



# 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, November 28, 2023 - 2:00 PM

#### Regular Meeting

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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>.

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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.

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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 [sof@sfgov.org](mailto:sof@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>.

## **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 October 17, 2023, and October 24, 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 17

#### Recommendation of the Budget and Finance Committee

*Present: Supervisors Chan, Mandelman, Safai*

- 1. [231078](#) **[De-Appropriation and Appropriation - District 7 General City Responsibility - Municipal Transportation Agency - District 7 Vision Zero Project - District 7 Projects and Services - Various Departments - \$527,000 - FY2023-2024]**

**Sponsor: Melgar**

Ordinance de-appropriating \$377,000 from General City Responsibility and \$150,000 from Municipal Transportation Agency (MTA); and re-appropriating \$100,000 to the Arts Commission (ART) for mural artwork, \$98,000 to Children, Youth and Their Families (CHF) for playground upgrades, youth nutrition education, and food security; \$25,000 to the Department of Emergency Services (DEM) for emergency preparedness training and capacity building; \$49,000 to the Department of Public Works (DPW) for irrigation system, outdoor seating area, and trees and plants in three locations; \$50,000 to the Department of Economic and Community Development (ECN) for small business rainy day funds; \$25,000 to the Recreation and Park Department (REC) for removal of storm damage and hazardous trees from Mount Sutro; \$30,000 to the Police Department (POL) for cameras in the Inner Sunset; and \$150,000 to the Municipal Transportation Agency (MTA) for community space design, traffic calming, and traffic safety at three locations in Fiscal Year (FY) FY2023-24.

(Fiscal Impact)

11/07/2023; CONTINUED ON FIRST READING.

11/14/2023; PASSED ON FIRST READING.

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

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

*Present: Supervisors Preston, Stefani, Chan*

2. **231046** **[Settlement of Lawsuit - Yvonne Detert, et al. - \$137,785.78, Plus Statutory Interest]**

Ordinance authorizing settlement of the lawsuit filed by Yvonne Detert, et al. against the City and County of San Francisco, et al. for \$137,785.78, plus statutory interest; the lawsuit was filed on September 21, 2018, in San Francisco Superior Court, Case No. CGC-18-570011; entitled Yvonne Detert, et al. v. City and County of San Francisco, et al.; the lawsuit involves a claim of refund of penalties related to hotel taxes and fees for tax periods October 1, 2013, through and including December 31, 2013. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**
  
3. **231105** **[Settlement of Lawsuit - International Business Machines Corporation - \$1,361,454.60]**

Ordinance authorizing settlement of the lawsuit filed by International Business Machines Corporation against the City and County of San Francisco for \$1,361,454.60; the lawsuit was filed on February 25, 2022, in San Francisco Superior Court, Case No. CGC-22-598342; entitled International Business Machines Corporation v. City and County of San Francisco; the lawsuit involves a claim for refund of payroll expense and gross receipts taxes, and related penalties and interest, for the tax year ended December 31, 2018; other material terms of the settlement are that International Business Machines Corporation and its related entities shall take certain filing positions with respect to their gross receipts, homelessness gross receipts, and overpaid executive gross receipts taxes, as applicable, for tax year 2019 and subsequent tax years, and the City will not impose penalties arising from those filing positions for tax years 2019 through 2022. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**
  
4. **231106** **[Settlement of Lawsuit - Mohammad Habib - \$455,000]**

Ordinance authorizing settlement of the lawsuit filed by Mohammad Habib against the City and County of San Francisco for \$455,000; the lawsuit was filed on August 29, 2018, in San Francisco Superior Court, Case No. CGC-18-569287; entitled Mohammad Habib v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**
  
5. **231107** **[Settlement of Lawsuit - Frederick Schiff et al. - \$380,000]**

Ordinance authorizing settlement of the lawsuit filed by Frederick Schiff et al. against the City and County of San Francisco et al. for \$380,000; the lawsuit was filed on June 11, 2019, in the United States District Court for the Northern District of California, Case No. 4:19-cv-03260-YGR; entitled Frederick Schiff et al v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

