

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: 2487 791 7160 # #](tel:14156550001)

Tuesday, March 14, 2023 - 2:00 PM

Regular Meeting

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

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Chan, Mandelman, Safai, Ronen, Walton

Budget and Finance Committee

Supervisors Chan, Mandelman, Safai

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Homelessness and Behavioral Health Select Committee

Supervisors Ronen, Mandelman, Walton

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Dorsey, Walton, Safai

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Engardio

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

TBD

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.

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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.

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

Ordinance No. 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications. The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

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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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(Press *3 to enter the speaker line)

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the February 7, 2023, Board Meeting Minutes.

AGENDA CHANGES

CONSENT AGENDA

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

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

Items 1 through 3

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

1. [221187](#) **[Administrative Code - Power to Sell for Nonresidential Commercial Properties]**
 Ordinance amending the Administrative Code to allow the Tax Collector to sell tax-defaulted nonresidential commercial property after five years of nonpayment of property taxes instead of after three years. (Treasurer-Tax Collector)

 03/07/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [221223](#) **[Environment Code - Repeal and Replace Chapter 7 Green Building Requirements]**
Sponsors: Mayor; Mandelman and Safai
 Ordinance amending the Environment Code to repeal Chapter 7: Green Building Requirements for City Buildings and replace with new Chapter 7: Municipal Green Building Requirements; and affirming the Planning Department’s determination under the California Environmental Quality Act.

 (Fiscal Impact)

 03/07/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

3. [221261](#) **[Planning Code, Zoning Map - The Village Special Use District]**
Sponsors: Mayor; Ronen, Preston, Melgar, Peskin, Dorsey, Safai and Mandelman
Ordinance amending the Planning Code and the Zoning Map to add The Village Special Use District, located adjacent to 56 Julian Avenue, at 80 Julian Avenue, and constituting Assessor's Parcel Block No. 3547, Lot No. 52; making findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

03/07/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation From the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

4. [220815](#) **[Administrative Code - Definition of Tourist or Transient Use under Hotel Conversion Ordinance; Amortization Period]**
Sponsors: Peskin; Chan and Melgar
Ordinance amending the Administrative Code to add a definition of Tourist or Transient Use under the Residential Hotel Unit Conversion and Demolition Ordinance; to set the term of tenancy for such use at less than seven days, for two years after the effective date of this Ordinance, and, after that two-year period, at less than 30 days; to provide an amortization period applicable to hotels currently regulated under the Ordinance; to provide a process by which the owners or operators of regulated hotels can request that the amortization period be longer, on a case-by-case basis; to amend the definition of Permanent Resident, from a person who occupies a room for at least 32 days to one who occupies a room for at least 30 days; and affirming the Planning Department's determination under the California Environmental Quality Act.

03/07/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Referred Without Recommendation From the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

5. [221147](#) **[Administrative Code - Removing Construction Agreements from the Prohibition on Contracting in States with Certain Types of Discriminatory Laws]**

Sponsor: Safai

Ordinance amending the Administrative Code to remove agreements let under Chapter 6 for Public Works or Improvement from the prohibitions in Chapter 12X on the City's entering into a contract with a contractor that has its United States headquarters in a state that allows discrimination against LGBT individuals, has restrictive abortion laws, or has voter suppression laws, or where any or all of the contract would be performed in such a state.

(Supervisor Walton dissented in committee.)

02/28/2023; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

6. [230050](#) **[Agreement Amendment - AT&T dba AT&T Mobility - Wireless Communications Services - Not to Exceed \$18,582,078]**

