



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, June 13, 2023 - 2:00 PM

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

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BOARD COMMITTEES

Committee Membership

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

Budget and Finance Committee
Supervisors Chan, Mandelman, Safai

Government Audit and Oversight Committee
Supervisors Preston, Stefani, Chan

Homelessness and Behavioral Health Select Committee
Supervisors Ronen, Mandelman, Walton

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee
Supervisors Stefani, Engardio, Dorsey

Rules Committee
Supervisors Dorsey, Walton, Safai

Meeting Days

Wednesday
1:30 PM

Wednesday
10:00 AM

1st and 3rd Thursday
10:00 AM

2nd and 4th Friday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents: 1) Legislation; 2) Budget and Legislative Analyst report; 3) Department or Agency cover letter and/or report; 4) Public correspondence. These items are available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk or at <https://sfbos.org/legislative-research-center-lrc>.

Meeting Procedures

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

Board procedures do not permit: 1) vocal or audible support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones or electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room. Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives; except that public speakers using interpretation assistance will be allowed to testify for twice the amount of time. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want to display a document should place it on the overhead during their public comment and remove the document when they want the screen to return to live coverage of the meeting.

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

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

Americans with Disabilities Act (ADA)

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

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

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Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at soft@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>.

Ethics Requirements

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

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

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PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001](tel:14156550001) / Meeting ID: 2598 360 6962 # #

(Press *3 to enter the speaker line)

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the May 9, 2023, Regular Board Meeting Minutes, and May 10, 2023, Special Meeting Minutes at the Budget and Appropriations Committee Meeting, which constituted a quorum of the Board of Supervisors.

AGENDA CHANGES

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.

By eight (8) votes, the Board of Supervisors may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.

1. [230722](#) **[Formal Policy Discussions - June 13, 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 5:

1. Overdose Prevention

Discussion: The Mayor shall DISCUSS eligible topic(s) with the Board of Supervisors.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 2 through 20

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani

2. [230400](#) **[Settlement of Lawsuit - New Cingular Wireless PCS LLC - \$463,593]**
Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless PCS LLC against the City and County of San Francisco for \$463,593; the lawsuit was filed on December 12, 2022, in San Francisco Superior Court, Case No. CGC-22-603406; entitled New Cingular Wireless PCS LLC. v. City and County of San Francisco et al.; the lawsuit involves a claim for refund of penalties and interest related to the access line tax for tax periods February 1, 2021, through and including August 31, 2021. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?

3. [230494](#) **[Settlement of Lawsuit - Esquivel Grading & Paving, Inc. and Con-Quest Contractors, Inc. - \$250,000]**
Ordinance authorizing settlement of the lawsuit filed by Esquivel Grading & Paving, Inc. against the City and County of San Francisco by the payment of \$250,000; the action against the City was filed on April 12, 2022, in the Superior Court of California, County of San Francisco, Case No. CGC-20-587321; entitled Con-Quest Contractors, Inc. v. Esquivel Grading & Paving, Inc., et al.; the lawsuit involves alleged breach of contract; material terms of the settlement are that the City will pay Con-Quest Contractors, Inc. \$250,000 and Esquivel will pay Con-Quest \$150,000. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?

4. [230495](#) **[Settlement of Lawsuit - Richard F. Bettencourt, et al. - City to Receive \$300,000]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco for payment to San Francisco for \$300,000; the lawsuit was filed on November 15, 2019, in Stanislaus County Superior Court, Case No. CV-19-006916; entitled City and County of San Francisco v. Richard F. Bettencourt, et al.; the lawsuit involves damage to approximately 500 feet of San Joaquin Pipeline ("SJPL No. 1"); other material terms of the settlement are the City shall receive \$300,000. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?

5. [230496](#) **[Settlement of Lawsuit - Cheryl Thornton - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Cheryl Thornton against the City and County of San Francisco for \$100,000; the lawsuit was filed on April 20, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02938-SI; entitled Cheryl Thornton v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
6. [230497](#) **[Settlement of Lawsuit - Darlene Daevu - \$90,000]**
Ordinance authorizing settlement of the lawsuit filed by Darlene Daevu against the City and County of San Francisco for \$90,000; the lawsuit was filed on April 20, 2021, in United States District Court, Northern District of California, Case No. 4:21-cv-02936-JST; entitled Darlene Daevu v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
7. [230498](#) **[Settlement of Lawsuit - Dellfinia Hardy - \$116,250]**
Ordinance authorizing settlement of the lawsuit filed by Dellfinia Hardy against the City and County of San Francisco for \$116,250; the lawsuit was filed on April 20, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02934-SI; entitled Dellfinia Hardy v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
8. [230530](#) **[Settlement of Lawsuit - Jane Doe 1, Jane Doe 4, Jane Doe 5, Jane Doe 6, Jane Doe 9, John Doe 1, John Doe 2, John Doe 3, John Doe 4, John Doe 6, John Doe 7 - \$2,223,500]**
Ordinance authorizing settlement of the lawsuit, subject to the approval of the Probate Court, filed by Jane Doe 1, Jane Doe 4, Jane Doe 5, Jane Doe 6, Jane Doe 9, John Doe 1, John Doe 2, John Doe 3, John Doe 4, John Doe 6, John Doe 7 against the City and County of San Francisco for \$2,223,500; the lawsuit was filed on May 28, 2021, in San Francisco Superior Court, Case No. CGC-21-592296; entitled Jane Doe 1, et al. v. City and County of San Francisco, et al.; the lawsuit involves allegations of abuse and privacy violations brought by current and former residents of Laguna Honda Hospital and Rehabilitation Center. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
9. [230531](#) **[Settlement of Lawsuit - Jonathan Valladares - \$45,000]**
Ordinance authorizing settlement of the lawsuit filed by Jonathan Valladares against the City and County of San Francisco for \$45,000; the lawsuit was filed on October 3, 2019, in San Francisco Superior Court, Case No. CGC-19-579765; entitled Jonathan Valladares v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?