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

6. [231108](#) **[Settlement of Lawsuit - Madison Cullinane - \$40,000]**  
Ordinance authorizing settlement of the lawsuit filed by Madison Cullinane against the City and County of San Francisco for \$40,000; the lawsuit was filed on January 27, 2022, in San Francisco Superior Court, Case No. CGC-22-597860; entitled Madison Cullinane v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a motor vehicle accident. (City Attorney)  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
7. [231047](#) **[Settlement of Unlitigated Claim - Tim Wong - \$50,000]**  
Resolution approving the settlement of the unlitigated claim filed by Tim Wong against the City and County of San Francisco for \$50,000; the claim was filed on April 27, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
8. [231048](#) **[Settlement of Unlitigated Claim - 99 Ocean Ave., LLC - \$36,000]**  
Resolution approving the settlement of the unlitigated claim filed by 99 Ocean Ave., LLC against the City and County of San Francisco for \$36,000; the claim was filed on June 16, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
9. [231049](#) **[Settlement of Unlitigated Claim - Joseph Hohenrieder - \$35,000]**  
Resolution approving the settlement of the unlitigated claim filed by Joseph Hohenrieder against the City and County of San Francisco for \$35,000; the claim was filed on November 28, 2022; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
10. [231050](#) **[Settlement of Unlitigated Claim - Trung Lam - \$39,000]**  
Resolution approving the settlement of the unlitigated claim filed by Trung Lam against the City and County of San Francisco for \$39,000; the claim was filed on April 26, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
11. [231051](#) **[Settlement of Unlitigated Claim - Gil Orozco - \$65,000]**  
Resolution approving the settlement of the unlitigated claim filed by Gil Orozco against the City and County of San Francisco for \$65,000; the claim was filed on December 8, 2022; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**

12. [231052](#) **[Settlement of Unlitigated Claim - Rigoberto Herrera - \$46,867]**  
Resolution approving the settlement of the unlitigated claim filed by Rigoberto Herrera against the City and County of San Francisco for \$46,867; the claim was filed on February 24, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
13. [231053](#) **[Settlement of Unlitigated Claim - Dolores Street Community Services - \$37,197.48]**  
Resolution approving the settlement of the unlitigated claim filed by Dolores Street Community Services against the City and County of San Francisco for \$37,197.48; the claim was filed on April 20, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
14. [231055](#) **[Settlement of Unlitigated Claim - Linden Research, Inc. - \$162,466]**  
Resolution approving the settlement of the unlitigated claim filed by Linden Research, Inc. against the City and County of San Francisco for \$162,466; the claim was filed on June 6, 2023; the claim involves a refund of gross receipts taxes and business registration fees. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
15. [231110](#) **[Settlement of Unlitigated Claim - Sentinel Insurance Company, Ltd. - \$100,000]**  
Resolution approving the settlement of the unlitigated claim filed by Sentinel Insurance Company, Ltd. against the City and County of San Francisco for \$100,000; the claim was filed on March 23, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Preston, Peskin*

16. [230924](#) **[Planning Code, Zoning Map - Non-Profit Arts Education Special Use District]**  
**Sponsor: Peskin**  
Ordinance amending the Planning Code to create the Non-Profit Arts Education Special Use District (Assessor's Parcel Block No. 49, Lot No. 1, generally bounded by Francisco Street, Jones Street, Chestnut Street, and Leavenworth Street, and numbered as 800 Chestnut Street); amending the Zoning Map to show the Non-Profit Arts Education Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.  
11/14/2023; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**



**Recommendation of the Rules Committee**

*Present: Supervisors Dorsey, Walton, Safai*

- 17. [230895](#) **[Administrative Code - Approval of Airport Surveillance Technology Policies]**  
Ordinance approving Airport Surveillance Technology Policies governing the use of 1) application-based commercial transport technology, 2) electronic toll readers, and 3) detection systems for gunshots and other noises. (Airport Commission)

