

# 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: 2491 942 2643 # #](tel:4156550001)

Tuesday, March 21, 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

### **Agenda Item Information**

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items are available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk or at <https://sfbos.org/legislative-research-center-lrc>.

### **Meeting Procedures**

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Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives; except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document displayed should provide in advance of the meeting to the Clerk of the Board ([bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting. Hard copy documents may not be shared during in-person meetings.

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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.

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

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

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

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### **Know Your Rights Under The Sunshine Ordinance**

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

### **Ethics Requirements**

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

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

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(Press \*3 to enter the speaker line)

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

## **COMMUNICATIONS**

## **APPROVAL OF MEETING MINUTES**

Approval of the February 14, 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 and 2

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

*Present: Supervisors Melgar, Preston, Peskin*

- 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.

03/14/2023; PASSED ON FIRST READING.

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

**Recommendation of the Rules Committee**

*Present: Supervisors Dorsey, Walton, Safai*

2. **230057** **[Administrative Code - Health Service System Eligibility for Members of New Commission]**

**Sponsors: Safai; Walton**

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

03/14/2023; PASSED ON FIRST READING.

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

**REGULAR AGENDA**

**UNFINISHED BUSINESS**

**Referred Without Recommendation From the Rules Committee**

*Present: Supervisors Dorsey, Walton, Safai*

3. **221147** **[Administrative Code - Removing Construction Agreements from the Prohibition on Contracting in States with Certain Types of Discriminatory Laws]**

**Sponsors: Safai; Mandelman**

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.

(Supervisors Chan, Melgar, Preston, and Walton voted no on First Reading.)

02/28/2023; CONTINUED ON FIRST READING.

03/14/2023; PASSED ON FIRST READING.

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Chan, Mandelman*

4. [221162](#) **[Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers]**

**Sponsors: Peskin; Chan and Mandelman**

Ordinance amending the Business and Tax Regulations Code to extend through Fiscal Year 2027-2028 the temporary suspension of the application of the business registration and fee requirements to transportation network company drivers and taxi drivers.

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

5. [230074](#) **[Safe Consumption Sites - Behested Payment Waiver]**

**Sponsors: Ronen; Mandelman, Walton and Dorsey**

Resolution authorizing the Mayor, officers and employees of the Office of the Mayor, and officers and employees of the Department of Public Health to solicit donations to support the opening and operation of safe consumption sites from various private entities and foundations, notwithstanding the Behested Payment Ordinance.

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

*Present: Supervisors Chan, Mandelman, Safai*

6. [230121](#) **[California Constitution Appropriations Limit for FY2022-2023]**

Resolution establishing the appropriations limit established at \$10,609,128,182 for Fiscal Year (FY) 2022-2023 pursuant to California Constitution, Article XIII B; due to the addition of local non-residential new construction and the percent change in population within the San Francisco Metropolitan Area from the previous year for the purpose of computation of its Appropriations Limit. (Controller)

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

7. [230168](#) **[Resolution of Intention to Establish San Francisco Enhanced Infrastructure Financing District No. 1 (Power Station)]**

**Sponsors: Mayor; Walton, Safai and Mandelman**

Resolution of intention to establish San Francisco Enhanced Infrastructure Financing District No. 1 (Power Station) to finance public capital facilities and projects of communitywide significance related to the Potrero Power Station project and other authorized costs, and determining other matters in connection therewith, as defined herein.

