

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Wednesday, April 12, 2023 - 9:30 AM

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

Recessed Meeting

AARON PESKIN, PRESIDENT

CONNIE CHAN, MATT DORSEY, JOEL ENGARDIO, RAFAEL MANDELMAN,
MYRNA MELGAR, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI,
CATHERINE STEFANI, SHAMANN WALTON

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Chan, Mandelman, Safai, Ronen, Walton

Budget and Finance Committee

Supervisors Chan, Mandelman, Safai

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Homelessness and Behavioral Health Select Committee

Supervisors Ronen, Mandelman, Walton

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Dorsey, Walton, Safai

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Engardio

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

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, Joel Engardio, Rafael Mandelman, Aaron Peskin, Dean Preston, Ahsha Safai, and Shamann Walton

The Board of Supervisors of the City and County of San Francisco met in recessed session, in-person with remote access and public comment also available via telephone, on Wednesday, April 12, 2023, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 9:33 a.m.

Remote Access to Information and Participation

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

Live watch San Francisco Cable Channels 26, 28, 78 or 99 (depending on your provider) or stream meetings on the SFGovTV website (www.sfgovtv.org). 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>.

Visit the Board's website (www.sfbos.org) for additional information or contact the Office of the Clerk of the Board at (415) 554-5184.

ROLL CALL AND PLEDGE OF ALLEGIANCE

On the call of the roll, Supervisors Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, and Walton were noted present.

Supervisors Melgar, Ronen, and Stefani were noted not present.

A quorum of the Board was present.

President Peskin 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.

Supervisors Melgar, Ronen, and Stefani Excused from Attendance

Supervisor Mandelman, seconded by Supervisor Walton, moved that Supervisors Melgar, Ronen, and Stefani be excused from attending today's meeting. The motion carried by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments in-person or by dialing the telephone number published on the agenda and scrolling across the screen. 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.)

APPROVAL OF MEETING MINUTES

President Peskin inquired whether any Member of the Board had any corrections to the March 7, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Dorsey, moved to approve the March 7, 2023, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

AGENDA CHANGES

There were no agenda changes.

SPECIAL ORDER - Mayor's Appearance Before The Board

230393 [Formal Policy Discussions - April 18, 2023]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss eligible topics submitted from the Supervisors. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

The following topic was noticed on the agenda representing District 10:

1. Reparations

Due to the unexpected recessed meeting and scheduling conflicts, Mayor London N. Breed was unable to attend today's meeting. President Peskin indicated eligible topic(s) would be discussed at the next Mayoral appearance. Privilege of the floor was granted unanimously to Tom Paulino (Mayor's Office) who responded to questions raised regarding the Mayor's schedule and availability.

Eligible topic(s) CONTINUED to the next Mayoral appearance before the Board of Supervisors.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

230045 [Settlement of Lawsuit - Andrea Cervantes - \$400,000]

Ordinance authorizing settlement of the lawsuit filed by Andrea Cervantes against the City and County of San Francisco for \$400,000; the lawsuit was filed on August 10, 2020, in San Francisco Superior Court, Case No. CGC-20-586083; entitled Andrea Cervantes v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

Ordinance No. 055-23

FINALLY PASSED

230046 [Settlement of Lawsuit - Erica Zweig - \$85,000]

Ordinance authorizing settlement of the lawsuit filed by Erica Zweig against the City and County of San Francisco for \$85,000; the lawsuit was filed on August 20, 2021, in San Francisco Superior Court, Case No. CGC-21-594634; entitled Erica Zweig v. City and County of San Francisco; the lawsuit involves an alleged trip and fall on a City Street. (City Attorney)

Ordinance No. 056-23

FINALLY PASSED

230119 [Settlement of Lawsuit - William Bailey - \$52,500]

Ordinance authorizing settlement of the lawsuit filed by William Bailey against the City and County of San Francisco for \$52,500; the lawsuit was filed on October 27, 2020, in San Francisco Superior Court, Case No. CGC-20-587323; entitled William Bailey v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

Ordinance No. 057-23

FINALLY PASSED

230188 [Settlement of Lawsuit - Precious Espinosa - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Precious Espinosa against the City and County of San Francisco for \$75,000; the lawsuit was filed on June 15, 2021, in San Francisco Superior Court, Case No. CGC-21-592684; entitled Precious Espinosa v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

Ordinance No. 060-23

FINALLY PASSED

230189 [Settlement of Lawsuit - Charlene Tuchman/Ellen Tuchman Rothmann - City to Receive \$250,000]

Ordinance authorizing settlement of the lawsuits filed by Charlene Tuchman and by Ellen Tuchman Rothmann, as successor in interest to Charlene Tuchman, against the City and County of San Francisco for a payment to the City of \$250,000; the lawsuits were filed on March 24, 2021, and March 9, 2022, in San Francisco Superior Court, Case Nos. CGC-21-590596 and CGC-22-598595; the lawsuits involve personal injuries sustained on a City sidewalk; other material terms of the settlement are payment of \$250,000 to Plaintiff from 3800 Washington, LLC. (City Attorney)

Ordinance No. 061-23

FINALLY PASSED

230190 [Settlement of Lawsuit - Jose Chavarria - \$3,000,000]

Ordinance authorizing settlement of the lawsuit filed by Jose Chavarria against the City and County of San Francisco for \$3,000,000; the lawsuit was filed on September 30, 2020, in San Francisco Superior Court, Case No. CGC-20-586880; entitled Jose Chavarria v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury arising out of police vehicle collision; other material terms of the settlement are City to waive \$33,607.51 offset for unpaid Zuckerberg San Francisco General Hospital bills. (City Attorney)