11/14/2023; 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*

- 18. [230985](#) **[Charter Amendment - Minimum Police Department Staffing and Five-Year Annual Funding Requirement]**

**Sponsor: Safai**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to define “Full-Duty Sworn Officers” for purposes of establishing minimum staffing levels for sworn officers of the Police Department; and, contingent upon the Controller’s certification that a future tax measure passed by the voters will generate sufficient additional revenue to fund the cost of employing Full-Duty Sworn Officers at specified minimum staffing levels and the minimum amount necessary to implement a police staffing fund: 1) set the Minimum Staffing Number for five fiscal years beginning with 1,700 full-duty sworn officers in year one, with increases each year such that by the fifth fiscal year, the Minimum Staffing Number shall be 2,074; 2) require for a period of five years that the Mayor and Board of Supervisors appropriate funds to pay for at least the number of sworn officers as of February 1 of the prior fiscal year; 3) establish a Police Full Staffing Fund (“Fund”) for a period of five fiscal years to facilitate minimum police staffing; 4) require that \$16.8 million be appropriated into the Fund in the first year, and varying amounts in years two through five, calculated based on staffing shortages, but allowing for a temporary freeze of appropriations to the Fund after the first year in a budgetary or economic emergency; at an election to be held on March 5, 2024.

(Supervisor Dorsey dissented in Committee.)

11/14/2023; CONTINUED.

**Question: Shall this Charter Amendment be ORDERED SUBMITTED?**

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Chan, Mandelman, Safai*

19. [231007](#) **[Business and Tax Regulations Code - Transfer Tax Exemption for Affordable Housing]**

**Sponsors: Preston; Chan, Mandelman and Safai**

Ordinance amending the Business and Tax Regulations Code to broaden the exemption from the increased transfer tax rates when the consideration or value of the interest or property conveyed equals or exceeds \$5,000,000 for transfers of certain rent-restricted affordable housing; applying the exemption retroactively to transfers occurring on or after January 1, 2017; extending the exemption through December 31, 2030; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

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

20. [231009](#) **[Accept and Expend Grant - California Department of Parks and Recreation - Buchanan Mall Project - \$3,900,000]**

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

Resolution authorizing the Recreation and Park Department (RPD) to accept and expend up to \$3,900,000 in grant funding from the California Department of Parks and Recreation for the Buchanan Mall Project; to enter into a grant contract with the California Department of Parks and Recreation that require, among other things, that RPD maintain the park as public open space in perpetuity; to record a Declaration of Restrictions on the Buchanan Mall property designated as Assessor's Parcel Block No. 0748, Lot No. 033, Assessor's Parcel Block No. 0757, Lot No. 026, Assessor's Parcel Block No. 0772, Lot No. 023, Assessor's Parcel Block No. 0781, Lot No. 035, and Assessor's Parcel Block No. 0795, Lot No. 028, providing notice of these restrictions; and to authorize the General Manager of RPD to enter into modifications or amendments to the Grant Contract that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Recreation and Park Department)

(Fiscal Impact)

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

21. [231111](#) **[Real Property Lease - Recology San Francisco - Pier 96 - Approximately \$369,500 Per Month]**  
Resolution approving Port Commission Lease L-17035 with Recology San Francisco, a California corporation, located at Pier 96 for approximately 196,369 square feet of shed, outbuilding and loading dock space, and approximately 252,319 square feet of paved land and yard space which will initially generate revenue to the Port of approximately \$369,500 per month, for a term of approximately 74 months, effective upon approval of this Resolution; adopting findings under the California Environmental Quality Act; and to authorize the Executive Director of the Port 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 the contract or this Resolution. (Port)

