

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

REMOTE ACCESS
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PUBLIC COMMENT CALL-IN
[1 \(415\) 655-0001/ Meeting ID: 2485 058 7354 # #](tel:14156550001)

Tuesday, September 20, 2022 - 2:00 PM

Regular Meeting

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

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee
Supervisors Ronen, Safai, Mar, Chan, Walton

Budget and Finance Committee
Supervisors Ronen, Safai, Mar

Government Audit and Oversight Committee
Supervisors Preston, Chan, Mandelman

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee
Supervisors Mar, Stefani, Melgar

Rules Committee
Supervisors Peskin, Mandelman, Chan

Youth, Young Adult, and Families Committee
Supervisors Ronen, Safai, Dorsey

Meeting Days

Wednesday
1:00 PM

Wednesday
12:30 PM

1st and 3rd Thursday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

2nd Friday
10:00 AM

Agenda Item Information

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

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

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

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where legislation is the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

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

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

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee and will be shared with the Members.

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

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

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

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

Americans with Disabilities Act (ADA)

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

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

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel, at www.sfgovtv.org or Cable Channels 26, 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 sotf@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <https://www.sfbos.org/sunshine>.

Ethics Requirements

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

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

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

Members of the public may provide public comment in-person at the noticed location or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>). Individuals who wish to share documents during a hearing must provide them to the Clerk 48 hours in advance (bos@sfgov.org). Persons attending the meeting in-person who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting. Members of the public may also submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record.

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

PUBLIC COMMENT CALL-IN

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(Press *3 to enter the speaker line)

Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS

AGENDA CHANGES

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ronen, Safai, Mar

1. [220199](#) **[Administrative, Police Codes - Ban on Gas-Powered Landscaping Equipment]**

Sponsors: Melgar; Mar, Stefani, Ronen and Safai

* *

Ordinance amending the Administrative Code and Police Code to 1) prohibit the City from using gas-powered landscaping equipment to perform a City function starting July 1, 2024, with temporary waivers for City departments that document to the satisfaction of the Director of the Department of the Environment ("Department") the unavailability of needed technology to replace such equipment; 2) prohibit the City from contracting for the use of gas-powered landscaping equipment to perform a City function starting July 1, 2024, with waivers for City departments that document to the satisfaction of the Purchaser the necessity of such waiver; 3) prohibit the use of gas-powered landscaping equipment in the City starting January 1, 2026, except such equipment for which the Department determines replacement technology is unavailable, and penalize property owners and business owners and managers that violate that prohibition; 4) establish a buy-back and/or incentive program ("Buy-Back Program") to assist owners of such equipment in transitioning away from its use; 5) require that the Department conduct a public education campaign regarding the gas-powered landscaping equipment ban and the Buy-Back Program; 6) establish a fund to receive penalties collected for violation of the ban and other monies, to use for purchases of equipment for City departments to replace gas-powered landscaping equipment, for the Buy-Back Program, for safe disposal of gas-powered landscaping equipment, and/or to fund the Department's public education campaign; 7) designate the Department to administer and enforce the ordinance; and 8) require the Department, starting in 2026 and ending on December 31, 2036, to report to the Board of Supervisors by March 31 of each year on progress over the prior calendar year in enforcing the restrictions on gas-powered landscaping equipment, conducting the public education campaign, administering the Buy-Back Program, and using the monies in the fund.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. [220803](#) **[Lease Amendment - New Conservatory Theatre Center - 25 Van Ness Avenue, Lower Level - Additional Five-Year Option - Rent Forgiveness - \$50,067.60]**

Resolution authorizing the Real Estate Division to approve a fourth amendment to the lease to extend approximately 14,229 rentable square feet of space at 25 Van Ness Avenue, Lower Level, to New Conservatory Theatre Center, a California non-profit corporation, for a five-year period from October 1, 2028, through September 30, 2033, and forgive rent between January 2021, through June 2021, in the amount of \$50,067.60; and to authorize the Director of Property to enter into any extensions, amendments, or modifications to the Lease that do not materially reduce the rent or otherwise materially increase the obligations or liabilities to the City and are necessary or advisable to effectuate the purposes of the Lease or this Resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

