

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, October 17, 2023 - 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Chan, Mandelman, Safai, Ronen, Walton

Budget and Finance Committee

Supervisors Chan, Mandelman, Safai

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Homelessness and Behavioral Health Select Committee

Supervisors Ronen, Mandelman, Walton

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Dorsey, Walton, Safai

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

Members Present: Connie Chan, Matt Dorsey, Joel Engardio, Rafael Mandelman, 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 on Tuesday, October 17, 2023, with President Aaron Peskin presiding.

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

Remote Access to Information and Participation

During this meeting, after consideration of File No. 231020, the Board of Supervisors approved Motion No. M23-129 that discontinued the use of the remote system by the public and City employees and requiring them to attend in-person. The Motion also reiterated the continued provision made for those who require an ADA accommodation to access the remote system.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisor Safai was 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.

Supervisor Safai was noted present at 2:02 p.m.

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.

(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 a Member of the Board had any corrections to the September 5, 2023, or September 12, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Stefani, moved to approve the September 5, 2023, and September 12, 2023, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

230788 [Settlement of Lawsuit - Akashni Bhan - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Akashni Bhan against the City and County of San Francisco, Sergeant Jennifer Streegan, Sergeant Steven Pomatto, Officer Anthony Oerlemans, and Officer Jennifer O'Keffee for \$175,000; the lawsuit was filed on October 4, 2019, in San Francisco Superior Court, Case No. CGC-19-579798; entitled Akashni Bhan v. City and County of San Francisco, et. al.; the lawsuit involves an employment dispute. (City Attorney)

Ordinance No. 205-23

FINALLY PASSED

230791 [Settlement of Lawsuit - Cheri Pierce - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Cheri Pierce against the City and County of San Francisco for \$75,000; the lawsuit was filed on April 26, 2022, in San Francisco Superior Court, Case No. CGC-22-599362; entitled Cheri Pierce v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury arising out of fall on uneven sidewalk. (City Attorney)

Ordinance No. 206-23

FINALLY PASSED

230792 [Settlement of Lawsuit - Bi Jun Zhang - \$35,000]

Ordinance authorizing settlement of the lawsuit filed by Bi Jun Zhang against the City and County of San Francisco for \$35,000; the lawsuit was filed on May 17, 2022, in San Francisco Superior Court, Case No. CGC-22-599662; entitled Bi Jun Zhang v. City and County of San Francisco, et al.; the lawsuit involves a personal injury to Plaintiff from uneven pavement. (City Attorney)

Ordinance No. 207-23

FINALLY PASSED

230793 [Settlement of Lawsuit - Wayne Kha - \$465,000]

Ordinance authorizing settlement of the lawsuit filed by Wayne Kha against the City and County of San Francisco for \$465,000; the lawsuit was filed on September 7, 2021, in San Francisco Superior Court, Case No. CGC-21-595136; entitled Wayne Kha v. Johnathon Ng, et al.; the lawsuit involves an alleged personal injury arising from an accident involving a police car. (City Attorney)

Ordinance No. 208-23

FINALLY PASSED

230794 [Settlement of Lawsuit - Digital Realty Trust, Inc. - \$1,858,150.71]

Ordinance authorizing settlement of the lawsuit filed by Digital Realty Trust, Inc. against the City and County of San Francisco for \$1,858,150.71; the lawsuit was filed on April 18, 2023, in San Francisco Superior Court, Case No. CGC-23-605912, entitled Digital Realty Trust, Inc. v. City and County of San Francisco et al.; the lawsuit involves a claim for refund of Early Care and Education Commercial Rents Tax and Homelessness Gross Receipts Tax; an additional material term of the settlement is that Digital Realty Trust, Inc. and its related entities shall take certain filing positions with respect to their Early Care and Education Commercial Rents Taxes for tax year 2021 and subsequent tax years. (City Attorney)

Ordinance No. 204-23

FINALLY PASSED

230795 [Settlement of Lawsuit - Build Group, Inc. - \$211,129.46]

Ordinance authorizing settlement of the cross-complaint filed by Build Group, Inc. against the City and County of San Francisco for a payment to Build Group, Inc. of \$211,129.46; the cross-complaint was filed on November 22, 2022, in the Superior Court of the State of California, County of San Francisco, Case No. CGC-22-598717; entitled CPM Environmental, Inc. v. Build Group, Inc. and DOES 1-100, et al.; the lawsuit involves allegations of breach of contract relating to the renovation of the Maxine Hall Health Center; other material terms of the settlement are that Build Group, Inc. waives all other claims it has or may have relating to the project. (City Attorney)

Ordinance No. 209-23

FINALLY PASSED

230806 [Settlement of Lawsuit - Debra Crismani - \$90,000]

Ordinance authorizing settlement of the lawsuit filed by Debra Crismani against the City and County of San Francisco for \$90,000; the lawsuit was filed on March 21, 2022, in San Francisco Superior Court, Case No. CGC-22-598779; entitled Debra Crismani v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

Ordinance No. 210-23

FINALLY PASSED

230830 [Settlement of Lawsuit - Ike Ohannesyan - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Ike Ohannesyan against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 17, 2021, in San Francisco Superior Court, Case No. CGC-21-591955; entitled Ike Ohannesyan v. Johnathon Ng, et al.; the lawsuit involves an alleged personal injury arising from an accident involving a police car. (City Attorney)

Ordinance No. 211-23

FINALLY PASSED

230893 [Settlement of Lawsuit - Duk Soon Lee - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Duk Soon Lee against the City and County of San Francisco for \$225,000; the lawsuit was filed on October 12, 2021, in San Francisco Superior Court, Case No. CGC-21-595854; entitled Duk Soon Lee v. Jamie Austin Miller, et al.; the lawsuit involves alleged personal injury arising out of City vehicle collision. (City Attorney)

Ordinance No. 212-23

FINALLY PASSED

230894 [Settlement of Lawsuit - Breon Johnson - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Breon Johnson against the City and County of San Francisco for \$100,000; the lawsuit was filed on September 26, 2022, in San Francisco Superior Court, Case No. CGC-22-601937; entitled Breon Johnson v. The Regents of The University of California, et al.; the lawsuit involves alleged medical negligence. (City Attorney)