Ordinance No. 062-23

FINALLY PASSED

230191 [Settlement of Lawsuit - MJM Management Group - City to Receive \$400,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against MJM Management Group for \$400,000; the lawsuit was filed on April 29, 2020, in San Francisco Superior, Case No. CGC-20-584294; entitled City and County of San Francisco v. MJM Management Group, et al.; the lawsuit involves allegations of false claims for reimbursement in connection with property management expenses at Yerba Buena Gardens; consistent with the requirements of the California False Claims Act, a portion of the City's recovery shall be allocated to the qui tam plaintiff and to the City Attorney's Office. (City Attorney)

Ordinance No. 063-23

FINALLY PASSED

230166 [Police Code - Displaced Worker Protections Under Certain Service Contracts] Sponsors: Safai; Chan, Preston, Stefani, Walton, Ronen, Mandelman, Melgar and Dorsey

Ordinance amending the Police Code to require an awarding authority, following the termination or end of a contract for janitorial, security, or building maintenance services in San Francisco, to provide information to facilitate the successor contractor's retention of the terminated or ending contractor's employees; to strengthen enforcement by permitting the City Attorney or an aggrieved employee to bring a civil action against the awarding authority for injunctive relief; to further strengthen enforcement by authorizing the Office of Labor Standards Enforcement (OLSE) to, among other things, promulgate rules, investigate possible violations, and order interim or final relief, including backpay, administrative penalties, costs of investigation, and interest; and to establish procedures for a person subject to an OLSE investigation to appeal the OLSE's determination of violation.

Ordinance No. 059-23

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

230134 [Police, Building Codes - Wage Theft Bonds]

Sponsors: Mandelman; Chan

Ordinance amending the Police and Building Codes to require owners of certain residential construction projects to maintain a labor compliance bond at the time of issuance of the first construction document; and clarifying that the bonding requirement applies to projects that submitted an application for a building permit or a complete preliminary permit application pursuant to California Government Code, Section 65941.1, on or after June 6, 2022.

Ordinance No. 058-23

FINALLY PASSED

Recommendation of the Rules Committee

221245 [Administrative Code - Reentry Council; Pretrial Services Seat]

Sponsor: Ronen

Ordinance amending the Administrative Code to add a seat to the Reentry Council, to be appointed by the Board of Supervisors, designated for a representative of the entity responsible for the administration of pretrial services involving alternatives to incarceration.

Ordinance No. 054-23

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Government Audit and Oversight Committee

President Peskin requested File Nos. 230194 and 230195 be called together.

230194 [Settlement of Unlitigated Claims against Walmart Inc. - City to Receive Approximately \$2,600,000 to \$6,800,000 Over 6 Years]

Resolution authorizing settlement of unlitigated claims on behalf of the City and County of San Francisco and the People of the State of California against Walmart Inc. for abatement funds in the range of \$2,600,000 to \$6,800,000 to be paid over 6 years; the claims relate to Walmart Inc.'s allegedly improper and unlawful dispensing of prescription opioids at its pharmacies, which contributed to the epidemic of opioid abuse and misuse and caused a public nuisance. (City Attorney)

Resolution No. 146-23

ADOPTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230195 [Settlement of Unlitigated Claims against CVS Health Corporation and CVS Pharmacy, Inc. - City to Receive Approximately \$4,500,000 to \$12,000,000 Over 10 Years]

Resolution authorizing settlement of unlitigated claims on behalf of the City and County of San Francisco and the People of the State of California against CVS Health Corporation and CVS Pharmacy, Inc. for abatement funds in the range of \$4,500,000 to \$12,000,000 to be paid over 10 years; the claims relate to CVS's allegedly improper and unlawful dispensing of prescription opioids at its pharmacies, which contributed to the epidemic of opioid abuse and misuse and caused a public nuisance. (City Attorney)

Resolution No. 147-23

ADOPTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

Recommendation of the Land Use and Transportation Committee

Supervisor Safai Excused from Voting

Out of an abundance of caution, Supervisor Safai requested to be excused from voting on File No. 210585 due to a possible conflict of interest.

Supervisor Mandelman, seconded by Supervisor Walton, moved that Supervisor Safai be excused from voting on File No. 210585. The motion carried by the following vote:

Ayes: 7 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Walton

Excused: 4 - Melgar, Ronen, Safai, Stefani

210585 [Planning Code - State-Mandated Accessory Dwelling Unit Controls]

Sponsor: Mayor

Ordinance amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings and to permit certain ADUs in the rear yard under the City's local, discretionary approval program; making findings under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Ordinance No. 053-23

FINALLY PASSED by the following vote:

Ayes: 7 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Walton

Excused: 4 - Melgar, Ronen, Safai, Stefani

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Peskin requested File Nos. 230055 and 230209 be called together.

230055 [Public Employment - Amendment to the Salary Ordinance for the Office of the Public Defender - Immigration Legal Defense Support - FY2022-2023]

Sponsors: Mayor; Melgar, Safai, Mandelman and Preston

Ordinance amending Ordinance No. 162-22 (Salary Ordinance Fiscal Years 2022-2023 and 2023-2024) to reflect the addition of two positions (0.34 FTEs) in the Office of the Public Defender to support Immigration Legal Defense in Fiscal Year (FY) 2022-2023.
(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

230209 [Appropriation - \$1,051,298 State Settlement Award to the Office of Public Defender - FY2022-2023]

Sponsors: Mayor; Safai, Mandelman and Preston

Ordinance appropriating \$1,051,298 of state settlement funds to support immigration legal defense in the Office of the Public Defender (PDR) in Fiscal Year (FY) 2022-2023.
(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

230210 [Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - California Department of Public Health - Future of Public Health Funding - \$3,639,888]