3. [220855](#) **[Accept and Expend Grant - California Department of Fire and Forestry Protection - Urban and Community Forest California Climate Investments Grant Program - \$1,193,594]**
Sponsors: Mayor; Dorsey and Mar
Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of \$1,193,594 from the California Department of Forestry and Fire Protection Urban and Community Forestry Grant Program, entitled "Urban and Community Forest California Climate Investments Grant Program," as provided through the California Greenhouse Gas Reduction Fund, for a term beginning July 1, 2022, through March 30, 2026, to support the operation of a tree nursery workforce development program at the South of Market Tree Nursery; and affirming the California Department of Transportation's determination under the California Environmental Quality Act.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
4. [220857](#) **[Accept and Expend Grant - Retroactive - California State Department of Toxic Substances Control - India Basin 900 Innes Remediation Project - \$1,384,000]**
Sponsors: Mayor; Walton and Mar
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a \$1,384,000 grant from the California State Department of Toxic Substances Control for the 900 Innes Remediation Project; approving the Grant Terms and Conditions for the period of June 30, 2022, through June 29, 2023; and to authorize the Recreation and Park Department to enter into amendments or modifications to the Grant Terms and Conditions and to execute further agreements that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the Project or this Resolution. (Recreation and Park Department)
- Question: Shall this Resolution be ADOPTED?**
5. [220880](#) **[Real Property Lease Extension - 124 Turk Street, L.P. - 124 Turk Street - Permanent Supportive Housing - \$563,653.94 Annual Base Rent]**
Sponsors: Mayor; Preston, Safai and Ronen
Resolution authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing, to exercise the option to extend the term of the Lease of real property located at 124 Turk Street, with 124 Turk Street, L.P., for continued use of 55 units of Permanent Supportive Housing at a base rent of \$563,653.94 per year with annual rent increases beginning August 2023, for a ten-year term commencing upon approval of this Resolution and expiring on July 31, 2032; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of the extended term under the Lease and this Resolution, as defined herein.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

6. [220885](#) **[Execute Standard Agreement and Accept and Expend Grant - California Department of Housing and Community Development - 2021 Homekey Grant - 3055-3061 16th Street - Not to Exceed \$7,480,080]**

Sponsors: Mayor; Ronen

Resolution authorizing the Department of Homelessness and Supportive Housing (“HSH”) to execute a Standard Agreement with the California Department of Housing and Community Development for a total amount not to exceed \$7,480,080 of Project Homekey grant funds; to accept and expend those funds for the acquisition of the property located at 3055-3061 16th Street for Permanent Supportive Housing for Transitional Aged Youth and to support its operations upon execution of the Standard Agreement through June 30, 2026; approving and authorizing HSH to commit approximately \$1,600,000 in required matching funds for capital expenditures and a minimum of five years of operating subsidy; affirming the Planning Department’s determination under the California Environmental Quality Act; adopting the Planning Department’s findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing HSH to enter into any additions, amendments, or other modifications to the Standard Agreement and the Homekey Documents that do not materially increase the obligations or liabilities of the City or materially decrease the benefits to the City.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

7. [220892](#) **[Urging Development of Financing Plan by December 31, 2022, for Emergency Firefighting Water System]**

Sponsors: Mar; Chan

Resolution urging the Office of Resilience and Capital Planning to create a financing plan by December 31, 2022, for expanding the Emergency Firefighting Water System (EFWS) to unprotected areas of the City, with current and potential sources of funding for the EFWS, hose tenders and other options to minimize fire damage from a major earthquake.

Question: Shall this Resolution be ADOPTED?