10. [230532](#) **[Settlement of Lawsuit - Ricky Williams - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Ricky Williams against the City and County of San Francisco for \$75,000; the lawsuit was filed on October 1, 2020, in San Francisco Superior Court, Case No. CGC-20-587073; entitled Ricky Williams v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
11. [230533](#) **[Settlement of Lawsuit - Patrick Jackson - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Patrick Jackson against the City and County of San Francisco et al. for \$50,000; the lawsuit was filed on February 23, 2022, in San Francisco Superior Court, Case No. CGC-22-598303; entitled Patrick Jackson v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
12. [230534](#) **[Settlement of Lawsuit - Abdul Nevarez and Priscilla Nevarez - \$227,500]**
Ordinance authorizing settlement of the lawsuit filed by Abdul Nevarez and Priscilla Nevarez against the City and County of San Francisco for \$227,500; the lawsuit was filed on September 27, 2019, in United States District Court, Northern District of California, Case No. 19-CV-06155-SK; entitled Abdul Nevarez and Priscilla Nevarez v. City of San Francisco, et al.; the lawsuit involves disability access violations in the City's golf courses; other material terms of the settlement are making certain disability access improvements at the Harding Park and Fleming Park golf courses. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
13. [230555](#) **[Settlement of Lawsuit - David Cordero - \$69,999]**
Ordinance authorizing settlement of the lawsuit filed by David Cordero against the City and County of San Francisco for \$69,999; the lawsuit was filed on April 9, 2019, in U.S. District Court for the Northern District of California, Case No. 19-cv-01834; entitled David Cordero v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations arising out of a traffic stop on August 12, 2018. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
14. [230556](#) **[Settlement of Lawsuit - Xavier Pittman - \$195,000]**
Ordinance authorizing settlement of the lawsuit filed by Xavier Pittman against the City and County of San Francisco for \$195,000; the lawsuit was filed on April 19, 2022, in United States District Court for the Northern District of California, Case No. 22-cv-02412-LB; entitled Xavier Pittman v. City and County of San Francisco, et al.; the lawsuit involves an officer involved shooting. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
15. [230431](#) **[Settlement of Unlitigated Claim - Bonifacio Rei Q Salvador - \$39,223.18]**
Resolution approving the settlement of the unlitigated claim filed by Bonifacio Rei Q Salvador against the City and County of San Francisco for \$39,223.18; the claim was filed on December 21, 2021; the claim involves alleged property damage and personal injury from a vehicle collision. (City Attorney)
Question: Shall this Resolution be ADOPTED?

16. [230470](#) **[Settlement of Unlitigated Claim - Euphoria Hospitality, Inc., dba Nob Hill Hotel - \$245,152.11]**
Resolution approving settlement of the unlitigated claim filed by Euphoria Hospitality, Inc., dba Nob Hill Hotel, against the City and County of San Francisco for \$245,152.11; the claim was filed on February 3, 2023; the claim involves allegations of property damage to the Nob Hill Hotel caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
17. [230471](#) **[Settlement of Unlitigated Claim - SF Good LLC - \$3,893,862]**
Resolution approving the settlement of the unlitigated claim filed by SF Good LLC, against the City and County of San Francisco for \$3,893,862; the claim was filed on February 21, 2023; the claim involves allegations of property damage to the Good Hotel caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
18. [230472](#) **[Settlement of Unlitigated Claim - Goodwill of San Francisco, San Mateo, and Marin Counties, Inc., dba Goodwill of the San Francisco Bay - \$240,280.15]**
Resolution approving the settlement of the unlitigated claim filed by Goodwill of the San Francisco Bay against the City and County of San Francisco for \$240,280.15; the claim was filed on September 23, 2022; the claim involves allegations of unpaid State Unemployment Insurance charges; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
19. [230499](#) **[Settlement of Unlitigated Claim - Wing Kwok and Lai Leng Lei - \$71,000]**
Resolution approving the settlement of the unlitigated claim filed by Wing Kwok and Lai Leng Lei against the City and County of San Francisco for \$71,000; the claim was filed on November 8, 2022; the claim involves alleged property damage due to flooding caused by a water main rupture. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
20. [230535](#) **[Tolling Agreement - The Mexican Museum - Lawsuit Statute of Limitations]**
Resolution approving a tolling agreement to toll the statute of limitations on The Mexican Museum's lawsuit against the City in exchange for a dismissal without prejudice in The Mexican Museum v. City and County of San Francisco, et al., San Francisco Superior Case No. CGC-14-542509. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani, Chan

21. [230448](#) **[Memorandum of Understanding - San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 1]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 1, to be effective July 1, 2023, through June 30, 2026.