Sponsor: Mayor

Ordinance retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$3,639,888 from the California Department of Public Health for participation in a program, entitled "Future of Public Health Funding," for the period of July 1, 2022, through June 30, 2023; and amending Ordinance No. 162-22 (Annual Salary Ordinance File No. 220670 for Fiscal Years 2022-2023 and 2023-2024) to provide for the addition of 17 grant-funded full-time positions in Class 0923 Manager II (0.5 FTE), Class 0931 Manager III (0.25 FTE), Class 0941 Manager VI (0.25 FTE), Class 1823 Senior Administrative Analyst (0.25 FTE), Class 1824 Principal Administrative Analyst (0.25 FTE), Class 2586 Health Worker II (0.75 FTE), Class 2802 Epidemiologist I (0.5 FTE), Class 2803 Epidemiologist II (0.5 FTE), and 2830 Public Health Nurse (1.0 FTE). (Public Health Department)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230211 [Appropriation - California Public Utilities Commission Revenue - San Francisco Public Utilities Commission - Community Food Service Energy Efficiency Program - \$4,579,056 - FY2022-2023]

Sponsors: Mayor; Safai and Mandelman

Ordinance appropriating \$4,579,056 of California Public Utilities Commission revenue in the San Francisco Public Utilities Commission for CleanPowerSF Capital Improvements to implement the Community Food Service Energy Efficiency Program; and placing \$3,052,704 on Controller's Reserve, in Fiscal Year (FY) 2022-2023.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230217 [Grant Agreement - Planned Parenthood Northern California - Security Services - Not to Exceed \$400,000 - Waiver of Competitive Solicitation Requirement]

Sponsors: Stefani; Mandelman and Ronen

Ordinance authorizing the Department of Public Health ("Department") to award a one-time grant to Planned Parenthood Northern California ("Planned Parenthood NC") by waiving the competitive solicitation requirements of Administrative Code, Chapter 21G, for the purpose of funding security personnel to support access to family planning and other sexual and reproductive healthcare services in an amount not to exceed \$400,000, for a term not to exceed two years; and requiring the Department to provide an annual report to the Board of Supervisors on the security personnel selected by Planned Parenthood NC and security incidents experienced by Planned Parenthood NC.
(Public Health Department)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230234 [Joint Exercise of Powers Agreement - County Assessors Technology Improvements Funding - Up to \$30,000,000]**Sponsor: Peskin**

Resolution authorizing the Assessor to enter into a Joint Exercise of Powers Agreement with other California counties to become a member of the California County Assessors' Information Technology Authority to receive, manage, and expend up to \$30,000,000 of State funds for technology improvements for County Assessor Offices.

Resolution No. 171-23**ADOPTED by the following vote:**

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230317 [Multifamily Housing Revenue Note - Hunters Point Shipyard Block 52-54 - 151 and 351 Friedell Street - Not to Exceed \$63,000,000]**Sponsors: Mayor; Walton, Safai and Mandelman**

Resolution approving for purposes of the Internal Revenue Code of 1986, as amended, and authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$63,000,000 for the purpose of providing financing for the acquisition and construction of a 112-unit multifamily rental housing project located at 151 and 351 Friedell Street; approving the form of and authorizing the execution of a funding loan agreement; providing the terms and conditions of the loan from the funding lender to the City, and the execution and delivery of the note; approving the form of and authorizing the execution of a project loan agreement; providing the terms and conditions of the loan from the City to the Borrower; approving the form of and authorizing the execution of two regulatory agreements and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

Resolution No. 172-23**ADOPTED by the following vote:**

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

Recommendations of the Land Use and Transportation Committee

230124 [Administrative and Public Works Codes - Shared Spaces Program]

Sponsors: Peskin; Dorsey, Engardio and Mandelman

Ordinance amending the Administrative Code to extend the grace period for an additional 120 days for permit applicants to operate under pandemic shared spaces permits, including any Just-Add-Music approvals related to these spaces, convert the shared space use into a post-pandemic permit, and modify the consent procedures for fronting tenants and property owners; amending the Public Works Code to address abandonment of structures as part of shared spaces enforcement; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230156 [Environment Code - Safe Drug Disposal]

Sponsors: Mayor; Mandelman and Dorsey

Ordinance amending the Environment Code to eliminate the requirement that certain drugs ("covered drugs") be disposed of at either a permitted hazardous waste disposal facility or permitted large municipal waste combustor, as those terms are defined by Environmental Protection Agency regulations, or at a facility that provides equivalent or superior environment and human health protection to such facilities, and to instead require that covered drugs be disposed of at a waste disposal facility operating in compliance with all local, state, and federal requirements applicable to that waste disposal facility; to require regular reporting of the compliance status of disposal facilities used; to change drug wholesalers' obligation to update the City's list of covered drug producers from an annual update to an update on request of the Environment Department's Director; to remove the requirement that operators of a drug stewardship plan receive prior approval of a change in manufacturers, and instead add a requirement that such operators receive prior approval of a change in disposal facilities used; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230230 [Commemorative Street Name Designation - "Emperor Norton Place" - 600 Block of Commercial Street]

Sponsors: Peskin; Mandelman and Chan

Resolution adding the Commemorative Street Name "Emperor Norton Place" to the 600 block of Commercial Street in recognition of his contribution to San Francisco as a celebrated figure in American history.

Supervisors Mandelman and Chan requested to be added as co-sponsors.

Resolution No. 170-23

ADOPTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

Recommendations of the Rules Committee

230186 [Mayoral Appointment, Treasure Island Development Authority Board of Directors - Timothy Reyff]

Motion approving the Mayor's nomination for the appointment of Timothy Reyff to the Treasure Island Development Authority Board of Directors, term ending February 26, 2026. (Clerk of the Board) (Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are not City officers are only effective upon approval 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: February 15, 2023.)

Motion No. M23-051

APPROVED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

President Peskin requested File Nos. 230254 and 230255 be called together.