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

22. [231112](#) **[Real Property Lease - Anderson Enterprises, Inc. - Portion of Pier 68/70 Shipyard - Initial Monthly Rent of \$66,702.15]**  
Resolution approving Port Commission Lease No. L-17093 with Anderson Enterprises, Inc., a California corporation, located at the Pier 68/70 Shipyard for approximately 116,343 square feet of paved land and 2,010 square feet of shed space for an initial monthly rent of \$66,702.15 and a term of three years with three mutually agreeable one-year extension options, effective upon approval of this Resolution; and to authorize the Executive Director of the Port of San Francisco to enter into amendments or modifications to the Port Commission License No. L-17093 that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of this Resolution. (Port)

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

23. [231116](#) **[Real Property Lease Amendments - Seawall Lot 337 Associates, LLC - Mission Rock Parcels A, B, F, and G and Form Lease]**  
**Sponsors: Mayor; Dorsey**  
Resolution approving certain amendments to the form of the Parcel Lease between the Port and Seawall Lot 337 Associates, LLC, a subsidiary agreement under the Disposition and Development Agreement for the Mission Rock Project; approving certain amendments to the Leases for Parcel A, Parcel B, Parcel F, and Parcel G with affiliates of Developer; adopting findings under the California Environmental Quality Act; and to authorize the Executive Director of the Port to enter into amendments or modifications to the First Amendment to Parcel Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Resolution. (Port)

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

24. [231131](#) **[Supplementing Resolution No. 7-17 to Authorize Issuance of Bonds by City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) - Not to Exceed \$10,000,000]**  
**Sponsors: Mayor; Dorsey**  
Resolution supplementing Resolution No. 7-17 of the Board of Supervisors to authorize the issuance and sale by the City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) of one or more series of bonds in an aggregate principal amount not to exceed \$10,000,000 approving related documents, including an Official Statement, one or more supplements to Indentures of Trust, Bond Purchase Agreements and Continuing Disclosure Certificates; and determining other matters in connection therewith, as defined herein.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
25. [231133](#) **[Loan Amendment - Sunnydale Infrastructure 1A3 LLC - Sunnydale HOPE SF Development - Not to Exceed \$26,567,405]**  
**Sponsors: Mayor; Walton, Safai and Mandelman**  
Resolution approving and authorizing the execution of a Second Amendment to the Loan Agreement with Sunnydale Infrastructure Phase 1A3 LLC, a California limited liability company, to increase the loan amount by \$1,495,294 for a new total loan amount not to exceed \$26,567,405 to finance additional construction costs for the second phase of infrastructure improvements and housing development related to the revitalization and master development of up to 1770 units of replacement public housing, affordable housing and market rate housing, commonly known as the Sunnydale HOPE SF Development ("Sunnydale Project"); adopting findings that the loan agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the City's General Plan, and the priority policies of Planning Code, Section 101.1; and to authorize the Director of Mayor's Office of Housing and Community Development to enter into any amendments or modifications to the Agreement that do not materially increase the obligations or liabilities for the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Mayor's Office of Housing and Community Development)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
26. [231166](#) **[Authorizing the Issuance of Special Tax Bonds - Improvement Area No. 2 of the City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) - Not to Exceed Aggregate Principal Amount of \$17,000,000]**  
**Sponsors: Mayor; Dorsey**  
Resolution authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) with respect to its Improvement Area No. 2 in the aggregate principal amount not to exceed \$17,000,000 approving related documents, including an Official Statement, First Supplement to Fiscal Agent Agreement, Bond Purchase Agreement, and Continuing Disclosure Undertaking; and determining other matters in connection therewith, as defined herein.
- Question: Shall this Resolution be ADOPTED?**

**Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Preston, Stefani, Chan*

27. [231095](#) **[Amending the Budget and Legislative Analyst Services Audit Plan - Management of Street Cleaning by Public Works and Interdepartmental Agreements - FY2023-2024]**  
**Sponsor: Preston**  
Motion directing the Budget and Legislative Analyst to conduct two additional performance audits in Fiscal Year (FY) 2023-2024 on the management of street cleaning by Public Works and of interdepartmental agreements citywide.  
**Question: Shall this Motion be APPROVED?**