05/16/2023; RE-REFERRED to the Government Audit and Oversight Committee.

06/06/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
22. [230449](#) **[Memorandum of Understanding - San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 2]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO, Unit 2, to be effective July 1, 2023, through June 30, 2026.

05/16/2023; RE-REFERRED to the Government Audit and Oversight Committee.

06/06/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
23. [230561](#) **[Memorandum of Understanding - Municipal Executives Association - Fire]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association - Fire, to be effective July 1, 2023, through June 30, 2026.

06/06/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

24. [230563](#) **[Compensation for Unrepresented Employees]**
Sponsor: Mayor
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensation is subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and other terms and conditions of employment and methods of payment effective July 1, 2023.
06/06/2023; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
25. [230564](#) **[Memorandum of Understanding - Service Employees International Union, Local 1021 - Amendment No. 2]**
Sponsors: Mayor; Safai and Mandelman
Ordinance adopting and implementing the Second Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, effective July 1, 2023, to adopt a side letter agreement to undertake classification studies and equity adjustments for certain represented classifications.
06/06/2023; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
26. [230565](#) **[Memorandum of Understanding - Service Employees International Union, Local 1021 - Amendment No. 3]**
Sponsors: Mayor; Safai
Ordinance adopting and implementing the Third Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union Local 1021, effective July 1, 2023, to amend the compensation provision for 8238 Public Safety Communications Dispatcher and 8239 Senior Police Communications Dispatcher to provide an additional sixth salary step to both classifications.
06/06/2023; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
27. [230566](#) **[Memorandum of Understanding - Service Employees International Union, Local 1021 - Amendment No. 4]**
Sponsors: Mayor; Safai
Ordinance adopting and implementing the Fourth Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, effective July 1, 2023, to adopt a side letter agreement for a retention payment program for certain Human Services Agency employees who provide child welfare emergency response services.
06/06/2023; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

28. [230567](#) **[Memorandum of Understanding - Municipal Executives Association - Amendment No. 1]**

Sponsor: Mayor

Ordinance adopting and implementing the First Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association, effective July 1, 2023, to adopt a side letter agreement for a retention payment program for certain Human Services Agency employees who provide child welfare emergency response services.

06/06/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

29. [230568](#) **[Memorandum of Understanding - Municipal Executives Association - Amendment No. 2]**

Sponsor: Mayor

Ordinance adopting and implementing the Second Amendment to the 2022-2024 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association, effective July 1, 2023, to adopt a side letter agreement to reinstate the Airport Employee Transit Pilot Program at San Francisco International Airport.

06/06/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

30. [230562](#) **[Memorandum of Understanding - Municipal Executives Association - Police]**

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association - Police, to be effective July 1, 2023, through June 30, 2026.

(Supervisor Peskin voted No on First Reading.)

06/06/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Preston, Peskin, Dorsey

31. [230164](#) [Planning Code - Non-Conforming Public Parking Lots in the Mission Street NCT District]

Sponsors: Ronen; Mandelman

Ordinance amending the Planning Code to allow continued use of existing shared spaces in specified public parking lots in the Mission Street Neighborhood Commercial Transit (NCT) District without triggering abandonment of the underlying vehicular parking use; 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.

06/06/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Melgar, Preston, Peskin

32. [230192](#) [Planning Code - Landmark Designation Amendment - 429-431 Castro Street (the Castro Theatre)]

Sponsor: Mandelman

Ordinance amending the Landmark Designation for Landmark No. 100, 429-431 Castro Street (the Castro Theatre), Assessor's Parcel Block No. 3582, Lot No. 085, under Article 10 of the Planning Code, to list the exterior features that should be preserved or replaced in kind, to add interior features to the designation, and to capture the property's full historical significance; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

(Supervisor Peskin voted No on First Reading.)

05/16/2023; CONTINUED ON FIRST READING.

06/06/2023; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

06/06/2023; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety and Neighborhood Services Committee

Present: Supervisors Stefani, Engardio, Dorsey

33. [200144](#) **[Police Code - Ceasing Acceptance of New Applications - Cannabis Retail Permits]**
Sponsors: Safai; Walton, Stefani and Dorsey
Ordinance amending the Police Code to provide that cannabis retail permit applications will not be accepted by the Office of Cannabis during the period between the effective date of this ordinance and December 31, 2027; and affirming the Planning Department’s determination under the California Environmental Quality Act.