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

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

7. [230051](#) **[Agreement Amendment - AT&T dba AT&T Mobility - Public Safety-Grade Wireless Communications Services - Not to Exceed \$22,252,968]**
Resolution authorizing the Department of Technology approving the first amendment with AT&T dba AT&T Mobility to purchase public safety-grade wireless communications services for first responders with no change to the term of up to five years and four months, increasing the agreement amount by \$13,252,968 for a total contract amount of \$22,252,968 pursuant to Charter, Section 9.118. (Department of Technology)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
8. [230068](#) **[Accept and Expend Grant - Retroactive - Metropolitan Transportation Commission - Priority Conservation Area Grant - McLaren Park and Neighborhood Connections Planning Study - \$194,000]**
Sponsors: Mayor; Ronen, Safai, Walton and Mandelman
Resolution retroactively authorizing the Recreation and Park Department to accept and expend the Priority Conservation Area Grant in the amount of \$194,000 from the Metropolitan Transportation Commission to implement the McLaren Park and Neighborhood Connections Planning Study, and retroactively approving the Grant Terms and Conditions for the term of January 1, 2022, through December 30, 2025. (Recreation and Park Department)
- Question: Shall this Resolution be ADOPTED?**
9. [230090](#) **[Real Property Lease Amendment - 101 South Van Ness, LLC - 110-12th Street - Not to Exceed \$454,668.67 in the Initial Year]**
Resolution approving and authorizing the Director of Property, on behalf of the City's Department of Administration's ReproMail Services, to execute a lease amendment extending the term for five years for continued use of approximately 10,469 square feet of office space of real property located at 110-12th Street, with 101 South Van Ness, LLC for continued use of approximately 10,469 square feet of office space at a base rent of \$454,668.67 per year with 3% annual rent increases beginning February 1, 2024, for an extended term commencing February 1, 2023, and expiring on January 31, 2028; and authorizing the Director of Property to execute any amendments to the Lease, make certain modifications and take certain actions that do not materially increase the obligations or liabilities to the City, do not materially decrease the benefits to the City and are necessary or advisable to effectuate the purposes of the Lease or this Resolution. (Real Estate Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

10. [230099](#) **[Accept and Expend Grant - San Francisco Bay Restoration Authority - Heron's Head Park Shoreline Resilience Project - \$796,100]**
Sponsors: Mayor; Walton, Peskin, Mandelman and Safai
Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$796,100 from the San Francisco Bay Restoration Authority to fund the Heron's Head Park Shoreline Resilience Project for a period to commence following Board approval, through December 2033; and to authorize the Port Executive Director to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Port)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani, Chan

11. [230071](#) **[Civic Center Community Benefit District - Annual Report - CY2021]**
Sponsor: Dorsey
Resolution receiving and approving an annual report for the Civic Center Community Benefit District for Calendar Year (CY) 2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.
- Question: Shall this Resolution be ADOPTED?**
12. [230072](#) **[Central Market Community Benefit District - Annual Report - CY2021]**
Sponsor: Dorsey
Resolution receiving and approving an annual report for the Central Market Community Benefit District for Calendar Year (CY) 2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.
- Question: Shall this Resolution be ADOPTED?**

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

13. **220878** **[Planning, Building Codes - Penalties for Code Enforcement]**
Sponsors: Ronen; Peskin and Chan
Ordinance amending the Planning and Building Codes to increase fines and penalties for violations of Planning and Building Code provisions; clarify that violations affecting more than one unit in a building constitute multiple violations for purposes of assessing penalties; requiring the Planning Commission and the Historic Preservation Commission to adopt factors for the Zoning Administrator to consider in determining the appropriate amount of civil penalties; establishing penalties for residential units merged, constructed, or divided without required permits or approvals; establishing penalties for violations involving illegal demolition and enhancement of penalty amounts for certain buildings by age or historic status; providing additional notices for Responsible Parties; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Scheduled pursuant to Motion No. M23-021 (File No. 230077), approved on January 31, 2023; and continued from February 7, 2023.

PUBLIC COMMENT WILL BE TAKEN

[1 \(415\) 655-0001 / Meeting ID: 2487 791 7160 # #](tel:4156550001)

(Press *3 to enter the speaker line)

14. [230078](#) **[Hearing - Committee of the Whole - Draft San Francisco Reparations Plan and Dream Keeper Initiative Updates - March 14, 2023, at 3:00 p.m.]**
Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, March 14, 2023, at 3:00 p.m., to hold a public hearing on the Draft San Francisco Reparations Plan and Dream Keeper Initiative updates; and requesting the Human Rights Commission, the African American Reparations Advisory Committee, and the Dream Keeper Initiative to present; scheduled pursuant to Motion No. M23-021 (File No. 230077), approved on January 31, 2023. (Clerk of the Board)

02/07/2023; CONTINUED.