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

8. [230224](#) **[Accept and Expend Grant - Retroactive - Northern California Apprentice Network and Apprenticeship Growth in Northern California Through the Office of Economic and Workforce Development - \$900,000]**  
**Sponsor: Mayor**  
Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$900,000 from the James Irvine Foundation during the grant period of November 7, 2022, through November 7, 2024.  
**Question: Shall this Resolution be ADOPTED?**
9. [230225](#) **[Multifamily Housing Revenue Note - 11 Innes Court (“Hunters Point Shipyard Block 56”) - Not to Exceed \$36,361,354]**  
**Sponsors: Mayor; Walton**  
Resolution authorizing the execution and delivery of a multifamily housing revenue note in a principal amount not to exceed \$36,361,354 for the purpose of providing financing for the construction of a 73-unit multifamily rental housing project known as “Hunters Point Shipyard Block 56”; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the loan from the funding lender identified therein to the City and for the execution and delivery of the note; approving the form of and authorizing the execution of a borrower loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of an assignment of deed of trust and related documents; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.  
**Question: Shall this Resolution be ADOPTED?**
10. [230226](#) **[Grant Agreement Amendment - Five Keys Schools and Programs - Embarcadero SAFE Navigation Center - Not to Exceed \$36,621,656]**  
**Sponsors: Mayor; Dorsey**  
Resolution approving the second amendment to the grant agreement between Five Keys Schools and Programs and the Department of Homelessness and Supportive Housing (“HSH”) for supportive services at the Embarcadero SAFE Navigation Center; extending the grant term by nine months for a term of September 1, 2020, through December 31, 2023; increasing the agreement amount through December 31, 2023, by \$4,209,528 for an amount of \$14,009,528; authorizing HSH to further extend the grant term up to December 31, 2027, if the Port Commission extends permission for the Embarcadero SAFE Navigation Center to continue to operate on Port property beyond December 31, 2023; increasing the overall not to exceed amount by \$26,821,656 to a total not to exceed \$36,621,656; and authorizing HSH to enter into any additions, amendments, or other modifications to the agreement that do not materially increase the obligations or liabilities, or materially decrease the benefits to the City. (Department of Homelessness and Supportive Housing)  
  
(Fiscal Impact)  
**Question: Shall this Resolution be ADOPTED?**



Present: Supervisors Chan, Mandelman

11. [230233](#) [Contract Amendment - Sapiant Corporation (Sapiant) - Office of the Assessor-Recorder Property Assessment System Replacement Project - Not to Exceed \$27,158,702]

Sponsor: Peskin

Resolution authorizing the Office of the Assessor-Recorder (ASR) to execute Amendment No. 1 to Contract 1000010122 with Sapiant Corporation for the implementation and maintenance of the Property Assessment System Replacement Project; increasing the contract by \$5,743,999 for a total not to exceed amount of \$27,158,702 and reducing the contract duration from 12-years to nine-years from November 1, 2030, to December 31, 2027.

Question: Shall this Resolution be ADOPTED?

**Referred Without Recommendations From the Budget and Appropriations Committee**

Present: Supervisors Chan, Mandelman, Safai, Ronen, Walton

12. [230158](#) [Appropriation - General Reserve - \$25,371,063 - Other Revenue - \$587,029 - Fund Balance - \$834,204 - Police Department - Overtime - De-Appropriation and Re-Appropriation - \$31,999,402 – Releasing \$7,430,008 from Reserve - FY2022-2023]

Sponsors: Mayor; Stefani, Dorsey, Engardio, Mandelman and Safai

Ordinance appropriating \$25,371,063 of General Fund General Reserves, \$587,029 of other revenues, and \$834,204 of special revenue fund balance to the Police Department; de-appropriating \$31,999,402 from permanent salaries, mandatory fringe benefits, equipment, budgeted debt service, budgeted project expenditures, and overtime for increased overtime budget in the Police Department in Fiscal Year (FY) 2022-2023 as required per Administrative Code, Section 3.17, required biweekly reporting to the Board of Supervisors on overtime by neighborhood, and releasing \$7,430,008 from expenditure reserve; this Ordinance requires a two-thirds approval vote of all members of the Board of Supervisors pursuant to Charter Section 9.113(c).

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. [230214](#) **[Public Employment - Amendment to the Salary Ordinance for the Department of Public Works - Street Cleaning and Graffiti Abatement - FY2022-2023]**  
**Sponsors: Peskin; Safai, Chan, Preston and Ronen**  
Ordinance amending Ordinance No. 162-22 (Annual Salary Ordinance Fiscal Years (FY) 2022-2023 and 2023-2024) to reflect the addition of 56 off-budget positions (18.67 FTEs) in the Department of Public Works to support street cleaning and graffiti abatement in FY2022-2023.

(Fiscal Impact)

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

14. [230215](#) **[Appropriation - General Reserve - Public Works - \$25,000,000 - FY2022-2023]**  
**Sponsors: Peskin; Safai, Chan, Preston and Ronen**  
Ordinance appropriating \$25,000,000 of General Fund General Reserves for street cleaning and graffiti abatement in the Department of Public Works in Fiscal Year (FY) 2022-2023.

