



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, September 19, 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

Meeting Days

Wednesday
1:30 PM

Wednesday
10:00 AM

1st and 3rd Thursday
10:00 AM

2nd and 4th Friday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

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) vocal or audible support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones or 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 time. 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 to display a document should place it on the overhead during their public comment and remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Board and Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding agenda items. These comments will be made a part of the official public record and brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board or the Clerk of the Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications not received prior to the hearing may be delivered to the Clerk of the Board or the 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 if requests are made at least 48 hours in advance of the meeting, to help ensure availability. For more information or to request services: Contact Wilson Ng at (415) 554-5184.

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

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

Americans with Disabilities Act (ADA)

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

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

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel, at www.sfgovtv.org or Cable Channels 26, 28, 78 or 99 (depending on your provider). Board and Committee meeting agendas and minutes are available on the Board's website www.sfbos.org and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 wilson.l.ng@sfgov.org

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 soft@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 <http://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 <http://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 <http://www.sfethics.org>.

Remote Access to Information and Participation

The Board of Supervisors (www.sfbos.org) and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access (watch: www.sfgovtv.org), and remote public comment via teleconference (<https://sfbos.org/remote-meeting-call>). Members of the public may also submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record.

PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001](tel:14156550001) / Meeting ID: [2664 385 6418](tel:26643856418) # #

(Press *3 to enter the speaker line)

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS

AGENDA CHANGES

CONSENT AGENDA

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

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

Items 1 and 2

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

- 230702** **[Administrative Code - Exempt Guaranteed Income From County Adult Assistance Program Determinations]**
Sponsors: Mayor; Safai, Mandelman and Ronen
Ordinance amending the Administrative Code to exempt payments received by housed participants in Guaranteed Income pilot programs from the Human Service Agency's determinations regarding the participants' eligibility for the County Adult Assistance Programs and the amount of aid the participants may receive.

09/12/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [230833](#) **[Authorizing Tax-Exempt and/or Taxable Certificates of Participation - Multiple Capital Improvement Projects - Not to Exceed \$77,170,000]**

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount of not to exceed \$77,170,000 ("Certificates"), to finance and refinance certain capital improvement projects within the City and County of San Francisco's ("City") capital plan and generally consisting of critical repairs, renovations and improvements to City-owned buildings, facilities, streets and works maintained and utilized by various City departments; approving the form of a Supplement to Trust Agreement between the City and U.S. Bank Trust Company, National Association (as successor-in-interest to U.S. Bank National Association), as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee, for the lease to the Trustee and lease back to the City of all or a portion of certain real property and improvements owned by the City and located at 375 Laguna Honda Boulevard within the City and at 1 Moreland Drive, San Bruno, California, together with any other property determined by the City's Director of Public Finance to be made subject to the lease and lease back arrangements; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of an Official Statement in preliminary and final form; approving the form of a purchase contract between the City and one or more initial purchasers of the Certificates; approving the form of a Continuing Disclosure Certificate, as defined herein; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates; approving modifications to documents, as defined herein; ratifying previous actions taken in connection therewith, as defined herein; and repealing and rescinding a portion of the authorization to issue Certificates of Participation of the City established through the adoption of Ordinance No. 226-19 of the City on October 11, 2019.

(Fiscal Impact)