8. [220897](#) **[Issuance and Sale of Revenue Obligations - California Enterprise Development Authority - The Urban School of San Francisco - Not to Exceed \$10,000,000]**

Sponsor: Preston

Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority, in an aggregate principal amount not to exceed \$10,000,000 to finance and/or reimburse the cost of construction, installation, rehabilitation, equipping and/or furnishing of educational and related facilities owned and operated by, or leased and operated by The Urban School of San Francisco, a California nonprofit public benefit corporation, located at 1530 Page Street.

Question: Shall this Resolution be ADOPTED?

9. [220898](#) **[Issuance and Sale of Revenue Obligations - California Enterprise Development Authority - San Francisco University High School - Not to Exceed \$49,000,000]**
Sponsor: Stefani
Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority, in an aggregate principal amount not to exceed \$49,000,000 to finance the cost of demolition, construction, installation, equipping and/or furnishing of educational and related facilities to be owned and operated by San Francisco University High School, a California nonprofit public benefit corporation, located at 3150 California Street.
- Question: Shall this Resolution be ADOPTED?**
10. [220900](#) **[Amended and Restated Lease - 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 amend and restate the current lease for the San Francisco Wholesale Produce Market, near 2095 Jerrold Avenue (generally bordering Highway 280 and Innes and Kirkwood Avenues, and Toland and Rankin Streets), with the San Francisco Market Corporation, including authorizing separate parcel leases as needed to provide real estate security in order to obtain one or more private construction loans; adopting findings pursuant to 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; and authorizing the Director of Property to execute an amended and restated lease with the San Francisco Market Corporation (“Amended and Restated Lease”), make certain modifications, as defined herein, and take certain actions in furtherance of this Resolution and the Amended and Restated Lease, as defined herein. (Real Estate Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

11. [220654](#) **[Planning Code - Landmark Designation - City Cemetery]**
Sponsors: Chan; Melgar and Peskin
Ordinance amending the Planning Code to designate City Cemetery, the majority of Assessor’s Parcel Block No. 1313, Lot No. 029, located in Lincoln Park on the north side of Clement Street, to the east of the San Francisco Veteran Affairs Medical Center (formerly the Fort Miley Military Reservation), to the east and south of the Golden Gate National Recreation Area, and to the west of Assessor’s Parcel Block Nos. 1312, 1392, and 1401, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department’s determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

12. [220895](#) **[Interim Zoning Controls - Extending and Modifying Requirements for Large Residential Projects in RC, RM, and RTO Districts]**
Sponsors: Peskin; Chan
Resolution extending and modifying interim zoning controls enacted in Resolution No. 10-21 for parcels in Residential-Commercial Combined (RC), Residential-Mixed (RM) and Residential-Transit Oriented (RTO) districts, requiring Conditional Use Authorization for certain residential developments that do not maximize the number of units allowed by applicable density restrictions; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Rules Committee

Present: Supervisors Peskin, Mandelman, Chan

13. [220427](#) **[Administrative Code - County Veterans Service Officer Role and Duties]**
Sponsor: Safai
Ordinance amending the Administrative Code to place the County Veterans Service Officer (“Officer”) under the Department of Disability and Aging Services (DAS) rather than the Department of Administrative Services; give the Director of the DAS authority to nominate the Officer; update annual reporting requirements of the Officer to the Board of Supervisors and Mayor; and provide administrative support to the Veterans’ Affairs Commission.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
14. [220606](#) **[Administrative Code - Surveillance Technology Policy for Police Department Use of Non-City Entity Surveillance Cameras]**
Sponsor: Mayor
Ordinance approving Surveillance Technology Policy for Police Department use of non-City entity surveillance cameras and establishing a sunset date fifteen months after the effective date of the ordinance.
- (Supervisor Chan dissented in Committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
15. [220877](#) **[Administrative Code - Repeal of Legacy Business Registry Fee]**
Sponsors: Peskin; Ronen, Chan and Mandelman
Ordinance amending the Administrative Code to remove the requirement to charge a Legacy Business Registry administrative fee.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 16. [220879](#) **[Administrative Code - Workforce Development - Re-Establishing the Committee on City Workforce Alignment]**
Sponsor: Walton
Ordinance amending the Administrative Code to re-establish the Committee on City Workforce Alignment; to give the Committee responsibility for planning and coordinating the City's Workforce Development programs; and to make other changes to the procedures governing the planning and implementation of Workforce Development programs.
Question: Shall this Ordinance be PASSED ON FIRST READING?