Ordinance No. 213-23

FINALLY PASSED

230896 [Settlement of Lawsuit - Tatiana Umnov and Anatoly Umnov - \$450,000]

Ordinance authorizing settlement of the lawsuit filed by Tatiana Umnov and Anatoly Umnov against the City and County of San Francisco for \$450,000; the lawsuit was filed on September 20, 2021, in San Francisco Superior Court, Case No. CGC-21-595303; entitled Tatiana Umnov, Anatoly Umnov v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

Ordinance No. 214-23

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

230483 [Administrative Code - Preparation of the City Budget and City Policy Regarding Multi-Year Grants]

Sponsors: Ronen; Chan, Mandelman and Safai

Ordinance amending the Administrative Code to require the Controller to prepare an initial base budget to guide each City agency in preparation of its proposed two-year budget; to provide that these base budgets must include anticipated cost increases in agreements with nonprofit organizations to reflect inflation; and to adopt a City policy that departments will enter into multi-year grants when the need for a grant program will extend beyond a single year.

PASSED ON FIRST READING by the following vote:

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

230865 [Amendment of the Salary Ordinance for the Police Department - Fiscal Years 2023-2024 and 2024-2025]

Sponsor: Peskin

Ordinance amending Ordinance No. 145-23 (Salary Ordinance Fiscal Years 2023-2024 and 2024-2025) to reflect the deletion of two positions (2.00 FTE) in Fiscal Year 2023-2024 and the addition of four positions (4.00 FTE) in Fiscal Year 2023-2024 in the Police Department. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

230898 [Business and Tax Regulations Code - Administration of Empty Homes Tax]

Sponsor: Preston

Ordinance amending the Business and Tax Regulations Code to add provisions to administer the Empty Homes Tax; and to make conforming non-substantive changes. (Treasurer-Tax Collector)

PASSED ON FIRST READING by the following vote:

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

President Peskin requested File Nos. 230733, 230910, 230801, 230913, 230908, and 230965 be called together.

230733 [Lease Termination Agreement - Airport Concession Lease - XpresSpa S.F. International, LLC]

Resolution approving the Lease Termination Agreement for the Terminal 2 Specialty Retail Concession Lease No. 5, Lease No. 18-0156, between XpresSpa S.F. International, LLC, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 488-23

ADOPTED by the following vote:

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

230910 [Lease Termination Agreement - Airport Concession Lease - Spa BR SFO, LLC dba Be Relax]

Resolution approving the Lease Termination Agreement for the Terminal 3 Boarding Area E and International Terminal Boarding Area G Wellness Concession Lease No. 18-0234, between Spa BR SFO, LLC dba Be Relax, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, effective upon approval of this Resolution. (Airport Commission)

Resolution No. 489-23

ADOPTED by the following vote:

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

230801 [Airport Professional Services Agreement Modification - BEUMER Lifecycle Management LLC - Operations and Maintenance of the Baggage Handling System in the Harvey Milk Terminal - Not to Exceed \$35,000,000]

Resolution approving Modification No. 2 to Airport Professional Services Contract No. 50195 between BEUMER Lifecycle Management LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for the operations and maintenance of the baggage handling system in the Harvey Milk Terminal to increase the contract amount by \$14,000,000 for a total not to exceed contract amount of \$35,000,000 and to extend the contract term for one year and six months from December 31, 2023, for a new contract term of August 1, 2020, through June 30, 2025, pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

Resolution No. 490-23

ADOPTED by the following vote:

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

230913 [Lease Agreement - Lenlyn LTD. dba ICE Currency Services USA - Foreign Currency Exchange Services Lease - \$1,000,000 Minimum Annual Guarantee]

Resolution approving the Foreign Currency Exchange Services Lease, Lease No. 23-0198 with Lenlyn LTD. dba ICE Currency Services USA, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of four years with two one-year options to extend at the sole discretion of the Airport Commission, and a minimum annual guarantee of \$1,000,000 for the first year of the Lease, effective upon approval of this Resolution. (Airport Commission)

Resolution No. 491-23

ADOPTED by the following vote:

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

230908 [Airport Professional Services Contract Modification - Dignity Health dba St. Mary's Medical Center - Management and Operation of the SFO Medical Clinic - Not to Exceed \$12,700,000]

Resolution approving Modification No. 4 to Contract No. 50118.02 with Dignity Health dba St. Mary's Medical Center for Management and Operation of the SFO Medical Clinic to increase the contract amount by \$1,700,000 for a new contract amount not to exceed \$12,700,000 pursuant to Charter, Section 9.118(b), with no change to the contract term of July 1, 2019, through June 30, 2024, effective upon approval of this Resolution. (Airport Commission)
(Fiscal Impact)

Resolution No. 492-23

ADOPTED by the following vote:

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

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

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

Resolution No. 493-23

ADOPTED by the following vote:

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

230914 [Lease of City Property - Our Planet Recycling SF, LLC - Assessor's Parcel Block No. 5695, Lot No. 23 at Alemany Boulevard - Annual Base Rent of \$23,397.96]

Resolution authorizing and approving the Lease of City-owned real property located at Assessor's Parcel Block No. 5695, Lot No. 23, adjacent to Alemany Boulevard in San Francisco, with Our Planet Recycling SF, LLC, a California corporation, doing business as Our Planet Recycling, for an initial five-year term at an annual base rent of \$23,397.96 (or the monthly amount of \$1,949.83); plus 3% annual increases to base rent; plus one additional five-year extension option to further extend the term of the Lease, subject to satisfaction of certain conditions and to be readjusted to then-fair market base rent; effective upon approval of this Resolution; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting California Environmental Quality Act (CEQA) findings; and to authorize the Director of Property to enter into amendments or modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Real Estate Department)

Resolution No. 494-23

ADOPTED by the following vote:

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

President Peskin requested File Nos. 230935, 230936, and 230937 be called together.