230254 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Steve Heminger]

Motion approving the Mayor's nomination for the reappointment of Steve Heminger to the Municipal Transportation Agency Board of Directors, term ending March 1, 2027. (Clerk of the Board) (Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: March 7, 2023.)

Motion No. M23-052

APPROVED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

230255 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Amanda Eaken]

Motion approving the Mayor's nomination for the reappointment of Amanda Eaken to the Municipal Transportation Agency Board of Directors, term ending March 1, 2027. (Clerk of the Board) (Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: March 7, 2023.)

Motion No. M23-053

APPROVED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

230306 [Amending the Rules of Order - Providing for Remote Public Comment Opportunities]

Motion amending the Board of Supervisors' Rules of Order by creating a new Rule 1.3.3, In-Person and Remote Public Comment, and amending Rule 4.22, Public Comment, to provide for remote comment opportunities by all members of the public who wish to comment remotely. (Clerk of the Board)

(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 full membership of the Board of Supervisors.)

NOT APPROVED by the following vote:

Ayes: 7 - Chan, Dorsey, Engardio, Peskin, Preston, Safai

Noes: 1 - Mandelman

Excused: 3 - Melgar, Ronen, Stefani

Supervisor Peskin, seconded by Supervisor Mandelman, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai

Excused: 3 - Melgar, Ronen, Stefani

Motion No. M23-054

APPROVED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

SPECIAL ORDER - 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).

Supervisor Dorsey introduced, welcomed, and presented a Certificate of Honor to Dr. Alexis Petra, Co-Founder and Chief Executive Officer of TransClinique, in recognition of her work and advocacy within the transgender and non-binary community.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Eric Ginsberg; expressed support for the Resolution recognizing Wild Parrots of San Francisco as the official animal of the City and County of San Francisco (File No. 230384).

Judy Irving; expressed support for the Resolution recognizing Wild Parrots of San Francisco as the official animal of the City and County of San Francisco (File No. 230384).

Mark Bittner; expressed support for the Resolution recognizing Wild Parrots of San Francisco as the official animal of the City and County of San Francisco (File No. 230384).

Speaker; shared concerns on traffic, high crime, and human interaction.

Speaker; shared concerns on empty storefronts, gentrification, and advertisements on City property.

Anastasia Youvonapolous; expressed support for the Resolution supporting the Bay Area Housing Finance Agency's November 2024 General Obligation Bond (File No. 230394).

Gilbert Criswell; shared concerns regarding service cuts on San Francisco Transportation Agency routes.

Charlie Sciammas; expressed support for the Resolution supporting the Bay Area Housing Finance Agency's November 2024 General Obligation Bond (File No. 230394).

Liliana Marquez; expressed support for the Resolution celebrating the Week of the Young Child in San Francisco (File No. 230395).

Speaker; shared various concerns and free speech.

David Osgood; shared an invitation to his neighborhood council meeting.

William Walker; expressed concerns regarding the San Francisco Municipal Transportation Agency's budget.

Mitch Madkin; expressed support for the Resolution supporting the Bay Area Housing Finance Agency's November 2024 General Obligation Bond (File No. 230394).

Maria; expressed support for the Resolution celebrating the Week of the Young Child in San Francisco (File No. 230395).

Maria Luz Torre; expressed support for the Resolution celebrating the Week of the Young Child in San Francisco (File No. 230395).

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

230383 [Opposing Funding Cuts to the Statewide Public Defense Pilot Program]

Sponsors: Chan; Peskin, Ronen, Preston and Mandelman

Resolution urging Governor Gavin Newsom and the California State Legislature to retain the full state funding of the Public Defense Pilot Program for three years.

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

Resolution No. 173-23

ADOPTED

230387 [Filicide Awareness Week - April 9 through April 15, 2023]

Sponsor: Stefani

Resolution declaring the week of April 9 through April 15, 2023, to be Filicide Awareness Week in the City and County of San Francisco and supporting "Pierce's Pledge."

Resolution No. 176-23

ADOPTED

230395 [The Week of the Young Child in San Francisco - April 2 through April 8, 2023]**Sponsors: Melgar; Safai, Chan, Ronen, Walton, Peskin, Preston, Engardio and Mandelman**

Resolution celebrating early care educators and families of young children during "The Week of the Young Child," April 2 through April 8, 2023, in the City and County of San Francisco.

Supervisors Preston, Engardio, and Mandelman requested to be added as co-sponsors.

Resolution No. 178-23**ADOPTED****230396 [Closed Session - Anticipated Litigation - Funding Overdose Prevention Centers - April 18, 2023]****Sponsors: Ronen; Dorsey, Preston and Peskin**

Motion that the Board of Supervisors convene in closed session on April 18, 2023, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(2), for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation in which the City may be a plaintiff or defendant, regarding existing and possible future claims and demands related to the City's potential use of City funds, including opioid settlement funds, to support overdose prevention centers.

Motion No. M23-055**APPROVED****230348 [Appointment, Park, Recreation, and Open Space Advisory Committee - Joanne Scott]**

Motion appointing Joanne Scott, term ending February 1, 2025, to the Park, Recreation, and Open Space Advisory Committee. (Clerk of the Board)

Motion No. M23-056**APPROVED****230365 [Committee of the Whole - Report of Assessment Costs - Building Code Enforcement Violations - May 23, 2023, at 3:00 p.m.]**

Motion scheduling the Board of Supervisors to convene as a Committee of the Whole on May 23, 2023, at 3:00 p.m., to hold a public hearing on a Resolution confirming a report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

Motion No. M23-057**APPROVED****The foregoing items were acted upon by the following vote:**

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

Severed from the For Adoption Without Committee Reference Agenda

President Peskin requested File Nos. 230384, 230385, and 230394 be severed so that they may be considered separately.

