



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, October 3, 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.

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

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

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: 2664 731 1942 # #

(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

AGENDA CHANGES

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 1 through 21

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani, Chan

1. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?

2. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?

3. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?

4. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
5. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
6. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
7. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
8. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?

9. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
10. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
11. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
12. [230796](#) **[Settlement of Unlitigated Claim - Cincinnati Insurance Company - \$37,636.23]**
Resolution approving the settlement of the unlitigated claim filed by Cincinnati Insurance Company against the City and County of San Francisco for \$37,636.23; the claim was filed on January 30, 2023; the claim involves alleged property damage arising from flooding caused by a water main rupture. (City Attorney)
Question: Shall this Resolution be ADOPTED?
13. [230797](#) **[Settlement of Unlitigated Claim - Arthur Villegas - \$50,000]**
Resolution approving the settlement of the unlitigated claim filed by Arthur Villegas against the City and County of San Francisco for \$50,000; the claim was filed on May 8, 2023; the claim involves alleged property damage arising from flooding caused by a water main rupture. (City Attorney)
Question: Shall this Resolution be ADOPTED?
14. [230798](#) **[Settlement of Unlitigated Claim - Ronghan Guan - \$50,450]**
Resolution approving the settlement of the unlitigated claim filed by Ronghan Guan against the City and County of San Francisco for \$50,450; the claim was filed on October 19, 2022; the claim involves alleged property damage due to flooding caused by a water main rupture. (City Attorney)
Question: Shall this Resolution be ADOPTED?

15. [230799](#) **[Settlement of Unlitigated Claims - Glencore Ltd. - \$197,203.64]**
Resolution approving the settlement of the unlitigated claims filed by Glencore Ltd. against the City and County of San Francisco for \$197,203.64; the claims were filed on March 27, 2023; the claims involve a refund of gross receipts taxes and payroll expense taxes. (City Attorney)

Question: Shall this Resolution be ADOPTED?

16. [230899](#) **[Settlement of Unlitigated Claims - Niantic, Inc. - \$599,398.66]**
Resolution approving the settlement of the unlitigated claims filed by Niantic, Inc. against the City and County of San Francisco for \$599,398.66; the claims were filed on February 28, 2023; the claims involve a refund of Payroll Expense Tax, Gross Receipts Tax, and Homelessness Gross Receipts Tax. (City Attorney)

Question: Shall this Resolution be ADOPTED?

17. [230900](#) **[Settlement of Unlitigated Claim - Bing Situ - \$64,483.41]**
Resolution approving the settlement of the unlitigated claim filed by Bing Situ against the City and County of San Francisco for \$64,483.41; the claim was filed on April 27, 2023; the claim involves alleged property damage arising from flooding caused by a water main rupture. (City Attorney)

Question: Shall this Resolution be ADOPTED?

18. [230901](#) **[Settlement of Unlitigated Claim - Yaol Oenn Wong - \$50,000]**
Resolution approving the settlement of the unlitigated claim filed by Yaol Oenn Wong against the City and County of San Francisco for \$50,000; the claim was filed on April 24, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

Question: Shall this Resolution be ADOPTED?

19. [230902](#) **[Settlement of Unlitigated Claim - Jessica Middleton - \$32,439.60]**
Resolution approving the settlement of the unlitigated claim filed by Jessica Middleton against the City and County of San Francisco for \$32,439.60; the claim was filed on March 24, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

20. [230922](#) **[Planning Code - Landmark Designation - Colombo Market Arch]**
Sponsor: Peskin
Ordinance amending the Planning Code to designate Colombo Market Arch, situated within Sydney Walton Square, 600 Front Street, a portion of Assessor’s Parcel Block No. 0172, Lot No. 010, 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)

09/26/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

21. [230810](#) **[Administrative Code - Tenant Organizing]**
Sponsors: Chan; Peskin, Preston, Ronen and Walton
Ordinance amending the Administrative Code to provide that tenants may elect to be accompanied by a tenant association representative at meetings with their landlord; to set rules for the duration of and attendance at meetings of the full tenant association; to provide that a tenant association remains in good standing unless it has failed to re-certify or a new tenant association has been certified; and to make clarifying changes regarding the obligation of landlords and tenant associations to confer in good faith.

