

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO MEETING MINUTES

Tuesday, December 13, 2022 - 2:00 PM

## IN-PERSON MEETING

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

*(remote access provided)*

*(remote public comment provided via teleconference)*

[www.sfgovtv.org](http://www.sfgovtv.org)

## Regular Meeting

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SHAMANN WALTON, PRESIDENT

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

Angela Calvillo, Clerk of the Board

## BOARD COMMITTEES

### Committee Membership

#### **Budget and Appropriations Committee**

Supervisors Ronen, Safai, Chan, Mar, Walton

#### **Budget and Finance Committee**

Supervisors Ronen, Safai, Chan

#### **Government Audit and Oversight Committee**

Supervisors Preston, Chan, Mandelman

#### **Land Use and Transportation Committee**

Supervisors Melgar, Preston, Peskin

#### **Public Safety and Neighborhood Services Committee**

Supervisors Mar, Stefani, Melgar

#### **Rules Committee**

Supervisors Peskin, Mandelman, Chan

#### **Youth, Young Adult, and Families Committee**

Supervisors Ronen, Safai, Dorsey

### Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

2nd Friday

10:00 AM

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

Volume 117 Number 39

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**Members Present:** Connie Chan, Matt Dorsey, Rafael Mandelman, Gordon Mar, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, and Shamann Walton

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*The Board of Supervisors of the City and County of San Francisco met in regular session, in-person with remote access and public comment also available via telephone, on Tuesday, December 13, 2022, with President Shamann Walton presiding.*

*President Walton called the meeting to order at 2:00 p.m.*

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

*The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 28, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).*

*Members of the public may submit their comments by email to: [bos@sfgov.org](mailto:bos@sfgov.org); all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Committee agendas and their associated documents are available at <https://sfbos.org/meetings/42>.*

*Please visit the Board's website ([www.sfbos.org](http://www.sfbos.org)) 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 or [bos@sfgov.org](mailto:bos@sfgov.org).*

### **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*On the call of the roll, Supervisors Chan, Dorsey, Mandelman, Mar, Melgar, Peskin (remote), Preston, Ronen, Safai, Stefani, and Walton were noted present.*

*All Members of the Board were present.*

*President Walton presented the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula, pursuant to Board Rule 4.7.1.*

## COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes in-person or by dialing the provided telephone number. In-person public comment will be taken before remote public comment is called. Those who are providing public comment remotely must dial \* 3 to be added to the remote queue to speak. Written comments may be submitted through email ([bos@sfgov.org](mailto:bos@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

## APPROVAL OF MEETING MINUTES

*President Walton inquired whether any Member of the Board had any corrections to the November 8, 2022, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.*

**Supervisor Mandelman, seconded by Supervisor Stefani, moved to approve the November 8, 2022, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:**

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

## AGENDA CHANGES

*There were no agenda changes.*

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

*Mayor London N. Breed addressed the Board of Supervisors regarding how the Police Department operates, its policies around contextual traffic stops, and the proposal to ban police from enforcing certain traffic laws. Mayor Breed then discussed the above referenced topics submitted by the District 5 and 7 Supervisors.*

*Clerk Calvillo informed the Board that the topic submitted by the District 5 Supervisor, Supervisor Preston, was received by the Clerk of the Board by the deadline, pursuant to Administrative Code, Section 2.11, but the topic was not timely submitted to the Mayor. Nevertheless, Mayor Breed agreed to engage in the discussion with the District 5 Supervisor.*

*Supervisor Preston began the discussions by asking the following question: Do you still support the opening of safe consumption sites in San Francisco as soon as possible? Mayor Breed responded that she does support safe consumption sites and was one of the first Members of the Board to support them. The number of overdoses is still high and safe consumption sites were never intended to be a long-term solution. There are challenges and legal issues that need to be addressed and the Mayor encouraged the Board to reach out and meet with her to discuss solutions to those challenges.*

*Supervisor Preston then followed up with the following question: Six months ago, you announced the closure of the Tenderloin Center with no replacement site announced, do you still commit to opening a safe consumption site in the Tenderloin? Mayor Breed responded that the overdose response is only part of the plan, and everyone needs to be honest about public safety enforcement. The open drug markets need to be shut down and the drug dealers need to be dealt with. In addition to service needs, accountability needs to be addressed.*

*Supervisor Melgar began the discussions by asking the following question: What is your vision for how the crisis response initiatives can be integrated, and how will we assess their overall success? Mayor Breed responded that to be successful we need a nuanced approach to provide quality services to those in need in a timely manner. To meet those needs, street teams, clinicians, and various other service workers are required and our operating partners will be required to provide monthly reports to the Department of Emergency Management. The City must continue or strengthen its collaboration with our state partners and to spread the word on services available.*

*Following public comment this matter was filed. No further action was taken.*

**221260 [Formal Policy Discussions - December 13, 2022]**

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

The following two topics were noticed on the agenda representing Districts 5 and 7.