230384 [Resolution of Intent to Designate the Wild Parrots of San Francisco as the Official Animal of San Francisco]

Sponsors: Melgar; Peskin, Safai, Mandelman and Dorsey

Resolution recognizing the Wild Parrots of San Francisco as the official animal of the City and County of San Francisco.

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

Supervisor Chan, seconded by Supervisor Dorsey, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by changing 'Recognizing' to 'Resolution of Intent to Designate', Line 4, by changing 'recognizing' to 'of intent to amend the Administrative Code to designate'; and on Page 3, Line 1, by changing 'every' to 'many', and 'city in' to 'cities all over', and Line 14, by changing 'recognizes' to 'declares its intention to amend the Administrative Code to designate'. The motion carried by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

Resolution of intent to amend the Administrative Code to designate the Wild Parrots of San Francisco as the official animal of the City and County of San Francisco.

Resolution No. 174-23

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230385 [City Policy Restricting Payment to Twitter for Blue Checkmark Verification]

Sponsors: Peskin; Ronen, Melgar and Walton

Resolution setting forth official City policy regarding restricting payment to Twitter for blue checkmark verification (Twitter Blue Service).

Privilege of the floor was granted unanimously to Anne Pearson (Office of the City Attorney) who responded to questions raised throughout the discussion.

Resolution No. 175-23

ADOPTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230394 [Supporting BAHFA November 2024 General Obligation Bond for Affordable Housing]**Sponsors: Peskin; Melgar, Ronen, Chan, Preston, Safai, Walton, Mandelman and Dorsey**

Resolution expressing the City and County of San Francisco's support for the Bay Area Housing Finance Agency's (BAHFA) proposal to place a general obligation bond on the November 2024 ballot to finance the production, protection and preservation of affordable housing in San Francisco and throughout the Bay Area; and urging the Capital Planning Committee, in collaboration with the Mayor's Office of Housing and Community Development, Planning Department, the Controller's Office and affordable housing developers, to assess the viability of a combination of local and regional housing bond scenarios in conjunction with the City's Capital Plan for the 2024 Presidential Primary and General Election cycles.

Supervisors Preston, Safai, Walton, Mandelman, and Dorsey requested to be added as co-sponsors.

Supervisor Mandelman, seconded by Supervisor Chan, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 15, by changing '43%' to '56%', and changing '54%' to '60%', and Line 16, by changing '52%' to '58%'. The motion carried by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

Resolution No. 177-23

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

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.

ORDINANCES

230410 [Planning Code - Polk Street and Haight Street Neighborhood Commercial Districts]

Sponsor: Peskin

Ordinance amending the Planning Code to permit Health Services uses on the ground floor for specified areas of the Polk Street Neighborhood Commercial District (NCD), to clarify that in the Polk Street NCD and within a quarter-mile of its boundaries Tobacco Paraphernalia Establishments where any Tobacco Paraphernalia is sold, delivered, distributed, furnished, or marketed are not permitted, to clarify that in the Haight Street NCD such Tobacco Paraphernalia Establishments require conditional use authorization, and to clarify that Tobacco Paraphernalia Establishments do not include medicinal and adult-use cannabis retail uses; 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 the Planning Code, Section 101.1, and making findings of public necessity, convenience, and welfare pursuant to the Planning Code, Section 302.

04/12/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/12/2023.

230371 [Planning and Building Codes - Commercial to Residential Adaptive Reuse and Downtown Economic Revitalization]**Sponsors: Mayor; Peskin**

Ordinance amending the Planning Code to 1) facilitate residential uses Downtown by authorizing the conversion of non-residential uses to residential use in C (Commercial) zoning districts, and exempting such projects from requirements for rear yard, open space, streetscape improvements, dwelling unit exposure, bike parking, dwelling unit mix, and Intermediate Length Occupancy controls, permitting live work units in such project, streamlining administrative approvals for projects in the C-3 zoning district, and modifying the dimensional limits on exemptions to height restrictions for mechanical equipment, elevator, stair, and mechanical penthouses; 2) economically revitalize Downtown by adding Flexible Workspace as a defined use, authorizing large scale retail uses in the C-3 zoning district, allowing window displays in the C-3 zoning district, allowing Flexible Workspace as an active ground floor commercial use along certain street frontages in C-3 zoning districts, allowing accessory storage in any C zoning district, allowing the temporary installation for 60 days of certain signs in the C-3-R district, allowing temporary non-residential uses in vacant spaces for up to one year, reducing density limits for Residential Dwelling Units and Senior Housing in the C-2 zoning districts east of or fronting Van Ness/South Van Ness Avenue and north of Townsend Street, principally permitting Laboratory, Life Science, Agricultural and Beverage Processing, and Animal Hospitals in C-2 zoning districts, principally permitting Senior Housing, Residential Care Facilities, Outdoor Entertainment, Open Recreation Areas, Animal Hospitals, and Trade Schools in the C-3 zoning district, allowing formula retail as a ground floor use on Market Street, principally permitting office and design professional uses on the second floor and higher in the C-3-R zoning district, and requiring consideration of office vacancy in consideration of granting exceptions in the Transit Center Commercial Special Use District; 3) streamline sign permitting citywide and in the C-3 districts by allowing for the repair and rehabilitation of certain neon signs, and exempting existing business signs in the C-3 zoning district from certain zoning controls; 4) streamline Historic Preservation review of administrative certificates of appropriateness, and minor permits to alter for awnings, and Qualifying Scopes of Work, as may be delegated by the Historic Preservation Commission; 5) provide alternatives to on-site open space in certain C-3 districts by allowing for payment of an in lieu fee as an alternative to providing open space; 6) facilitate residential adaptive reuse by amending the Building Code to add standards for adaptive reuse of non-residential buildings; and 7) principally permit formula retail and waive size limitations for such uses on a portion of Showplace Square Area (555-9th Street, Assessor's Parcel Block No. 3781, Lot No. 003); 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.

