## **BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO**

## AGENDA

<u>IN-PERSON MEETING</u> Legislative Chamber, Room 250 City Hall, 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

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> PUBLIC COMMENT CALL-IN 1 (415) 655-0001/ Meeting ID: 2484 139 2261 # #

> > Tuesday, March 8, 2022 - 2:00 PM

**Regular Meeting** 

SHAMANN WALTON, PRESIDENT

CONNIE CHAN, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, MYRNA MELGAR, AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI

Angela Calvillo, Clerk of the Board

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#### BOARD COMMITTEES

<u>Committee Membership</u>	Meeting Days
<b>Budget and Appropriations Committee</b> Supervisors Haney, Safai, Mar, Ronen, Walton	Wednesday 1:00 PM
Budget and Finance Committee	Wednesday
Supervisors Haney, Safai, Mar	10:30 AM
Government Audit and Oversight Committee	1st and 3rd Thursday
Supervisors Preston, Chan, Mandelman	10:00 AM
Land Use and Transportation Committee	Monday
Supervisors Melgar, Preston, Peskin	1:30 PM
Public Safety and Neighborhood Services Committee	2nd and 4th Thursday
Supervisors Mar, Stefani, Haney	10:00 AM
Rules Committee	Monday
Supervisors Peskin, Mandelman, Chan	10:00 AM
Youth, Young Adult, and Families Committee	2nd Friday
Supervisors Ronen, Safai, Melgar	10:00 AM

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

#### **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 <u>https://sfbos.org/legislative-research-center-lrc</u>.

#### **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) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing 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 the public testimony time limit. 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 a document displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting. Hard copy documents may not be shared during in-person meetings.

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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.

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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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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 sotf@sfgov.org. Citizens may obtain a free company of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <a href="https://www.sfbos.org/sunshine">https://www.sfbos.org/sunshine</a>.

#### **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 https://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 <a href="https://sfethics.org">https://sfethics.org</a>.

#### **Remote Access to Information and Participation**

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Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <u>https://sfbos.org/meetings/42</u>.

#### PUBLIC COMMENT CALL-IN

<u>1 (415) 655-0001 / Meeting ID: 2484 139 2261 # #</u> (Press \*3 to enter the speaker line)

Please visit the Board's website (<u>www.sfbos.org</u>) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.

#### **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 February 1, 2022, Board Meeting Minutes.

#### **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. <u>220224</u> [Formal Policy Discussions - March 8, 2022]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topic submitted from the Supervisor representing District 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. Seasonal and Event Workers' Health Care Security and Employment Opportunities (District 11)

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 7

#### **Recommendations of the Budget and Finance Committee**

Present: Supervisors Haney, Safai, Mar

#### 2. 220014 [Appropriation and De-Appropriation - Children, Youth and Their Families -Public Works - \$85,000 - FY2021-2022] Sponsor: Safai

Ordinance de-appropriating \$85,000 previously appropriated to the Department of Children, Youth and Their Families (CHF) and re-appropriating \$85,000 to the Department of Public Works (DPW) for street maintenance for Fiscal Year (FY) 2021-2022.

03/01/2022; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

#### 3. 220040 [Accept and Expend Grant and Amend the Annual Salary Ordinance -Retroactive - Board of State and Community Corrections - Resentencing Pilot Program - \$750.0001

#### Sponsor: Safai

Ordinance retroactively authorizing the Public Defender's Office (PDR) to accept and expend a grant in the amount of \$750,000 from the Board of State and Community Corrections, to comply with Penal Code, Section 1170.01(e)'s mandate to use these funds to support the resentencing of individuals under newly enacted Penal Code, Section 1170.03, for example, by "ensuring adequate staffing of deputy public defenders and other support staff to represent incarcerated persons under consideration for resentencing, identifying and recommending incarcerated persons" who should be considered for resentencing, "and developing reentry and release plans" for the period of September 1, 2021, through September 1, 2024; and to amend the Annual Salary Ordinance No. 109-21 (Annual Salary Ordinance, File No. 210644 for Fiscal Years 2021-2022 and 2022-2023) to provide for the addition of two grant-funded positions, one FTE in Class 8446 Court Alternative Specialist I and one FTE in Class 8173 Legal Assistant for the PDR Resentencing Pilot Program. (Public Defender)

03/01/2022: PASSED ON FIRST READING.