- 17. [220848](#) **[Appointment, Treasury Oversight Committee - David Martin]**
Motion approving the Treasurer's nomination of David Martin (residency requirement waived), term ending June 17, 2026, to the Treasury Oversight Committee. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

- 18. [220946](#) **[Appointment, Children, Youth and Their Families Oversight and Advisory Committee - Andrea Torrey]**
Motion appointing Andrea Torrey, term ending July 1, 2024, to the Children, Youth and Their Families Oversight and Advisory Committee. (Rules Committee)
Question: Shall this Motion be APPROVED?

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

Latinx Heritage Month

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Scheduled pursuant to Resolution No. 352-22 (File No. 220734), adopted on July 26, 2022.

PUBLIC COMMENT WILL BE TAKEN

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

19. [220735](#) **[Hearing - Committee of the Whole - Street and Public Service Easement Vacation Order - Parkmerced Development Project - September 20, 2022, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on September 20, 2022, at 3:00 p.m., to consider an Ordinance ordering the conditional vacation of portions of Higuera Avenue, Vidal Drive, Arballo Drive, and Garces Drive (the "Street Vacation Area"), and certain San Francisco Public Utilities Commission public service easements (the "Easement Vacation Area"), all within the Parkmerced Development Project area, an approximately 152-acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; reserving various easement rights in favor of the City and third-party utilities, subject to specified conditions; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions by City officials in furtherance of this Ordinance; scheduled pursuant to Resolution No. 352-22 (File No. 220734), adopted on July 26, 2022. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

Referred Without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

20. [220736](#) **[Street and Public Service Easement Vacation Order - Parkmerced Development Project]**

Sponsor: Mayor

Ordinance ordering the conditional vacation of portions of Higuera Avenue, Vidal Drive, Arballo Drive, and Garces Drive (the "Street Vacation Area"), and certain San Francisco Public Utilities Commission public service easements (the "Easement Vacation Area"), all within the Parkmerced Development Project area, an approximately 152-acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; reserving various easement rights in favor of the City and third-party utilities, subject to specified conditions; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions by City officials in furtherance of this Ordinance, as specified herein.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Scheduled pursuant to Motion No. M22-123 (File No. 220852), approved on July 26, 2022. The President may entertain a motion to continue the Hearing and the associated item to the Board meeting of November 1, 2022.

*PUBLIC COMMENT WILL BE TAKEN ON THE CONTINUANCE
[1 \(415\) 655-0001 / Meeting ID: 2485 058 7354 # #](tel:4156550001)
(Press *3 to enter the speaker line)*

