

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, November 15, 2022 - 2:00 PM

IN-PERSON MEETING

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

(remote access provided)

(remote public comment provided via teleconference)

www.sfgovtv.org

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

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Ronen, Safai, Chan, Mar, Walton

Budget and Finance Committee

Supervisors Ronen, Safai, Chan

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

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Members Present: Connie Chan, Matt Dorsey, Rafael Mandelman, Gordon Mar, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, and Shamann Walton

The Board of Supervisors of the City and County of San Francisco met in regular session, in-person with remote access and public comment also available via telephone, on Tuesday, November 15, 2022, with President Shamann Walton presiding.

President Walton called the meeting to order at 2:01 p.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website (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 or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).

Members of the public may submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Committee agendas and their associated documents are available at <https://sfbos.org/meetings/42>.

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 or bos@sfgov.org.

ROLL CALL AND PLEDGE OF ALLEGIANCE

On the call of the roll, Supervisors Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton were noted present.

All Members of the Board were present.

President Walton presented the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula, pursuant to Board Rule 4.7.1.

COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes in-person or by dialing the provided telephone number. In-person public comment will be taken before remote public comment is called. Those who are providing public comment remotely must dial * 3 to be added to the remote queue to speak. Written comments may be submitted through email (bos@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

221020 [Appropriation - \$90,000,000 in Special Tax Bond Proceeds - Transbay Transit Center Project - FY2022-2023]

Sponsors: Mayor; Dorsey

Ordinance appropriating \$90,000,000 from the issuance of one or more series of Special Tax Bonds for the Transbay Transit Center Project and placing these on Controller's Reserve in Fiscal Year (FY) 2022-2023.

FINALLY PASSED

221022 [Business and Tax Regulations Code - Installment Payments for Delinquent License Fees]

Sponsors: Mandelman; Chan, Ronen and Safai

Ordinance amending the Business and Tax Regulations Code to permit the Tax Collector to enter into payment plans on or before April 30, 2023, for the collection of delinquent Department of Public Health license fees collected on the uniform license bill that were due or payable before March 31, 2023.

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

221018 [5M Project - Accepting the Phase 1 and Phase 2 Public Infrastructure]

Sponsors: Mayor; Dorsey

Ordinance accepting irrevocable offers of public infrastructure and real property associated ("Public Infrastructure") with the 5M Project, a mixed use development located generally between Mission, Fifth, and Howard Streets, including the improvements described and depicted in Public Works Permit Nos. 18IE-0725 ("Phase 1") and 18IE-0726 ("Phase 2") and subsequent Instructional Bulletins; declaring City property and additional property as shown on official Public Works maps as open public right-of-way; dedicating the Phase 1 and Phase 2 Public Infrastructure to public use; designating said Public Infrastructure for street and roadway purposes; accepting the Phase 1 and Phase 2 Public Infrastructure for City maintenance and liability purposes, subject to specified limitations; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; establishing official public right-of-way widths; amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to establish official sidewalk widths on the abovementioned street areas; authorizing official acts, as defined herein, in connection with this Ordinance; adopting findings 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.

FINALLY PASSED

Recommendation of the Rules Committee

221043 [Administrative Code - Approval of Surveillance Technology Policies for Multiple City Departments]

Ordinance approving Surveillance Technology Policies governing the use of Body-Worn Cameras by the Recreation and Park Department, Security Cameras by the Department of Elections, and Third-Party Security Cameras by the Airport, and making required findings in support of said approvals. (City Administrator)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

221070 [Business and Tax Regulations Code - Temporary Suspension of Cannabis Business Tax]

Sponsors: Mandelman; Dorsey

Ordinance amending the Business and Tax Regulations Code to suspend the imposition of the Cannabis Business Tax through December 31, 2025.

(Fiscal Impact)

(Supervisor Chan dissented in committee.)

Supervisor Dorsey requested to be added as a co-sponsor.