#### **Recommendations of the Land Use and Transportation Committee**

Present: Supervisors Haney, Safai, Mar

#### 4. <u>210116</u> [Planning Code, Zoning Map - Central Neighborhoods Large Residence Special Use District]

#### Sponsor: Mandelman

Ordinance amending the Planning Code and Zoning Map to create the Central Neighborhoods Large Residence Special Use District (the area within a perimeter established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East), to preserve and enhance neighborhood context and affordability by, among other things, requiring Conditional Use authorization for large residential developments in the district and prohibiting new residential development or expansion of an existing Residential Building that would result in any Dwelling Unit exceeding 4,000 square feet of Gross Floor Area in most circumstances; making a determination of compliance with the California Environmental Quality Act: and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience. necessity, and welfare under Planning Code, Section 302.

(Pursuant to Charter Section 4.105, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to reverse the Planning Commission's finding of non-conformity with the General Plan).

03/01/2022; PASSED ON FIRST READING.

#### Question: Shall this Ordinance be FINALLY PASSED?

#### 5. <u>210898</u> [Planning Code - Landmark Designation - One Montgomery Street (aka 1-25 Montgomery Street) (Crocker National Bank Building)] Sponsor: Peskin

Ordinance amending the Planning Code to designate One Montgomery Street (aka 1-25 Montgomery Street), Crocker National Bank Building, Assessor's Parcel Block No. 0292, Lot Nos. 001A and 002, 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)

03/01/2022; PASSED ON FIRST READING.

#### 6. <u>220037</u> [Planning Code - Landmark Designation - "Allegory of California," The City Club of San Francisco (formerly Pacific Stock Exchange Luncheon Club), 155 Sansome Street]

#### Sponsors: Peskin; Melgar, Preston and Mandelman

Ordinance amending the Planning Code to designate the fresco, titled "Allegory of California," in the grand stairwell between 10th and 11th floors of The City Club of San Francisco (former Pacific Stock Exchange Luncheon Club), within 155 Sansome Street, Assessor's Parcel Block No. 0268, Lot No. 001A, 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)

03/01/2022; PASSED ON FIRST READING.

#### Question: Shall this Ordinance be FINALLY PASSED?

#### Recommendation of the Youth, Young Adult, and Families Committee

Present: Supervisors Ronen, Safai, Melgar

## 7. <u>211293</u> [Forgiveness of Appropriation Advances for San Francisco Unified School District - \$26,600,000]

#### Sponsors: Mayor; Ronen, Safai and Mar

Ordinance waiving the condition in Ordinance Nos. 33-19 and 169-19 that required the San Francisco Unified School District to repay the City a total amount of \$26,600,000 using revenues from the voter-approved parcel tax in June 2018's Proposition G; and rescinding the direction in those Ordinances to the Controller to transfer funds from accumulated balances of Proposition G revenues to repay the General Fund advances.

(Fiscal Impact)

03/01/2022; PASSED ON FIRST READING.

#### **REGULAR AGENDA**

#### UNFINISHED BUSINESS

#### **Recommendation of the Land Use and Transportation Committee**

Present: Supervisors Haney, Safai, Mar

#### 8. <u>211263</u> [Planning Code - Massage Establishment Zoning Controls] Sponsors: Mandelman; Ronen and Preston

Ordinance amending the Planning Code to revise Massage Establishment zoning controls to regulate Massage Establishments generally consistent with regulation of Health Services, with some exceptions, including to make Massage Establishments principally permitted if accessory to a Health Service; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

03/01/2022; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

03/01/2022; PASSED ON FIRST READING AS AMENDED.

#### Question: Shall this Ordinance be FINALLY PASSED?

#### Recommendation of the Youth, Young Adult, and Families Committee

Present: Supervisors Ronen, Safai, Melgar

#### 9. 211296 [Administrative Code - Amending the Family Friendly Workplace Ordinance] Sponsors: Chan; Melgar, Ronen, Walton, Safai, Peskin, Preston and Mar Ordinance amending the Administrative Code to provide under the Family Friendly Ordinance that Employees shall be permitted a Flexible or Predictable Working Arrangement unless such an arrangement would cause an Employer undue hardship; requiring Employers to engage in an interactive process to find a mutually agreeable Flexible or Predictable Working Arrangement; strengthening enforcement of the Ordinance; and making other changes, as defined herein.