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Rescheduled from September 22, 2020, pursuant to Motion No. M20-125 (File No. 201021), approved on September 15, 2020; and continued from October 20, 2020, January 26, 2021, May 25, 2021, January 25, 2022, March 22, 2022, May 24, 2022, July 12, 2022, September 27, 2022, and February 14, 2023.

PUBLIC COMMENT WILL BE TAKEN

[1 \(415\) 655-0001 / Meeting ID: 2487 791 7160 # #](#)

*(Press *3 to enter the speaker line)*

- 15. [200777](#) **[Hearing - Committee of the Whole - Update on Findings and Recommendations Regarding Law Enforcement Practices - March 14, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on March 14, 2023, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive updates on the progress and implementation status of the Unites States Department of Justice recommendations regarding reforms within the Police Department; scheduled pursuant to Motion No. M20-125, approved on September 15, 2020. (Clerk of the Board)

10/20/2020; CONTINUED.

01/26/2021; CONTINUED.

05/25/2021; CONTINUED.

01/25/2022; CONTINUED.

03/22/2022; CONTINUED.

05/24/2022; CONTINUED.

07/12/2022; CONTINUED.

09/27/2022; CONTINUED.

02/14/2023; CONTINUED.

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 Rules Committee at a Regular Meeting on Monday, March 13, 2023, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, March 14, 2023.

16. [230057](#) **[Administrative Code - Health Service System Eligibility for Members of New Board and Commission]**

Sponsors: Safai; Walton

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

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. **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.

18. **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.

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*(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 19 through 29 will be taken during Item 18 - General Public Comment.)

Items 19 through 29

19. [230109](#) **[Accepting the Draft San Francisco Reparations Plan of the African American Reparations Advisory Committee]**
Sponsors: Walton; Preston and Mandelman
Resolution accepting the Draft San Francisco Reparations Plan of the African American Reparations Advisory Committee.
- 01/31/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 02/07/2023; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**
20. [230179](#) **[Urging Governor Gavin Newsom, Senator Scott Wiener, Assembly Member Matt Haney, and Assembly Member Phil Ting to Legalize Sex Work in California]**
Sponsor: Ronen
Resolution urging Governor Gavin Newsom, Senator Scott Wiener, Assembly Member Matt Haney, and Assembly Member Phil Ting to legalize consensual adult prostitution in the State of California; legalization is a proven effective method to protect the health and safety of sex workers while reducing crime and violence.
- 02/14/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 02/28/2023; CONTINUED.
- 03/07/2023; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**

21. [230266](#) **[Initiating Landmark Designation - Alexandria Theatre]**
Sponsor: Chan
Resolution initiating a landmark designation under Article 10 of the Planning Code for the Alexandria Theatre, at 5400 Geary Boulevard, Assessor's Parcel Block No. 1450, Lot No. 048.

03/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
22. [230268](#) **[Supporting Proposed Changes to BAAQMD Rules 9-4 and 9-6: Zero-Emission Appliance Standards]**
Sponsors: Mandelman; Peskin
Resolution supporting Bay Area Air Quality Management District's (BAAQMD) proposed Regulation 9 Rules 4 and 6; Rules 9-4 and 9-6 as amended would require new furnaces, water heaters, and boilers sold or installed in the Bay Area to be pollution-free as early as 2027.

03/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
23. [230270](#) **[Urging Amendments to the Brown Act to Allow for Remote Participation Accommodations on Boards and Commissions Due to Pregnancy, Childbirth, Breastfeeding, and Other Related Medical Conditions]**
Sponsors: Melgar; Stefani
Resolution urging Governor Gavin Newsom, State Senator Scott Wiener, Assembly Members Phil Ting, and Matt Haney to amend the Brown Act to allow for remote participation accommodations on boards and commissions due to pregnancy, childbirth, breastfeeding, and other related medical conditions.