Supervisor Peskin, seconded by Supervisor Chan, moved that this Ordinance be AMENDED on Page 1, Line 4, by changing 'December 31, 2025' to 'December 31, 2023'. The motion FAILED by the following vote:

Ayes: 4 - Chan, Mar, Peskin, Walton

Noes: 7 - Dorsey, Mandelman, Melgar, Preston, Ronen, Safai, Stefani

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Dorsey, Mandelman, Mar, Melgar, Preston, Ronen, Safai, Stefani, Walton

Noes: 2 - Chan, Peskin

220920 [Emergency Contract - Retroactive - Health Management Associates, Inc. - Specialized Consulting Services - Not to Exceed \$5,863,302]

Resolution retroactively authorizing the Department of Public Health to enter into an emergency contract with Health Management Associates, Inc., in compliance with Section 21.15 of the Administrative Code requiring approval by the Board of Supervisors for any emergency contract in excess of \$100,000 for the purpose of providing specialized consulting services, in an amount not to exceed \$3,782,365 for a term of thirteen and one-half months, from May 9, 2022, through June 30, 2023; and approving Amendment 1 to the agreement for providing specialized consulting services to increase the agreement by \$2,080,937 for an amount not to exceed \$5,863,302 with no change to the contract term from May 9, 2022, through June 30, 2023; and to authorize the Department of Public Health to enter into any amendments or modifications to the contract that do not otherwise materially increase the obligations or liabilities to the City and are necessary or advisable to effectuate the purposes of the contract or this Resolution. (Public Health Department)

(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

President Walton requested File Nos. 221055, 221056, and 221067 be called together.

221055 [Contract Modification - MSC Industrial Supply Company Inc. - Purchase of Industrial Supplies - Not to Exceed \$15,177,623]

Resolution authorizing the Office of Contract Administration to execute Modification No. 7 to Contract 1000001663 between the City and County of San Francisco and MSC Industrial Supply Company Inc. for the purchase of industrial supplies for City departments, increasing the contract amount by \$900,000 for a total contract amount not to exceed \$15,177,623 with no change to the total contract duration of May 1, 2017, through June 30, 2023. (Office of Contract Administration)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221056 [Contract Amendment - W.W. Grainger, Inc. - Industrial Supplies - Not to Exceed \$20,900,000]

Resolution authorizing the Office of Contract Administration to execute Amendment No. 4 to Contract 1000018631 between the City and County of San Francisco and W.W. Grainger, Inc., for the purchase of industrial supplies for City departments, increasing the contract amount by \$8,800,000 for a total contract amount not to exceed \$20,900,000 and extending the term by one year for a total contract duration of July 15, 2020, through December 31, 2023. (Office of Contract Administration)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221057 [Contract Modification - Buckles-Smith Electric Co. - Purchase of Electrical Supplies and Fixtures - Not to Exceed \$16,946,868]

Resolution authorizing the Office of Contract Administration to execute Modification No. 6 to Contract 1000005805 between the City and County of San Francisco and Buckles-Smith Electric Co. for the purchase of electrical supplies and fixtures for City departments, increasing the contract amount by \$3,000,000 for a total not to exceed amount of \$16,946,868 with no change to the total contract duration of July 5, 2017, through June 30, 2023. (Office of Contract Administration)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221067 [Real Property Sale Agreement - State of California - Portions of SFPUC Parcel Nos. 57 and 65 - State Route 84 / Niles Canyon Safety Improvement Project in Alameda County - \$11,970]