03/01/2022; NOT CONTINUED ON FIRST READING.

03/01/2022; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

03/01/2022; PASSED ON FIRST READING AS AMENDED.

#### **NEW BUSINESS**

#### **Recommendations of the Budget and Finance Committee**

Present: Supervisors Haney, Safai

#### 10. <u>211292</u> [Various Codes - Street Vendor Regulation]

Sponsors: Mayor; Safai, Ronen, Mar and Haney

Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.

(Fiscal Impact)

(Racial Equity Impact)

#### Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Haney, Safai, Mar

#### 11. <u>211295</u> [Park Code - Admission Fees at the Gardens of Golden Gate Park] Sponsors: Mayor; Mar

Ordinance amending the Park Code to waive fees for admission by San Francisco residents to the Japanese Tea Garden and the Conservatory of Flowers; to authorize the Recreation and Park Department to waive or discount other admission fees at these facilities as well as at the San Francisco Botanical Garden (all three collectively, "the Gardens"); to require the Recreation and Park Department to begin waiving admission fees for Veterans at the Gardens; to fund these changes by reauthorizing the Recreation and Park Department to set admission fees for non-resident adults at the Gardens through flexible pricing, based on certain factors and to ensure consistency among all three Gardens; and affirming the Planning Department's determination under the California Environmental Quality Act.

#### Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 12. <u>220001</u> [Accept and Expend Grant and Amend the Annual Salary Ordinance -Department of Cannabis Control - Local Jurisdiction Assistance Grant Program - \$3,075,769]

Ordinance authorizing the Office of Cannabis to accept and expend a grant award in the amount of \$3,075,769 from the Department of Cannabis Control for the Local Jurisdiction Assistance Grant Program for a term of on-or-around February 11, 2022, through March 31, 2025; and amending Ordinance No. 109-21 (Annual Salary Ordinance File No. 210644 for Fiscal Years 2021-2022 and 2022-2023) to provide for the addition of one grant funded Class 1824 Principal Administrative Analyst position (FTE 0.20), one grant funded Class 1823 Senior Administrative Analyst position (FTE 1.0), and three grant funded class 1822 Administrative Analyst positions (FTE 3.0) at the Office of Cannabis for the period of on-or-around February 11, 2022, through March 31, 2025. (City Administrator)

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 13. <u>220035</u> [Accept and Expend Grant - Retroactive - The Andrew W. Mellon Foundation -Jail and Reentry Services Program - Amendment to the Annual Salary Ordinance - FYs 2021-2022 and 2022-2023 - \$2,000,000] Sponsor: Mayor

Ordinance retroactively authorizing the San Francisco Public Library to accept and expend a grant award in the amount of \$2,000,000 from the Andrew W. Mellon Foundation for the Jail and Reentry Services Program for the period of January 1, 2022, through December 31, 2023; and amending Ordinance No. 109-21 (Annual Salary Ordinance File No. 210644 for Fiscal Years (FYs) 2021-2022 and 2022-2023) to provide for the addition of one grant-funded full-time position in Class 3630 Librarian 1 (1.0 FTE), one grant-funded full-time position in Class 1822 Administrative Analyst (1.0 FTE), and one grant-funded full-time position in Class 1823 Senior Administrative Analyst (1.0 FTE) at the Public Library for the period of January 1, 2022, though December 31, 2023. (Public Library)

Question: Shall this Ordinance be PASSED ON FIRST READING?

# 14. 220074 [Professional Services Agreement - APX Inc. - Power Scheduling Coordination Services and Related Support Services - Not to Exceed \$134,742,800] Resolution authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute Power Enterprise Operating Budget-funded Agreement No. PRO.0152 with APX Incorporated to assist with power scheduling coordination services required for the SFPUC's participation in the California Independent System Operator electricity market, for an amount not to exceed \$\$134,742,800 and with services anticipated to begin in April 2022, and end in March 2027, for a term of five years. (Public Utilities Commission)

(Fiscal Impact)