(Fiscal Impact)

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

15. [230041](#) **[Grant Agreement Amendment - Mid-Market Foundation - Mid-Market/Tenderloin Community-Based Safety Program - Not to Exceed \$33,590,570]**  
Resolution approving Amendment No. 2 to a grant agreement between the Office of Economic and Workforce Development and Mid-Market Foundation, for management of the Mid-Market /Tenderloin Community-Based Safety Program; to increase the grant amount by \$13,100,570 for a total not to exceed amount of \$33,590,570 for the period of July 1, 2022, through October 15, 2023; to commence following approval by the Board of Supervisors; and to authorize the Director of the Office of Economic and Workforce Development to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract. (Department of Economic and Workforce Development)

(Fiscal Impact)

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

16. [230043](#) **[Grant Agreement Amendment - San Francisco Tourism Improvement District Management Corporation Downtown Welcome Ambassador Program Not to Exceed \$16,227,000]**

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; to increase the grant amount by \$6,300,000 for a total not to exceed amount of \$16,227,000 for the period of July 1, 2021, through October 15, 2023; to commence following approval by the Board of Supervisors; and to authorize the Director of the Office of Economic and Workforce Development to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract. (Department of Economic and Workforce Development)

(Fiscal Impact)

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

**Recommendations of the Public Safety and Neighborhood Services Committee**

*Present: Supervisors Stefani, Engardio, Dorsey*

17. [230162](#) **[Police Code - Cannabis Regulation]**

**Sponsor: Mandelman**

Ordinance amending the Police Code to allow holders of temporary cannabis business permits to transfer an aggregate ownership interest of 50% or more in the business to persons that were not owners at the time the temporary permit was issued so long as five years or more have passed since the Office of Cannabis Director first acknowledged receipt of the business's application for a temporary cannabis business permit, regardless of whether the business has received a permanent cannabis business permit.

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

18. [230021](#) **[Liquor License Issuance - 1198 Pacific Avenue - Dapper]**

Resolution determining that the issuance of a Type-20 off-sale beer and wine liquor license to Dapper Nob Hill LLC, to do business as Dapper located at 1198 Pacific Avenue (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 no additional conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

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

19. [230022](#) **[Liquor License Transfer - 3801-3 Street - Lucky Bayview]**  
Resolution determining that the person-to-person, premises-to-premises transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Save Mart Supermarkets LLC, doing business as Lucky Bayview, located at 3801-3 Street (District 10), 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 no additional conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
- Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the Rules Committee**

*Present: Supervisors Dorsey, Walton, Safai*

20. [230154](#) **[Appointments, Homelessness Oversight Commission - Christin Evans, Joaquin Whit Guerrero, and Bevan Dufty]**  
Motion appointing Christin Evans, term ending May 1, 2025, and Joaquin Whit Guerrero and Bevan Dufty, terms ending May 1, 2027, to the Homelessness Oversight Commission. (Rules Committee)
- (Supervisor Dorsey dissented in Committee.)
- Question: Shall this Motion be APPROVED?**
21. [230197](#) **[Mayoral Appointment, Homelessness Oversight Commission - Sharky Laguana]**  
Motion approving the Mayor's nomination for the appointment of Sharky Laguana to the Homelessness Oversight Commission, term ending May 1, 2025. (Clerk of the Board)
- (Charter, Section 4.133, provides that this nomination is subject to approval by the Board of Supervisors within and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: February 22, 2023.)
- Question: Shall this Motion be APPROVED?**
22. [230198](#) **[Mayoral Appointment, Homelessness Oversight Commission - Jonathan Butler]**  
Motion approving the Mayor's nomination for the appointment of Jonathan Butler to the Homelessness Oversight Commission, term ending May 1, 2027. (Clerk of the Board)
- (Charter, Section 4.133, provides that this nomination is subject to approval by the Board of Supervisors within and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: February 22, 2023.)
- Question: Shall this Motion be APPROVED?**

- 23. [230199](#) **[Mayoral Appointment, Homelessness Oversight Commission - Katie Albright]**  
 Motion approving the Mayor's nomination for the appointment of Katie Albright to the Homelessness Oversight Commission, term ending May 1, 2027. (Clerk of the Board)

(Charter, Section 4.133, provides that this nomination is subject to approval by the Board of Supervisors within and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: February 22, 2023.)