06/06/2023; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

06/06/2023; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

34. [220814](#) **[Health Code - Designating City Attorney to Represent City in Certain Conservatorship Proceedings]**
Sponsors: Mandelman; Chan and Engardio
Ordinance amending the Health Code to designate the City Attorney rather than the District Attorney to represent the City in judicial proceedings to establish a “Murphy Conservatorship,” a conservatorship for individuals who have been found mentally incompetent during a criminal proceeding involving a charge of death, great bodily harm, or a serious threat to the physical well-being of another person; there has been a finding of probable cause and the proceeding has not been dismissed; as a result of a mental health disorder, the individual is unable to understand the nature and purpose of the criminal proceeding or assist counsel in the conduct of the defense; and the individual represents a substantial danger of physical harm to self or others by reason of mental disease, defect, or disorder.

06/06/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani, Chan

35. [230474](#) **[Airport Professional Services Agreement - SP Plus SF Joint Venture - Management and Operations of Airport Public and Employee Parking Facilities - Not to Exceed \$214,947,987]**
Resolution approving the Professional Services Agreement, Contract No. 50337, for a five-year term commencing July 1, 2023, through June 30, 2028, in an amount not to exceed \$214,947,987 for the Management and Operations of Airport Public and Employee Parking Facilities between SP Plus SF Joint Venture and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Preston, Stefani

36. [230536](#) **[Settlement of Unlitigated Claim - 1231 Market Street Owner L.P. - \$19,500,000]**
Resolution approving the settlement of the unlitigated claim filed by 1231 Market Street Owner L.P. against the City and County of San Francisco for \$19,500,000; the claim was filed on April 13, 2023; the claim involves allegations of property damage to the Hotel Whitcomb caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Preston, Stefani, Chan

37. [190785](#) **[Follow-Up Board Response - Civil Grand Jury Report - Act Now Before it is Too Late: Aggressively Expand and Enhance Our High-Pressure Emergency Firefighting Water System]**
Motion responding to the Civil Grand Jury's request to provide a status update on the Board of Supervisor's response to Recommendation Nos. R1, R2, R3, R6, R7, and R8 contained in the 2018-2019 Civil Grand Jury Report, entitled "Act Now Before it is Too Late: Aggressively Expand and Enhance Our High-Pressure Emergency Firefighting Water System." (Government Audit and Oversight Committee)

Question: Shall this Motion be APPROVED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

38. [230493](#) **[Planning Code - Landmark Designation - The Church for the Fellowship of All Peoples]**
Sponsors: Peskin; Preston and Melgar
Ordinance amending the Planning Code to designate The Church for the Fellowship of All Peoples, at 2041 Larkin Street, Assessor's Parcel Block No. 0572, Lot No. 003, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendations of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

39. [230451](#) **[Administrative Code - Official Animal - Wild Parrot]**
Sponsors: Melgar; Peskin
Ordinance amending the Administrative Code to designate the wild parrot as the official animal of the City and County of San Francisco.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
40. [230539](#) **[Appointment, Children and Families First Commission - Elizabeth Winograd]**
Motion appointing Elizabeth Winograd, term ending October 8, 2026, to the Children and Families First Commission. (Rules Committee)
- Question: Shall this Motion be APPROVED?**

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Scheduled by the Clerk of the Board in response to the request by Supervisor Ahsha Safai made on May 31, 2023, pursuant to Charter, Section 8B.125.

PUBLIC COMMENT WILL BE TAKEN

[1 \(415\) 655-0001 / Meeting ID: 2598 360 6962 # #](tel:4156550001)

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

41. [230640](#) **[Hearing - Committee of the Whole - Retail Water and Wastewater Rates and Capacity Changes for FYE 2024-2026 - San Francisco Public Utilities Commission - June 13, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors convening as a Committee of the Whole on June 13, 2023, at 3:00 p.m., to consider consider the retail water and wastewater rates and charges for Fiscal Year End (FYE) 2024-2026 from the San Francisco Public Utilities Commission; and the Board may reject these rates by resolution, pursuant to Charter, Section 8B.125; scheduled by the Clerk of the Board in response to the request by Supervisor Ahsha Safai made on May 31, 2023, pursuant to Charter, Section 8B.125. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

From the Board

42. [230641](#) **[Retail Water and Wastewater Rates and Charges for Fiscal Year End 2024-2026]**

Resolution rejecting the retail water and wastewater rates and charges for Fiscal Year End (FYE) 2024-2026 from the San Francisco Public Utilities Commission, pursuant to Charter, Section 8B.125. (Clerk of the Board)

(Pursuant to Charter, Section 8B.125, the Public Utilities Commission shall set rates, fees and other charges in connection with providing utility services, which are subject to rejection by resolution of the Board of Supervisors within 30 days of submission. If the Board fails to act within 30 days, the rates shall become effective. Transmittal Date: May 26, 2023.)

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

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

The following items will be considered by the Budget and Finance Committee at a Special Meeting on Friday, June 9, 2023, at 9:30 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, June 13, 2023.