#### Question: Shall this Resolution be ADOPTED?

#### 15. <u>220075</u> [Public Auction - Tax-Defaulted Real Property]

Resolution authorizing the Tax Collector to sell at public auction certain parcels of tax-defaulted real property, as defined herein. (Treasurer-Tax Collector)

#### Question: Shall this Resolution be ADOPTED?

#### 16. <u>220076</u> [Trustee Agreement - Retroactive - The Bank of New York Mellon Trust Company, N.A. - San Francisco International Airport Revenue Bonds - Not to Exceed \$3,800,000]

Resolution 1) approving Modification No. 6 to Airport Contract No. 9186 with The Bank of New York Mellon Trust Company, N.A., for bond trustee services, to increase the contract amount by \$1,050,000 for a new total not to exceed amount of \$3,800,000 to commence following approval by the Board of Supervisors; 2) retroactively approving Airport Contract No. 9186 with a contract amount of \$260,000 with a term date of November 4, 1991, to an indefinite term; 3) retroactively from December 4, 2001, approving Modification No. 1 to increase the contract amount by \$600,000 for a total not to exceed amount of \$860,000; 4) retroactively from February 6, 2006, approving Modification No. 2 to increase the contract amount by \$900,000 for a total not to exceed amount of \$1,760,000; 5) retroactively from April 1, 2012, approving Modification No. 3 to increase the contract amount by \$800,000 for a total not to exceed amount of \$2,560,000; 6) retroactively from April 1, 2017, approving Modification No. 4 to increase the contract amount by \$190,000 for a total not to exceed amount of \$2,560,000; 6) retroactively from April 1, 2017, approving Modification No. 4 to increase the contract amount by \$190,000 for a total not to exceed amount of \$2,750,000; and 7) retroactively from June 1, 2018, approving Modification No. 5 to update the Trustee fee payment schedule, with no changes to the contract amount. (Airport Commission)

#### (Fiscal Impact)

#### Question: Shall this Resolution be ADOPTED?

#### 17. <u>220133</u> [Execute Standard Agreement and Accept and Expend - California Department of Housing and Community Development - 2021 Homekey Grant - 1321 Mission Street - Not to Exceed \$54,788,000] Sponsors: Mayor and Haney; Safai

Resolution authorizing the Department of Homelessness and Supportive Housing (HSH) to execute a Standard Agreement with the California Department of Housing and Community Development for up to \$54,778,000 of Project Homekey grant funds; to accept and expend those funds for the acquisition of the property located at 1321 Mission Street (the "Property") for permanent supportive housing and to support its operations upon execution of the Standard Agreement through June 30, 2026; approving and authorizing HSH to commit approximately \$16,000,000 in required matching funds for acquisition of the property, and a minimum of five years of operating costs; authorizing the Director to enter into any additions, amendments, or other modifications to the Standard Agreement and the Homekey Documents that do not materially increase the obligations or liabilities, or materially decrease the benefits to the City; affirming the Planning Department's determination under the California Environmental Quality Act; and adopting the Planning Department's findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

#### (Fiscal Impact)

#### Question: Shall this Resolution be ADOPTED?

#### **Recommendation of the Budget and Appropriations Committee**

Present: Supervisors Haney, Safai, Mar, Ronen, Walton

18. <u>220136</u> [Board of Supervisors Budget Process - FYs 2022-2023 and 2023-2024] Sponsors: Haney; Walton, Safai, Ronen, Mar, Melgar, Chan, Preston and Mandelman

Motion establishing goals for the Board of Supervisors' Budget and Appropriations Committee, and the process to guide the Board's deliberations on the City budget, for Fiscal Years (FYs) 2022-2023 and 2023-2024.

Question: Shall this Motion be APPROVED?

#### **Recommendations of the Land Use and Transportation Committee**

Present: Supervisors Melgar, Preston, Peskin

#### 19. <u>211021</u> [Planning Code - Landmark Designation - 447 Battery Street (aka Jones-Thierbach Coffee Company Building] Sponsor: Peskin

Ordinance amending the Planning Code to designate 447 Battery Street (aka Jones-Thierbach Coffee Company Building), Assessor's Parcel Block No. 0206, Lot No. 002, 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?