04/04/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/4/2023.

04/10/23; REFERRED TO DEPARTMENT.

04/12/23; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

RESOLUTIONS

230411 [Apply for, Accept, and Expend Grant - U.S. Department of Housing and Urban Development - Housing Opportunities for Persons with AIDS Program - \$10,127,761 - FY2023-2024]

Sponsors: Mayor; Dorsey, Mandelman and Engardio

Resolution approving the Fiscal Year (FY) 2023-2024 Housing Opportunities for Persons with AIDS ("HOPWA") Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2023-2024 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$7,410,761 and to expend program income and reprogrammed funds in the amount of \$2,717,000 for a combined total of \$10,127,761 for the period of July 1, 2023, through June 30, 2026. (Mayor's Office of Housing and Community Development)

04/12/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230412 [Apply for, Accept, and Expend Grant - U.S. Department of Housing and Urban Development Emergency Solutions Grants Program - \$1,602,414 - FY2023-2024]

Sponsor: Mayor

Resolution approving the Fiscal Year (FY) 2023-2024 Emergency Solutions Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2023-2024 ESG Program entitlement from the U.S. Department of Housing and Urban Development, in the amount of \$1,602,414 for an unspecified period starting July 1, 2023.

04/12/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230413 [Apply for, Accept, and Expend Grant - U.S. Department of Housing and Urban Development - Community Development Block Grant Program - \$25,083,788 - FY2023-2024]

Sponsor: Mayor

Resolution approving the Fiscal Year (FY) 2023-2024 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2023-2024 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of up to \$18,808,788 and to expend estimated program income in the amount of \$6,275,000 for a combined total of approximately \$25,083,788 for a period beginning July 1, 2023, through the date when all funds are expended.

04/12/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230414 [Apply for, Accept, and Expend Grant - U.S. Department of Housing and Urban Development - HOME Investment Partnership Program - \$7,261,293 - FY2023-2024]

Sponsor: Mayor

Resolution approving the Fiscal Year (FY) 2023-2024 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2023-2024 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$5,261,293 and to expend Program Income in the amount of \$2,000,000 for a combined total of \$7,261,293 for the term of July 1, 2023, through June 30, 2028. (Mayor's Office of Housing and Community Development)

04/12/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230415 [Grant Agreement Amendment - Five Keys Schools and Programs - Baldwin SAFE Navigation Center - Not to Exceed \$37,072,314]**Sponsor: Mayor**

Resolution approving the second amendment to the grant agreement between Five Keys Schools and Programs and the Department of Homelessness and Supportive Housing ("HSH") for services at the Baldwin SAFE Navigation Center; extending the grant term by 36 months for a total term of July 1, 2022, through June 30, 2026; increasing the agreement amount by \$27,272,314 for a total amount not to exceed \$37,072,314; and authorizing HSH to enter into any additions, amendments, or other modifications to the agreement that do not materially increase the obligations or liabilities, or materially decrease the benefits to the City.

(Fiscal Impact)

04/12/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230416 [Grant Agreement Amendment - Third Street Youth Center and Clinic - Transitional Age Youth Navigation Center - Not to Exceed \$20,703,760]**Sponsors: Mayor; Peskin, Walton and Mandelman**

Resolution approving the first amendment to the grant agreement between Third Street Youth Center and Clinic and the Department of Homelessness and Supportive Housing ("HSH") for services at the Transitional Age Youth (TAY) Navigation Center; extending the grant term by 36 months for a total term of December 1, 2020, through June 30, 2026; increasing the agreement amount by \$10,772,423 for a total amount not to exceed \$20,703,760; and authorizing HSH to enter into any additions, amendments, or other modifications to the agreement that do not materially increase the obligations or liabilities, or materially decrease the benefits to the City.

(Fiscal Impact)

04/12/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230429 [Accept and Expend In-Kind Gift - Consulting Services - Various Providers - Valued at \$739,440]**Sponsors: Mayor; Mandelman**

Resolution authorizing the Mayor's Office, through the Mayor's Office of Innovation, to accept an in-kind gift of consulting services valued at \$739,440 from various providers from May 3 through August 18, 2023, in connection with the Civic Bridge Program.

04/12/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230417 [Appointment, Director of the San Francisco Bay Area Regional Water System Financing Authority - Dennis J. Herrera]**Sponsor: Mayor**

Resolution reappointing Dennis J. Herrera as a Director of the San Francisco Bay Area Regional Water System Financing Authority for a four-year term commencing July 1, 2023, through June 30, 2027.

04/12/23; RECEIVED AND ASSIGNED to Rules Committee.

230418 [Support of the Internet Archive]**Sponsors: Chan; Mandelman, Preston and Dorsey**

Resolution recognizing the irreplaceable public value of libraries, including online libraries like the Internet Archive, and the essential rights of all libraries to own, preserve, and lend both digital and print books to the residents of San Francisco and the wider public; supporting the Internet Archive and its public service mission; and urging the California State Legislature and the United States Congress to support digital rights for libraries, including controlled digital lending and the option for libraries to own their digital collections.

04/12/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230419 [Street Encroachment Permit - 12th Street Plaza - 90-12th Street]**Sponsor: Dorsey**

Resolution granting revocable permission to Otis Property Owner, LLC, to occupy and maintain the 12th Street Plaza on 12th Street at the corner of South Van Ness Avenue fronting 90-12th Street (Assessor's Parcel Block No. 3505, Lot No. 012); accepting the irrevocable offer of improvements from Otis Property Owner, LLC in accordance with the terms of a Planning Commission In-Kind Agreement and dedicating said improvements to public use; adopting environmental 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.