230935 [Accept and Expend In-Kind Grant - San Francisco Parks Alliance - Dahlia Dell Hillside Garden - \$250,000]

Sponsors: Mayor; Mandelman and Safai

Resolution authorizing the Recreation and Park Department to accept and expend an in-kind grant from the San Francisco Parks Alliance (SFPA) valued at up to \$250,000 for the design and construction for maintenance and upgrades to the Dahlia Dell Hillside Garden for the project term of upon approval of Board of Supervisors until Notice of Substantial Completion; and to authorize the Recreation and Park General Manager to enter into amendments or modifications to the grant that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Recreation and Park Department)

Resolution No. 495-23

ADOPTED by the following vote:

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

230936 [Accept and Expend Grant - Retroactive - United States Environmental Protection Agency - San Francisco Bay Water Quality Improvement Fund - India Basin Shoreline Park Project - \$3,768,558]

Sponsors: Mayor; Walton, Mandelman and Safai

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a San Francisco Bay Water Quality Improvement Fund Grant in the amount of \$3,768,558 from the United States Environmental Protection Agency for the India Basin Shoreline Park Project for a term of June 1, 2023, through December 31, 2026; to enter into the associated Grant agreement; and 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)
(Fiscal Impact)

Resolution No. 496-23

ADOPTED by the following vote:

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

230937 [Accept and Expend In-Kind Grant - Stern Grove Festival Association - Stern Grove - Up to \$300,000]

Sponsors: Mayor; Engardio, Mandelman and Safai

Resolution authorizing the Recreation and Park Department to accept and expend an in-kind grant from the Stern Grove Festival Association valued at up to \$300,000 for the design and construction of a donor recognition installation for the project term effective upon approval of this Resolution until Notice of Substantial Completion; and authorizing the Recreation and Park General Manager to enter into any modifications to the Grant do not materially increase the obligations or liabilities of the City to effectuate the purposes of the Grant or this Resolution. (Recreation and Park Department)

Resolution No. 497-23

ADOPTED by the following vote:

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

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

Sponsors: Mandelman; Ronen and Dorsey

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

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

Resolution No. 498-23

ADOPTED by the following vote:

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

230983 [Accept and Expend Grant - Retroactive - San Francisco Foundation - Affirmative Litigation and Enforcement Outreach and Coordination - \$200,000]**Sponsor: Mandelman**

Resolution retroactively authorizing the Office of the City Attorney to accept and expend a grant in the amount of \$200,000 from the San Francisco Foundation to fund engagement, strategic planning, and coordination with a coalition of public law offices to support affirmative litigation and enforcement, for the period from July 1, 2023, through June 30, 2025. (City Attorney)

Resolution No. 499-23**ADOPTED by the following vote:**

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

230989 [Apply for Grants - California Department of Resources Recycling and Recovery Funds]**Sponsors: Mayor; Peskin, Mandelman and Safai**

Resolution authorizing the Department of the Environment to submit applications on behalf of the City and County of San Francisco for all grants offered by the California Department of Resources Recycling and Recovery for which it is eligible, effective for five years upon approval of this Resolution. (Environment)

Resolution No. 487-23**ADOPTED by the following vote:**

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

230993 [Accept and Expend Gift - Retroactive - Bequest from the Estate of Janet D. Kramer - Support of Laguna Honda Hospital - \$79,231.32]**Sponsors: Mayor; Melgar**

Resolution retroactively authorizing the Department of Public Health to accept and expend a cash gift in the amount of up to \$79,231.32 from the Estate of Janet D. Kramer through the Federal Reserve in support of the Laguna Honda Hospital for the period of July 1, 2022, through June 30, 2032. (Public Health Department)

Resolution No. 500-23**ADOPTED by the following vote:**

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

Recommendations of the Land Use and Transportation Committee

230256 [Delegation of Board of Supervisors Authority to Amend Certain Leases for 100% Affordable Housing]

Sponsor: Mayor

Ordinance delegating Board of Supervisors approval authority under Charter, Section 9.118 and Administrative Code, Section 23.30 to the Real Estate Division, based on the recommendation of Mayor's Office of Housing and Community Development ("MOHCD"), to amend certain existing leases regarding residual rent payments and lender protections for 100% affordable housing projects.

PASSED ON FIRST READING by the following vote:

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

230853 [Park Code - John F. Shelley Drive - Road Closure]

Sponsors: Mayor; Walton, Melgar, Preston, Ronen and Safai

Ordinance amending the Park Code to restrict private vehicles from a portion of John F. Shelley Drive, between the Upper Reservoir Parking Lot and Mansell Street, in McLaren Park.

Supervisors Ronen and Safai requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee

230708 [Police Code - Drawing of Firearms by Armed Guards]

Sponsors: Preston; Walton, Ronen, Peskin, Chan and Engardio

Ordinance amending the Police Code to prohibit armed guards from drawing or exhibiting firearms, other than a holster, to protect property.

PASSED ON FIRST READING by the following vote:

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

230766 [Health Code - Requiring Retail Pharmacies to Stock Opioid Antagonists]

Sponsors: Dorsey; Safai and Preston

Ordinance amending the Health Code to require each retail pharmacy in the City to stock at least two boxes of an opioid antagonist, such as naloxone, used to reverse opioid overdoses.

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

PASSED ON FIRST READING by the following vote:

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

221206 [Urging Creation of Programming and Resources for Victims of Gun Violence]**Sponsors: Chan; Walton, Preston and Ronen**

Resolution urging the San Francisco Department of Public Health to create a program to provide resources and education for victims of gun violence regarding their rights to file lawsuits against gun manufacturers in accordance to California State Assembly Bill No. 1594.

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

Resolution No. 501-23**ADOPTED by the following vote:**

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

President Peskin requested File Nos. 230890 and 230891 be called together.