09/12/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

3. [230813](#) **[Declaration of City Property - 1939 Market Street and 1515 South Van Ness Avenue - Exempt Surplus Land for 100% Affordable Housing]**
Sponsors: Mayor; Ronen, Mandelman and Safai
Resolution 1) declaring the City's real property located at 1939 Market Street (Assessor's Parcel Block No. 3501, Lot No. 006) ("1939 Market Property") and 1515 South Van Ness Avenue ("1515 SVN" Property, and together with the 1939 Market Property, collectively, the "Property") as Exempt Surplus Land under California Government Code, Sections 25539.4 and 54221(f)(1)(A); 2) affirming use of the Property by the Mayor's Office of Housing and Community Development ("MOHCD") for the development as 100% affordable housing with ancillary commercial space; 3) affirming MOHCD's intent to convey the Property under a long term ground lease with an annual base rent of \$100 annual lease monitoring fee of \$15,000 and restricting the Property for affordable housing and ancillary commercial space; and 4) affirming the Planning Department's approval of the projects developed on the Property under Senate Bill (SB) No. 35 or Assembly Bill (AB) No. 2162. (Mayor's Office of Housing and Community Development)
Question: Shall this Resolution be ADOPTED?
4. [230879](#) **[Lease Amendment - San Francisco Market Corporation - San Francisco Wholesale Produce Market - Jerrold Avenue and Toland Street]**
Sponsor: Walton
Resolution approving and authorizing the Director of Property to enter into a first amendment to the current lease ("Lease") for the San Francisco Wholesale Produce Market, located near 2095 Jerrold Avenue (generally bordering Highway 280 and Innes and Kirkwood Avenues, and Toland and Rankin Streets), with the San Francisco Market Corporation to distribute City funds to support the development of certain elements of the Produce Market Reinvestment Plan; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the contemplated transactions are consistent with the General Plan, and the eight priority policies of the Planning Code, Section 101.1; authorizing the Director of Property to execute a first amendment to the Lease, make certain modifications, and take certain actions in furtherance of this Resolution and the Lease, as defined herein; and authorizing the Director of Property to enter into any additions, amendments, or other modifications to the Lease that do not materially increase the obligations or liabilities of the City to effectuate the purposes of the First Amendment or this Resolution.

(Fiscal Impact)
Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

5. [230767](#) **[Administrative Code - Treatment of Seating Area at Taraval Street and 46th Avenue as Sidewalk for Shared Spaces Program]**

Sponsor: Engardio

Ordinance waiving specified requirements in the Administrative Code to allow seating area designated as a curbside traffic island on Taraval Street at 46th Avenue to be defined as two sidewalk shared spaces, subject to certain requirements; and affirming the Planning Department's determination under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. [230858](#) **[Treasure Island/Yerba Buena Island - The Rocks Park Acceptance]**

Sponsors: Mayor; Dorsey

Ordinance acknowledging the Treasure Island Development Authority's acceptance of certain improvements on a portion of the Yerba Buena Island Hilltop Parks known as The Rocks (Assessor's Parcel Block No. 8958, Lot No. 003), adjacent to Macalla Road, and the Authority's acceptance of the park improvements for maintenance and liability purposes; dedicating The Rocks to public use; designating the property for public open space and park purposes; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting a Public Works Order that recommends acceptance of The Rocks park improvements and related actions, as defined herein. (Treasure Island Development Authority)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Melgar, Preston

7. [230817](#) **[Interim Zoning Controls - Extending and Modifying Conditional Use Authorization Requirement for Parcel Delivery Service Uses]**

Sponsor: Dorsey

Resolution extending and modifying interim zoning controls enacted in Resolution No. 109-22, to require a Conditional Use authorization for proposed Parcel Delivery Service uses, and to modify those interim controls in two ways: 1) to apply to Parcel Delivery Services uses greater than 10,000 square feet; and 2) to use the definition of Parcel Delivery Services that was in effect as to the effective date of Resolution No. 109-22; 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, Sections 101.1 and 306.7.

(Supervisor Peskin was excused from voting on this matter in committee.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Dorsey, Safai, Chan

8. [230920](#) **[Appointment, San Francisco Health Authority - Norlissa Cooper]**
Motion appointing Norlissa Cooper, term ending January 15, 2024, to the San Francisco Health Authority. (Rules Committee)

Question: Shall this Motion be APPROVED?

9. [230961](#) **[Appointment, Reentry Council - David Mauroff]**
Motion appointing David Mauroff, term ending June 1, 2024, to the Reentry Council. (Rules Committee)

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. M23-021 (File No. 230077), approved on January 31, 2023; and continued from February 7, 2023, and March 14, 2023.

PUBLIC COMMENT WILL BE TAKEN

[1 \(415\) 655-0001 / Meeting ID: 2664 385 6418 # #](tel:4156550001)

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

- 10. [230078](#) **[Hearing - Committee of the Whole - Draft San Francisco Reparations Plan and Dream Keeper Initiative Updates - September 19, 2023, at 3:00 p.m.]**
 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; 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.

03/14/2023; 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 Public Safety and Neighborhood Services Committee at a Regular Meeting on Thursday, September 14, 2023, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, September 19, 2023.