03/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
24. [230271](#) **[Urging the California State Legislature to Provide Supplemental CalFresh Benefits]**
Sponsors: Preston; Walton and Peskin
Resolution urging the California State Legislature to provide supplemental CalFresh benefits to offset the loss of emergency CalFresh benefits.

03/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

25. [230272](#) **[Urging City Departments to Initiate a Public Education Campaign and Raise Awareness on the Availability of the Employee Retention Tax Credit]**
Sponsors: Stefani; Dorsey, Engardio, Melgar, Preston, Peskin, Safai and Mandelman
Resolution urging the Office of Economic and Workforce Development and the Office of Small Business to initiate a public education campaign and raise awareness on the availability of the Employee Retention Tax Credit; and to coordinate with the Office of Civic Engagement and Immigrant Affairs to ensure that materials are made available in languages other than English.

03/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
26. [230273](#) **[Declaring the Intent to Waive Fee for Major Encroachment Permit - Pasadena-Velasco Hillside Open Space Project]**
Sponsor: Walton
Resolution of intent to waive the Major Encroachment Permit fee and ongoing fees, including the street improvement permit, annual assessment, and street improvement annual assessment fees, for the Pasadena-Velasco Hillside Open Space Project.

03/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
27. [230274](#) **[Supporting California State Assembly Bill No. 881 (Ting) - Be The Jury California]**
Sponsors: Walton; Peskin, Mandelman and Preston
Resolution supporting California State Assembly Bill No. 881, Be The Jury California, authored by Assembly Member Phil Ting, to increase jury diversity in California by eliminating economic hardship barriers with raising juror pay.

03/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
28. [230275](#) **[Supporting California State Assembly Bill No. 1356 (Haney) - Mass Layoffs]**
Sponsors: Walton; Safai
Resolution supporting California State Assembly Bill No. 1356, Mass Layoffs, authored by Assembly Member Matt Haney, to expand the California Worker Adjustment and Retraining (WARN) Act to include coverage for contract workers, extend the required advance notice to 90 days, and ban companies from forcing workers to sign a non-disclosure agreement as a condition of receiving the WARN Act notice or pay.

03/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. [230278](#) [Urging the Recreation and Parks Department to Adopt Immediate Changes to its Acquisition Strategies to Serve the Tenderloin, Lower Polk and Lower Nob Hill Neighborhoods]

Sponsors: Peskin; Preston and Chan

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

03/08/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 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: 2487 791 7160 # #](#)

*(Press *3 to enter the speaker line)*

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

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

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

230244

[Settlement of Lawsuit - Plaintiffs DOE 1 AND DOE 2 - \$120,000]

Ordinance authorizing settlement of the lawsuit filed by Plaintiffs DOE 1 and DOE 2 against the City and County of San Francisco for \$120,000.00; the lawsuit was filed on February 2, 2021, in San Francisco Superior Court, Case No. CGC-21-589554; entitled DOE 1 and DOE 2 v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

03/06/2023; RECEIVED FROM DEPARTMENT.

03/14/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230245

[Settlement of Lawsuit - Justin Tsai - \$185,000]

Ordinance authorizing settlement of the lawsuit filed by Justin Tsai against the City and County of San Francisco et al. for \$185,000; the lawsuit was filed on November 10, 2020, in San Francisco Superior Court, Case No. CPF-20-517295; entitled Justin Tsai v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

03/06/2023; RECEIVED FROM DEPARTMENT.

03/14/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230246**[Settlement of Lawsuit - Plaintiffs Robert Burchell, et al. - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Plaintiffs Robert Burchell, F/V Rose Marie, Inc., Erik Anfinson, John Barnett, Sarah Bates, F/V AL-W, Ken Burns, Chris Cameron, MJ Fisheries, Inc., Mike Costello, Andrew Evanow Jr., Andrew Evanow Sr., Michael Fontes, Chris Fox, Mike Harvie, Sean Hodges, David Kemp, Nick Krieger, WAC Fisheries, Inc., Philip Lafata, Daniel Lazzari, Patrick Lazzari, Benedetto Lo Grande, Chuck Louie, John Mellor, Savior Papetti, Mark Schwarz, and Shane Wehr against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 28, 2022, in San Francisco Superior Court, Case No. CGC-20-588665; entitled Robert Burchell, F/V Rose Marie, Inc., Erik Anfinson, John Barnett, Sarah Bates, F/V AL-W, Ken Burns, Chris Cameron, MJ Fisheries, Inc., Mike Costello, Andrew Evanow Jr., Andrew Evanow Sr., Michael Fontes, Chris Fox, Mike Harvie, Sean Hodges, David Kemp, Nick Krieger, WAC Fisheries, Inc., Philip Lafata, Daniel Lazzari, Patrick Lazzari, Benedetto Lo Grande, Chuck Louie, John Mellor, Savior Papetti, Mark Schwarz, and Shane Wehr v. City and County of San Francisco; the lawsuit involves a fire on Pier 45 that destroyed Shed C. (City Attorney)