230890 [Liquor License Transfer - 779 Bush Street - Ad Hoc]

Resolution determining that the premise-to-premise transfer of a Type-48 on-sale general public premises liquor license to 790 Bush Street Ventures, Inc., to do business as Ad Hoc, located at 779 Bush 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)

Resolution No. 502-23**ADOPTED by the following vote:**

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

230891 [Liquor License Transfer - 999 Valencia Street - Valencia Whole Foods]

Resolution determining that the person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Valencia WF Inc., to do business as Valencia Whole Foods, located at 999 Valencia Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 503-23**ADOPTED by the following vote:**

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

Recommendations of the Rules Committee

230705 [Administrative Code - Suspension or Debarment of Contractors Based on Violation of Labor Laws]

Sponsors: Chan; Walton, Safai, Dorsey, Ronen and Preston

Ordinance amending the Administrative Code to clarify that a contractor may be suspended or debarred due to violations of certain state or local labor laws governing the payment of wages and unfair labor practices.

Supervisors Ronen and Preston requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

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

230783 [Administrative Code - Surveillance Technology Policy - Department of Elections' Use of Social Media Monitoring Technology]

Ordinance approving the Surveillance Technology Policy for the Department of Elections' use of social media monitoring technology. (Elections Department)

PASSED ON FIRST READING by the following vote:

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

230835 [Administrative, Police Codes - Establishing the Labor and Employment Code]

Sponsor: Safai

Ordinance establishing the Labor and Employment Code; redesignating worker protection ordinances and ordinances related to employees of City contractors, currently in the Administrative Code and the Police Code, as provisions of the new Labor and Employment Code; and directing the City Attorney to renumber the provisions added to the Labor and Employment Code and to update cross-references throughout the Municipal Code.

PASSED ON FIRST READING by the following vote:

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

230921 [Appointment, Sunshine Ordinance Task Force - Maxine Anderson]

Motion appointing Maxine Anderson, term expiring April 27, 2024, to the Sunshine Ordinance Task Force. (Rules Committee)

Motion No. M23-126

APPROVED by the following vote:

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

President Peskin requested File Nos. 230954 and 230955 be called together.

230954 [Appointment, Treasury Oversight Committee - Brenda Kwee McNulty]

Motion approving the Treasurer's nomination of Brenda Kwee McNulty, for a term ending September 30, 2027, to the Treasury Oversight Committee. (Clerk of the Board)

Motion No. M23-127

APPROVED by the following vote:

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

230955 [Appointment, Treasury Oversight Committee - Aimee Brown]

Motion approving Treasurer's nomination of Aimee Brown, for a term ending September 30, 2027, to the Treasury Oversight Committee. (Clerk of the Board)

Motion No. M23-128

APPROVED by the following vote:

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, 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).

President Peskin introduced, welcomed, and presented a Certificate of Honor to Andrea Carla Michaels in recognition of her efforts to reunite residents, tourists, and victims of burglaries with their belongings through a volunteer sleuthing website.

Supervisor Stefani and President Peskin introduced, welcomed, and presented a Certificate of Honor to Carl Nolte in recognition of his distinguished career at the San Francisco Chronicle and his outstanding work in journalism.

COMMITTEE REPORTS

Recommendations of the Homelessness and Behavioral Health Select Committee

President Peskin requested File Nos. 230990, 230991, and 230992 be called together. During the discussion on these matters, privilege of the floor was granted unanimously to Nicolas Menard (Office of the Budget and Legislative Analyst) who responded to questions raised.

230990 [Grant Agreement Amendment - Episcopal Community Services - Cova Non-Congregate Shelter - Not to Exceed \$15,091,353]

Sponsor: Mayor

Resolution approving the third amendment to the grant agreement between Episcopal Community Services and the Department of Homelessness and Supportive Housing ("HSH") for services at the Cova Non-Congregate Shelter; extending the grant term by 10 months from November 1, 2023, for a total term of December 18, 2021, through August 31, 2024; increasing the agreement amount by \$5,150,877 for a total amount not to exceed \$15,091,353; 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. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

Resolution No. 486-23

ADOPTED by the following vote:

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

230991 [Grant Agreement Amendment - Episcopal Community Services - Henry Hotel - Not to Exceed \$14,591,945]

Sponsor: Mayor

Resolution approving the third amendment to the grant agreement between Episcopal Community Services and the Department of Homelessness and Supportive Housing ("HSH") for property management and supportive services at the Henry Hotel, a permanent supportive housing site; extending the grant term by 20 months from October 31, 2023, for a total term of July 1, 2019, through June 30, 2025; increasing the agreement amount by \$4,853,433 for a total amount not to exceed \$14,591,945; 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. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

Resolution No. 485-23

ADOPTED by the following vote:

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

230992 [Grant Agreement Amendment - Episcopal Community Services - Housing First Permanent Supportive Housing - Not to Exceed \$47,159,399]**Sponsor: Mayor**

Resolution approving the first amendment to the grant agreement between Episcopal Community Services and the Department of Homelessness and Supportive Housing ("HSH") for property management and supportive services at five permanent supportive housing buildings; extending the grant term by 16 months from February 29, 2024, for a total term of January 1, 2021, through June 30, 2025; increasing the agreement amount by \$20,829,789 for a total amount not to exceed \$47,159,399; 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. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

Resolution No. 484-23**ADOPTED by the following vote:**

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

231010 [Temporary Shelter and Homeless Services - Behested Payment Waiver]**Sponsors: Mayor; Ronen, Mandelman and Engardio**

Resolution authorizing the Office of the Mayor and the Department of Homelessness and Supportive Housing to solicit donations from various private entities and organizations to support the expansion of temporary shelter and other homeless services to support people experiencing homelessness, notwithstanding the Behested Payment Ordinance.

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

Resolution No. 483-23**ADOPTED by the following vote:**

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

Recommendation of the Rules Committee**231020 [Amending the Rules of Order - Limiting Remote Public Comment Opportunities]****Sponsor: Peskin**

Motion amending the Board of Supervisors' Rules of Order by revising Rule 1.3.3 (In-Person and Remote Public Comment) to discontinue remote public comment by members of the public at meetings of the Board and its committees, except as legally required to enable people with disabilities to participate in such meetings.