- 11. [230729](#) **[Liquor License Transfer - 3239 Balboa Street - Slake]**
 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 Coolwater SF LLC, doing business as Slake San Francisco Bottle and Sundry, located at 3239 Balboa Street (District 1), 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. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Public Safety and Neighborhood Services Committee at a Recessed Meeting on Monday, September 18, 2023, at 9:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, September 19, 2023.

12. [230731](#) **[Liquor License - 3153-17 Street - ODC Theater]**
Resolution determining that the issuance of a Type-64 special on-sale general theater liquor license to ODC, doing business as the ODC Theater, located at 3153-17 Street (District 9), 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. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Rules Committee at a Regular Meeting on Monday, September 18, 2023, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, September 19, 2023.

13. [230923](#) **[Administrative Code - Firefighters Cancer Prevention Foundation]**
Sponsors: Peskin; Chan
Ordinance amending the Administrative Code to add the Firefighters Cancer Prevention Foundation to the list of organizations to which City officers and employees may make donations by payroll deduction.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. [230856](#) **[Mayoral Appointment, Historic Preservation Commission - Hans Baldauf]**
Motion approving/rejecting the Mayor's nomination for the appointment of Hans Baldauf to the Historic Preservation Commission, term ending December 31, 2026. (Clerk of the Board)

(Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors 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: July 25, 2023.)

Question: Shall this Motion be APPROVED?

15. 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.

16. 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: 2664 385 6418 # #](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 17 through 19 will be taken during Item 16 - General Public Comment.)

Items 17 through 19

17. [230975](#) **[Annette Williams Day - September 19, 2023]**
Sponsors: Peskin; Mandelman, Preston, Chan, Stefani and Melgar
Resolution declaring September 19, 2023, as Annette Williams Day in the City and County of San Francisco and honoring the legacy of her career in accessible transportation and in recognition of her exemplary public service on the occasion of her well-deserved retirement.

09/12/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

18. [230976](#) **[Urging the City Administrator to Create Interagency Framework to Secure 2022 Inflation Reduction Act (IRA) Funding]**

Sponsor: Peskin

Resolution urging the City Administrator to create a centralized framework and strategy by which to coordinate City Departments and eligible community-based organizations, to secure and leverage available 2022 Inflation Reduction Act (IRA) funding, including identifying infrastructure development, financing and grant opportunities to support the creation of Community Resiliency Hubs to provide essential response and recovery support during and after emergencies, including natural and climate disasters; and urging the City Administrator to report back with a plan no later than November 28, 2023.

09/13/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

19. [230979](#) **[Armenian Independence Day - September 21, 2023]**

Sponsors: Melgar; Peskin and Safai

Resolution declaring September 21, 2023, as Armenian Independence Day in the City and County of San Francisco and commemorating the 32nd Anniversary of Armenian Independence Day on September 21, 2023.

09/13/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

20. 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: 2664 385 6418 # #](tel:14156550001)

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

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

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

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

230959

[Settlement of Lawsuit - Katy Sullivan - \$207,500]

Ordinance authorizing settlement of the lawsuit filed by Katy Sullivan against the City and County of San Francisco for \$207,500; the lawsuit was filed on August 13, 2021, in San Francisco Superior Court, Case No. CGC-21-593827; entitled Katy Sullivan v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

09/06/2023; RECEIVED FROM DEPARTMENT.

09/19/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230960

[Settlement of Lawsuit - Twilio Inc. - \$18,000,000]

Ordinance authorizing settlement of the lawsuit filed by Twilio Inc. against the City and County of San Francisco for \$18,000,000; the lawsuit was filed on May 27, 2021, in San Francisco Superior Court, Case No. CGC-21-592267; entitled Twilio Inc. v. City and County of San Francisco; the lawsuit involves a claim for refund of telephone users taxes and access line taxes, and related penalties and interest, for tax periods June 1, 2009, through and including December 31, 2018; other material terms of the settlement are that the City will not impose additional telephone users taxes and access line taxes, and any related penalties and interest, for any periods through two months after the settlement is paid, and Twilio Inc. will collect and remit telephone users taxes and access line taxes in a certain manner for all subsequent periods. (City Attorney)

09/07/2023; RECEIVED FROM DEPARTMENT.