#### 20. <u>220009</u> [Planning Code - Landmark Designation - 1801 Green Street (aka Golden Gate Valley Carnegie Library)] Sponsors: Stefani; Peskin

Ordinance amending the Planning Code to designate 1801 Green Street (aka Golden Gate Valley Carnegie Library), Assessor's Parcel Block No. 0554, Lot No. 001, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

#### Question: Shall this Ordinance be PASSED ON FIRST READING?

#### **Recommendations of the Public Safety and Neighborhood Services Committee**

Present: Supervisors Mar, Stefani, Haney

#### 21. <u>211304</u> [Departmental Overdose Prevention Policies - Annual Submission - 2021] Sponsor: Mayor

Resolution receiving the 2021 Overdose Prevention Policies for the Department of Public Health, Department of Homelessness and Supportive Housing, Healthy Streets Operation Center through the Department of Emergency Management, and Human Services Agency describing how the department and its grantees that provide direct services to clients who use drugs will promote strategies to reduce drug overdoses, submitted as required by Administrative Code, Section 15.17.

#### Question: Shall this Resolution be ADOPTED?

22. 220018 [Liquor License Transfer - 550 Sutter Street - Pacific Cocktail Haven] Resolution determining that the transfer of a Type-48 on-sale general public premises liquor license to Pacific Cocktail Haven at 550 Sutter Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

#### Question: Shall this Resolution be ADOPTED?

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

Women's History Month

#### SPECIAL ORDER 3:00 P.M.

#### Board of Supervisors Sitting as a Committee of the Whole

Scheduled pursuant to Board of Supervisors Resolution Nos. 030-22 and 029-22 (File Nos. 211308 and 211307), adopted by the Board of Supervisors on January 25, 2022.

PUBLIC COMMENT WILL BE TAKEN 1 (415) 655-0001 / Meeting ID: 2484 139 2261 # #

(Press \*3 to enter the speaker line)

#### 23. <u>220083</u> [Hearing - Committee of the Whole - Establish and Incur Bonded Indebtedness - Special Tax District No. 2022-1 (Power Station) - March 8, 2022, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on March 8, 2022, at 3:00 p.m., to hold a public hearing to consider the establishment of the City and County of San Francisco Special Tax District No. 2022-1 (Power Station), Improvement Area No. 1 and a Future Annexation Area, and determining other matters in connection therewith; and to consider incurring bonded indebtedness and other debt for the City and County of San Francisco Special Tax District No. 2022-1 (Power Station), and determining other matters in connection therewith; scheduled pursuant to Resolutions contained in the Board of Supervisors File Nos. 211308 and 211307, adopted by the Board of Supervisors on January 25, 2022. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

#### **Committee of the Whole Adjourn and Report**

#### From the Board

#### 24. <u>220085</u> [Calling Special Election - Improvement Area No. 1 of City and County of San Francisco Special Tax District No. 2022-1 (Power Station)] Sponsors: Mayor; Walton

Resolution calling a special election in Improvement Area No. 1 of the City and County of San Francisco Special Tax District No. 2022-1 (Power Station); and determining other matters in connection therewith, as defined herein.

#### Question: Shall this Resolution be ADOPTED?

#### 25. <u>220088</u> [Determining Necessity to Incur Bonded Indebtedness and Other Debt -Special Tax District No. 2022-1 (Power Station)] Sponsors: Mayor; Walton

Resolution determining necessity to incur bonded indebtedness and other debt for the City and County of San Francisco Special Tax District No. 2022-1 (Power Station); and determining other matters in connection therewith, as defined herein.

#### Question: Shall this Resolution be ADOPTED?

#### 26. <u>220086</u> [Declaring Results of Special Election - Improvement Area No. 1 of City and County of San Francisco Special Tax District No. 2022-1 (Power Station)] Sponsors: Mayor; Walton

Resolution declaring the results of a special election and directing recording of notice of special tax lien for Improvement Area No. 1 of the City and County of San Francisco Special Tax District No. 2022-1 (Power Station); and determining other matters in connection therewith, as defined herein.

Question: Shall this Resolution be ADOPTED?

#### 27. <u>220087</u> [Resolution of Formation - City and County of San Francisco Special Tax District No. 2022-1 (Power Station)] Sponsors: Mayor; Walton

Resolution of formation of City and County of San Francisco Special Tax District No. 2022-1 (Power Station), Improvement Area No. 1 and a Future Annexation Area; and determining other matters in connection therewith, as defined herein.