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

Motion No. M23-129**APPROVED by the following vote:**

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Thierry Fill; expressed concerns regarding the weaponization of education, the arts, and food by technology.

Christopher Kline; expressed concerns regarding public health interventions and placement on public safety surveillance.

Beverly Upton; expressed support of newly introduced legislation recognizing October as Domestic Violence Awareness Month.

Jordan Davis; expressed various concerns regarding matters they are not pleased about.

Leah McGeever; expressed concerns regarding Israel and colonialism.

JConnr B. Ortega; expressed concerns regarding the regressive policy decisions made by the Board that exasperates the open-air drug market, the deterioration of the City, and antisemitic activities related to Israel.

Speaker; expressed personal religious concerns.

Marlon Jonathan Herrera Sanchez; shared his personal experience dealing with homelessness and the failure of the Police Department to protect citizens.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

(There were no items considered for adoption without committee reference.)

IMPERATIVE AGENDA

[Purely Commendatory Finding]

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

Supervisor Stefani, seconded by Supervisor Dorsey, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Stefani, seconded by Supervisor Dorsey, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

231074 [Carl Nolte Day - October 18, 2023]

Sponsors: Stefani; Peskin

Resolution commending Carl Nolte for his distinguished career at the San Francisco Chronicle; and declaring October 18, 2023, to be "Carl Nolte Day" in the City and County of San Francisco.

President Peskin inquired whether any individual wished to address the Board on the Imperative Agenda item declaring October 18, 2023, as "Carl Nolte Day" (File No. 231074). There were no speakers. The President declared public comment closed.

Resolution No. 504-23

ADOPTED by the following vote:

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

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

230861 [Police Code - Fees, Applications, and Conditions for Certain Entertainment Permits]

Sponsors: Mayor; Safai

Ordinance amending the Police Code to 1) waive initial license and filing fees through June 30, 2025, for certain Entertainment Permits for former holders of Just Add Music Permits; 2) waive initial license and filing fees for Entertainment Permits for applicants who are newly eligible to apply for those permits due to recent Planning Code amendments; 3) eliminate masked ball permits; 4) require applicants for Arcade, Ancillary Use, Billiard and Pool Table, Place of Entertainment, Limited Live Performance, Fixed Place Outdoor Amplified Sound, and Extended-Hours Premises Permits to submit a new Permit application and filing fee if their existing application has not been granted, conditionally granted, or denied within 12 months of its submission; 5) authorize the Entertainment Commission Director ("Director") to issue Billiard and Pool Table Permits without a hearing, and provide that such permits may be suspended or revoked under the standards and procedures that apply to other Entertainment Permits; 6) exempt schools from the requirement to obtain a Place of Entertainment Permit, Limited Live Performance Permit, or Fixed Place Outdoor Amplified Sound Permit for any activities that occur on school premises in the regular course of school operations; 7) eliminate the requirement that applicants for Place of Entertainment Permits disclose with their permit application criminal history information regarding certain individuals connected with the applicant business; 8) narrow the categories of new criminal charges, complaints, or indictments brought against a Place of Entertainment Permittee or its employees or agents that the Permittee must report, to only those charges, complaints or indictments that could be grounds for suspension of the Permit; 9) allow the Director or the Entertainment Commission to require an applicant for a Limited Live Performance Permit to propose a Security Plan if necessary to protect the safety of persons and property or provide for the orderly dispersal of persons and traffic, to make compliance with the Security Plan a condition of the Permit, and to require revisions to the Security Plan as necessary; and 10) clarify that a single One Time Outdoor Amplified Sound Permit may extend across multiple consecutive or non-consecutive 24-hour periods.

07/25/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/24/2023.

08/02/23; REFERRED TO DEPARTMENT.

09/13/23; RESPONSE RECEIVED.

10/17/23; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

231075 [Park Code - Great Highway Extension - Road Closure]**Sponsor: Mayor**

Ordinance amending the Park Code to close the Great Highway Extension, beginning at Sloat Boulevard and extending south for a distance of approximately 3,317 feet, to vehicles to allow for a multi-use trail and to improve shoreline resilience as part of the Ocean Beach Climate Change Adaptation Project; making an associated finding under the California Vehicle Code; making environmental findings, including adopting a statement of overriding considerations 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.

10/17/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/16/2023.

231076 [Administrative Code - Composition of Behavioral Health Commission]**Sponsor: Dorsey**

Ordinance amending the Administrative Code to reduce the membership of the Behavioral Health Commission from 17 to 11 seats; provide that the full Board of Supervisors rather than individual Supervisors makes these appointments; require that at least one seat be held by a veteran or veteran advocate; reduce the minimum number of seats reserved for consumers and families of consumers from nine to six; reset staggered terms for all seats; and remove seat requirements for child advocates and certain mental health professionals.

10/17/23; ASSIGNED to Rules Committee.

231077 [Police Code - Cannabis Events]**Sponsor: Mandelman**

Ordinance amending the Police Code to extend the end date of the Cannabis Event Pilot Program from December 31, 2023, to December 31, 2026.

10/17/23; ASSIGNED to Public Safety and Neighborhood Services Committee.

231078 [De-Appropriation and Appropriation - District 7 General City Responsibility - Municipal Transportation Agency - District 7 Vision Zero Project - District 7 Projects and Services - Various Departments - \$527,000 - FY2023-2024]**Sponsor: Melgar**

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

10/17/23; ASSIGNED to Budget and Finance Committee.

230768 [Public Works Code - Authorizing and Permitting Neighborhood Amenities]**Sponsors: Melgar; Stefani, Mandelman, Ronen, Engardio and Chan**

Ordinance amending the Public Works Code to streamline and authorize the approval of certain neighborhood amenities, also known as Love Our Neighborhoods Projects, in sidewalks and other public right-of-ways within the Department of Public Works' jurisdiction, to reduce fees for certain minor encroachment permits, to waive certain annual encroachment assessments, to clarify the approval process for commemorative plaques, and to clarify the permitting, revocation, and restoration requirements for all minor encroachment permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

06/27/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/27/2023.