03/06/2023; RECEIVED FROM DEPARTMENT.

03/14/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS**230247****[Five-Year Information and Communication Technology Plan - FYs 2024-2028]**

Resolution adopting the City's five-year Information and Communication Technology Plan for Fiscal Years (FYs) 2023-2024 through 2027-2028 pursuant to San Francisco Administrative Code, Section 22A.6. (City Administrator)

02/28/2023; RECEIVED FROM DEPARTMENT.

03/14/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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

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

03/03/2023; RECEIVED FROM DEPARTMENT.

03/14/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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

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

03/06/2023; RECEIVED FROM DEPARTMENT.

03/14/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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

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

03/06/2023; RECEIVED FROM DEPARTMENT.

03/14/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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

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

03/06/2023; RECEIVED FROM DEPARTMENT.

03/14/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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

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

03/06/2023; RECEIVED FROM DEPARTMENT.

03/14/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230253 [Petitions and Communications]

Petitions and Communications received from March 2, 2023, through March 9, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on March 14, 2023.

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

Pursuant to Charter, Section 8A.102:
Municipal Transportation Agency Board of Directors

- Amanda Eaken - term ending March 1, 2027
- Steve Heminger - term ending March 1, 2027

From the Office of the Controller, submitting a Special Tax and Bond Accountability Report for Fiscal Year (FY) 2021-2022. Copy: Each Supervisor. (2)

From the Department of Public Works, submitting an Emergency Declaration for the 1734 22nd Avenue Project, Public Works Order No. 207702. Copy: Each Supervisor. (3)

From the San Francisco Public Utilities Commission, pursuant to Ordinance No. 223-15, submitting a CleanPowerSF Annual Report for Fiscal Year (FY) 2021-2022. Copy: Each Supervisor. (4)

From the Department of Emergency Management, submitting a response to a Letter of Inquiry issued by Supervisor Rafael Mandelman on January 31, 2023. Copy: Each Supervisor. (5)

From the San Francisco Public Utilities Commission (SFPUC) Citizens' Advisory Committee, regarding remote public comment at SFPUC meetings. (6)

From the San Francisco Police Department, submitting a response to a Letter of Inquiry issued by Supervisor Catherine Stefani on January 31, 2023. Copy: Each Supervisor. (7)

From various departments, pursuant to Administrative Code, Section 12B.5-13, submitting Chapter 12B Waiver Request Forms. 6 Contracts. Copy: Each Supervisor. (8)

From Richie Greenberg, regarding a Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, March 14, 2023, to hold a public hearing on the Draft San Francisco Reparations Plan and Dream Keeper Initiatives updates. File No. 230078. Copy: Each Supervisor. (9)

From the Japanese Benevolent Society of California, regarding the Japantown Cultural History, Economic Sustainability Strategy (CHESS) Report. Copy: Each Supervisor. (10)

From members of the public, regarding an Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025. File No. 221202. 2 Letters. Copy: Each Supervisor. (11)

From Zacks, Freedman & Patterson, regarding a Hearing of persons interested in or objecting to the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act for the proposed 2022 Hotel Conversion Ordinance Amendments, and a potential Ordinance amending the Administrative Code to add a definition of Tourist or Transient Use under the Residential Hotel Unit Conversion and Demolition Ordinance. File Nos. 230240 and 220815. Copy: Each Supervisor. (12)