09/26/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

22. [230855](#) **[Planning, Administrative Codes - Development Impact Fee Reductions]**
Sponsors: Peskin; Safai, Mandelman and Dorsey
Ordinance amending the Planning Code to: 1) reduce Inclusionary Housing Program requirements, including requirements for projects approved under the Housing Opportunities Means Equity - San Francisco (HOME-SF) program, for projects that have been approved prior to November 1, 2023 and that receive a first construction document within a specified period; 2) adopt a process for those projects to request a modification to conditions of approval related to development impact fees, subject to delegation by the Planning Commission; 3) reduce Article 4 development impact fees, including Inclusionary Affordable Housing fees for projects exceeding a stated unit size, for projects approved before November 1, 2026 that receive a first construction document within 30 months of entitlement; and, 4) modify the Inclusionary Housing Program Ordinance effective November 1, 2026 to reduce applicable fees, and on-site or off-site unit requirements, for projects that exceed a stated unit size; amending the Administrative Code to update the Inclusionary Housing Technical Advisory Committee member requirements; affirming the Planning Department'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.

(Supervisor Preston voted No on First Reading.)

09/26/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

23. [230836](#) **[Accept and Expend Grant - Retroactive - Board of State and Community Corrections - Mobile Probation Service Centers Grant Program - \$507,470]**
Sponsors: Mayor; Safai
Resolution retroactively authorizing the Adult Probation Department to accept and expend a grant in the amount of \$507,470 from the Board of State and Community Corrections (BSCC) for the Mobile Probation Service Centers Grant Program funded through The Budget Act of 2022 (Assembly Bill No. 178), for the period of May 1, 2023, through September 30, 2027. (Adult Probation)
Question: Shall this Resolution be ADOPTED?
24. [230837](#) **[Accept and Expend Grant - Retroactive - California Emergency Management Agency - Probation Specialized Supervision Program - \$100,000]**
Sponsors: Mayor; Safai
Resolution retroactively authorizing the Department of Adult Probation to accept and expend a grant in the amount of \$100,000 from the California Emergency Management Agency for Probation Specialized Supervision Program federally funded through the Violence Against Women Act, for the period of October 1, 2022, through September 30, 2023. (Adult Probation)
Question: Shall this Resolution be ADOPTED?
25. [230904](#) **[Reauthorizing Participation Costs for CleanPowerSF Membership in a Joint Powers Authority - Not to Exceed \$4,772,710]**
Sponsor: Mandelman
Resolution reauthorizing the Public Utilities Commission's cost for CleanPowerSF's participation in a Joint Powers Authority consisting of Community Choice Aggregators with a not to exceed amount of \$4,772,710 for a duration of twenty-five years from January 1, 2024, through December 31, 2048. (Public Utilities Commission)

(Fiscal Impact)
Question: Shall this Resolution be ADOPTED?

26. [230909](#) **[Maintenance Agreement - State of California, Department of Transportation, Caltrans - Southern Skyline Boulevard Ridge Trail Extension Project]**
Resolution approving the terms and conditions and authorizing the execution of the no-cost Project Specific Maintenance Agreement with the State of California, Department of Transportation, for San Francisco Public Utilities Commission's ongoing maintenance of its proposed improvements at 18 locations within Caltrans' right-of-way along a six-mile section of State Route 35, south of State Route 92, in San Mateo County, California, for the Southern Skyline Boulevard Ridge Trail Extension Project, subject to Board of Supervisors' approval under Charter, Section 9.118. (Public Utilities Commission)
- Question: Shall this Resolution be ADOPTED?**
27. [230930](#) **[Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$1,066,724]**
Sponsors: Mayor; Mandelman
Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$1,066,724 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period of July 1, 2023, through June 30, 2024. (District Attorney)
- Question: Shall this Resolution be ADOPTED?**
28. [230932](#) **[Revolving Fund Agreement - Retroactive - California Victim Compensation Board - Emergency Expense of Crime Victims - \$75,000]**
Sponsors: Mayor; Mandelman
Resolution retroactively authorizing the Office of the District Attorney of the City and County of San Francisco to renew its current agreement with the California Victim Compensation Board, an agent of the State of California, for a revolving fund in the amount of \$75,000 to establish a process to pay expenses on an emergency basis when the claimant would suffer substantial hardship if the payment was not made, and when the payment would help the claimant with an immediate need for the period of July 1, 2023, through June 30, 2026. (District Attorney)
- Question: Shall this Resolution be ADOPTED?**
29. [230933](#) **[Accept and Expend Grant - Retroactive - California Victim Compensation Board - Criminal Restitution Compact - Not to Exceed \$275,391]**
Sponsors: Mayor; Mandelman
Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$91,797 for the period of July 1, 2023, through June 30, 2024; \$91,797 for the period of July 1, 2024, through June 30, 2025; and \$91,797 for the period of July 1, 2025, through June 30, 2026, for a total not to exceed amount of \$275,391 from the California Victim Compensation Board for the grant period July 1, 2023, through June 30, 2026, to continue the Criminal Restitution Compact should the parties agree to an amendment as allowed under the provisions of the grant agreement. (District Attorney)
- Question: Shall this Resolution be ADOPTED?**