06/30/23; REFERRED TO DEPARTMENT.

06/30/23; RESPONSE RECEIVED.

10/17/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

231079 [Planning Code - Density Controls in Three Historic Districts]**Sponsor: Peskin**

Ordinance amending the Planning Code to modify density limits in C-2 Districts (Community Business), east of Columbus Avenue and north of Washington Street; affirming the Planning Commission's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/17/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/16/2023.

231080 [Planning Code - Fleet Charging]**Sponsors: Peskin; Chan**

Ordinance amending the Planning Code to require Conditional Use authorization for converting Private Parking Lots or Vehicle Storage Lots to Fleet Charging in all PDR (Production, Distribution, and Repair) Districts; 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.

10/17/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/16/2023.

231081 [Administrative Code - Reentry Council; Reporting Duties, Sunset Date]**Sponsor: Stefani**

Ordinance amending the Administrative Code to revise the reporting duties of the Reentry Council, and extend the sunset date of the Reentry Council by five years to June 1, 2029.

10/17/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/16/2023.

231082 [De-Appropriation and Appropriation - District 10 General City Responsibility - District 10 Projects - \$250,000; Children, Youth & Families - District 10 Allocations - \$20,000 - FY2023-2024]

Sponsor: Walton

Ordinance de-appropriating \$250,000 from General City Responsibility (GEN) and \$20,000 from Children, Youth & Families (DCYF); and re-appropriating \$270,000 to the Human Rights Commission (HRC) for District 10 safe passages, Hope SF trainings, violence prevention events, and to support District 10 neighborhoods most impacted by violence in (FY) 2023-2024.
(Fiscal Impact)

10/17/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/16/2023.

RESOLUTIONS

231083 [Accept and Expend Grant - Retroactive - California Board of State and Community Corrections - Officer Wellness and Mental Health Grant Program - \$1,407,675.74]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$1,407,675.74 from the California Board of State and Community Corrections Officer Wellness and Mental Health Grant Program to improve officer wellness and expand mental health sources for our sworn members with the project period beginning on July 1, 2022, through December 1, 2025. (Police Department)

10/17/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231084 [Accept and Expend Grant - Retroactive - United States Department of Energy - Decarbonizing Deliveries in San Francisco - \$605,620]

Sponsors: Mayor; Mandelman and Preston

Resolution retroactively authorizing the Department of the Environment ("Environment Department") to accept and expend a grant of \$605,620 for a term of three years from September 12, 2023, through September 11, 2026, from the United States Department of Energy's Vehicle Technologies Office to expand an electric bicycle pilot for delivery workers; and to authorize the Director of the Environment Department to enter into and execute the Grant Agreement and amendments thereto, and to execute the contracts between the City and various agencies consistent with the aforementioned proposal and necessary to carry out the purpose of the grant or this Resolution.
(Fiscal Impact)

10/17/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231085 [Affirming Compliance with State Housing Laws]

Sponsor: Mayor

Resolution affirming San Francisco's compliance with certain state housing laws in support of the Municipal Transportation Agency's application for funding by the Metropolitan Transportation Commission's One Bay Area Grant Program (OBAG 3).

10/17/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231086 [Prioritizing and Protecting Impacted Communities during APEC Summit]**Sponsors: Chan; Ronen, Preston, Dorsey, Walton, Safai and Melgar**

Resolution urging the Mayor and City agencies to inform residents and vulnerable communities of security, transportation, and service impacts from Asia-Pacific Economic Cooperation (APEC) activities; to prioritize City funding towards mitigation of impacts on neighborhoods, small businesses, and vulnerable communities; and to protect people's rights to freedom of speech and uphold City Sanctuary policies.

231087 [Support for the SOMA Pilipinas Gateway Cultural Marker]**Sponsors: Dorsey; Peskin, Mandelman, Stefani, Engardio, Ronen, Safai, Chan, Preston and Melgar**

Resolution expressing support for the SoMa Pilipinas gateway design and gateway construction at the intersection of Folsom and Russ Streets; and urging the San Francisco Arts Commission and the Department of Public Works to work closely with the Planning Department and SoMa Pilipinas to build and own the gateway.

10/17/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

231088 [Approval of a Retroactive 90-Day Extension for Planning Commission Review of Family Housing Opportunity Special Use District (File No. 230808)]**Sponsor: Engardio**

Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 230808) amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, up to six dwelling units on individual Corner Lots in the RH District, the greater of up to 12 units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, up to 18 units on Corner Lots resulting from three lot mergers in RH-1 districts, up to 12 units on Corner Lots resulting from two lot mergers in RH-1 districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) 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.

10/17/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

231089 [American Pharmacists Month - October 2023]**Sponsors: Engardio; Mandelman**

Resolution recognizing October 2023 as American Pharmacists Month in the City and County of San Francisco.

10/17/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

231090 [Urging SFMTA and HSH to Develop a Joint Plan on Residents Living in Vehicles]**Sponsors: Melgar; Stefani and Engardio**

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) and the Department of Homelessness and Supportive Housing (HSH) to collaborate on the relocation of residents living in their vehicles into more stable housing while ensuring that new Recreational Vehicles (RVs) and large uninhabited commercial vehicles do not take their place.

10/17/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

231091 [Initiating Landmark Designation - Gregangelo & Velocity Art & Entertainment - 225 San Leandro Way]**Sponsors: Melgar; Preston**

Resolution initiating a landmark designation under Article 10 of the Planning Code of Gregangelo & Velocity Art & Entertainment, located at 225 San Leandro Way, Assessor's Parcel Block No. 3253, Lot No. 015.

10/17/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

231103 [Urging SFMTA to Expediently Implement San Francisco Automated Speed Safety Program Pilot]**Sponsors: Peskin; Dorsey, Mandelman and Stefani**

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to work with traffic and pedestrian safety advocates, equity groups, the San Francisco County Transportation Authority Board, and other relevant infrastructure and reporting agencies to expediently implement the local Automated Speed Safety Program Pilot in San Francisco, enabled by California State Assembly Bill No. 645, starting with high-injury corridors, and present an implementation plan and budget, with built-in equity, data-monitoring, and reporting considerations before the end of 2023.