1. Overdose Prevention (District 5)
2. Vision and desired outcomes for Compassionate Alternative Response Team (CART) and other non-law enforcement tools to address the homelessness and mental health crises (District 7)

*Mayor London N. Breed addressed the Board of Supervisors regarding how the Police Department operates, its policies around contextual traffic stops, and the proposal to ban police from enforcing certain traffic laws. Mayor Breed then discussed the above referenced topics submitted by the District 5 and 7 Supervisors.*

*Clerk Calvillo informed the Board that the topic submitted by the District 5 Supervisor, Supervisor Preston, was received by the Clerk of the Board by the deadline, pursuant to Administrative Code, Section 2.11, but the topic was not timely submitted to the Mayor. Nevertheless, Mayor Breed agreed to engage in the discussion with the District 5 Supervisor.*

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*Supervisor Preston then followed up with the following question: Six months ago, you announced the closure of the Tenderloin Center with no replacement site announced, do you still commit to opening a safe consumption site in the Tenderloin? Mayor Breed responded that the overdose response is only part of the plan, and everyone needs to be honest about public safety enforcement. The open drug markets need to be shut down and the drug dealers need to be dealt with. In addition to service needs, accountability needs to be addressed.*

*Supervisor Melgar began the discussions by asking the following question: What is your vision for how the crisis response initiatives can be integrated, and how will we assess their overall success? Mayor Breed responded that to be successful we need a nuanced approach to provide quality services to those in need in a timely manner. To meet those needs, street teams, clinicians, and various other service workers are required and our operating partners will be required to provide monthly reports to the Department of Emergency Management. The City must continue or strengthen its collaboration with our state partners and to spread the word on services available.*

*Following public comment this matter was filed. No further action was taken.*

**HEARD AND FILED**

## CONSENT AGENDA

### Recommendation of the Government Audit and Oversight Committee

#### **221118 [Settlement of Lawsuit - Victor Jimenez - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Victor Jimenez against the City and County of San Francisco for \$100,000; the lawsuit was filed on July 20, 2021, in San Francisco Superior Court, Case No. CGC-21-593613; entitled Victor Jimenez v. City and County of San Francisco; the lawsuit alleged property damage and personal injuries arising from a dangerous condition of public property, i.e., a sinkhole that opened in the roadway underneath plaintiff's vehicle. (City Attorney)

**PASSED ON FIRST READING**

### Recommendations of the Land Use and Transportation Committee

#### **220811 [Planning Code - Automotive Uses]**

**Sponsors: Mayor; Mandelman**

Ordinance amending the Planning Code to increase density on lots with auto-oriented uses where housing is permitted, except for Residential-Mixed (RM) and Residential-Commercial (RC) districts and designated historic districts, but which do not currently have any residential use or a legacy business, and to remove the Conditional Use requirement to change the use of an Automobile Service Station or Automotive Use to another use, and amend zoning control tables to reflect this change; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare as required by Planning Code, Section 302.

**Ordinance No. 264-22**

**FINALLY PASSED**

#### **221065 [General Plan - Adopting the 2022 Safety & Resilience Element]**

Ordinance amending the San Francisco General Plan by repealing the 2012 Community Safety Element and adopting the 2022 Safety & Resilience Element; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and general welfare under Planning Code, Section 340, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Department)

**Ordinance No. 260-22**

**FINALLY PASSED**

**221103 [Fire Code - Repealing 2019 Code, Adopting 2022 Code]****Sponsors: Mayor; Peskin and Chan**

Ordinance repealing the existing San Francisco Fire Code in its entirety and enacting a new San Francisco Fire Code consisting of the 2022 California Fire Code and portions of the 2018 International Fire Code, together with amendments specific to San Francisco, including provisions for fees for permits, inspections, and various City services, with an operative date of January 1, 2023; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