Present: Supervisors Chan, Mandelman

30. [230931](#) [Accept and Expend Grant - Retroactive - National Institutes of Health - Oregon Health & Science University - Western States Node of the National Drug Abuse Treatment Clinical Trials Network - \$109,937]

Sponsors: Mayor; Dorsey and Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase from the National Institutes of Health through Oregon Health & Science University for participation in a program, entitled "Western States Node of the National Drug Abuse Treatment Clinical Trials Network," in the amount of \$28,327 for the period of March 1, 2023, through February 29, 2024, for a total grant award amount of \$109,937 for the total period of June 1, 2020, through February 29, 2024. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chan, Mandelman, Safai

31. [230938](#) [Accept and Expend Grant - California Emergency Management Agency - Probation Specialized Supervision Program - \$100,000]

Sponsors: Mayor; Safai

Resolution authorizing the Department of Adult Probation to accept and expend a grant in the amount of \$100,000 from the California Emergency Management Agency for Probation Specialized Supervision Program federally funded through the Violence Against Women Act, for the period of October 1, 2023, through September 30, 2024. (Adult Probation)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Preston, Stefani, Chan

32. [230951](#) [Urging the Recreation and Park Department to Publicly Share Information Regarding Pilot Activation of UN Plaza and Take Steps to Mitigate Any Impact on the Farmers' Market]

Sponsors: Preston; Peskin and Chan

Resolution expressing the Board of Supervisors' concern regarding the development of the United Nations (UN) Activation Plan and displacement of the Heart of the City Farmers' Market from the UN Plaza, urging the Recreation and Park Department to adopt mitigations requested by the Farmers' Market, and urging the Recreation and Park Department to provide information to the public and the Board of Supervisors regarding the pilot activation plan.

Question: Shall this Resolution be ADOPTED?

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

Rescheduled from September 22, 2020, pursuant to Motion No. M20-125 (File No. 201021), approved on September 15, 2020; continued from October 20, 2020, January 26, 2021, May 25, 2021, January 25, 2022, March 22, 2022, May 24, 2022, July 12, 2022, September 27, 2022, February 14, 2023, and March 14, 2023.

PUBLIC COMMENT WILL BE TAKEN

[1 \(415\) 655-0001 / Meeting ID: 2664 731 1942 # #](#)

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

- 33. [200777](#) **[Hearing - Committee of the Whole - Update on Findings and Recommendations Regarding Law Enforcement Practices - October 3, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on October 3, 2023, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive updates on the progress and implementation status of the United States Department of Justice recommendations regarding reforms within the Police Department; scheduled pursuant to Motion No. M20-125, approved on September 15, 2020. (Clerk of the Board)

10/20/2020; CONTINUED.

01/26/2021; CONTINUED.

05/25/2021; CONTINUED.

01/25/2022; CONTINUED.

03/22/2022; CONTINUED.

05/24/2022; CONTINUED.

07/12/2022; CONTINUED.

09/27/2022; CONTINUED.

02/14/2023; CONTINUED.

03/14/2023; CONTINUED.

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

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

The following item will be considered by the Homelessness and Behavioral Health Select Committee at a Special Meeting on Friday, September 29, 2023, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, October 3, 2023.