Resolution 1) approving and authorizing the General Manager of the San Francisco Public Utilities Commission ("SFPUC") and/or the Director of Property, on behalf of the City and County of San Francisco ("City"), to sell fee and easement interest in certain real property located along State Route 84 in the City of Fremont and in unincorporated Alameda County to the State of California, acting through its California Department of Transportation ("Caltrans"); 2) approving and authorizing an Agreement for Sale of Real Estate, Temporary Construction Easement, and Utility Easement ("Sale Agreement") for the sale of the Property, as defined herein, to Caltrans; 3) authorizing the SFPUC General Manager and/or City's Director of Property to execute the Sale Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Sale Agreement, as defined herein; 4) adopting findings declaring that the real property is "surplus land" and "exempt surplus land" pursuant to the California Surplus Land Act; 5) determining that a competitive bidding process for the conveyance of the Property is impractical and not in the public interest, in accordance with Administrative Code, Section 23.3; 6) adopting responsible agency findings under the California Environmental Quality Act ("CEQA") and Section 15091 of the CEQA Guidelines; and 7) adopting the Planning Department's findings that the Sale Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

President Walton requested File Nos. 221077, 221078, and 221079 be called together.

221077 [Accept and Expend Grant - Grant Contract - Retroactive - California Department of Parks and Recreation Habitat Conservation Fund - Twin Peaks Trail Improvements Project - \$350,000]

Sponsors: Mayor; Melgar and Mandelman

Resolution retroactively authorizing the Recreation and Park Department (RPD) to accept and expend a California Department of Parks and Recreation Habitat Conservation Fund Grant in the amount of \$350,000 to support trail improvements within the Twin Peaks Open Space for the term of July 1, 2022, through June 30, 2027; approving a Grant Contract that requires RPD to maintain the trail for the duration of the contract performance period from July 1, 2022, through June 30, 2042, pursuant to Charter, Section 9.118(a); and authorizing the RPD General Manager to enter into modifications and 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 project or this Resolution. (Recreation and Park Department)
(Fiscal Impact)

Supervisor Mandelman requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221078 [Accept and Expend Grant - Retroactive - California State Department of Parks and Recreation, Division of Boating and Waterway - Vessel Turn-In Program Grant - \$211,000]

Sponsors: Mayor; Stefani

Resolution retroactively authorizing the Recreation and Park Department (RPD) to accept and expend a \$211,000 grant from the California State Department of Parks and Recreation, Division of Boating and Waterways for the San Francisco Marina Vessel Turn-In Program; retroactively approving the Grant Terms and Conditions for the term of August 1, 2022, through September 30, 2023; and authorizing RPD 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.

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221079 [Accept and Expend Grant - Grant Contract - United States Department of Housing and Urban Development - Herz Playground Recreation Center Project - \$1,500,000]

Sponsors: Mayor; Walton and Safai

Resolution authorizing the Recreation and Park Department (RPD) to accept and expend a Community Project Funding Grant in the amount of \$1,500,000 from the United States Department of Housing and Urban Development for the Herz Playground Recreation Center Project; authorizing the Recreation and Park Department to enter into a grant agreement, effective upon approval of this Resolution; and to authorize the RPD General Manager to enter into modifications and amendments to the grant agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Recreation and Park Department)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

President Walton requested File Nos. 221080 and 221081 be called together.

221080 [Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - National HIV Behavioral Surveillance (NHBS) - San Francisco - \$969,243]

Sponsors: Mayor; Dorsey and Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$499,976 from the Centers for Disease Control and Prevention for a total amount of \$969,243 for participation in a program, entitled "National Human Immunodeficiency Virus Behavioral Surveillance (NHBS) - San Francisco," for the period of January 1, 2022, through December 31, 2022. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221081 [Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - CDC Crisis Response: COVID 19 Public Workforce San Francisco- \$262,496.50]

Sponsors: Mayor; Walton

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$262,496.50 from the Centers for Disease Control and Prevention through the California Department of Public Health for participation in a program, entitled "Centers for Disease Control and Prevention Crisis Response: Coronavirus Disease 2019 Public Workforce San Francisco," for the period of July 1, 2022, through June 30, 2023. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220991 [Contract Agreement - Retroactive - California Department of Health Care Services - Substance Use Disorder Services - Not to Exceed \$248,687,500]