Question: Shall this Resolution be ADOPTED?

#### 28. <u>220084</u> [Levying Special Taxes - Special Tax District No. 2022-1 (Power Station)] Sponsors: Mayor; Walton Ordinance levying special taxes within the City and County of San Francisco Special Tax District No. 2022-1 (Power Station).

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### **29. 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.

#### **30. 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 visual displayed should provide in advance of the meeting to the Clerk of the Board (<u>bos.legislation@sfgov.org</u>), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

PUBLIC COMMENT CALL-IN <u>1 (415) 655-0001 / Meeting ID: 2484 139 2261 # #</u> (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 31 through 37 will be taken during Item 30 - General Public Comment.)

#### Items 31 through 37

#### 31. <u>220215</u> [Recognizing Problem Gambling Awareness Month - March] Sponsor: Mar

Resolution recognizing March as Problem Gambling Awareness Month in the City and County of San Francisco.

03/01/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

#### Question: Shall this Resolution be ADOPTED?

#### 32. <u>220216</u> [Declaring the Intent to Waive Fee for Major Encroachment Permit -Goettingen Street Steps of Wisdom Stairway] Sponsor: Ronen

Resolution of intent to waive the Major Encroachment Permit fee and ongoing fees for the Goettingen Street Steps of Wisdom Stairway.

03/01/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

## 33. <u>220217</u> [Declaring the Intent to Waive Fee for Major Encroachment Permit - Ramsell Street Mosaic Mural Stairs]

Sponsor: Safai

Resolution of intent to waive the Major Encroachment Permit fee and ongoing fees for the Ramsell Street Mosaic Mural Stairs.

03/01/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

#### Question: Shall this Resolution be ADOPTED?

## 34. <u>220185</u> [Appointment, Child Care Planning and Advisory Council - Yensing Sihapanya]

Motion appointing Yensing Sihapanya, term ending March 19, 2023, to the Child Care Planning and Advisory Council. (Clerk of the Board)

02/23/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

#### Question: Shall this Motion be APPROVED?

#### **35.** <u>220188</u> [Appointment, Bicycle Advisory Committee - Jina Bartholomew Lux] Motion appointing Jina Bartholomew Lux, term ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board)

02/24/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

#### Question: Shall this Motion be APPROVED?

**36.** <u>220221</u> [Findings to Allow Teleconferenced Meetings During Declared Emergency] Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board)

03/01/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?** 

 37.
 220222
 [Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments - June 7, 2022, Statewide Direct Primary Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 7, 2022, Statewide Direct Primary Election. (Clerk of the Board)

03/02/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

#### 38. 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. <u>1 (415) 655-0001 / Meeting ID: 2484 139 2261 # #</u> (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 <a href="http://www.sfbos.org/legislation">http://www.sfbos.org/legislation</a> 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

220186 [Accept and Expend Grant - Retroactive - State of California - Board of State and Community Corrections - County Resentencing Pilot Program -Amendment to the Annual Salary Ordinance - FYs 2021-2022 and 2022-2023 -\$1,350,000]

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$1,350,000 from the State of California Board of State and Community Corrections to fund the County Resentencing Pilot Program; and amending Ordinance No. 109-21 (Annual Salary Ordinance File No. 210644 for Fiscal Years (FYs) 2021-2022 and 2022-2023) to provide for the addition of one grant-funded position in Class 8177 Attorney-Civil/Criminal (FTE 1.0) and one grant-funded position in Class 8173 Legal Assistant (FTE 1.0) in the Office of the District Attorney for the period of September 1, 2021, through September 1, 2024. (District Attorney)

02/18/2022; RECEIVED FROM DEPARTMENT.

03/08/2022; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

## <u>220190</u> [Planning Code - Landmark Designation - 2261 Fillmore Street (aka Clay Theatre)]

Ordinance amending the Planning Code to designate 2261 Fillmore Street (aka Clay Theatre), Assessor's Parcel Block No. 0630, Lot No. 002, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; and 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. (Historic Preservation Commission)

02/24/2022; RECEIVED FROM DEPARTMENT.