34. [230974](#) [Sublease Agreement - California State Lands Commission - Candlestick Point State Recreation Area - Vehicle Triage Center - Base Rent of \$312,000]

Sponsor: Mayor

Resolution authorizing and approving the Director of Property, on behalf of the Department of Homelessness and Supportive Housing, to negotiate and enter into a sublease agreement for 312,000 square feet of property owned by the California State Lands Commission and leased to the California Department of Parks and Recreation, for the City's continued use as the Bayview Vehicle Triage Center at Candlestick Point State Recreation Area, for a term of two years commencing on or about January 13, 2024, through January 12, 2026, for a base rent of \$312,000 per year; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the sublease; affirming findings under the California Environmental Quality Act; and finding the proposed sublease is in conformance with the General Plan, and the eight priorities of Planning Code, Section 101.1. (Department of Homelessness and Supportive Housing)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

35. 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.

36. 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: 2664 731 1942 # #](tel:14156550001)

(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 37 through 40 will be taken during Item 36 - General Public Comment.)

Items 37 through 40

37. [231013](#) **[Approval of a 90-Day Extension for Historic Preservation Commission to Respond to Landmark Designation initiation of Alexandria Theater (File No. 230266)]**

Sponsor: Chan

Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission to respond to landmark designation initiation from the Board of Supervisors (File No. 230266).

09/26/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 38. [231014](#) [Filipino American History Month - October 2023]**
Sponsors: Dorsey; Safai, Engardio, Peskin, Mandelman, Preston, Chan and Stefani
Resolution recognizing October 2023 as "Filipino American History Month" and celebrating the history and culture of Filipino Americans and their immense contributions to the City and County of San Francisco.
- 09/26/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 39. [231015](#) [Supporting Mayor’s Letters of Support to Coalitions Applying for the Greenhouse Gas Reduction Fund and Urging City Departments to Prepare for the Creation of a Green Bank]**
Sponsor: Preston
Resolution supporting Mayor London N. Breed’s letters of support to coalitions applying for the Environmental Protection Agency’s Greenhouse Gas Reduction Fund and urging City departments to prepare for the creation and implementation of a green bank to finance local projects using Greenhouse Gas Reduction funds.
- 09/26/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 40. [231016](#) [Urging the MTA to Prohibit Right Turns on Red]**
Sponsor: Preston
Resolution urging the Municipal Transportation Agency (MTA) to develop and implement a plan for No Turn On Red (NTOR) at every signalized intersection in San Francisco and approve a citywide NTOR policy.
- 09/26/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

41. 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: 2664 731 1942 # #](tel:14156550001)
(Press *3 to enter the speaker line)

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

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

Introduced at the Request of a Department

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

PROPOSED ORDINANCE**230996 [Settlement of Lawsuit - Adam Smith, et al. - \$130,401.66]**

Ordinance authorizing settlement of the lawsuit filed by Adam Smith, et al., against the City and County of San Francisco for return of the Expedited Conversion Program fee in the amount of \$130,401.66; the lawsuit was filed on September 28, 2021, in San Francisco Superior Court, Case No. CPF-21-517578; entitled Adam Smith, et al. v. City and County of San Francisco; the lawsuit challenges the Board of Supervisors' denial of Petitioners' application to convert their six-unit building at 424-434 Francisco Street to condominiums under the City's Expedited Conversion Program (Subd. Code, Section 1396.4); the settlement includes return of Petitioners' Expedited Conversion Program fee and waiver of the City's litigation costs; other material terms of the settlement are the parties' agreement to withdraw their respective appeals. (City Attorney)

09/25/2023; RECEIVED FROM DEPARTMENT.

10/03/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS**230997 [Settlement of Unlitigated Claims - PFP Holdings, Inc. - \$1,039,237.26]**

Resolution approving the settlement of the unlitigated claims filed by PFP Holdings, Inc. against the City and County of San Francisco for \$1,039,237.26; the claims were filed on May 4, 2023; the claims involve a refund of payroll expense, gross receipts, and homelessness gross receipts taxes. (City Attorney)

09/25/2023; RECEIVED FROM DEPARTMENT.