231092 [Urging the Recreation and Park Department to Develop a Transparent Process for the Marina Improvement and Remediation Project]**Sponsors: Safai; Peskin**

Resolution urging the Recreation and Park Department to engage in a transparent process that provides for meaningful community input and the development of alternative plans for the Marina Improvement and Remediation Project.

10/17/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

231093 [Urging SFMTA and SFPD to Stop Ticketing Stolen Vehicles and to Share Data Toward Solving Auto Thefts]**Sponsors: Safai; Peskin**

Resolution urging the Municipal Transportation Agency (SFMTA) to stop ticketing and immediately waive tickets to stolen vehicles; and urging the Committee on Information Technology (COIT) and Chief Data Officer to work with SFMTA and the Police Department (SFPD) to share data toward solving auto thefts.

10/17/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

231094 [Domestic Violence Awareness Month - October 2023]**Sponsors: Stefani; Mandelman and Peskin**

Resolution recognizing October 2023 as Domestic Violence Awareness Month in the City and County of San Francisco.

10/17/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS**231095 [Amending the Budget and Legislative Analyst Services Audit Plan - Management of Street Cleaning by Public Works and Interdepartmental Agreements - FY2023-2024]****Sponsor: Preston**

Motion directing the Budget and Legislative Analyst to conduct two additional performance audits in Fiscal Year (FY) 2023-2024 on the management of street cleaning by Public Works and of interdepartmental agreements citywide.

10/17/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

231039 [Reappointment, Commission on the Aging Advisory Council - Chris Dillon]

Motion reappointing Chris Dillon, term ending March 31, 2025, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Chris Dillon, Seat 9, succeeding themselves, must be a nominee of the District 11 Supervisor, for the unexpired portion of a two-year term ending March 31, 2025.

10/17/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

231040 [Mayoral Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Kent Lim]

Motion approving/rejecting the Mayor's nomination for appointment of Kent Lim, 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 10, 2023)

10/17/23; RECEIVED AND ASSIGNED to Rules Committee.

231042 [Mayoral Appointment, Historic Preservation Commission - Amy Campbell]

Motion approving the Mayor's nomination of Amy Campbell for appointment to the Historic Preservation Commission, term ending December 31, 2026. (Clerk of the Board)

(Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: September 14, 2023.)

10/11/23; RECEIVED AND ASSIGNED to Rules Committee.

231063 [Committee of the Whole - Report of Delinquent Real Property Transfer Taxes - January 9, 2024, at 3:00 p.m.]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on January 9, 2024, at 3:00 p.m., to hold a public hearing on a Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0340, Lot No. 004 (2-16 Turk Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Clerk of the Board)

10/17/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

231066 [Committee of the Whole - Report of Delinquent Real Property Transfer Taxes - February 27, 2024, at 3:00 p.m.]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on February 27, 2024, at 3:00 p.m., to hold a public hearing on Resolutions confirming reports of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0340, Lot No. 007 (34 Turk Street), Block No. 0340, Lot No. 018 (141 Eddy Street), Block No. 0326, Lot No. 010 (174 Ellis Street), and Block No. 3725, Lot No. 025 (988-992 Howard Street); and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Clerk of the Board)

10/17/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

**231096 [Hearing - Initiative Ordinance - Administrative Code - Substance Abuse Screening, Evaluation, and Treatment Requirements for CAAP Assistance]
Sponsor: Mayor**

Hearing to consider the proposed Initiative Ordinance submitted by the Mayor to the voters for the March 5, 2024, Election, entitled "Ordinance amending the Administrative Code to require recipients of aid under the County Adult Assistance Program (CAAP) who are reasonably believed to be dependent on illegal drugs to be screened for substance abuse, and to participate in appropriate substance abuse treatment where recommended by a professional evaluator; providing that failure to comply with the drug screening, evaluation, and treatment requirements without good cause will render a recipient ineligible for assistance under the CAAP program; allowing CAAP recipients who become ineligible for assistance due to non-compliance with the screening, evaluation, or treatment requirements to receive a housing stipend or access to in-kind shelter for 30 days beyond the discontinuance of their aid, with possible extensions as necessary to prevent eviction; and establishing a special fund to support the costs of the substance abuse screening and treatment program, using savings realized from implementation of the program."

10/17/23; RECEIVED AND ASSIGNED to Rules Committee.

10/17/23; RECEIVED.

231097 [Hearing - Initiative Ordinance - Administrative Code - Police Department Policies and Procedures and Use of Technology]**Sponsor: Mayor**

Hearing to consider the proposed Initiative Ordinance submitted by the Mayor to the voters for the March 5, 2024, Election, entitled "Ordinance amending the Administrative Code to 1) require a standardized community engagement process before the Police Commission changes policies or procedures regarding Police Department operations; 2) require the Commission and Department to consider administrative burdens on staff before changing such policies or procedures, and to streamline reporting and recordkeeping procedures; 3) modify the Department's use of force and vehicle pursuit policies, and establish a technology policy, to allow officers to use body-worn cameras and drones under certain circumstances; 4) limit new restrictions on the Department's use of technology unless approved by the Board of Supervisors; 5) streamline the process for the Department to install community safety cameras; and 6) permit the Department to use Surveillance Technology for at least one year before the corresponding Surveillance Technology Policy may be disapproved by the Board of Supervisors."

10/17/23; RECEIVED AND ASSIGNED to Rules Committee.

10/17/23; RECEIVED.