Sponsors: Safai; Dorsey

Resolution retroactively approving Agreement No. 22-20154, between the Department of Public Health, Behavioral Health Services and the California Department of Health Care Services, to provide substance use disorder services, for an amount not to exceed \$248,687,500 for the five year term of July 1, 2022, through June 30, 2027; and to authorize the Department of Public Health to enter into amendments or modifications to the agreement prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Public Health Department)

Supervisor Dorsey requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221084 [Lease and Property Management Agreement - The Tides Center/Delivering Innovation in Supportive Housing - 1321 Mission Street - Not to Exceed \$19,500,000]

Sponsors: Mayor; Dorsey, Safai and Ronen

Resolution 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing, to enter into a Lease and Property Management Agreement (“Agreement”) with The Tides Center, as fiscal sponsor for Delivering Innovation in Supportive Housing (“Tenant”), to authorize Tenant to lease, operate, and maintain the real property and residential improvements located at 1321 Mission Street for an initial five-year term, to commence upon approval of this Resolution, with an option to extend for up to an additional five years with a base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in an amount not to exceed \$19,500,000; 2) determining that the below market rent payable under the Agreement will serve a public purpose by providing permanent supportive housing for low-income households in need, in accordance with Administrative Code, Section 23.33; 3) adopting findings declaring that the Property is “exempt surplus land” under the California Surplus Lands Act; 4) affirming the Planning Department’s determination under the California Environmental Quality Act; 5) adopting the Planning Department’s findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 6) authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing to execute the Agreement, make certain modifications, and take certain actions in furtherance of the agreement and this Resolution, as defined herein.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Recommendation of the Land Use and Transportation Committee

221031 [Intent to Establish Pacific Islander Cultural District]

Sponsors: Walton; Chan, Safai, Ronen, Preston, Melgar, Mandelman, Mar and Dorsey

Resolution reflecting the intent of the Board of Supervisors to establish a Pacific Islander Cultural District to commemorate historical sites, preserve existing spaces, and plan for thriving and vibrant communities to celebrate Pacific Islander culture in the Visitacion Valley and Sunnydale neighborhoods.

Supervisors Mandelman, Mar, and Dorsey requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Recommendations of the Rules Committee

221115 [Mayoral Appointment, Children and Families First Commission - Michael Lambert]

Motion approving the Mayor's nomination for appointment of Michael Lambert, term ending October 8, 2026, to the Children and Families First Commission. (Clerk of the Board)
(Administrative Code, Section 86.1 et seq., provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: October 26, 2022.)

Motion No. M22-184

APPROVED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221116 [Mayoral Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Alex Ludlum]

Motion approving the Mayor's nomination for reappointment of Alex Ludlum, term ending November 3, 2026, to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure). (Clerk of the Board)
(Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: October 26, 2022)

Motion No. M22-179

APPROVED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221121 [Appointments, Early Childhood Community Oversight and Advisory Committee - Cindy Lopez-Chastain and Monique Guidry]

Motion appointing Cindy Lopez-Chastain, term ending October 8, 2024, and Monique Guidry, term ending October 8, 2025, to the Early Childhood Community Oversight and Advisory Committee. (Rules Committee)

Motion No. M22-180

APPROVED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

221122 [Appointment, Children and Families First Commission - Cesnae Crawford]

Motion appointing Cesnae Crawford (residency requirement waived), term ending October 8, 2026, to the Children and Families First Commission. (Rules Committee)

Motion No. M22-181

APPROVED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

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

Without objection, Rule 5.36 of the Rules of the Board of Supervisors was suspended to grant privilege of the floor to the following guest(s).