**Ordinance No. 248-22****FINALLY PASSED****221165 [Planning Code - Landmark Designation - St. James Presbyterian Church]****Sponsor: Walton**

Ordinance amending the Planning Code to designate St. James Presbyterian Church, at 240 Leland Avenue, Assessor's Parcel Block No. 6246, Lot No. 012, 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)

**Ordinance No. 263-22****FINALLY PASSED****Recommendations of the Rules Committee****221024 [Administrative Code - Special Needs Trusts as Retirement Beneficiaries]****Sponsors: Safai; Mandelman and Chan**

Ordinance amending the Administrative Code to permit members of the San Francisco Employees' Retirement System (SFERS) to designate Special Needs Trusts as retirement beneficiaries in certain circumstances, and to specify requirements for those trusts.

**Ordinance No. 259-22****FINALLY PASSED****221126 [Administrative Code - Social Impact Commitments in Contracting]****Sponsors: Ronen; Safai, Preston, Stefani, Peskin, Chan, Mar, Walton, Melgar, Dorsey and Mandelman**

Ordinance amending the Administrative Code to authorize the San Francisco Public Utilities Commission to include Social Impact Commitment criteria as a qualitatively scored element in solicitations for certain contracts at designated thresholds.

**Ordinance No. 261-22****FINALLY PASSED**

**221159 [Memorandums of Understanding - Citywide Amendment - Hospital and Skilled Nursing Facility COVID-19 Worker Retention Pay]****Sponsor: Mayor**

Ordinance adopting and implementing an Amendment to the current Memorandums of Understanding and Collective Bargaining Agreements between the City and County of San Francisco and each of the Unions identified in Appendix A of the Proposed Amendment, to provide hospital and skilled nursing facility Covid-19 worker retention pay to select classifications of workers, effective January 31, 2023.

**Ordinance No. 262-22**

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### **Referred Without Recommendation from the Land Use and Transportation Committee**

**220875 [Park Code - Upper Great Highway - Pilot Weekend and Holiday Vehicle Restrictions]****Sponsors: Mar; Preston, Dorsey and Mandelman**

Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.

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

**Ordinance No. 258-22**

**FINALLY PASSED by the following vote:**

Ayes: 9 - Dorsey, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Noes: 2 - Chan, Melgar

## **Recommendation of the Rules Committee**

### **220641 [Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law, and approving the Police Department's use of Equipment Policy.

**Ordinance No. 257-22**

**FINALLY PASSED** by the following vote:

Ayes: 10 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Noes: 1 - Dorsey

## **NEW BUSINESS**

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

*President Walton requested File Nos. 221069 and 221106 be called together.*

### **221069 [Public Works Code - Exemption of Banner Fees and Inspection Fees - Leather and LGBTQ Cultural District and SoMa Pilipinas-Filipino Cultural Heritage District]** **Sponsors: Dorsey; Ronen, Safai and Mandelman**

Ordinance amending the Public Works Code to exempt the Leather and Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Cultural District from banner permit fees and inspection fees for the placement of up to 200 banners on up to 200 City-owned poles within that Cultural District; and to codify the existing exemption of the SoMa Pilipinas - Filipino Cultural Heritage District from banner permit fees and inspection fees for the placement of up to 300 banners on up to 300 City-owned poles within that Cultural District; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

**PASSED ON FIRST READING** by the following vote:

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

### **221106 [Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk Sales During the Holiday Season]**

**Sponsors: Stefani; Mandelman, Dorsey, Chan, Preston, Ronen and Safai**

Ordinance waiving the fee required under Public Works Code, Section 724.1(b), for temporary street space occupancy permits on San Francisco streets on November 25-27, December 2-4, and December 9-11, 2022, to promote sidewalk sales of merchandise during the holiday season; and affirming the Planning Department's determination under the California Environmental Quality Act.

**PASSED ON FIRST READING** by the following vote:

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

**221123 [Appropriation - \$4,711,123 in Tax Increment Revenue Bond Proceeds - Treasure Island Infrastructure and Revitalization Financing District - FY2022-2023]****Sponsors: Mayor; Safai, Ronen and Dorsey**

Ordinance appropriating \$4,711,123 from the issuance of Treasure Island Infrastructure and Revitalization Financing District (IRFD) No. 1 Tax Increment Revenue Bonds and appropriating to the affordable housing project in the Mayor's Office of Housing and Community Development in Fiscal Year (FY) 2022-2023.