- 21. [220853](#) **[Hearing - Committee of the Whole - Transbay Block 4 Redevelopment Project - September 20, 2022, at 3:00 p.m.]**
Hearing of the Board of Supervisors sitting as a Committee of the Whole on September 20, 2022, at 3:00 p.m., to consider 1) an Ordinance approving an amendment to the Transbay Redevelopment Plan to increase height and bulk limits on Block 4 of Zone One of the Transbay Redevelopment Project Area (Assessor's Parcel Block No. 3739, Lot No. 010, located on the south side of Howard Street between Beale and Main Streets), by increasing the maximum height limit for tower buildings from 450 feet to 513 feet, and increasing certain maximum floor plate sizes; and making certain findings (File No. 220854); an Ordinance amending the Zoning Map of the Planning Code to facilitate development of the Transbay Block 4 Redevelopment Project (located on the south side of Howard Street between Beale and Main Streets) by increasing height limits; and making certain findings (File No. 220836); a Resolution approving the disposition of land, and entrance into a ground lease of certain air space rights, by the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to F4 Transbay Partners LLC, a Delaware limited liability company, and Transbay Block 4 Housing Partnership, L.P., a California limited partnership, for a purchase price of \$6,000,000 for the property generally located at 200 Main Street, bounded by Howard, Main and Beale Streets and extending approximately 205 feet southeast from Howard Street (Assessor's Parcel Block No. 3739, Lot Nos. 010 and 011), commonly known as Transbay Block 4; making findings under the Transbay Redevelopment Plan (incorporating California Health and Safety Code, Section 33433); and making certain findings (File No. 220858); and an forthcoming Ordinance amending the General Plan; scheduled pursuant to Motion No. M22-123, approved on July 26, 2022. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

From the Board

22. [220854](#) **[Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One, Block 4]**

Sponsor: Dorsey

Ordinance approving an amendment to the Transbay Redevelopment Plan to increase height and bulk limits on Block 4 of Zone One of the Transbay Redevelopment Project Area (Assessor's Parcel Block No. 3739, Lot No. 010, located on the south side of Howard Street between Beale and Main Streets), by increasing the maximum height limit for tower buildings from 450 feet to 513 feet, and increasing certain maximum floor plate sizes; making findings under the California Environmental Quality Act; making findings under the California Community Redevelopment Law; and making 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?

COMMITTEE REPORTS

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

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, September 15, 2022, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, September 20, 2022.

23. [220506](#) **[Board Response - Civil Grand Jury Report - Shovel Ready: Best Practices and Collaboration to Improve San Francisco's Capital Construction Program]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2021-2022 Civil Grand Jury Report, entitled "Shovel Ready: Best Practices and Collaboration to Improve San Francisco's Capital Construction Program;" and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

24. [220721](#) **[Board Response - Civil Grand Jury Report - Buried Problems and a Buried Process: The Hunters Point Naval Shipyard in a Time of Climate Change]**

Sponsor: Walton

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2021-2022 Civil Grand Jury Report, entitled "Buried Problems and a Buried Process: The Hunters Point Naval Shipyard in a Time of Climate Change;" and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

- 25. [220723](#) **[Board Response - Civil Grand Jury Report - Safe and Accessible Parks for All]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2021-2022 Civil Grand Jury Report, entitled “Safe and Accessible Parks for All;” and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Clerk of the Board)
Question: Shall this Resolution be ADOPTED?

- 26. [220798](#) **[Tolling Agreement - PK Domestic Property LLC - Hotel Adagio - Real Property Transfer Tax Dispute]**
Resolution approving a Tolling Agreement to extend the statute of limitations for PK Domestic Property LLC for Hotel Adagio to bring potential litigation against the City and County of San Francisco for a refund of real property transfer tax to allow for possible resolution of the matter without litigation. (City Attorney)
Question: Shall this Resolution be ADOPTED?

- 27. [220799](#) **[Tolling Agreement - Park Intermediate Holdings LLC - Hyatt Centric Hotel - Real Property Transfer Tax Dispute]**
Resolution approving a Tolling Agreement to extend the statute of limitations for Park Intermediate Holdings LLC for the Hyatt Centric Hotel to bring potential litigation against the City and County of San Francisco for a refund of real property transfer tax to allow for possible resolution of the matter without litigation. (City Attorney)
Question: Shall this Resolution be ADOPTED?

- 28. [220800](#) **[Tolling Agreement - PK Domestic Property LLC - Le Meridien Hotel - Real Property Transfer Tax Dispute]**
Resolution approving a Tolling Agreement to extend the statute of limitations for PK Domestic Property LLC for the Le Meridien Hotel to bring potential litigation against the City and County of San Francisco for a refund of real property transfer tax to allow for possible resolution of the matter without litigation. (City Attorney)
Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, September 19, 2022, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, September 20, 2022.