10/03/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

230998 [Real Property Lease - Bayview Plaza, LLC - 3801-3rd Street, Suite 400 - \$554,347 Initial Base Year Rent]

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to execute a Lease Agreement for the term of five years with two five-year options to extend the term for continued use of office space with the Bayview Plaza, LLC, located at 3801-3rd Street, Suite 400, at a base rent of \$554,347 per year (approximately \$37.39 per square foot) with 3% annual rent increases effective upon approval of the Resolution and upon execution of the Lease by the Director of Property; and authorizing the Director of Property to execute any amendments, options to extend the agreement term, make certain modifications and take certain actions that do not materially increase the obligations or liabilities to the City, do not materially decrease the benefits to the City and are necessary or advisable to effectuate the purposes of the Lease Agreement or this Resolution. (Real Estate Department)

09/21/2023; RECEIVED FROM DEPARTMENT.

10/03/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

230999 [Real Property Lease Amendment - 716 Sacramento LLC and DLS Sacramento LLC - 716-720 Sacramento Street - \$370,000 Annual Base Rent]

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to execute a Fourth Amendment to a Lease of real property located at 716-720 Sacramento Street, with 716 Sacramento LLC (73.4%) and DLS Sacramento LLC (26.6%), at a base rent of \$370,000 per year with 3% annual increases, for an initial term commencing upon execution of the Lease and after approval of this Resolution by the Board of Supervisors and Mayor, in their respective sole and absolute discretion, with a total term of December 1, 1996, through June 30, 2026, with two one-year options to extend; and to authorize the Director or Property to enter into any extensions, 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. (Public Health Department)

09/22/2023; RECEIVED FROM DEPARTMENT.

10/03/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

231000 [Lease of Property - J.D. Harney, Inc., et al. - 2205 Jennings Street - Annual Base Rent of \$264,000]

Resolution authorizing and approving the lease of a portion of the real property located at 2205 Jennings Street with J.D. Harney, Inc., a California corporation, John Daniel Harney and Bernadette Patricia Harney, Co-Trustees or Successor Trustee of the John Daniel Harney and Bernadette Patricia Harney Revocable Living Trust Under Agreement dated August 13, 1987, as Community Property, and MM1495Wall LP, a California Limited partnership, for an initial three-year term at an annual base rent of \$264,000 (or the monthly amount of \$22,000); plus 3% annual increases to base rent; plus one five-year extension option to further extend the term of the Lease; the Lease will be effective upon approval of this Resolution; 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)

09/22/2023; RECEIVED FROM DEPARTMENT.

10/03/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

231001 [Emergency Declaration - Repair of Fillmore and Green 16" Water Main Break - Total Estimated Cost Not to Exceed \$5,000,000]

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to contract resources to perform sewer main, water main, and street repairs on Fillmore Street between Green Street and Union Street, which were damaged by a water main failure, with a total estimated cost not to exceed \$5,000,000. (Public Utilities Commission)

09/22/2023; RECEIVED FROM DEPARTMENT.

10/03/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

231002 [Petitions and Communications]

Petitions and Communications received from September 21, 2023, through September 28, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 3, 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 (re)appointments to the following bodies. Copy: Each Supervisor. (1)

Appointment pursuant to Charter, Section 4.118:

- Commission on the Environment
 - o Vincent Yuen - term ending March 10, 2027

Reappointment pursuant to Charter, Section 4.119:

- Commission on the Status of Women
 - o Sharon Chung - term ending August 2, 2027

From the San Francisco Municipal Transportation Agency (SFMTA), submitting a response to a letter of inquiry issued by Supervisor Connie Chan at the September 5, 2023, Board of Supervisors meeting. Copy: Each Supervisor. (2)

From the Recreation and Park Department (RPD), submitting a Declaration of Emergency - Winter Storm Debris Removal/ Repairs Contract. Copy: Each Supervisor. (3)

From the Department of Technology (DT), submitting a response to a letter of inquiry issued by Supervisor Matt Dorsey at the September 5, 2023, Board of Supervisors Meeting. Copy: Each Supervisor. (4)

From the Office of the Chief Medical Examiner (OCME), submitting a response to a letter of inquiry issued by Supervisor Matt Dorsey at the September 5, 2023, Board of Supervisors Meeting. Copy: Each Supervisor. (5)

From the Department of Human Resources (DHR), submitting the Annual Report on Hospitalization and Medical Treatment, pursuant to Administrative Code, Section 16.82. Copy: Each Supervisor. (6)

From the Department of Disability and Aging Services (DAS), submitting the 2023 Aging and Disability Affordable Housing Overview Report. Copy: Each Supervisor. (7)

