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - National HIV Behavioral Surveillance (NHBS) - San Francisco - \$969,243]**

Sponsors: Mayor; Dorsey and Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$499,976 from the Centers for Disease Control and Prevention for a total amount of \$969,243 for participation in a program, entitled "National Human Immunodeficiency Virus Behavioral Surveillance (NHBS) - San Francisco," for the period of January 1, 2022, through December 31, 2022. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

15. [221081](#) **[Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - CDC Crisis Response: COVID 19 Public Workforce San Francisco- \$262,496.50]**

Sponsors: Mayor; Walton

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$262,496.50 from the Centers for Disease Control and Prevention through the California Department of Public Health for participation in a program, entitled "Centers for Disease Control and Prevention Crisis Response: Coronavirus Disease 2019 Public Workforce San Francisco," for the period of July 1, 2022, through June 30, 2023. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

16. [220991](#) **[Contract Agreement - Retroactive - California Department of Health Care Services - Substance Use Disorder Services - Not to Exceed \$248,687,500]**

Sponsor: Safai

Resolution retroactively approving Agreement No. 22-20154, between the Department of Public Health, Behavioral Health Services and the California Department of Health Care Services, to provide substance use disorder services, for an amount not to exceed \$248,687,500 for the 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)

11/01/2022; RE-REFERRED to the Budget and Finance Committee.

Question: Shall this Resolution be ADOPTED?

17. [221084](#) **[Lease and Property Management Agreement - The Tides Center/Delivering Innovation in Supportive Housing - 1321 Mission Street - Not to Exceed \$19,500,000]**

Sponsors: Mayor; Dorsey, Safai and Ronen

Resolution 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing, to enter into a Lease and Property Management Agreement (“Agreement”) with The Tides Center, as fiscal sponsor for Delivering Innovation in Supportive Housing (“Tenant”), to authorize Tenant to lease, operate, and maintain the real property and residential improvements located at 1321 Mission Street for an initial five-year term, to commence upon approval of this Resolution, with an option to extend for up to an additional five years with a base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in an amount not to exceed \$19,500,000; 2) determining that the below market rent payable under the Agreement will serve a public purpose by providing permanent supportive housing for low-income households in need, in accordance with Administrative Code, Section 23.33; 3) adopting findings declaring that the Property is “exempt surplus land” under the California Surplus Lands Act; 4) affirming the Planning Department’s determination under the California Environmental Quality Act; 5) adopting the Planning Department’s findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 6) authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing to execute the Agreement, make certain modifications, and take certain actions in furtherance of the agreement and this Resolution, as defined herein.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

18. [221031](#) **[Intent to Establish Pacific Islander Cultural District]**

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

Resolution reflecting the intent of the Board of Supervisors to establish a Pacific Islander Cultural District to commemorate historical sites, preserve existing spaces, and plan for thriving and vibrant communities to celebrate Pacific Islander culture in the Visitacion Valley and Sunnydale neighborhoods.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Peskin, Mandelman, Chan

19. [221115](#) **[Mayoral Appointment, Children and Families First Commission - Michael Lambert]**
Motion approving the Mayor's nomination for appointment of Michael Lambert, term ending October 8, 2026, to the Children and Families First Commission. (Clerk of the Board)
- (Administrative Code, Section 86.1 et seq., provides that the Board of Supervisors shall confirm the Mayor's appointment 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: October 26, 2022.)
- Question: Shall this Motion be APPROVED?**
20. [221116](#) **[Mayoral Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Alex Ludlum]**
Motion approving the Mayor's nomination for reappointment of Alex Ludlum, term ending November 3, 2026, to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure). (Clerk of the Board)
- (Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation 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: October 26, 2022)
- Question: Shall this Motion be APPROVED?**
21. [221121](#) **[Appointments, Early Childhood Community Oversight and Advisory Committee - Cindy Lopez-Chastain and Monique Guidry]**
Motion appointing Cindy Lopez-Chastain, term ending October 8, 2024, and Monique Guidry, term ending October 8, 2025, to the Early Childhood Community Oversight and Advisory Committee. (Rules Committee)
- Question: Shall this Motion be APPROVED?**
22. [221122](#) **[Appointment, Children and Families First Commission - Cesnae Crawford]**
Motion appointing Cesnae Crawford (residency requirement waived), term ending October 8, 2026, to the Children and Families First Commission. (Rules Committee)
- Question: Shall this Motion be APPROVED?**

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

American Indian Heritage Month

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Scheduled pursuant to Motion No. M22-162 (File No. 221032), approved on October 18, 2022.

PUBLIC COMMENT WILL BE TAKEN

[1 \(415\) 655-0001 / Meeting ID: 2498 287 0040 # #](tel:4156550001)

*Press *3 to enter the speaker line*

23. [221033](#) **[Hearing - Committee of the Whole - Draft Housing Element 2022 Update - November 15, 2022, at 3:00 p.m.]**
Hearing of the Board of Supervisors sitting as a Committee of the Whole on November 15, 2022, at 3:00 p.m., during the regular Board of Supervisors meeting, to hold a public hearing on the draft Housing Element 2022 Update, including its goals, objectives, policies, and actions; and requesting the Planning Department to report; scheduled pursuant to Motion No. M22-162 (File No. 221032), approved on October 18, 2022. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

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

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, November 14, 2022, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, November 15, 2022.