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

### **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. M23-022 (File No. 230114), approved on February 7, 2023.*

***PUBLIC COMMENT WILL BE TAKEN***

[1 \(415\) 655-0001 / Meeting ID: 2491 942 2643 # #](#)

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

- 24. [230115](#) **[Hearing - Committee of the Whole - Place for All Report - March 21, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors to sit as a Committee of the Whole on Tuesday, March 21, 2023, at 3:00 p.m., to hold a public hearing to consider the Place for All Report; and requesting the Department of Homelessness and Supportive Housing to report; scheduled pursuant to Motion No. M23-022 (File No. 230114), approved on February 7, 2023. (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 items will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, March 20, 2023, at 1:30 p.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, March 21, 2023.*

25. [230260](#) **[Administrative Code - COVID-19 Tenant Protections]**  
**Sponsors: Preston; Walton**  
Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency.  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
26. [230263](#) **[Conveyance of Real Property - Land Dedication by 598 Brannan Street Phase 1, L.L.C. - 160 Freelon Street - Inclusionary Affordable Housing]**  
**Sponsor: Mayor**  
Resolution approving and authorizing an agreement with 598 Brannan Street Phase 1, L.L.C. for the conveyance of a parcel of real estate, consisting of approximately 12,800 square feet of land within Assessor's Parcel Block No. 3777, located at 160 Freelon Street in the City and County of San Francisco to the Mayor's Office of Housing and Community Development pursuant to the land dedication process permitted under Planning Code, Section 249.78(e)(2)(B); adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain 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, and take certain actions in furtherance of this Resolution, as defined herein.  
**Question: Shall this Resolution be ADOPTED?**
- The following items will be considered by the Rules Committee at a Regular Meeting on Monday, March 20, 2023, at 10:00 a.m. The Chair intends to request the Committee to send the following item as Committee Reports on Tuesday, March 21, 2023.*
27. [230160](#) **[Administrative Code - Establishing the Enhanced Infrastructure Financing District Public Financing Authority No. 1]**  
**Sponsors: Mayor; Walton and Safai**  
Ordinance amending the Administrative Code to establish and define the membership and duties of the Enhanced Infrastructure Financing District Public Financing Authority No. 1.  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**

28. [230289](#) **[Appointments, Sugary Drinks Distributor Tax Advisory Committee]**  
Motion appointing eight members, terms ending December 31, 2024, to the Sugary Drinks Distributor Tax Advisory Committee. (Clerk of the Board)

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

29. [230290](#) **[Appointments, Food Security Task Force]**  
Motion appointing three members, for indefinite terms, to the Food Security Task Force. (Clerk of the Board)

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

### 30. **ROLL CALL FOR INTRODUCTIONS**

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

### 31. **PUBLIC COMMENT**

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

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

**PUBLIC COMMENT CALL-IN**

[1 \(415\) 655-0001 / Meeting ID: 2491 942 2643 # #](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 32 through 38 will be taken during Item 31 - General Public Comment.)

### Items 32 through 38

32. [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.

03/14/2023; CONTINUED.

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

33. [230295](#) **[Commemorating the 125th Anniversary of United States v. Wong Kim Ark - March 28, 2023]**

**Sponsor: Engardio**

Resolution commemorating March 28, 2023, as the 125th anniversary of the landmark Supreme Court decision in United States v. Wong Kim Ark, which affirmed the birthright citizenship of everyone born in the United States including children of immigrants.

03/14/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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