**Recommendations of the Land Use and Transportation Committee**

*Present: Supervisors Preston, Peskin*

28. [231028](#) **[Cultural District Street Name Designations - "LEATHER & LGBTQ Cultural District" - Various Locations in the South of Market]**  
**Sponsor: Dorsey**  
Resolution adding placemaking street signs reading "LEATHER & LGBTQ Cultural District" to 26 existing street signs in the South of Market neighborhood in the vicinity of LEATHER & LGBTQ Cultural District generally bounded by Brannan Street, Third Street, Mission Street, 12th Street, and Division Street in recognition and honor of the extensive history and contributions of the leather and LGBTQ community pursuant to the Commemorative Street Plaque Ordinance in Public Works Code, Sections 789 et seq.  
**Question: Shall this Resolution be ADOPTED?**
29. [231115](#) **[Commemorative Street Name Designation - "MTT Way" - 200 Block of Grove Street]**  
**Sponsors: Mayor; Peskin, Preston, Mandelman, Stefani, Engardio and Ronen**  
Resolution adding the commemorative street name "MTT Way" to the 200 block of Grove Street in recognition of San Francisco Symphony Music Director Laureate Michael Tilson Thomas's tremendous impact on San Francisco and local arts and culture in the City throughout his 25 years as the Symphony's Music Director, and in celebration of his 79th birthday, in accordance with Public Works Code, Section 789 et seq.  
**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Stefani, Engardio, Dorsey*

- 30. [231077](#) **[Police Code - Cannabis Events]**  
**Sponsor: Mandelman**  
Ordinance amending the Police Code to extend the end date of the Cannabis Event Pilot Program from December 31, 2023, to December 31, 2026.  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
  
- 31. [231104](#) **[Liquor License - 1123 Folsom Street - The Stud]**  
Resolution determining that the issuance of a Type-48 on-sale general public premises liquor license to Universal Life Corral, LLC, to do business as the Stud, located at 1123 Folsom Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)  
**Question: Shall this Resolution be ADOPTED?**

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

## 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, November 27, 2023, at 1:30 p.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, November 28, 2023.*

32. [230446](#)

### **[Planning and Subdivision Codes, Zoning Map - Housing Production]**

#### **Sponsors: Mayor; Engardio and Dorsey**

Ordinance amending the Planning Code to encourage housing production by 1) exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 and the Conditional Use requirement of Section 317, in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations, and areas outside RH (Residential House) Districts within the Family Housing Opportunity Special Use District; 2) removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District, projects to build to the allowable height limit, projects that build additional units in lower density zoning districts, and senior housing projects that seek to obtain double density, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; 3) amending rear yard, front setback, lot frontage, minimum lot size, and residential open space requirements in specified districts, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; 4) allowing additional uses on the ground floor in residential buildings, homeless shelters, and group housing in residential districts, and administrative review of reasonable accommodations; 5) expanding the eligibility for the Housing Opportunities Mean Equity - San Francisco (HOME - SF) program and density exceptions in residential districts; 6) exempting certain affordable housing projects from certain development fees; 7) authorizing the Planning Director to approve State Density Bonus projects, subject to delegation from the Planning Commission; and 8) making conforming amendments to other sections of the Planning Code; amending the Zoning Map to create the Priority Equity Geographies Special Use District; amending the Subdivision Code to update the condominium conversion requirements for projects utilizing residential density exceptions in RH Districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