04/12/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230420 [Calling on the Mayor to Fund 2,000 New Shelter or Temporary Housing Placements]**Sponsors: Mandelman; Engardio**

Resolution calling on Mayor London N. Breed to fund 2,000 new shelter or temporary housing placements over the next two fiscal years.

04/12/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230421 [Supporting California State Senate Bill No. 85 (Wiener) - the California Extended Case Management Act (CECM)]**Sponsors: Melgar; Stefani, Chan and Preston**

Resolution supporting California State Senate Bill No. 85, the California Extended Case Management Act (CECM), authored by Senator Scott Wiener, to extend case management services to refugees and asylees.

04/12/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230422 [Supporting California State Assembly Bill No. 1672 (Haney) - In-Home Supportive Services Employer-Employee Relations Act]**Sponsors: Melgar; Walton, Engardio, Safai, Preston, Stefani and Chan**

Resolution supporting California State Assembly Bill No. 1672, In-Home Supportive Services Employer-Employee Relations Act, authored by Assembly Member Matt Haney, to expand the definition of "public employer," to include an employer who is subject to the In-Home Supportive Services Employer-Employee Relations Act.

04/12/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230423 [Approval of Retroactive 90-Day Extension for Planning Commission Review of Family Housing Opportunity Special Use District; Design Controls and Review Procedures (File No. 230026)]

Sponsor: Melgar

Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 230026) amending the Planning Code to create the Family Housing Opportunity Special Use District, authorize up to four dwelling units for eligible projects, exempt eligible projects from certain height restrictions, conditional use authorizations, and neighborhood notification requirements, and eliminate a Planning Commission discretionary review hearing for eligible projects upon delegation by the Planning Commission; amending the Zoning Map to show the Family Housing Opportunity Special Use District; and 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.

04/12/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230424 [Urging the Governor and State Legislature to Provide Multi-Year Operations Funding and to Develop Long-Term Funding Plans to Support Bay Area Transit Agencies]

Sponsors: Preston; Walton, Peskin, Ronen, Chan, Mandelman and Melgar

Resolution urging Governor Gavin Newsom and the State Legislature to provide multi-year operations funding to assist California's transit systems as they recover from the pandemic and to develop long-term funding plans to serve the millions of Californians who rely on public transit.

04/12/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230425 [Supporting California Assembly Bill No. 871 (Haney) - Safety in Employment: Conveyances]

Sponsor: Safai

Resolution supporting California Assembly Bill No. 871, authored by Assembly Member Matt Haney, to improve safety in employment related to elevator construction by requiring the California Division of Occupational Safety and Health to issue permits for the construction of all elevators, increase work standards for mechanic certification, and enable submissions through an online portal.

04/12/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

230426 [LAFCo Study - Future Management Options for the Midtown Park Apartments]

Sponsor: Preston

Motion requesting the San Francisco Local Agency Formation Commission (LAFCo) study future management options for the Midtown Park Apartments and conduct a request for proposals for a facilitator to conduct a resident engagement process to inform this study.

04/12/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230355 [Committee of the Whole - Report of Assessment Costs for Sidewalk Inspection and Repair Program - May 9, 2023, at 4:00 p.m.]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 9, 2023, at 4:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for work done or caused to be done through the Sidewalk Inspection and Repair Program pursuant to Public Works Code, Section 706.9, and Administrative Code, Chapter 80, the cost thereof having been paid for by the City and County out of a revolving fund. (Clerk of the Board)

04/12/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230358 [Committee of the Whole - Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program - May 9, 2023, at 4:00 p.m.]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 9, 2023, at 4:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

04/12/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230430 [Appointment, Child Care Planning and Advisory Council - Benson Wong]

Motion appointing Benson Wong, term ending March 19, 2025, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Benson Wong, seat 6, succeeding Beverly Melugin, term expired, must be a nominee of the District 6 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for the unexpired portion of a three-year term ending March 19, 2025.

04/12/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

230427 [Hearing - Affordable and Supportive Housing Spending and Recommendations of the Housing Stability Fund Oversight Board]

Sponsors: Chan; Preston

Hearing to discuss affordable and supportive housing, changes to revenue sources and expenditures for affordable housing and supportive housing, affordable housing production and preservation, capital maintenance and operating subsidies, recommendations and findings from the Housing Stability Fund Oversight Board to target unmet needs and gaps in existing affordable housing programs, with special attention to advancing racial, social, and geographic equity; and requesting the Mayor's Office of Housing and Community Development, Department of Homelessness and Supportive Housing, Department of Public Health, Human Services Agency, and Department of Disability and Aging Services to report.

04/12/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230330 [Hearing - Examining Resources and Safety Plans to Address Youth Safety and School Site Violence]**Sponsors: Melgar; Safai, Chan and Peskin**

Hearing to discuss on a multi agency plan to address increasing youth violence at school sites and in the community, and present current programming and plans for immediate expansion of programming to address safety and mental health challenges for youth with other City agencies; and requesting the San Francisco Unified School District, Mayor's Office, Police Department, Department of Children, Youth and Their Families, Recreation and Parks Department, Office of the District Attorney, Office of the Public Defender, Juvenile Probation Department, Municipal Transportation Agency, Human Services Agency, Human Rights Commission, and Department of Public Health to report.

03/21/23; RECEIVED AND ASSIGNED to Youth, Young Adult, and Families Committee.

03/27/23; REFERRED TO DEPARTMENT.

04/12/23; SUBSTITUTED AND ASSIGNED to Youth, Young Adult, and Families Committee.

230428 [Hearing - Status of Programming and Funding for Transitional Housing Services]**Sponsor: Ronen**

Hearing on the status of programming and funding for Cameo House, Norma Hotel, and any other successful transitional housing programs that serve criminally-involved people including women and transitional aged young adults, specifically examining why these successful and popular programs with proven positive impacts on homelessness are cut from the Mayor's Budget every single fiscal year; and requesting the Sheriff's Department, the Adult Probation Department and the Mayor's Budget Office to report.