- 34. [230296](#) [Recognizing National Surveyors Week and Global Surveyors Day]**  
**Sponsor: Mandelman**  
Resolution recognizing the week of March 19, 2023, through March 25, 2023, as National Surveyors Week, and March 21, 2023, as Global Surveyors Day in the City and County of San Francisco.
- 03/14/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 35. [230298](#) [Recognizing Problem Gambling Awareness Month - March 2023]**  
**Sponsors: Peskin; Chan and Engardio**  
Resolution recognizing March 2023 as Problem Gambling Awareness Month in the City and County of San Francisco.
- 03/14/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 36. [230299](#) [Initiating Landmark Designation - Carnaval Mural - 1311 South Van Ness Avenue]**  
**Sponsor: Ronen**  
Resolution initiating landmark designation under Article 10 of the Planning Code of the Carnaval Mural, located at 1311 South Van Ness Avenue, Assessor's Parcel Block No. 6519, Lot No. 039.
- 03/14/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 37. [230300](#) [Initiating Landmark Designation - Chata Gutierrez Mural - 3175-24th Street]**  
**Sponsor: Ronen**  
Resolution initiating a landmark designation under Article 10 of the Planning Code of the Chata Gutierrez Mural, located at 3175-24th Street, Assessor's Parcel Block No. 6519, Lot No. 041.
- 03/14/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 38. [230305](#) [Supporting California State Assembly Bill No. 28 (Gabriel) - The Gun Violence Prevention, Healing, and Recovery Act]**  
**Sponsor: Stefani**  
Resolution supporting California State Assembly Bill No. 28, introduced by Assembly Member Jesse Gabriel, the Gun Violence Prevention, Healing, and Recovery Act, which would state the intent of the Legislature to enact legislation to impose a tax on firearms and ammunition sales to fund measures to protect against gun violence.
- 03/15/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

### 39. 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: 2491 942 2643 # #](tel:14156550001)  
(Press \*3 to enter the speaker line)

### LEGISLATION INTRODUCED AT ROLL CALL

#### Introduced by a Supervisor or the Mayor

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](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****230279****[Settlement of Lawsuit - Lyn Rawles - \$200,000]**

Ordinance authorizing settlement of the lawsuit filed by Lyn Rawles against the City and County of San Francisco for \$200,000; the lawsuit was filed on December 4, 2020, in San Francisco Superior Court, Case No. CGC-20-588157; entitled Lyn Rawles v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)

03/07/2023; RECEIVED FROM DEPARTMENT.

03/21/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**230280****[General Plan - Environmental Justice Framework and General Plan Introduction]**

Ordinance amending the General Plan by adopting the San Francisco Environmental Justice Framework and amending the Introduction to the General Plan; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and general welfare under Planning Code, Section 340, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Department)

03/10/2023; RECEIVED FROM DEPARTMENT.

03/21/2023; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**230281****[Administrative Code - Purchase and Sale of Electricity and Related Products - Public Utilities Commission]**

Ordinance amending the Administrative Code to modify the waivers of specified contract-related requirements in the Administrative and Environment Codes for electricity and related product transactions, authorize binding arbitration for contracts with Investor Owned Utilities, and increase the annual expenditure limit for energy procurements from \$150,000,000 to \$200,000,000. (Public Utilities Commission)

03/13/2023; RECEIVED FROM DEPARTMENT.

03/21/2023; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

## PROPOSED RESOLUTION

[230282](#)

**[Sheriff's Department Oversight Board - 2022 Annual Report]**

Resolution accepting the Sheriff's Department Oversight Board's annual report for the calendar year 2022. (Sheriff's Department Oversight Board)

03/09/2023; RECEIVED FROM DEPARTMENT.

03/21/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**230283** **[Petitions and Communications]**

Petitions and Communications received from March 9, 2023, through March 16, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on March 21, 2023.

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

From the Office of the Mayor, pursuant to Charter, Section 3.100, submitting an Acting Mayor Notice designating Supervisor Catherine Stefani as Acting-Mayor effective Tuesday, March 14, 2023, at 10:00 p.m. until Friday, March 17, 2023, at 11:59 p.m., and further designating Supervisor Rafael Mandelman as Acting-Mayor effective Saturday, March 18, 2023, at 12:00 a.m. until Monday, March 20, 2023, at 11:54 p.m. Copy: Each Supervisor. (1)

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

Appointment pursuant to Charter, Section 4.114

- Port Commission
  - o Ed Harrington term ending - May 1, 2024

Reappointments pursuant to Charter, 3.100(18) Section 7.102

- Juvenile Probation Commission
  - o Margaret Brodtkin - term ending January 15, 2027
  - o Johanna Ruth Lacoé - term ending March 18, 2027

From various departments, pursuant to Administrative Code, Section 12B.5-1.3, submitting Chapter 12B Waiver Request Forms. 3 Contracts. Copy: Each Supervisor. (3)