AMERICAN INDIAN HERITAGE MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of American Indian Heritage Month, their accomplishments, and their continued community support as referenced below:

Supervisor Ronen recognized Debbie Santiago;

Supervisor Safai recognized Morningstar Vancil;

Supervisor Stefani recognized Sharaya Souza, Mary Travis-Allen, and the American Indian Cultural District;

Supervisor Chan recognized Joshua James;

Supervisor Dorsey recognized Celeste Aguilar, accepted by her mother Judy Aguilar;

Supervisor Mandelman recognized Rodney Little Bird;

Supervisors Mar and Preston jointly recognized Mary Jean Robertson;

Supervisor Melgar recognized Dr. Elizabeth "Betty" Parent; and

Supervisor Peskin recognized Mervin Wright.

SPECIAL ORDER 3:00 P.M.

Appointment of President Pro Tempore

At the request of President Walton, Supervisor Mandelman assumed the chair at 3:50 p.m.; the President resumed the chair at 3:54 p.m.

Board of Supervisors Sitting as a Committee of the Whole

221033 [Hearing - Committee of the Whole - Draft Housing Element 2022 Update - November 15, 2022, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on November 15, 2022, at 3:00 p.m., during the regular Board of Supervisors meeting, to hold a public hearing on the draft Housing Element 2022 Update, including its goals, objectives, policies, and actions; and requesting the Planning Department to report; scheduled pursuant to Motion No. M22-162 (File No. 221032), approved on October 18, 2022. (Clerk of the Board)

President Walton opened the public hearing and declared he would be allotting each public speaker one minute to provide their comments, due to the concern that quorum may be lost. Supervisor Mar provided opening remarks regarding the Draft Housing Element 2022. The President then inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 221033. John Avalos, Executive Director (Council of Community Housing Organizations-); Rich Hillis, Director, Miriam Chion, and James Pappas (Planning Department); and Eric Shaw, Director (Mayor's Office of Housing and Community Development), provided an overview of the Draft Housing Element and responded to questions raised throughout the discussion. Raquel Redondiez; Sandra Drawler; Mitch Mankin; Paula Hernandez; Charles; Gilbert Williams; Amparo Alarcon; Lupe Benitez; Reina Tello; Marisol; Altello; Gloria Esteban; Jeantelle Laberinto; Andrea Majia; Jose-Luis Meija; Norma Garcia; Jessie Fernandez; David Woo; Charlie Sciammas; Elaine Yee; Daniel Gregg; Jake Price; Nadia Rahman; Xochitl Flores; Tere Almaguer; Giovanni Hernandez; Speaker; Maria Samudio; Joseph Smooke; Brianna Bariantos; Speaker; Angelica Cabande; PJ Bastiany; Speaker; Raymond Castillo; Tes Welborn; Corey Smith; Meg Heissler; Steve Leeds; Otto Duffy; Fernando Marti; Christopher Roche; Lucia Montano; Milo Trauss; Robert Fruchtman; Jessica Pollo; Anastasia Yovanapolous; Kenan Checkley; Eric Arguello; Jessica Lehman; Loraine Petty; Kenneth Russell; Will Frankel; Jack Wiesenberger; Emmanuel Evans; Armand Domalewski; Curtis Bradford; Susan Marsh; Steve Marzo; Speaker; Danika; Speaker; Amy Farah Weiss; Donna Hurowitz; Larisa Portrelli; David Brockman; Marie Sorensen; Jonathan Brenneman; Speaker; Citizen 22; Francisco Da Costa; Li Lovett; Keith Measure; Leilani; Michael Petrelis; Liz; spoke on various concerns relating to the Draft Housing Element. There were no other speakers. The President closed public comment, declared the matter heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

Recommendation of the Land Use and Transportation Committee

220924 [Planning Code - Landmark Designation - Turk and Taylor Streets Intersection]

Sponsors: Preston; Dorsey

Ordinance amending the Planning Code to designate the Turk and Taylor Streets Intersection together with defined portions of 101 Taylor Street, Assessor's Parcel Block No. 0339, Lot No. 003 (known as the "Site of the Compton's Cafeteria Riot"), as a Landmark under 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)

Supervisor Dorsey requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Recommendations of the Public Safety and Neighborhood Services Committee

President Walton requested File Nos. 220727 and 220934 be called together.