29. [220643](#) [Planning Code - Tenderloin Neon Special Sign District]

Sponsors: Preston; Peskin

Ordinance amending the Planning Code to create the Tenderloin Neon Special Sign District within the North of Market Residential Special Use District; enacting zoning controls for neon signs within the Special Sign District; amending Sheet SS01 of the Zoning Map to show the Tenderloin Neon Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code Section, 101.1, and public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Rules Committee at a Regular Meeting on Monday, September 19, 2022, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, September 20, 2022.

30. [220539](#) [Campaign and Governmental Conduct Code - Behested Payments Exceptions]

Sponsors: Peskin; Safai, Chan, Walton, Preston and Mar

Ordinance amending the Campaign and Governmental Conduct Code to modify the rules concerning behested payment solicitations, by excepting solicitations made under certain types of City programs to solicit, request, and contractually obligate charitable donations through competitively procured contracts; providing that the receipt of a non-discretionary license, permit, or other entitlement for use does not make a person an interested party; providing that attempting to influence an administrative action does not make a person an interested party; excepting solicitations made in connection with the City's acquisition of real property; and making other clarifying changes.

(Pursuant to Campaign and Governmental Conduct Code, Section 3.204, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 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.

32. 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.

Person attending the meeting in-person who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting. Members of the public providing testimony remotely via telephone who want a document displayed should provide in advance of the meeting to the Clerk of the Board (bos@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001 / Meeting ID: 2485 058 7354 # #](tel:4156550001)
(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 33 and 34 will be taken during Item 32 - General Public Comment.)

Items 33 and 34

33. [220976](#) **[Committee of the Whole - Kaiser Permanente Mental Health Care Workers' Strike and its Effects on City Workers, the Majority of Whom are Kaiser Patients, and Other San Franciscans - September 27, 2022, at 3:00 p.m.]**
Sponsor: Ronen

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 27, 2022, at 3:00 p.m. during the regular Board of Supervisors meeting, to hold a public hearing on Kaiser Permanente Mental Health Care Workers' Strike which is entering its fifth week and its effects on city workers, the majority of whom are Kaiser patients, and other San Franciscans; and requesting the Health Service System, Department of Public Health, Chief Executive Officer of Kaiser Foundation Health Plan, Inc., and Chief Executive Officer of the Permanente Medical Group to attend.

09/13/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- 34. [220983](#) [Appointment, Child Care Planning and Advisory Council - Savitha Moorthy]**
 Motion appointing Savitha Moorthy (residency requirement waived), term ending September 14, 2023, to the Child Care Planning and Advisory Council. (Clerk of the Board)
- 09/14/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

35. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

(PUBLIC COMMENT WILL BE TAKEN on any Imperative Agenda item introduced.)

[1 \(415\) 655-0001 / Meeting ID: 2485 058 7354 # #](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**220964****[Settlement of Lawsuit - Rachell Evans - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Rachell Evans against the City and County of San Francisco for \$100,000; the lawsuit was filed on May 14, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02935-SI; entitled Rachell Evans v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

09/12/2022; RECEIVED FROM DEPARTMENT.

09/20/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

220965**[Settlement of Lawsuit - Aliitasi T. Alapati - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Aliitasi T. Alapati against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 11, 2020, in United States District Court, Case No. 21-cv-04144-SI; entitled Aliitasi T. Alapati v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)

09/12/2022; RECEIVED FROM DEPARTMENT.

09/20/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

220966**[Settlement of Lawsuit - Brandon Murphy - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Brandon Murphy against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 10, 2019, in San Francisco Superior Court, Case No. CGC-19-572705; entitled Brandon Murphy v. Regents of The University of California, et al.; the lawsuit involves alleged personal injury from medical negligence. (City Attorney)

09/12/2022; RECEIVED FROM DEPARTMENT.