24. [220924](#) **[Planning Code - Landmark Designation - Turk and Taylor Streets Intersection]**
Sponsor: Preston
Ordinance amending the Planning Code to designate the Turk and Taylor Streets Intersection together with defined portions of 101 Taylor Street, Assessor's Parcel Block No. 0339, Lot No. 003 (known as the "Site of the Compton's Cafeteria Riot"), as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Public Safety and Neighborhood Services Committee at a Rescheduled Meeting on Thursday, November 10, 2022, at 12:30 p.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, November 15, 2022.

25. [220727](#) **[Liquor License - 775 Filbert Street - Chez Brando]**
Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to Chez Brando LLC, doing business Chez Brando, located at 775 Filbert Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Question: Shall this Resolution be ADOPTED?

26. [220934](#) **[Liquor License Transfer - 144-46 Taylor Street - PianoFight]**
Resolution determining that the transfer for a Type-48 on-sale general public premises liquor license, converted from a Type-47 on-sale general for bona fide eating place liquor license, to Facilitron AB LLC, doing business as PianoFight, located at 144-46 Taylor Street (District 5), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Question: Shall this Resolution be ADOPTED?

27. 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.

28. 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 287 0040 # #](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 29 through 34 will be taken during Item 28 - General Public Comment.)

Items 29 through 34

29. [221150](#) **[Approval of a Six-Month Extension for Historic Preservation Commission to Respond to Landmark Designation Initiation of 429-431 Castro Street “Castro Theatre” (File No. 220550)]**
Sponsor: Mandelman
Resolution extending by six months the prescribed time within which the Historic Preservation Commission may respond to the landmark designation initiation from the Board of Supervisors (File No. 220550), initiating an amendment to the landmark designation of 429-431 Castro Street (aka Castro Theatre), Assessor's Parcel Block No. 3582, Lot No. 085, under Article 10 of the Planning Code.

11/08/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
30. [221151](#) **[Approval of a Six-Month Extension for Planning Commission Review of Nighttime Entertainment Castro Street Neighborhood Commercial District (File No. 220709)]**
Sponsor: Mandelman
Resolution extending by six months the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/08/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. [221153](#) **[Approval of Retroactive 90-Day Extension for Planning Commission Review of Planning Code - Electric Vehicle Charging Locations (File No. 220851)]**

Sponsor: Peskin

Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its recommendations on the Ordinance (File No. 220851) amending the Planning Code to create Electric Vehicle Charging Location and Fleet Charging as Automotive Uses, allow conversion of Automotive Service Stations to Electric Vehicle Charging Locations without Conditional Use authorization and principally permit conversion of other Automotive Uses to Electric Vehicle Charging Locations, revise zoning control tables to reflect these changes, and require annual reporting by the Planning Department regarding Electric Vehicle Charging Location and Fleet Charging project approvals; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

11/08/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. [221154](#) **[Small Business Saturday - November 26, 2022]**

Sponsors: Walton; Chan, Preston, Mar, Dorsey and Melgar

Resolution declaring November 26, 2022, the Saturday after the Thanksgiving holiday, as "Small Business Saturday" and supporting efforts to increase awareness of the value of locally owned small businesses in the City and County of San Francisco, as the City recovers from the COVID-19 pandemic.

11/08/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. [221155](#) **[Findings to Allow Teleconferenced Meetings During Declared Emergency]**

Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board)

11/08/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

34. [221138](#) **[Final Map No. 10710 - 36 Amber Drive]**

Motion approving Final Map No. 10710, an eight residential unit project, located at 36 Amber Drive, being a subdivision of Assessor's Parcel Block No. 7504, Lot No. 024; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

11/07/2022; RECEIVED FROM DEPARTMENT.

11/09/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

35. 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 287 0040 # #](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.

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.

(No Department submittals were received.)

36. [221139](#) [Petitions and Communications]

Petitions and Communications received from November 3, 2022, through November 9, 2022, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 15, 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 Disability and Aging Services Commission, pursuant to Administrative Code, Section 10.100-12, submitting the Community Living Fund (CLF), Program for Case Management and Purchase of Goods and Services, Six-Month Report for the period ending June 2022. Copy: Each Supervisor. (1)

From the San Francisco International Airport, pursuant to Administrative Code, Section 19B.6(a), submitting the Annual Surveillance Report for the Airport. Copy: Each Supervisor. (2)

From the Planning Department, submitting a response to comments on the Draft Environmental Impact Report (EIR) for the 2022 Housing Element Update. Copy: Each Supervisor. (3)

From various departments, submitting Chapter 12B Waiver Request Forms pursuant to Administrative Code, Section 12B.5-1.3. 6 Contracts. Copy: Each Supervisor. (4)

From Zendesk, submitting a California WARN Act Notice in accordance with California Labor Code, Section 1401-1408 LC. Copy: Each Supervisor. (5)

From concerned citizens, regarding a proposed Resolution urging the continuation of services after the closure of the Tenderloin Center. File No. 221090. 95 Letters. Copy: Each Supervisor. (6)

From Ramsey Williams, regarding Electric Vehicle charging. Copy: Each Supervisor. (7)

From Wynship Hillier, regarding a Resolution retroactively approving Agreement No. 22-20129, between the Department of Public Health, Community Behavioral Health Services, and the California Department of Health Care Services for the San Francisco Mental Health Plan. Copy: Each Supervisor. (8)

From Robin Krop, regarding their experience applying to be a poll worker for the November 8, 2022, election. Copy: Each Supervisor. (9)

From Leslie Sullivan, regarding quality of life concerns in Lower Haight. Copy: Each Supervisor. (10)

ADJOURNMENT