(Fiscal Impact)

*Supervisor Dorsey requested to be added as a co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

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

*President Walton requested File Nos. 221156, 221171, 221157, 221158, and 221170 be called together.*

**221156 [Lease and Property Management Agreement - Dolores Street Community Services - 5630-5638 Mission Street - Not to Exceed \$10,741,000; Certain Administrative Code Waivers]****Sponsors: Mayor; Safai**

Ordinance 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing ("HSH") to enter into a Lease and Property Management Agreement ("Agreement") with Dolores Street Community Services to lease, operate, and maintain the real property and residential improvements at 5630-5638 Mission Street ("Property") for an initial five-year term to commence upon the first day of the month following the effective date of this Ordinance with one five-year option to extend, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$10,741,000; 2) determining, in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings that the Property is "exempt surplus land" under the California Surplus Land Act; 4) exempting the Property from contracting requirements in Administrative Code, Chapter 6, but requiring compliance with the prevailing wage and apprenticeship requirements of Administrative Code, Section 23.61; 5) authorizing the Director of Property and the Executive Director of HSH to make certain modifications to the Agreement and take certain actions in furtherance of the Agreement and this Ordinance, as defined herein; 6) ratifying all prior actions taken by any City employee or official with respect to the Agreement; and 7) affirming the Planning Department's determination under the California Environmental Quality Act, and adopting the Planning Department's findings that the Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

**PASSED ON FIRST READING by the following vote:**

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

**221171 [Lease and Property Management Agreement - Housing for Independent People, Inc. - 333-12th Street - Not to Exceed \$20,080,000]****Sponsors: Mayor; Dorsey and Safai**

Resolution 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing (“HSH”) to enter into a Lease and Property Management Agreement (“Agreement”) with Housing for Independent People, Inc. to lease, operate, and maintain the real property and residential improvements located at 333-12th Street for an initial five-year term to commence on February 1, 2023, with an option to extend for up to an additional five years, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$20,080,000; 2) determining in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings declaring that the Property is “exempt surplus land” under the California Surplus Land Act; 4) authorizing the Director of Property and the Executive Director of HSH to execute the Agreement, make certain modifications, and take certain actions in furtherance of the Agreement and this Resolution, as defined herein; 5) ratifying all prior actions taken by any City employee or official with respect to the Agreement, as defined herein; and 6) 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 the Planning Code, Section 101.1.  
(Fiscal Impact)

**Resolution No. 533-22****ADOPTED by the following vote:**

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

**221157 [Lease and Property Management Agreement - Dolores Street Community Services - 3055-3061 16th Street - Not to Exceed \$7,147,000; Certain Administrative Code Waivers]**

**Sponsors: Mayor; Ronen and Safai**

Ordinance 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing ("HSH") to enter into a Lease and Property Management Agreement ("Agreement") with Dolores Street Community Services to lease, operate, and maintain the real property and residential improvements at 3055-3061 16th Street ("Property") for an initial five-year term to commence upon the first day of the month following the effective date of this Ordinance with one five-year option to extend, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$7,147,000; 2) determining, in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose, by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings that the Property is "exempt surplus land" under the California Surplus Land Act; 4) exempting the Property from contracting requirements in Administrative Code, Chapter 6, but requiring compliance with the prevailing wage and apprenticeship requirements of Administrative Code, Section 23.61; 5) authorizing the Director of Property and the Executive Director of HSH to make certain modifications to the Agreement and take certain actions in furtherance of the Agreement and this Ordinance, as defined herein; 6) ratifying all prior actions taken by any City employee or official with respect to the Agreement; and 7) affirming the Planning Department's determination under the California Environmental Quality Act, and adopting the Planning Department's findings that the Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

**PASSED ON FIRST READING by the following vote:**

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

**221158 [Lease and Property Management Agreement - Five Keys Schools and Programs - 835 Turk Street - Not to Exceed \$16,682,000; Certain Administrative Code Waivers]**  
**Sponsors: Mayor; Stefani, Safai and Preston**