220727 [Liquor License - 775 Filbert Street - Chez Brando]

Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to Chez Brando LLC, doing business Chez Brando, located at 775 Filbert Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220934 [Liquor License Transfer - 144-46 Taylor Street - PianoFight]

Resolution determining that the transfer for a Type-48 on-sale general public premises liquor license, converted from a Type-47 on-sale general for bona fide eating place liquor license, to Faciltron AB LLC, doing business as PianoFight, located at 144-46 Taylor Street (District 5), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Robyn Kopp; expressed concerns regarding the placement of General Public Comment and shared information on upcoming film festivals.

Citizen 22; expressed concerns regarding secondhand smoke, chain smoking and the need for policies that maintain clean air.

David Pilpel; shared his thoughts on two In Memoriams that were shared during Roll Call for Introductions.

Brian Alclian; expressed support of certain supportive housing projects.

Speaker; shared their thoughts on two In Memoriams that were shared and expressed concerns regarding seating changes being proposed for the Castro Theatre.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

221150 [Approval of a Six-Month Extension for Historic Preservation Commission to Respond to Landmark Designation Initiation of 429-431 Castro Street “Castro Theatre” (File No. 220550)]

Sponsor: Mandelman

Resolution extending by six months the prescribed time within which the Historic Preservation Commission may respond to the landmark designation initiation from the Board of Supervisors (File No. 220550), initiating an amendment to the landmark designation of 429-431 Castro Street (aka Castro Theatre), Assessor's Parcel Block No. 3582, Lot No. 085, under Article 10 of the Planning Code.

ADOPTED

221151 [Approval of a Six-Month Extension for Planning Commission Review of Nighttime Entertainment Castro Street Neighborhood Commercial District (File No. 220709)]

Sponsor: Mandelman

Resolution extending by six months the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

221155 [Findings to Allow Teleconferenced Meetings During Declared Emergency]

Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board)

Motion No. M22-182

APPROVED

221138 [Final Map No. 10710 - 36 Amber Drive]

Motion approving Final Map No. 10710, an eight residential unit project, located at 36 Amber Drive, being a subdivision of Assessor's Parcel Block No. 7504, Lot No. 024; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M22-183

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Peskin requested that File No. 221153 be severed so that it may be considered separately.

221153 [Approval of Retroactive 90-Day Extension for Planning Commission Review of Planning Code - Electric Vehicle Charging Locations (File No. 220851)]

Sponsor: Peskin

Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its recommendations on the Ordinance (File No. 220851) amending the Planning Code to create Electric Vehicle Charging Location and Fleet Charging as Automotive Uses, allow conversion of Automotive Service Stations to Electric Vehicle Charging Locations without Conditional Use authorization and principally permit conversion of other Automotive Uses to Electric Vehicle Charging Locations, revise zoning control tables to reflect these changes, and require annual reporting by the Planning Department regarding Electric Vehicle Charging Location and Fleet Charging project approvals; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 2-3, by striking 'which was then formally introduced into File No. 22081 on July 25, 2022'. The motion carried by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

President Walton requested that File No. 221154 be severed so that it may be considered separately.

221154 [Small Business Saturday - November 26, 2022]

Sponsors: Walton; Chan, Preston, Mar, Dorsey, Melgar, Mandelman, Peskin, Ronen, Stefani and Safai

Resolution declaring November 26, 2022, the Saturday after the Thanksgiving holiday, as “Small Business Saturday” and supporting efforts to increase awareness of the value of locally owned small businesses in the City and County of San Francisco, as the City recovers from the COVID-19 pandemic.

Supervisors Mandelman, Peskin, Ronen, Stefani, and Safai requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

IMPERATIVE AGENDA

There were no imperative agenda items.

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.

(No Department submittals were received.)

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 9:09 p.m.