From members of the public, regarding a Motion rejecting the Mayor's nomination for the appointment of Victoria Gray to the Historic Preservation Commission. File No. 230131. 11 Letters. Copy: Each Supervisor. (13)

From members of the public, regarding a Motion rescinding the Board of Supervisors' March 17, 2020 Motion authorizing teleconferencing; reflecting the intention of the Board to amend the Board's Rules of Order to provide for remote public comment by all members of the public who wish to comment remotely at meetings of the Board and its committees; and establishing an interim rule to provide for remote public comment for all persons who wish to comment remotely, to remain in effect until the Board amends the Rules of Order to provide for remote public comment, or April 15, 2023, whichever occurs first. File No. 221008. 13 Letters. Copy: Each Supervisor. (14)

From Don Staley, regarding the Henry Hotel. Copy: Each Supervisor. (15)

From the Positive Resource Center, regarding a Hearing to discuss the findings and recommendations made in the August 30, 2022, Citywide Nonprofit Performance Audit report, entitled "The City Should More Effectively Evaluate the Impact of Social Services Provided by Community Based Organizations." File No. 221114. Copy: Each Supervisor. (16)

From Mira Martin-Parker, regarding applied color theory. Copy: Each Supervisor. (17)

From members of the public, regarding a proposed Resolution approving Amendment No. 4 to a grant agreement between the Office of Economic and Workforce Development and the San Francisco Tourism Improvement District Management Corporation, for management of the Downtown Welcome Ambassador Program. File No. 230043. 13 Letters. Copy: Each Supervisor. (18)

From Richard Skaff, regarding vehicle access and parking. Copy: Each Supervisor. (19)

From Robin K., regarding digital currencies. Copy: Each Supervisor. (20)

From Adam Cummings, regarding security cameras. Copy: Each Supervisor. (21)

From members of the public, regarding a proposed Ordinance appropriating \$27,640,247 of General Fund General Reserves to the Police Department; de-appropriating \$31,151,450 from permanent salaries, mandatory fringe benefits, and overtime for increased overtime budget in the Police Department in Fiscal Year (FY) 2022-2023. File No. 230158. 441 Letters. Copy: Each Supervisor. (22)

From members of the public, regarding a proposed Ordinance amending the Administrative Code to permit law enforcement officials to respond to a federal immigration officer's request for voluntary notification that a person will be released from local custody, for adults who have been convicted of a felony for the sale, possession for sale, or transport for sale, of Fentanyl, and been held to answer for a felony for the sale, possession for sale, or transport for sale, of Fentanyl. File No. 230161. 119 Letters. Copy: Each Supervisor. (23)

From members of the public, regarding the City budget. 175 Letters. Copy: Each Supervisor. (24)

From members of the public, regarding the Termination of Local Emergency due to COVID-19. 3 Letters. Copy: Each Supervisor. (25)

From members of the public, regarding a proposed Ordinance appropriating \$199,286 of

General Fund General Reserves for three new positions in the Office of the District Attorney to address open-air drug dealing in Fiscal Year (FY) 2022-2023. File No. 230157. 125 Letters. Copy: Each Supervisor. (26)

From members of the public, regarding a GrowSF Safe Streets Pledge. 4 Letters. Copy: Each Supervisor. (27)

From Lynda Wozniak, regarding John F. Kennedy Drive. Copy: Each Supervisor. (28)

From Julien DeFrance, regarding various topics. Copy: Each Supervisor. (29)

From Sylvia Mestayer-Collins, regarding a Resolution urging the Department of Homeland Security (DHS) and the Biden Administration to reject the recent attack on San Francisco's long-standing Sanctuary Ordinance and urging DHS to extradite the accused individuals without further delay. File No. 230178. Copy: Each Supervisor. (30)

From members of the public, regarding the treatment of dogs in Seoul, South Korea. 68 Letters. Copy: Each Supervisor. (31)

From Jeffrey Kline, regarding residential parking on Treasure Island. Copy: Each Supervisor. (32)

From members of the public, regarding the Valencia Placemaking Pilot. 68 letters. Copy: Each Supervisor. (33)

ADJOURNMENT