09/19/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230962 [Waiver of Municipal Code Provisions - Phoenix Sky Harbor International Airport - Used Compressed Natural Gas Transit Buses - Not to Exceed \$350,000]

Ordinance waiving competitive bidding requirements in the Administrative Code, and all other requirements in the Administrative Code, Environment Code, or other parts of the Municipal Code as applied to a commodities purchase, to authorize the Airport Commission to procure up to 14 used compressed natural gas transit buses from Phoenix Sky Harbor International Airport for an amount not to exceed \$350,000; and authorizing the Airport Director to negotiate the terms of the agreement consistent with the not to exceed amount. (Airport Commission)

09/08/2023; RECEIVED FROM DEPARTMENT.

09/19/2023; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

PROPOSED RESOLUTIONS

230963 [Settlement of Unlitigated Claim - Macquarie Holdings (U.S.A.) Inc. - \$252,526.71]

Resolution approving the settlement of the unlitigated claim filed by Macquarie Holdings (U.S.A.) Inc. against the City and County of San Francisco for \$252,526.71; the claim was filed on May 1, 2023; the claim involves a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)

09/06/2023; RECEIVED FROM DEPARTMENT.

09/19/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230964 [Contract - Mission Neighborhood Health Center - HIV Health Services - Not to Exceed \$11,300,310]

Resolution approving Amendment No. 1 to the Agreement between Mission Neighborhood Health Center and the Department of Public Health, to provide HIV health services, to increase the agreement by \$6,624,852 for an amount not to exceed \$11,300,310; to extend the term by six years from February 29, 2024, for a total agreement term of March 1, 2020, through February 28, 2030; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

09/01/2023; RECEIVED FROM DEPARTMENT.

09/19/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230965**[Lease Modification - United States Government - Offices Occupied by the U.S. Drug Enforcement Administration - Annual Rent \$620,611.20]**

Resolution approving Modification No. 2 of Lease No. GS-09P-LCA03384 between the United States (U.S.) Government and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term by two years from October 1, 2023, for a total term of October 1, 2015, through September 30, 2025, and increase the annual rent to \$620,611.20 for offices occupied by the U.S. Drug Enforcement Administration. (Airport Commission)

09/06/2023; RECEIVED FROM DEPARTMENT.

09/19/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230966**[Lease Agreement - Guava and Java SFO, Inc. dba Black Point Café and La Colombe Coffee Roasters - \$420,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 2 Coffee Café Lease No.23-0197, between Guava and Java SFO, Inc. dba Black Point Café and La Colombe Coffee Roasters and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with two one-year options to extend at the sole discretion of the Airport Commission, and a minimum annual guarantee of \$420,000 for the first year of the lease, effective upon approval of this Resolution. (Airport Commission)

09/07/2023; RECEIVED FROM DEPARTMENT.

09/19/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230967**[Lease of Property - 2789-25th Street - The San Francisco General Hospital Foundation - \$0 Initial Base Rent]**

Resolution authorizing and approving the lease of a portion of the real property located at 2789-25th Street to The San Francisco General Hospital Foundation for an initial term of twenty years at an annual base rent of \$0 plus two 10-year extension options to extend, to commence upon execution of the Lease, after approval of this Resolution by the Board of Supervisors and Mayor, in their respective sole and absolute discretion; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting California Environmental Quality Act findings; and to authorize the Director of Property to enter into amendments or modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of this Resolution. (Real Estate Department)

09/07/2023; RECEIVED FROM DEPARTMENT.

09/19/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230978 **[Petitions and Communications]**

Petitions and Communications received from September 7, 2023, through September 14, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 19, 2023.

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

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

Appointment pursuant to Charter, Section 4.113:

- Recreation and Park Commission
 - o Breanna Zwart - term ending June 27, 2025
 - o Carey Wintroub - term ending June 27, 2026

Appointment pursuant to Charter, Section 4.115:

- Airport Commission
 - o Mark Buell - term ending August 31, 2027

From various departments, pursuant to Administrative Code, Section 12B.5-1(d)(1), submitting approved Chapter 12B Waiver Request Forms. 3 Contracts Copy: Each Supervisor. (2)

From the Department of Public Health, pursuant to Administrative Code, Section 26.28(a), submitting Fiscal Year (FY) 2022-2023 Deemed Approved Uses Ordinance (DAO) Report. Copy: Each Supervisor. (3)