09/20/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

220967**[Settlement of Lawsuit - Gayatri Kishore - \$44,775]**

Ordinance authorizing settlement of the lawsuit filed by Gayatri Kishore against the City and County of San Francisco for \$44,775; the lawsuit was filed on August 27, 2020, in San Francisco Superior Court, Case No. CGC-20-586409; entitled Gayatri Kishore v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

09/12/2022; RECEIVED FROM DEPARTMENT.

09/20/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

220968 **[Petitions and Communications]**

Petitions and Communications received from September 8, 2022, through September 15, 2022, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 20, 2022.

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

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

Reappointments pursuant to Charter, Section 3.100(18):

- Human Rights Commission
 - o Karen Clopton - term ending August 31, 2026
 - o Michael Sweet - term ending August 31, 2026
- Fire Commission
 - o Paula Collins - term ending January 15, 2026

From the Police Commission, regarding a proposed Ordinance approving a Surveillance Technology Policy for the Police Department use of non-City entity surveillance cameras. File No. 220606. Copy: Each Supervisor. (2)

From various Departments, submitting Chapter, Section 12B, Waiver Request Forms, pursuant to Administrative Code, Section 12B.5-1. 7 Contracts. Copy: Each Supervisor. (3)

From the San Francisco Public Golf Alliance, regarding a Resolution initiating a landmark designation under Article 10 of the Planning Code for Lincoln Park, formerly known as City Cemetery, and an Ordinance amending the Planning Code to designate City Cemetery as a Landmark consistent with Article 10 of the Planning Code. File Nos. 220654 and 210426. Copy: Each Supervisor. (4)

From Matthew Binzek, regarding a crime on Clay Street. Copy: Each Supervisor. (5)

From concerned citizens, regarding a Hearing to consider the renewal of the Tourism Improvement District, and a Resolution to establish, renew and expand the Tourism Improvement District. 8 Letters. File Nos. 220783 and 220784. Copy: Each Supervisor. (6)

From concerned citizens, regarding a Hearing on Laguna Hospital's Strategy for Recertification and the Submission of a Closure and Patient Transfer and Relocation Plan. File No. 220619. 3 Letters. Copy: Each Supervisor. (7)

From concerned citizens, regarding a Resolution urging the Recreation and Park Department to develop and install appropriate interpretive signage onsite at Sharp Park, acknowledging the site's dark chapter in San Francisco history as a concentration camp, in consultation with the Japanese American Community. File No. 220958. 7 Letters. Copy: Each Supervisor. (8)

From Jay Chatfield, regarding Cruise Autonomous Vehicles and taxi medallions. Copy: Each Supervisor. (9)

From Mariclare Ballard, regarding parklets. Copy: Each Supervisor. (10)

From Joshua Sclar, regarding public approval of the Board of Supervisors. (11)

From concerned citizens, regarding a Hearing on the Civil Grand Jury report, entitled "Buried Problems and a Buried Process - The Hunters Point Naval Shipyard in a Time of Climate Change," (The Report), and a Resolution responding to The Report. File Nos. 220720 and 220721. 3 Letters. Copy: Each Supervisor. (12)

From concerned citizens, regarding Slow Streets and Lake Street. 8 Letters. Copy: Each Supervisor. (13)

From concerned citizens, regarding algal blooms in the San Francisco Bay. 70 Letters. Copy: Each Supervisor. (14)

From concerned citizens, regarding an Ordinance amending the Park Code to adopt the Golden Gate Park Access and Safety Program. File No. 220261. 3 Letters. Copy: Each Supervisor. (15)

From Allen Jones, regarding electric wheelchair charging stations. Copy: Each Supervisor. (16)

From David Sundry, regarding quality-of-life issues. Copy: Each Supervisor. (17)

From Robert Rutkowski, regarding the San Francisco Police Department. Copy: Each Supervisor. (18)

From Wynship Hillier, regarding the Behavioral Health Commission. Copy: Each Supervisor. (19)

ADJOURNMENT