43. [230597](#) **[Contract Amendment - Regents of the University of California - Behavioral Health Services for Children, Youth and Families - Not to Exceed \$20,098,073]**
Sponsor: Mayor
Resolution approving Amendment No. 2 to the agreement between The Regents of the University of California and the Department of Public Health, for behavioral health services for children, youth and families, to increase the agreement by \$10,233,499 for an amount not to exceed \$20,098,073; to extend the term by four years, from June 30, 2023, for a total agreement term of July 1, 2018, through June 30, 2027; and to authorize the Department of Public Health 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)
- Question: Shall this Resolution be ADOPTED?**
44. [230598](#) **[Contract Amendment - Retroactive - The Regents of the University of California - Mental Health Services for Infant Parent Program - Not to Exceed \$14,647,481]**
Sponsor: Mayor
Resolution retroactively approving Amendment No. 2 to the agreement between The Regents of the University of California, A Constitutional Corporation, on behalf of its San Francisco Campus University of California (UC) San Francisco General Hospital (SFGH) Clinical Practice Group SFGH/Comm Focus PGM and the Department of Public Health, for mental health services for the Infant Parent Program, to increase the agreement by \$5,208,598 for an amount not to exceed \$14,647,481; to extend the term by five years and six months, from December 31, 2022, for a total agreement term of July 1, 2018, through June 30, 2028; and to authorize the Department of Public Health 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)
- Question: Shall this Resolution be ADOPTED?**

45. [230599](#) **[Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - San Francisco Project INVEST - \$9,818,147]**
Sponsor: Mayor
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$9,818,147 from the Centers for Disease Control and Prevention for participation in a program, entitled "San Francisco Project INVEST (INnovations that Value Equity and Strengthen Teams)," for the period of December 1, 2022, through November 30, 2027. (Public Health Department)
Question: Shall this Resolution be ADOPTED?
46. [230600](#) **[Accept and Expend Grant - Retroactive - California Department of Public Health - Physicians for a Healthy California - COVID-19 Test to Treat Equity Grant - \$500,000]**
Sponsor: Mayor
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$500,000 from the California Department of Public Health through the Physicians for a Healthy California for participation in a program, entitled "COVID-19 Test to Treat Equity Grant," for the period of December 1, 2022, through June 30, 2023. (Public Health Department)
Question: Shall this Resolution be ADOPTED?
47. [230601](#) **[Accept and Expend Grant - Retroactive - California Department of Public Health - Syphilis Outbreak Strategy (SOS) Grant - \$2,668,251]**
Sponsor: Mayor
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$2,668,251 from the California Department of Public Health for participation in a program, entitled "Syphilis Outbreak Strategy (SOS) Grant," for the period of July 1, 2022, through June 30, 2027. (Public Health Department)
Question: Shall this Resolution be ADOPTED?
- The following items will be considered by the Budget and Appropriations Committee at a Special Meeting on Friday, June 9, 2023, at 1:30 p.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, June 13, 2023.*
48. [230642](#) **[Proposed Interim Budget and Appropriation Ordinance for Departments - FYs 2023-2024 and 2024-2025]**
Sponsor: Mayor
Proposed Interim Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of June 1, 2023, for the Fiscal Years (FYs) ending June 30, 2024, and June 30, 2025.
Question: Shall this Ordinance be PASSED ON FIRST READING?

49. [230643](#) **[Proposed Interim Annual Salary Ordinance - FYs 2023-2024 and 2024-2025]**

Sponsor: Mayor

Proposed Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Years (FYs) ending June 30, 2024, and June 30, 2025, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, June 12, 2023, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, June 13, 2023.

50. [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, transportation demand management, dwelling unit mix, and Intermediate Length Occupancy controls, permitting live work units in such projects, 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, including formula retail, reducing density limits for Residential Dwelling Units and Senior Housing in the C-2 zoning districts east of or fronting Franklin Street/13th Street 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) increase threshold for large projects subject to commercial to residential ratios in the C-3-O district, and 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

52. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001 / Meeting ID: 2598 360 6962 # #](tel:4156550001)

(Press *3 to enter the speaker line)

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

(PUBLIC COMMENT for Items 53 through 62 will be taken during Item 52 - General Public Comment.)

Items 53 through 62

53. [230712](#) [Designating San Francisco Arts Commission as The State-Local Partner with The California Arts Council]

Sponsor: Chan

Resolution designating the San Francisco Arts Commission as the City and County of San Francisco agency serving as the state-local partner with the California Arts Council from July 1, 2023, through June 30, 2024.

06/06/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 54. [230713](#) [Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking]**
Sponsor: Chan
Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.
- 06/06/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 55. [230714](#) [Urging the Appropriation of Funding and Strategic Responses for Homelessness]**
Sponsor: Chan
Resolution urging the Biden Administration to allocate federal funding and resources from the ALL INside Initiative to San Francisco, urging the Newsom Administration to allocate ongoing state funding for the Homeless Housing, Assistance, and Prevention (HHAP) program, extend the Project Homekey funding, and urging the San Francisco Department of Homelessness and Supportive Housing to develop a regional strategic response to the homeless crisis.
- 06/06/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 56. [230715](#) [Supporting Assembly Constitutional Amendment No. 5 (Low and Wiener) - Removing the Ban on Marriage Equality in the California State Constitution]**
Sponsors: Safai; Mandelman, Engardio, Dorsey, Walton, Ronen and Peskin
Resolution supporting Assembly Constitutional Amendment No. 5, introduced by Assembly Member Evan Low and Senator Scott Wiener, to remove the ban on same-sex marriage equality in the California State Constitution and reverse Proposition 8.
- 06/06/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 57. [230717](#) [Supporting California Senate Bill No. 260 (Menjivar) - Menstrual Equity Act of 2023]**
Sponsors: Walton; Melgar, Mandelman, Safai and Chan
Resolution supporting California State Senate Bill No. 260, the Menstrual Equity Act of 2023, authored by State Senator Caroline Menjivar, to expand CalWorks to cover menstrual hygiene product purchases.
- 06/06/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