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

33. [230701](#) **[Planning Code - Citywide Expansion of Allowable Commercial, Restaurant, and Retail Uses]**  
**Sponsors: Mayor; Engardio, Dorsey, Melgar and Stefani**  
Ordinance amending the Planning Code to 1) permit additional commercial, retail, and restaurant uses on the ground floor in certain neighborhood commercial districts (NCDs) and residential districts; 2) principally permit Flexible Retail on the ground floor in NCDs and Chinatown mixed use districts; 3) principally permit Retail Professional Services uses on all floors and conditionally permit Non-Retail Professional Services on the ground floor in specified NCDs; 4) create regulations for music entertainment venues and non-profit theaters distinct from regulations for Bars; 5) allow Limited Corner Commercial Uses in certain residential districts; 6) amend Section 311 to remove neighborhood notice requirements for changes of use in the Eastern Neighborhoods mixed use districts; 7) expand business types that qualify for the Planning Department priority review program; 8) clarify that multiple allowable uses may co-locate on one site; 9) clarify and modify various other use regulations and processes; 10) permit additional retail and non-retail uses in specified NCDs; 11) eliminate the Mission Street Formula Retail Restaurant Subdistrict; and 12) exempt eligible projects proposing a change in use from all development impact fees, with the exception of inclusionary housing fees, for a five-year period; and affirming the Planning Department's determination 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 pursuant to Planning Code, Section 302.

(Economic Impact)

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

34. [230768](#) **[Public Works Code - Authorizing and Permitting Neighborhood Amenities]**  
**Sponsors: Melgar; Stefani, Mandelman, Ronen, Engardio and Chan**  
Ordinance amending the Public Works Code to streamline and authorize the approval of certain neighborhood amenities, also known as Love Our Neighborhoods Projects, in sidewalks and other public right-of-ways within the Department of Public Works' jurisdiction, to reduce fees for certain minor encroachment permits, to waive certain annual encroachment assessments, to clarify the approval process for commemorative plaques, and to clarify the permitting, revocation, and restoration requirements for all minor encroachment permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

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



35. [231175](#) [Directing the City Attorney and City Lobbyist to Request HCD Extend the Housing Element Implementation Action Plan Deadline and Revise and Correct the “Policy and Practice Review” Letter]

**Sponsors: Peskin; Chan**

Resolution directing the City Attorney and the City Lobbyist, on behalf of the City, to request that the State Department of Housing and Community Development (HCD) extend the Housing Element Implementation Action Plan deadline to ensure all of San Francisco’s extensive, collaborative work to further housing development does not 1) lead to de-certification of San Francisco’s thorough and adopted Housing Element; 2) to revise and correct HCD’s “Policy and Practice Review” letter to be responsive to San Francisco’s adopted Housing Element, including its actions on affordable housing and equity; and 3) to be responsive to the City’s legal obligations to affirmatively further Fair Housing, San Francisco’s Chartered legislative process, and San Francisco’s status as a Charter City imbued with the power of local action over municipal affairs.

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

36. **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.*

37. **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.*

## 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 38 and 39 will be taken during Item 37 - General Public Comment.)

### Items 38 and 39

**38. [231203](#) [Cancelling Committee of the Whole - Report of Delinquent Real Property Transfer Taxes - January 9, 2024, at 3:00 p.m.]**

Motion rescinding the Board of Supervisors approval (Motion No. M23-133; File No. 231063) to sit as a Committee of the Whole on January 9, 2024, at 3:00 p.m., to hold a public hearing on a Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0340, Lot No. 004 (2-16 Turk Street), and cancelling the subject Committee of the Whole. (Clerk of the Board)

11/14/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**39. [231206](#) [Amending Board Rules of Order - Amending Board Rule 3.25 and Striking Board Rule 3.32 to Remove the Homelessness and Behavioral Health Select Committee]**

**Sponsor: Peskin**

Motion amending the Board Rules of Order of the Board of Supervisors by striking Board Rule 3.32 to remove the Homelessness and Behavioral Health Select Committee; and amending Board Rule 3.25 to remove the subject Committee as a fiscal committee.

(Pursuant to Board Rule 3.26.1, an amendment to the Board of Supervisors' Rules of Order shall be adopted by the affirmative vote of two-thirds (8 votes) of the Board of Supervisors.)