03/08/2022; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

#### **220191** [Settlement of Lawsuit - David Alfaro, et al. - \$3,626,444.85]

Ordinance authorizing final settlement of the lawsuit filed by David Alfaro, et al. against the City and County of San Francisco for \$3,626,444.85; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the claims for statutory attorney's fees, costs and interest and completely resolves the litigation. (City Attorney)

02/25/2022; RECEIVED FROM DEPARTMENT.

03/08/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

#### 220193 [Settlement of Lawsuit - Dennis Richards, Rachel Swann, Six Dogs, LLC -\$1,800,000]

Ordinance authorizing settlement of the lawsuit filed by Dennis Richards, Rachel Swann and Six Dogs, LLC against the City and County of San Francisco for \$1,800,000; the lawsuit was filed on February 21, 2020, in United States District Court, Case No. 20-cv-01242-JCS; entitled Dennis Richards, et al. v. Department of Building Inspection, et al.; the lawsuit involves alleged civil rights violations and claims that the Department of Building Inspection revoked building permits to retaliate against persons critical of the Department. (City Attorney)

02/25/2022; RECEIVED FROM DEPARTMENT.

03/08/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

#### **220194** [Settlement of Lawsuit - Leticia Avila - \$275,000]

Ordinance authorizing settlement of the lawsuit filed by Leticia Avila against the City and County of San Francisco for \$275,000.00; the lawsuit was filed on December 4, 2019, in San Francisco Superior Court, Case No. CGC-19-581286; entitled Leticia Avila vs. City and County of San Francisco, Human Services Agency; the lawsuit involves an employment dispute. (City Attorney)

02/25/2022; RECEIVED FROM DEPARTMENT.

03/08/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

#### **220195** [Settlement of Lawsuit - Lawrence Thomas - \$150,000]

Ordinance authorizing settlement of the lawsuit filed by Lawrence Thomas against the City and County of San Francisco for \$150,000; the lawsuit was filed on July 28, 2020, in San Francisco Superior Court, Case No. CGC-20-585622; entitled David Hawkins and Lawrence Thomas v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

02/25/2022; RECEIVED FROM DEPARTMENT.

03/08/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

#### PROPOSED RESOLUTIONS

### 220196 [Contract Agreement - Alliant Insurance Services, Inc. - Insurance Brokerage Services - Not to Exceed \$75,000,000]

Resolution authorizing the City Administrator, through the Director of the Risk Management Division, to enter into a contract for insurance brokerage services with Alliant Insurance Services for an amount not to exceed \$75,000,000 for a three-year term to commence on July 1, 2022, through June 30, 2025, with three two-year options to renew at the City's sole and absolute discretion, pursuant to Charter, Section 9.118. (City Administrator)

02/28/2022; RECEIVED FROM DEPARTMENT.

03/08/2022; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

220197 [Contract Agreement - Arthur J. Gallagher & Co. Insurance Brokers of California, Inc. - Insurance Brokerage Services - Not to Exceed \$30,000,000] Resolution authorizing the City Administrator, through the Director of the Risk Management Division, to enter into a contract for insurance brokerage services with Arthur J. Gallagher & Co. Insurance Brokers of California, Inc. for an amount not to exceed \$30,000,000 for a three year term to commence on July 1, 2022, through June 30, 2025, with three two-year options to renew at the City's sole and absolute discretion pursuant to Charter, Section 9.118. (City Administrator)

02/28/2022; RECEIVED FROM DEPARTMENT.

03/08/2022; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

#### **220230** [Petitions and Communications]

Petitions and Communications received from February 24, 2022, through March 3, 2022, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on March 8, 2022.

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, pursuant to Administrative Code, Chapter 47, Section 47.3, submitting a report on Priority for Veterans with an Affordable Housing Preference. Copy: Each Supervisor. (1)

From the Office of the Mayor, withdrawing the Initiative Ordinance, entitled "Surveillance Technology," from the June 2022 ballot. Copy: Each Supervisor. (2)

From the Office of the Mayor, making appointments to the following bodies. Copy: Each Supervisor. (3)

Renominations pursuant to Charter, Section 8A.102:

- San Francisco Municipal Transportation Agency Board of Directors
- o Stephanie Cajina term ending March 1, 2026
- o Gwyneth Borden term ending March 1, 2026

Appointment pursuant to Charter, Section 7.102 and 3.100(18):

- Juvenile Probation Commission
  - o Linda Martley-Jordan term ending January 15, 2026