58. [230718](#) **[Supporting California Senate Bill No. 729 (Menjivar) - Treatment for Infertility and Fertility Services]**

Sponsors: Walton; Melgar, Mandelman, Chan and Safai

Resolution supporting California State Senate Bill No. 729, authored by State Senator Caroline Menjivar, to expand health insurance coverage to include treatments for infertility and fertility services.

06/06/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

59. [230721](#) **[Commending Nancy Wuerfel for Her Exemplary Advocacy]**

Sponsor: Peskin

Resolution commending Nancy Wuerfel for her exemplary advocacy and stewardship in promoting preservation and conservation efforts in the City and County of San Francisco, recognizing her significant contributions to historic preservation, environmental protection, and neighborhood-based planning, and expressing gratitude for her dedicated service to the citizens of San Francisco.

06/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. [230719](#) **[Audit of the Public Utilities Commission’s Water and Wastewater Enterprises, Rate Setting and Oversight Processes With a Focus on Reducing Rate Increases]**

Sponsor: Safai

Motion directing the Budget and Legislative Analyst, on a priority basis, to audit the Public Utilities Commission’s Water and Wastewater Enterprises, rate setting, and contract oversight processes, with a focus on reducing rate increases.

06/06/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

61. [230626](#) **[Committee of the Whole - Report of Delinquent Real Property Transfer Taxes - July 11, 2023, at 3:00 p.m.]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 11, 2023, 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)

06/06/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

62. [230696](#) [Final Map No. 11127 - 1580 Pacific Avenue]

Motion approving Final Map No. 11127, a 53 Unit Residential and a 3 Unit Commercial, Mixed-Use Condominium Project, located at 1580 Pacific Avenue, being a subdivision of Assessor’s Parcel Block No. 0573, Lot No. 011; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

05/26/2023; RECEIVED FROM DEPARTMENT.

06/07/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

63. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

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

[1 \(415\) 655-0001 / Meeting ID: 2598 360 6962 # #](#)

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

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

230686 [Settlement of Lawsuit - Walgreen Co. - City to Receive \$229,610,002 Over 15 Years]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the People of the State of California against Walgreen Co. for \$229,610,002 (the City to be paid \$200,000,002 over 15 years, the City's outside counsel to be paid \$29,610,000); the lawsuit was filed on December 18, 2018, in the United States District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC; entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc f/k/a Actavis Plc, Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; the lawsuit involves Walgreen Co.'s 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 in San Francisco. (City Attorney)

05/26/2023; RECEIVED FROM DEPARTMENT.

06/13/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230687 [Settlement of Lawsuit - Teva Pharmaceuticals USA, Inc. and Related Entities - City to Receive \$24,797,604 Over 13 Years]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the People of the State of California against Cephalon, Inc.; Teva Pharmaceuticals USA, Inc.; Teva Pharmaceutical Industries Ltd; Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc. (f/k/a Watson Pharma, Inc.); Actavis Elizabeth LLC; Actavis Mid Atlantic LLC; Warner Chilcott Company, LLC; Actavis South Atlantic LLC; Actavis Totowa LLC; Actavis Kadian LLC; Actavis Laboratories UT, Inc. (f/k/a/ Watson Laboratories, Inc.-Salt Lake City); Actavis Laboratories FL, Inc. (f/k/a Watson Laboratories, Inc.-Florida); and Anda, Inc. for \$24,797,604 (the City to be paid \$19,499,928 over 13 years, the City's outside counsel to be paid \$3,043,340, and the City Attorney's Office to be paid \$2,254,336) and naloxone valued at \$20,000,000; directing the Controller to allocate funds to the City Attorney's Office as provided in the settlement agreement; the lawsuit was filed on December 18, 2018, in the United States District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC; entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc f/k/a Actavis Plc, Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; the lawsuit involves allegations that the Teva defendants created a public nuisance and violated the Unfair Competition Law by falsely and misleadingly marketing opioids as safer than they actually are and distributing increasingly large volumes of opioids in and around San Francisco despite knowledge of the growing epidemic caused by opioid misuse, and by failing to prevent and report suspicious opioid orders as required by state and federal law. (City Attorney)

05/26/2023; RECEIVED FROM DEPARTMENT.