11/15/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### 40. 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.)*

#### 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****231211****[Settlement of Lawsuit - Phaedra Michelle Scott - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Phaedra Michelle Scott against the City and County of San Francisco for \$40,000; the lawsuit was filed on September 27, 2021, in San Francisco Superior Court, Case No. CGC-21-595521; entitled Phaedra Michelle Scott v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from tripping due to a pothole. (City Attorney)

11/09/2023; RECEIVED FROM DEPARTMENT.

11/28/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**231212****[Settlement of Lawsuit - Alfred Coutts - \$190,000]**

Ordinance authorizing settlement of the lawsuit filed by Alfred Coutts against the City and County of San Francisco for \$190,000; the lawsuit was filed on May 14, 2020, in San Francisco Superior Court, Case No. CGC-20-584459; entitled Alfred Coutts, et al. v. City and County of San Francisco, et. al.; the lawsuit involves allegations of negligence, dependent adult neglect/abuse, and violations of the Patient's Bill of Rights concerning Mr. Coutts' care at Laguna Honda Hospital and Rehabilitation Center. (City Attorney)

11/13/2023; RECEIVED FROM DEPARTMENT.

11/28/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**231213****[Settlement of Lawsuit - Peyman Pakdel and Sima Chegini - \$450,000]**

Ordinance authorizing settlement of the lawsuit filed by Peyman Pakdel and Sima Chegini against the City and County of San Francisco for \$450,000; the lawsuit was filed on June 26, 2017, in the United States District Court for the Northern District of California, Case No. 3:17-cv-03638; entitled Peyman Pakdel, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged diminution of Plaintiffs' property value as a result of conditions of approval of San Francisco's Expedited Conversion Program; other material terms of the settlement include the Plaintiffs' sale of the property to the current tenant and termination of the lifetime lease under the Expedited Conversion Program. (City Attorney)

11/14/2023; RECEIVED FROM DEPARTMENT.

11/28/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

## PROPOSED RESOLUTION

### 231214 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures - Term Extension]

Resolution approving Amendment No. 48 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2023, for a total term of November 19, 1998, through November 30, 2024; and to authorize the Treasure Island Director to execute and enter into amendments to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes and intent of this Resolution. (Treasure Island Development Authority)

11/16/2023; RECEIVED FROM DEPARTMENT.

11/28/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**231215 [Petitions and Communications]**

Petitions and Communications received from November 9, 2023, through November 21, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 28, 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 a reappointment to the following bodies. Copy: Each Supervisor. (1)

Appointment pursuant to Charter, Sections 3.100(18) and 4.119:

- Commission on the Status of Women
  - § Diane Jones Lowrey - term ending January 23, 2027

Appointment pursuant to Charter, Sections 3.100(18) and Administrative Code, Section 57.2:

- Film Commission
  - § Lourdes Portillo- term ending February 1, 2027

Nomination pursuant to Charter, Section 4.139:

- Sanitation and Streets Commission
  - § Azalina Eusope - term ending July 1, 2026

From the San Francisco Police Department (SFPD), submitting response to a Letter of Inquiry from Supervisor Safai from the Board meeting of September 5, 2023. Copy: Each Supervisor. (2)

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. (3)

From the San Francisco Public Utilities Commission (SFPUC), pursuant to Resolution No. 227-18, submitting the SFPUC's Quarterly Report on the Status of Applications to Pacific Gas & Electric Company (PG&E) for Electric Services. File No. 180693. Copy: Each Supervisor. (4)

From Department of Elections, submitting Notice of a Ballot Simplification Committee Meeting for the March 5, 2024, Presidential Primary Election. Copy: Each Supervisor. (5)

From the Department on the Status of Women (WOM), submitting a Monthly Update on the Status of Abortion Rights. Copy: Each Supervisor. (6)