04/12/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230366 [Hearing - Committee of the Whole - Report of Assessment Costs - Building Code Enforcement Violations - May 23, 2023, at 3:00 p.m.]

Hearing to consider objections to a report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above; scheduled pursuant to Motion No. M23-057 (File No. 230365), approved on April 12, 2023. (Clerk of the Board)

04/12/23; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

230397 [Closed Session - Anticipated Litigation - Funding Overdose Prevention Centers - April 18, 2023]

Closed Session for the Board of Supervisors to convene on April 18, 2023, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(2), for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation in which the City may be a plaintiff or defendant, regarding existing and possible future claims and demands related to the City's potential use of City funds, including opioid settlement funds, to support overdose prevention centers; scheduled pursuant to Motion No. M23-055 (File No. 230396), approved on April 12, 2023. (Clerk of the Board)

04/12/23; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

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**230349 [Waiver of Municipal Code Requirements for Public Utilities Commission Agreements with Caltrans]**

Ordinance exempting from requirements of the Administrative Code and the Environment Code two agreements between the San Francisco Public Utilities Commission and the California Department of Transportation for professional services for two sewer improvement projects, the Lower Alemany Area Stormwater Improvement Project and the Folsom Area Stormwater Improvement Project; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Utilities Commission)

03/31/23; RECEIVED FROM DEPARTMENT.

04/11/23; ASSIGNED to Budget and Finance Committee.

230350 [Settlement of Lawsuit - San Francisco Care Center, L.P. - \$825,000]

Ordinance authorizing settlement of the lawsuit City and County of San Francisco, et al., v. San Francisco Care Center, L. P., et al., for \$825,000; the lawsuit was filed on March 23, 2018, in San Francisco Superior Court, Case No. CGC 18-565184; the lawsuit involves alleged breaches of contract and Building Code violations. (City Attorney)

03/31/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230351 [Settlement of Lawsuit - Ronnie Jones - \$149,000]

Ordinance authorizing settlement of the lawsuit filed by Ronnie Jones against the City and County of San Francisco for \$149,000; the lawsuit was filed on February 17, 2021, in San Francisco Superior Court, Case No. CGC-21-589810; entitled Ronnie Jones v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

04/03/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

230352 [Contract Amendment - Asian and Pacific Island Wellness Center dba San Francisco Community Health Center - Intensive Case Management and Mobile Delivered Care and Services - Not to Exceed \$15,240,599]

Sponsor: Dorsey

Resolution approving Amendment No. 3 to the agreement between Asian and Pacific Islander Wellness Center dba San Francisco Community Health Center and the Department of Public Health (DPH), to provide intensive case management and mobile delivered care and services to severe need and special populations living with HIV/AIDS who reside in San Francisco, to increase the agreement by \$5,585,276 for an amount not to exceed \$15,240,599; to extend the term by three years from February 29, 2024, for a total agreement term of May 1, 2017, through February 28, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department) (Fiscal Impact)

03/31/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230353 [Contract Amendment - Westside Community Mental Health Center, Inc. - Substance Use Disorder Services - Not to Exceed \$15,580,935]

Resolution approving Amendment No. 2 to the agreement between Westside Community Mental Health Center, Inc. and the Department of Public Health (DPH), for substance use disorder services; to increase the agreement by \$6,526,688 for an amount not to exceed \$15,580,935; to extend the term by three years from June 30, 2023, for a total agreement term of July 1, 2017, through June 30, 2026; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department) (Fiscal Impact)

03/31/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230354 [Contract Amendment - Homeless Children's Network - Mental Health Services for Homeless Children and Families - Not to Exceed \$17,465,319]

Resolution approving Amendment No. 2 to the agreement between Homeless Children's Network and the Department of Public Health (DPH), for mental health services for homeless children and families; to increase the agreement by \$7,473,592 for a total amount not to exceed \$17,465,319; to extend the term by four years and six months, from June 30, 2023, for a total agreement term of July 1, 2018, through December 31, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department) (Fiscal Impact)

04/03/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230357 [Report of Assessment Costs - Sidewalk Inspection and Repair Program]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to the provisions of Public Works Code, Section 706.9, and Administrative Code, Chapter 80, the costs thereof having been paid for out of a revolving fund. (Public Works)

04/03/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Board of Supervisors.

230360 [Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, ordered to be performed by said Director pursuant to the provisions of Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

04/03/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Board of Supervisors.

Requests Granted

From: Supervisor Connie Chan

To: The San Francisco Municipal Transportation Agency (SFMTA) and the San Francisco Fire Department (SFFD)

Requests: Requesting answers to the following questions:

- 1. What is the mitigation plan to reduce the impact traffic calming measures have on emergency vehicle response times, and how will dispatch distances with response time increases be addressed?*
- 2. How will the corridor-level analysis that began in March 2023 specifically help address this issue, and what is the scope and timeline of the analysis to be published?*
- 3. Beyond the proposed further analysis of the causes for delay in emergency response times indicated in your analysis, how are specific traffic calming factors related to emergency response times?*

From: Supervisor Ahsha Safai

To: The Department of Emergency Management (DEM) and the Healthy Streets Operation Center (HSOC)

Requests: Requesting a report on the Department of Public Works (DPW), Department of Public Health (DPH), Department of Emergency Management (DEM), and the San Francisco Police Department's Healthy Streets Operations Center's (HSOC) plans to address street encampments until the 9th Circuit Court of Appeals makes a decision in light of a preliminary injunction on clearing street homelessness.

In Memoriam

Vivian Lee - Supervisor Connie Chan

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 10:53 a.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 16, 2023.

Angela Calvillo, Clerk of the Board