06/13/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230688 [Settlement of Lawsuit - Allergan Finance, LLC and Allergan Limited - City to Receive \$12,916,274 Over 5 Years]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the People of the State of California against Allergan Finance, LLC (f/k/a Actavis, Inc., which, in turn, was f/k/a Watson Pharmaceuticals, Inc.) and Allergan Limited (f/k/a Allergan plc, which, in turn, was f/k/a Actavis plc) for \$12,916,274 (the City to be paid \$10,156,889 over 5 years, the City's outside counsel to be paid \$1,585,179, and the City Attorney's Office to be paid \$1,174,206); directing the Controller to allocate funds to the City Attorney's Office as provided in the settlement agreement; the lawsuit was filed on December 18, 2018, in the United States District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC; entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc f/k/a Actavis Plc, Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; the lawsuit involves allegations that the Allergan defendants created a public nuisance and violated the Unfair Competition Law by falsely and misleadingly marketing opioids as safer than they actually are and distributing increasingly large volumes of opioids in and around San Francisco despite knowledge of the growing epidemic caused by opioid misuse, and by failing to prevent and report suspicious opioid orders as required by state and federal law. (City Attorney)

05/26/2023; RECEIVED FROM DEPARTMENT.

06/13/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230689 [Administrative Code - Surveillance Technology Policy - Social Media Management Software]

Ordinance approving Surveillance Technology Policy for Human Services Agency use of social media management software. (Human Services Agency)

05/26/2023; RECEIVED FROM DEPARTMENT.

06/13/2023; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

PROPOSED RESOLUTIONS

230691 [Grant Amendment - Japanese Community Youth Council - San Francisco YouthWorks - Not to Exceed \$13,395,345]

Resolution approving a second amendment to Contract No. 1000009983 for the Japanese Community Youth Council - San Francisco YouthWorks Program between the Japanese Community Youth Council and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families, to increase the grant amount by \$1,395,345 for a total not to exceed amount of \$13,395,345 with Board of Supervisors' approval under Charter, Section 9.118, and with no changes to the grant term. (Department of Children, Youth & Their Families)

05/26/2023; RECEIVED FROM DEPARTMENT.

06/13/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230692 [Grant Amendment - Japanese Community Youth Council - Opportunities for All Intermediary Program - Not to Exceed \$13,727,411]

Resolution approving a fourth amendment to Contract No. 10000014147 for the Japanese Community Youth Council, Opportunities for All Intermediary Program, between the Japanese Community Youth Council and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families, to increase the grant amount by \$3,400,953 for a total not to exceed amount of \$13,727,411 with Board of Supervisors' approval under Charter, Section 9.118, and with no change to the grant term. (Department of Children, Youth & Their Families)

05/26/2023; RECEIVED FROM DEPARTMENT.

06/13/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230693 [Grant Amendment - YMCA Urban Services - Truancy Assessment and Resource Center (TARC) Program - Not to Exceed \$5,390,219]

Resolution approving a seventh amendment to Contract No. 1000014469 for the YMCA Urban Services - Truancy Assessment and Resource Center (TARC) Program between the YMCA Urban Services and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families, to increase the grant amount by \$606,040 for a total not to exceed amount of \$5,390,219 and to extend the grant term for one year from July 1, 2023, for a new term of July 1, 2013, through June 30, 2024, with Board of Supervisors' approval under Charter, Section 9.118. (Department of Children, Youth & Their Families)

05/27/2023; RECEIVED FROM DEPARTMENT.

06/13/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230694 [Agreement - Zones, LLC - Microsoft Products Enterprise Agreement - Not to Exceed \$55,000,000]

Resolution authorizing the Department of Technology and the Office of Contract Administration to enter into an Agreement between the City and Zones, LLC for Enterprise Products for an amount not to exceed \$55,000,000 for an initial three-year term beginning on September 1, 2023, through August 31, 2026, with the option of six one-year extensions. (Department of Technology)

06/02/2023; RECEIVED FROM DEPARTMENT.

06/13/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230695 [Settlement of Unlitigated Claims - AppLovin Corporation - \$4,197,820.54 Plus Statutory Interest]

Resolution approving the settlement of the unlitigated claims filed by AppLovin Corporation against the City and County of San Francisco for \$4,197,820.54 plus statutory interest; the claims were filed on February 15, 2023; the claims involve a refund of gross receipts taxes and homelessness gross receipts taxes; additional material terms of the settlement are: 1) the resolution of all claims and potential claims for refund of gross receipts taxes and homelessness gross receipts taxes for tax years 2019 and 2020, and 2) the agreement that AppLovin Corporation and its related entities shall take certain filing positions with respect to their gross receipts taxes, homelessness gross receipts taxes, and overpaid executive taxes for tax years 2021 and subsequent tax years, and with respect to their business registration fees for registration years ending June 30, 2022, and subsequent years. (City Attorney)

06/02/2023; RECEIVED FROM DEPARTMENT.

06/13/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230723 [Petitions and Communications]

Petitions and Communications received from June 1, 2023, through June 8, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 13, 2023.