From the Planning Department, pursuant to Administrative Code, Section 36.4(c), submitting the January 2023 Interagency Plan Implementation Committee Report. Copy: Each Supervisor. (4)

From the Department on the Status of Women, submitting a monthly update on the Status of Abortion Rights. Copy: Each Supervisor. (5)

From the Ethics Commission, submitting the Summary of Matters Discussed and Actions Taken at the Ethics Commission regular meeting of March 10, 2023. Copy: Each Supervisor. (6)

From the Office of the Treasurer and Tax Collector, pursuant to California State Government Code, Section 53646, submitting the CCSF Pooled Investment Report as of February 28, 2023. Copy: Each Supervisor. (7)

From the San Francisco Police Department, submitting a presentation for the Committee of Whole at the Board meeting of March 14, 2023, regarding an Update on Findings and Recommendations Regarding Law Enforcement Practices. File No. 200777. Copy: Each Supervisor. (8)

From Barry Minkin, regarding various subjects. Copy: Each Supervisor. (9)

From members of the public, regarding home ownership. 3 Letters. Copy: Each Supervisor. (10)

From the various organizations, regarding a proposed Resolution urging the Recreation and Park 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. File No. 230278. Copy: Each Supervisor. (11)

From the Dolores Heights Improvement Club, regarding an Ordinance that amended the Administrative Code to require the Department of Homelessness and Supportive Housing (“HSH”) to submit to the Board of Supervisors and the Mayor a plan to implement a program to provide unsheltered persons in San Francisco with access to shelter and permanent supportive housing (“Place for All Program”). File No. 220281. Copy: Each Supervisor. (12)

From Eileen Boken, regarding various subjects. 3 Letters. Copy: Each Supervisor. (13)

From Kate Robinson, submitting a letter of support for Tracey Mixon for the Homelessness Oversight Commission. Copy: Each Supervisor. (14)

From Christine Chiang, regarding John F. Kennedy Drive. Copy: Each Supervisor. (15)

From the Lower Polk Community Benefit District, regarding a proposed Resolution supporting California State Assembly Bill No. 1505, introduced by Assembly Member Freddie Rodriguez, maintaining \$250,000,000 in funding for a state Seismic Retrofitting Program for Soft Story Multifamily Housing in California. File No. 230278. Copy: Each Supervisor. (16)

From a member the public, regarding algal bloom in the San Francisco Bay. Copy: Each Supervisor. (17)

From members of the public, regarding the expiration of the Public Health Emergency Orders. 2 Letters. Copy: Each Supervisor. (18)

From Richard Skaff, regarding ADA compliance for parklets. Copy: Each Supervisor. (19)

From K. Miller, regarding various subjects. Copy: Each Supervisor. (20)

From members of the public, regarding Community-based Ambassador programs. 2 Letters. Copy: Each Supervisor. (21)

From Monica D, regarding various subjects. 3 Letters. Copy: Each Supervisor. (22)

From Wynship Hillier, regarding the Behavioral Health Commission. 3 Letters. Copy: Each Supervisor. (23)

From members of the public, regarding various subjects. 5 Letters Copy: Each Supervisor. (24)

From members of the public, regarding the treatment of cats and dogs in Seoul, South Korea. 7 Letters Copy: Each Supervisor. (25)

From members of the public, regarding the Valencia Placemaking Pilot. 32 Letters. Copy: Each Supervisor. (26)

From members of the public, regarding a proposed Ordinance to amend 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. 48 Letters. File No. 230161. Copy: Each Supervisor. (27)

From members of the public, regarding the City Budget. 50 Letters. Copy: Each Supervisor. (28)

From members of the public, regarding a proposed Ordinance to appropriate \$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. 52 Letters. Copy: Each Supervisor. (29)

From members of the public, regarding a Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, September 19, 2023, at 3:00 p.m., to hold a public hearing on the Draft San Francisco Reparations Plan and Dream Keeper Initiative updates; a proposed Resolution accepting the Draft San Francisco Reparations Plan of the African American Reparations Advisory Committee. File Nos. 230078 and 230109. 55 Letters. Copy: Each Supervisor. (30)

From members of the public, regarding a proposed Ordinance to appropriate \$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. 275 Letters. Copy: Each Supervisor. (31)

## **ADJOURNMENT**