From the Board of Supervisors, Office of the President, submitting the updated 2022 Board Committee Assignments. Copy: Each Supervisor. (4)

From the Department of Public Health, pursuant to Administrative Code, Section 10.100-205, submitting the Annual Report on Gifts Received by Department of Public Health in Fiscal Year 2021. Copy: Each Supervisor. (5)

From the Office of the City Attorney, submitting the updated Order of the Health Officer No. C19-07y. Copy: Each Supervisor. (6)

From San Francisco Police Department, Chief of Police, William Scott, requesting an extension to respond to a letter of inquiry submitted on February 18, 2022, by Supervisor Ronen. Copy: Each Supervisor. (7)

From the California Fish and Game Commission, submitting a notice of proposal for a 90-day extension of emergency regulations concerning clam, sand crab, and shrimp gear. Copy: Each Supervisor. (8)

From Robert Lieberman, regarding street conditions in the Castro. Copy: Each Supervisor. (9)

From Jessica Kasanitsky, regarding the November 2020 Proposition K budget implementation. Copy: Each Supervisor. (10)

From Latinos In Heritage Conservation, regarding a landmark designation of Diego Rivera's fresco, titled "Allegory of California." File Nos. 210352 and 201778. Copy: Each Supervisor. (11)

From a concerned citizen, regarding City spending on homelessness. 3 Letters Copy: Each Supervisor. (12)

From Mira Martin-Parker, regarding the University of California, San Francisco on Parnassus Avenue. Copy: Each Supervisor. (13)

From Richard Hannum, regarding zoning concerns. Copy: Each Supervisor. (14)

From Zacks, Freedman & Patterson, regarding an Ordinance amending the Planning Code to revise the definition of Group Housing. File. No. 211299. Copy: Each Supervisor. (15)

From the San Francisco Chamber of Commerce, regarding an Ordinance amending the Administrative Code to provide under the Family Friendly Ordinance that Employees shall be permitted a Flexible or Predictable Working Arrangement. File No. 211296. Copy: Each Supervisor. (16)

From Moscone Emblidge & Rubens, regarding an appeal of Conditional Use authorization approval at 249 Texas Street. File Nos. 210791 and 211275. Copy: Each Supervisor. (17)

From concerned citizens, regarding the Great Highway. 111 Letters. Copy: Each Supervisor. (18)

From concerned citizens, regarding John F. Kennedy Drive. 65 Letters. Copy: Each Supervisor. (19)

From concerned citizens, regarding public community spaces. 28 Letters. Copy: Each Supervisor. (20)

From concerned citizens, regarding Valencia Street. 27 Letters. Copy: Each Supervisor. (21)

From concerned citizens, regarding a Treasure Island toll proposal. 27 Letters. Copy: Each Supervisor. (22)

From concerned citizens, regarding the San Francisco Municipal Transportation Agency. 2 Letters. Copy: Each Supervisor. (23)

From concerned citizens, regarding Sunday Streets. 2 Letters. Copy: Each Supervisor. (24)

From concerned citizens, regarding COVID-19 mask and vaccine mandates. 2 Letters. Copy: Each Supervisor. (25)

From concerned citizens, regarding liquid and diesel fuels. File No. 220173. 3 Letters. Copy: Each Supervisor. (26)

From Amy, regarding homelessness and fire risks. Copy: Each Supervisor. (27)

From Charles Buntjer, regarding rent increases. Copy: Each Supervisor. (28)

From Sam Fleischmann, regarding an Ordinance amending the Planning Code and Zoning Map to create the Central Neighborhoods Large Residence Special Use District. File No. 210116. Copy: Each Supervisor. (29)

From Raymond Ng, regarding a proposed cannabis shop at 800 Taraval. Copy: Each supervisor. (30)

From the Inner Mission Neighborhood Association, regarding street trees. Copy: Each Supervisor. (31)

From the Golden Gate Restaurant Association, regarding an Ordinance amending the Administrative Code to provide under the Family Friendly Ordinance that Employees shall be permitted a Flexible or Predictable Working Arrangement. File No. 211296. Copy: Each Supervisor. (32)

From the Tenderloin Community Benefit District, regarding an Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions. File No. 211292. Copy: Each Supervisor. (33)

#### ADJOURNMENT