Ordinance 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing (“HSH”) to enter into a Lease and Property Management Agreement (“Agreement”) with Five Keys Schools and Programs to lease, operate, and maintain the real property and residential improvements at 835 Turk Street (“Property”) for an initial five-year term to commence upon the first day of the month following the effective date of this Ordinance with one five-year option to extend, and base rent of \$1 per year with no annual rent increases, and for net property management and operating costs to be paid by the City in a total five-year amount not to exceed \$16,682,000; 2) determining, in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Agreement will serve a public purpose, by providing Permanent Supportive Housing for formerly homeless and low-income households; 3) adopting findings that the Property is “exempt surplus land” under the California Surplus Land Act; 4) exempting the Property from contracting requirements in Administrative Code, Chapter 6, but requiring compliance with the prevailing wage and apprenticeship requirements of Administrative Code, Section 23.61; 5) authorizing the Director of Property and the Executive Director of HSH to make certain modifications to the Agreement and take certain actions in furtherance of the Agreement and this Ordinance, as defined herein; 6) ratifying all prior actions taken by any City employee or official with respect to the Agreement; and 7) affirming the Planning Department’s determination under the California Environmental Quality Act, and adopting the Planning Department’s findings that the Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
(Fiscal Impact)

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

**PASSED ON FIRST READING by the following vote:**

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

**221170 [Execute Standard Agreement and Accept and Expend Grant - California Department of Housing and Community Development - 2021 Homekey Grant - 333-12th Street - Not to Exceed \$56,578,000]**  
**Sponsors: Mayor; Dorsey, Ronen and Preston**

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 a total amount not to exceed \$56,578,000 of Project Homekey grant funds; to accept and expend those funds for the acquisition of the property located at 333-12th Street for Permanent Supportive Housing for families and to support its operations upon execution of the Standard Agreement through June 30, 2026; approving and authorizing HSH to commit approximately \$98,800,000 in required matching funds for acquisition of the property and a minimum of five years of operating subsidy; 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; and authorizing HSH 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 of the City or materially decrease the benefits to the City. (Department of Homelessness and Supportive Housing)  
(Fiscal Impact)

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

**Resolution No. 531-22**

**ADOPTED by the following vote:**

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

**221169 [Apply for Grant - California Natural Resources Agency's Urban Greening Program - Planting Trees and Growing Green Jobs Project - South of Market Tree Nursery - \$456,250]**

**Sponsors: Mayor; Dorsey, Ronen, Chan, Safai and Mandelman**

Resolution authorizing the Department of Public Works to apply to the California Natural Resources Agency's Urban Greening Program for a grant in the amount of \$456,250 to fund the Planting Trees and Growing Green Jobs Project at the South of Market Tree Nursery; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

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

**Resolution No. 541-22**

**ADOPTED by the following vote:**

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

**221173 [Cost-Sharing Agreement - Retroactive - BART - Paratransit Services - Reimbursement by BART]**

**Sponsors: Mayor; Melgar, Safai and Mandelman**

Resolution retroactively authorizing the Director of Transportation to execute a new Cost-Sharing Agreement for paratransit services between the City and County of San Francisco, through the Municipal Transportation Agency (SFMTA), and the Bay Area Rapid Transit District (BART), under which BART will reimburse the SFMTA for providing BART's paratransit services within San Francisco for a one year period from July 1, 2022, through June 30, 2023, with nine one-year automatic renewal options, for a maximum term of ten years. (Municipal Transportation Agency)

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

**Resolution No. 542-22**

**ADOPTED by the following vote:**

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

**Recommendations of the Government Audit and Oversight Committee**

*President Walton requested File Nos. 220863, 220865, 220891, and 221089 be called together.*

**220863 [Fisherman's Wharf Landside Community Benefit District and Fisherman's Wharf Portside Community Benefit District - Annual Report - FY2020-2021]**

**Sponsor: Peskin**

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et seq.), Section 36650, and the Districts' Management Agreements with the City, Section 3.4.

**Resolution No. 536-22**

**ADOPTED by the following vote:**

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

**220865 [Japantown Community Benefit District - Annual Report - FY2020-2021]****Sponsors: Preston; Chan**

Resolution receiving and approving an annual report for the Japantown Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4.