From the Capital Planning Committee, in accordance with Administrative Code, Section 3.21, submitting recommendations on the Approval of the Issuance of Treasure Island Community Facilities District (CFD) No. 2016-1 Special Tax Bonds Not to Exceed \$17,000,000, and Issuance of Treasure Island Infrastructure and Revitalization Financing District (IRFD) No. 1 Tax Increment Bonds Not to Exceed \$10,000,000 and the Appropriation of \$1,540,000 to Mayor's Office of Housing and Community Development. Copy: Each Supervisor. (7)

From the California Fish and Game Commission, submitting proposed changes in regulations. 3 Letters. Copy: Each Supervisor. (8)

From the Sunshine Ordinance Task Force, submitting memorandum on a Proposed Ordinance Regarding Assignment and Use of City Email Accounts. Copy: Each Supervisor. (9)

From Paul Foppe, regarding San Francisco Police Department (SFPD) Department General Order (DGO) 6.21, SFPD use of Social Media. Copy: Each Supervisor. (10)

From members of the public, regarding a proposed Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to define "Full-Duty Sworn Officers" for purposes of establishing minimum staffing levels for sworn officers of the Police Department; and, contingent upon the Controller's certification that a future tax measure passed by the voters will generate sufficient additional revenue to fund the cost of employing Full-Duty Sworn Officers at specified minimum staffing levels and the minimum amount necessary to implement a police staffing fund. File No. 230985. 306 Letters. Copy: Each Supervisor. (11)

From members of the public, regarding a proposed Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024. File No. 230986. 18 Letters. Copy: Each Supervisor. (12)

From members of the public, regarding a proposed Resolution reaffirming support for the fundamental role of an independent, impartial, and qualified judiciary in upholding the law in the pursuit of justice and the functional operation of a healthy democracy. File No. 231180. 6 Letters. Copy: Each Supervisor. (13)

From members of the public, regarding a proposed Ordinance amending the Planning Code to encourage housing production. File No. 230446. 5 Letters. Copy: Each Supervisor. (14)

From members of the public, regarding a Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to delay implementing meter hour extension until the completion of an independent economic impact report that specifically analyzes the projected impact to San Francisco small businesses, City revenues, and the City's overall economic recovery and said report is reviewed by the Board of Supervisors and the SFMTA Board. File No. 230587. 34 Letters. Copy: Each Supervisor. (15)

From Dennis Hong, regarding a Draft Environmental Impact Report before the San Francisco Planning Commission. Copy: Each Supervisor. (16)

From members of the public, regarding a proposed Resolution directing the City Attorney and the City Lobbyist to Request that the State Department of Housing and Community Development (HCD) Extend the Housing Element Implementation Action Plan Deadline and Revise and Correct the "Policy and Practice Review" Letter. File No. 231175. 2 Letters. Copy: Each Supervisor. (17)

From members of the public, regarding a Request for Proposal (RFP) for a lighting partner at the Gardens of Golden Gate Park. 2 Letters. Copy: Each Supervisor. (18)

From Laretta Walkup, regarding the Great Highway. Copy: Each Supervisor. (19)

From JanFreya Didur, regarding John F. Kennedy Drive. Copy: Each Supervisor. (20)

From Patsy Fergusson, regarding the Marina Improvement and Remediation Project. Copy: Each Supervisor. (21)

From members of the public, regarding Resolution urging the Municipal Transportation Agency (MTA) to develop and implement a plan for No Turn On Red (NTOR) at every signalized intersection in San Francisco and approve a citywide NTOR policy. File No. 231016. 2 Letters. Copy: Each Supervisor. (22)

From members of the public, regarding quality of life issues. 6 Letters. Copy: Each Supervisor. (23)

From members of the public, submitting a petition regarding Ordinance amending the Police Code to provide that cannabis retail permit applications will not be accepted by the Office of Cannabis. File No. 200144. 183 Signatures. Copy: Each Supervisor. (24)

## **ADJOURNMENT**