231098 [Hearing - Initiative Ordinance - Business and Tax Regulations, Planning Codes - Transfer Tax Exemption for Conversion to Residential Use; Office Development Allocations]**Sponsor: Mayor**

Hearing to consider the proposed Initiative Ordinance submitted by the Mayor to the voters for the March 5, 2024, Election, entitled "Ordinance amending the Business and Tax Regulations Code to exempt from the real property transfer tax the first transfer of property that has been converted from nonresidential to residential use and to authorize the Board of Supervisors to amend or repeal any aspect of the real property transfer tax, including adopting additional exemptions from the tax, without voter approval to the extent constitutionally permitted; and amending the Planning Code to allow square footage of office space that is converted to non-office use or demolished to be available for allocation to office developments of at least 50,000 square feet in gross floor area, and to allow demolished office space that is preexisting on a site to be deducted from the required allocation for an office development on that same site."

10/17/23; RECEIVED AND ASSIGNED to Rules Committee.

10/17/23; REFERRED TO DEPARTMENT.

231099 [Hearing - SoMa Pilipinas Gateway]**Sponsor: Dorsey**

Hearing to discuss the approvals, permitting, and construction of the SoMa Pilipinas gateway; and requesting the Planning Department, Public Works, Arts Commission, and San Francisco Municipal Transportation Agency to report.

10/17/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

231100 [Hearing - Annual Comprehensive Financial Reports, Single Audit, and Management Letters - FY2021-2022 - External Audit Plans for FY2022-2023]**Sponsor: Preston**

Hearing to receive and review external auditors' Annual Comprehensive Financial Reports (ACFR), Single Audit, and Management Letters, if any, related to the City audit for Fiscal Year (FY) June 30, 2021 and June 30, 2022; to present their audit plan for FY2022-2023 as required under Charter, Section 9.117; and requesting the City's external auditors Macias Gini & O'Connell to report.

10/17/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

231101 [Hearing - Initiative Ordinance - Administrative Code - Community Policing and Foot and Bike Patrols]**Sponsors: Safai; Engardio, Ronen and Peskin**

Hearing to consider the proposed Initiative Ordinance submitted by four or more Supervisors to the voters for the March 5, 2024, Election, entitled "Ordinance amending the Administrative Code to require the Chief of Police to adopt a foot and bike patrol strategy for the Police Department."

10/17/23; RECEIVED AND ASSIGNED to Rules Committee.

10/17/23; RECEIVED.

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

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

(Fiscal Impact)

09/08/23; RECEIVED FROM DEPARTMENT.

09/19/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/19/2023.

10/05/23; RECEIVED FROM DEPARTMENT.

10/17/23; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

231033 [Planning Code - Landmark Designation - Chata Gutierrez Mural]**Sponsors: Ronen; Melgar, Peskin and Preston**

Ordinance amending the Planning Code to designate Chata Gutierrez Mural, located at 3175-24th Street, Assessor's Parcel Block No. 6519, Lot No. 041, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/06/23; RECEIVED FROM DEPARTMENT.

10/17/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/16/2023.

231034 [Planning Code - Landmark Designation - Carnaval Mural]**Sponsors: Ronen; Melgar, Peskin and Preston**

Ordinance amending the Planning Code to designate Carnaval Mural, located at 1311-1315 South Van Ness Avenue, Assessor's Parcel Block No. 6519, Lot No. 039, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/06/23; RECEIVED FROM DEPARTMENT.

10/17/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/16/2023.

PROPOSED RESOLUTIONS

231035 [Real Property Lease - Gough Club, LLC - 42 Gough Street - \$44,472 Initial Base Rent]

Resolution authorizing and approving the lease of real property located at 42 Gough Street, with Gough Club, LLC, a California limited liability corporation, for a three year term at an initial base rent of \$44,472 per year with annual rent increases based on the Consumer Price Index of 3% to 5%, with one option to extend for one-year, effective upon approval of this Resolution; authorizing the Director of Property to enter into any additions, amendments, or other modifications to the Lease that do not materially increase the obligations or liabilities of the City to effectuate the purposes of the Lease or this Resolution. (Human Services Agency)

09/29/23; RECEIVED FROM DEPARTMENT.

10/17/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231036 [Contract Agreement - Radiation Detection Company - Purchase of Ionized Radiation Detection Badge Services - Not to Exceed \$420,000]

Resolution authorizing the Office of Contract Administration (OCA) to execute Contract 1000027338 with Radiation Detection Company (Contractor) for the purchase of ionized radiation detection badge services by City departments for a total not to exceed amount of \$420,000 and a contract term of five years with an option to extend by two additional years, for a total duration of seven years, to commence on December 1, 2023, through November 30, 2028; to allow Contractor to maintain radiation dose exposure reports for a period exceeding ten years; and to authorize OCA to enter into amendments or modifications to the 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. (Office of Contract Administration)

09/27/23; RECEIVED FROM DEPARTMENT.

10/17/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231037 [Contract Amendment - Retroactive - Western States Oil - Gasoline Fuel - Not to Exceed \$35,450,000]

Resolution retroactively authorizing the Office of Contract Administration to enter into a Fifth Amendment (Modification 5) to Contract 1000012394 between the City and County of San Francisco and Western States Oil (Contractor) for the purchase of gasoline for all City departments, increasing the contract amount by \$2,950,000 for a total not to exceed amount of \$35,450,000 and extending the contract duration by 19 days, for a total duration of five years and 19 days from November 1, 2018, through November 19, 2023. (Office of Contract Administration)
(Fiscal Impact)

10/02/23; RECEIVED FROM DEPARTMENT.

10/17/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231038 [Airline and Airport 2023 Lease and Use Agreement - Various Airlines]

Resolution approving the 2023 Lease and Use Agreement between the City and County of San Francisco, acting by and through its Airport Commission, and seven airlines to conduct flight operations at the San Francisco International Airport for a term of ten years, from the first day of the calendar month following the receipt of full approvals of the City, through June 30, 2033; affirming the Planning Department's determination under the California Environmental Quality Act; and authorizing the Airport Director to enter into modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Airport Commission)

10/05/23; RECEIVED FROM DEPARTMENT.

10/17/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

*Charles Francis "Chuck" Feeney - President Aaron Peskin
Tayrell Porter - Supervisor Shamann Walton*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:44 p.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 November 28, 2023.

Angela Calvillo, Clerk of the Board