From Adele Framer, regarding the Heart of the City Farmers Market. File No. 230951. Copy: Each Supervisor. (4)

From members of the public, regarding the proposed Ordinance amending the Planning Code to encourage housing production. File No. 230446. Copy: Each Supervisor. (5)

From Paul Wermer, regarding the proposed Ordinance amending the Police Code to prohibit armed guards from drawing or exhibiting firearms, other than a holster, to protect property. File No. 230708. Copy: Each Supervisor. (6)

From members of the public, regarding the Resolution authorizing the Recreation and Park Department to issue a permit for Another Planet Entertainment LLC to hold a ticketed concert at the Golden Gate Park Polo Fields on the Friday, Saturday, and Sunday following the Outside Lands Festival in 2024, 2025 and 2026, in exchange for a minimum permit fee \$1,400,000 per year for a 2-day event and \$2,100,000 for a 3-day event for a three-year term to commence in 2024, and a commitment to hold three free musical concerts per year, for each year in which concerts are held at the Polo Fields. File No. 230710. 7 Letters. Copy: Each Supervisor. (7)

From the Drug Policy Alliance, regarding the Resolution recognizing August 31, 2023, as an International Overdose Awareness Day in the City and County of San Francisco. File No. 230875. Copy: Each Supervisor. (8)

From Andy Simionas, regarding the Resolution urging the Department of Homelessness and Supportive Housing (HSH) to fill at least half of the vacant Permanent Supportive Housing units within 90 days and to maintain a vacancy rate no greater than 5% thereafter. File No. 230950. Copy: Each Supervisor. (9)

From James Dickerson, regarding skateboarders and the San Francisco Police Department (SFPD) at Dolores Park on July 8, 2023. Copy: Each Supervisor. (10)

From Keo Stacey, regarding John F. Kennedy Drive. Copy: Each Supervisor. (11)

From Monica D, regarding various subjects. 22 Letters. Copy: Each Supervisor. (12)

From Anna Billstrom, regarding the Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on June 29, 2023, for the proposed project at 939 Lombard Street. File No. 230886. Copy: Each Supervisor (13)

From members of the public, regarding Supervisor Matt Dorsey's request for the study of drug dealing defendants' eligibility for taxpayer-funded legal counsel. 15 Letters. Copy: Each Supervisor. (14)

From members of the public, regarding No Turn on Red Lights. 59 Letters. Copy: Each Supervisor. (15)

From members of the public, regarding the proposed Police Department's Department General Order (DGO) 5.25 Foot Pursuits. 32 Letters. Copy: Each Supervisor (16)

From Dick Allen, regarding accountability of City employees. Copy: Each Supervisor. (17)

From Karen Wong, regarding vandalism. Copy: Each Supervisor. (18)

From Marcin Szychowski, regarding refuse collection. Copy: Each Supervisor. (19)

From Patsy Fergusson, regarding the proposed Recreation and Park Department's San Francisco Marina Improvement and Remediation Project. Copy: Each Supervisor. (20)

From Cayuga Neighborhood Improvement Association, regarding admission policies at Laguna Honda Hospital and Rehabilitation Center. Copy: Each Supervisor. (21)

From Mike Regan, regarding Municipal Transit Agency (SFMTA) Lake Merced Quick-Build Project. Copy: Each Supervisor. (22)

From Julien DeFrance, regarding encampments. 12 Letters. Copy: Each Supervisor. (23)

From Ronald Carter, regarding submitted documents and the Draft San Francisco Reparations Plan and Dream Keeper Initiative. File No. 230078. Copy: Each Supervisor. (24)

From Patrick Monette-Shaw, regarding the presentation of the Laguna Honda Hospital and Rehabilitation Center provided at the September 12, 2023, meeting of the Board of Supervisors. Copy: Each Supervisor (25)

From Tik Tok, regarding the proposed Resolution urging Social Media Platforms to enforce their Community Standards and/or Guidelines to prevent and eliminate content promoting guns, violence, racism, hate, or any other content that violates the Community Standards and/or Guidelines through their platforms on Meta, Facebook, Instagram, TikTok, among other products and services. File No. 230851. Copy: Each Supervisor. (26)

ADJOURNMENT