From the Planning Department (CPC), submitting a 6-month department report pursuant to the Resolution imposing interim zoning controls for 18 months to require a Conditional Use authorization and specified findings for proposed Parcel Delivery Service uses. Resolution No. 109-22; File No. 220159. Copy: Each Supervisor. (8)

From the Department of Public Health (DPH), pursuant to Administrative Code, Section 12B.5-1(d)(1), submitting an approved Chapter 12B Waiver Request Form. Copy: Each Supervisor. (9)

From Natasha Avery, regarding pedestrian and cyclist safety. Copy: Each Supervisor. (10)

From Art Persyko, regarding the Hearing of the Board of Supervisors on Laguna Honda Hospital's Strategy for Recertification and the Submission of a Closure and Patient

Transfer and Relocation Plan. Copy: Each Supervisor. (11)

From Joe A. Kunzler, regarding various subjects. Copy: Each Supervisor. (12)

From Jason Lamacchia, regarding school safety. Copy: Each Supervisor. (13)

From a member of the public, regarding school enrollment. Copy: Each Supervisor. (14)

From the SF Community Roundtable, regarding airplane noise pollution. Copy: Each Supervisor. (15)

From Lalena Gourd, regarding Ordinances 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; and enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Years (FYs) ending June 30, 2024, and June 30, 2025. File Nos. 230644 (Ordinance No. 144-23) and 230645 (Ordinance No. 145-23). Copy: Each Supervisor. (16)

From Jacob Esparza, regarding the Funding Reallocation - Our City, Our Home Homelessness Gross Receipts Tax - Services to Prevent Homelessness - \$16,360,000. File No. 230657. Copy: Each Supervisor. (17)

From members of the public, regarding the proposed Ordinance amending the Planning Code to encourage housing production. File No. 230446. 2 Letters. Copy: Each Supervisor. (18)

From Chris Ward Kline, regarding the acquisition and use of electronic surveillance equipment. Copy: Each Supervisor. (19)

From Mary Wynne, regarding John F. Kennedy Drive. Copy: Each Supervisor. (20)

From Susan Witka, regarding the Resolution authorizing the Recreation and Park Department to issue a permit for Another Planet Entertainment LLC to hold a ticketed concert at the Golden Gate Park Polo Fields on the Friday, Saturday, and Sunday following the Outside Lands Festival in 2024, 2025 and 2026. File No. 230710. Copy: Each Supervisor. (21)

From Lucy Ho, regarding San Francisco Municipal Transit Agency enforcement. Copy: Each Supervisor. (22)

From members of the public, regarding remote public comment. 2 Letters. Copy: Each Supervisor. (23)

From members of the public, regarding the hiring of three Patrol Special Officers. 2 Letters. Copy: Each Supervisor. (24)

From Sophia De Anda, regarding Urban Alchemy. 3 Letters. Copy: Each Supervisor. (25)

From members of the public, regarding reparations. 3 Letters. Copy: Each Supervisor. (26)

From members of the public, regarding the use of herbicides. 4 Letters. Copy: Each Supervisor. (27)

From members of the public, regarding homelessness. 6 Letters. Copy: Each Supervisor. (28)

From members of the public, regarding the Vehicle Triage Center (VTC) at Candlestick

Point State Recreation Area (CPSRA). 8 Letters. Copy: Each Supervisor. (29)

From Monica D., regarding various subjects. 18 Letters. Copy: Each Supervisor. (30)

From members of the public, regarding Supervisor Matt Dorsey's request for a study on drug dealing defendants' eligibility for taxpayer-funded legal counsel. 33 Letters. Copy: Each Supervisor. (31)

From members of the public, regarding No Turn on Red Lights citywide. 65 Letters. Copy: Each Supervisor. (32)

From members of the public, regarding algal blooms. 124 Letters. Copy: Each Supervisor. (33)

From members of the public, in opposition of DGO 6.21 censoring San Francisco Police Department regarding public post on social media. 200 Letters. Copy: Each Supervisor (34)

From Aaron Goodman, regarding transit infrastructure and development in the San Francisco Bay Area. Copy: Each Supervisor. (35)

From Wynship Hillier, regarding the Behavioral Health Commission. Copy: Each Supervisor. (36)

ADJOURNMENT