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

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

Appointment pursuant to Administrative Code, Section 5.41-3, Business and Tax Regulations Code, Section 2810(e)(3), and Charter, Section 3.100(18)

- Our City Our Home Oversight Committee
 - o Scott Walton - term ending April 22, 2024

From the Office of the Mayor, pursuant to Charter, Section 4.132, submitting a Transfer of Function Memo. Copy: Each Supervisor. (2)

From the City Administrator, pursuant to Administrative Code, Chapter 12Y, submitting the 2023 Slavery Era Disclosure Report. Copy: Each Supervisor. (3)

From the Office of the District Attorney (DA), submitting a response to the Letter of Inquiry issued by Supervisor Connie Chan at the May 9, 2023, Board of Supervisors meeting.
Copy: Each Supervisor. (4)

From the Office of Small Business, pursuant to Administrative Code, Section 2A.243, submitting the Annual Report on the Legacy Business Historic Preservation Fund for Fiscal Year (FY) 2022-2023. Copy: Each Supervisor. (5)

From various departments, pursuant to Administrative Code, Section 12B.5-1.3, submitting Chapter 12B Waiver Request Forms. 4 Contracts. Copy: Each Supervisor. (6)

From Pacific Gas & Electric Company (PG&E), submitting a notice of PG&E's request to change rates for its 2024 ERRR Forecast Application (A.23-5-012). Copy: Each Supervisor. (7)

From members of the public, regarding a proposed Ordinance amending the Police Code to provide that cannabis retail permit applications will not be accepted by the Office of Cannabis. File No. 200144. 3 Letters. Copy: Each Supervisor. (8)

From Russian Hill Neighbors, regarding a proposed Ordinance amending the Planning Code to designate The Church for the Fellowship of All Peoples, at 2041 Larkin Street, as a landmark. File No. 230493. Copy: Each Supervisor. (9)

From Joe Kunzler, regarding Board of Supervisors Rules of Order, Section 1.3, Public Testimony. Copy: Each Supervisor. (10)

From members of the public, regarding proposed Another Planet Entertainment programming at the Golden Gate Park Polo Fields. 2 Letters. Copy: Each Supervisor. (11)

From members of the public, regarding quality-of-life concerns. 4 Letters. Copy: Each Supervisor. (12)

From Eva Lee, regarding the Geary Bus Rapid Transit project. Copy: Each Supervisor. (13)

From Dennis Anderson, regarding California Senate Bill 584, Limón - Laborforce housing: Short-Term Rental Tax Law. Copy: Each Supervisor. (14)

From The Race & Equity in all Planning Coalition, San Francisco, regarding streamlining legislation, titled "Planning Code, Zoning Map - Housing Production," Planning Case Number 2023-003676PCAMAP. Copy: Each Supervisor. (15)

From Kevin Duncan and Yini (Vicky) Liang, regarding protections for elderly and disabled individuals who receive grants or funding from the United States Department of Housing and Urban Development. Copy: Each Supervisor. (16)

From Herbert Weiner, regarding a proposed Resolution urging Governor Gavin Newsom and the California State Legislature to provide operations funding to help San Francisco transit systems survive as they recover from the pandemic. File No. 230615. Copy: Each Supervisor. (17)

From the Bay Area Council, regarding a proposed Ordinance amending the Building Code to outline the site permit application process. File No. 230374. Copy: Each Supervisor. (18)

From the Office of Assemblymember Reggie Jones-Sawyer, regarding a proposed Resolution supporting California State Assembly Bill No. 912, The SAFE Act. File No. 230328. Copy: Each Supervisor. (19)

From members of the public, regarding a proposed Ordinance amending the Landmark Designation for Landmark No. 100, 429-431 Castro Street (the Castro Theatre). File No. 230192. 35 Letters. Copy: Each Supervisor. (20)

From members of the public, regarding a Motion appointing Ali Jamalian, Adam Hayes, Apollo Wallace (residency requirement waived), Drakari Donaldson, David Nogales Talley (residency requirement waived), Shay Aaron Gilmore, and Antoinette Mobley, terms ending December 3, 2024, to the Cannabis Oversight Committee. File No. 230528, Motion No. M23-086. 21 Letters. Copy: Each Supervisor. (21)

From members of the public, regarding a Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to delay implementing meter hour extension until the completion of an independent economic impact report that specifically analyzes the projected impact to San Francisco small businesses, City revenues, and the City's overall economic recovery and said report is reviewed by the Board of Supervisors and the SFMTA Board. File No. 230587, Resolution No. 289-23. 22 Letters. Copy: Each Supervisor. (22)

From members of the public, regarding a Hearing to review the economic impact, potential tax revenue loss, and City budget consequence of downtown business closures; and requesting the Controller to report. File No. 230613. 3 Letters. Copy: Each Supervisor. (23)

From members of the public, regarding food security and childcare. 10 Letters. Copy: Each Supervisor. (24)

From members of the public, regarding proposed funding of solutions in the upcoming City Budget to end the drug crisis. 40 Letters. Copy: Each Supervisor. (25)

From members of the public, regarding the Great Highway. 4 Letters. Copy: Each Supervisor. (26)

From members of the public, regarding homelessness. 2 Letters. Copy: Each Supervisor.

(27)

From Edward Levin, regarding John F. Kennedy Drive. Copy: Each Supervisor. (28)

From members of the public, regarding the Marina Green Improvement and Remediation Project. 2 Letters. Copy: Each Supervisor. (29)

ADJOURNMENT