**Resolution No. 537-22****ADOPTED by the following vote:**

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

**220891 [Noe Valley Community Benefit District - Annual Report - FY2020-2021]****Sponsor: Mandelman**

Resolution receiving and approving an annual report for the Noe Valley Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

**Resolution No. 538-22****ADOPTED by the following vote:**

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

**221089 [North of Market/Tenderloin Community Benefit District - Annual Report - FY2020-2021]****Sponsors: Preston; Dorsey**

Resolution receiving and approving an annual report for the North of Market/Tenderloin Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

**Resolution No. 535-22****ADOPTED by the following vote:**

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

*President Walton requested File Nos. 221052 and 221174 be called together.*

**221052 [Settlement of Unlitigated Claim - 100-120 Powell Owner L.P., L.L.C. - \$5,362,325]**

Resolution approving the settlement of the unlitigated claim filed by 100-120 Powell Owner L.P., L.L.C. against the City and County of San Francisco for \$5,362,325; the claim was filed on January 14, 2022; the claim involves allegations of property damage to the Hotel Union Square caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney)

**Resolution No. 539-22****ADOPTED by the following vote:**

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

**221174 [Settlement of Unlitigated Claims against Sunset Scavenger Company, et al. - San Francisco Refuse Ratepayers to Receive \$25,000,000 Credit to Offset Cost of Living Adjustments and Rate Increases]**

**Sponsors: Mayor; Peskin**

Resolution approving the settlement of pre-litigation claims against Sunset Scavenger Company, Golden Gate Disposal & Recycling Company, Recology San Francisco, and Recology Properties Inc. through the acceptance of a \$25,000,000 reimbursement to San Francisco ratepayers; the claims involve alleged retention of profits above the 9 percent target profit approved in the 2017 public rate setting process, and the timing and appropriateness of cost of living adjustments to rates; additional material terms of the settlement are that rental costs of select real properties will not be passed through to ratepayers once acquisition costs are paid, and ratepayers will be reimbursed for up to approximately \$26,000,000 in rental payments in the event that those properties are no longer available for the benefit of San Francisco refuse ratepayers.

**Resolution No. 543-22**

**ADOPTED by the following vote:**

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

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

**221082 [Agreement Amendment - Caltrans Maintenance Agreement - Incorporate Traffic Control Devices]**

**Sponsors: Mayor; Walton**

Resolution approving the Third Amendment to the Agreement for Maintenance of State Highways in San Francisco between the City and the State of California Department of Transportation (Caltrans) to include City's maintenance and operation of additional traffic control devices on right-of-way within Caltrans jurisdiction, along State Route 280, on eastbound Alemany Boulevard at San Bruno Avenue; affirming the Planning Department's determination under the California Environmental Quality Act; and authorizing the Public Works Director to enter into modifications and amendments to the Third Amendment that do not materially increase the obligations or liabilities to the City or materially decrease the public benefits accruing to the City and are necessary to effectuate the purposes of the project or this Resolution.

**Resolution No. 534-22**

**ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **221117 [Mayoral Appointment, Treasure Island Development Authority Board of Directors - Jeanette Howard]**

Motion approving the Mayor's nomination for appointment of Jeanette Howard to the Treasure Island Development Authority Board of Directors, term ending February 26, 2025. (Clerk of the Board) (Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are not City officers are only effective upon approval by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal Date: October 26, 2022.)

**Motion No.** M22-194

**APPROVED by the following vote:**

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

### **221225 [Appointments, Immigrant Rights Commission - Jessie Ruiz Navarro, Haregu Gaime, Kudrat Dutta Chaudhary, Marco Senghor, and Elahe Enssani]**

Motion appointing Jessie Ruiz Navarro, Haregu Gaime (residency requirement waived), Kudrat Dutta Chaudhary, Marco Senghor, and Elahe Enssani, terms ending June 6, 2024, to the Immigrant Rights Commission. (Rules Committee)

**Motion No.** M22-195

**APPROVED by the following vote:**

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

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

*Without objection, Rule 5.36 of the Rules of the Board of Supervisors was suspended to grant privilege of the floor to the following guest(s).*

*Supervisor Stefani and President Walton introduced, welcomed, and presented a Certificate of Honor to Hala Hajazi in recognition of her six years serving on the Human Rights Commission and 22 years of public service for the City and County of San Francisco. Supervisors Mandelman, Dorsey, Melgar, Mar, Preston, and Safai shared in this commendation.*

*Supervisor Dorsey introduced, welcomed, and presented a Certificate of Honor to Matthew Rothschild in recognition of his years of public service for the City and County of San Francisco, Office of the City Attorney. Supervisors Chan, Peskin, Stefani, Safai, and Walton shared in this commendation.*

## SPECIAL ORDER 3:00 P.M.

*President Walton requested File Nos. 221141, 221142, 221143, and 221144 be called together.*

### **221141 [Hearing - Appeal of Conditional Use Authorization Approval - 4835 Mission Street]**

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 202.2, 303, and 720 of the Planning Code, for a proposed project at 4835 Mission Street, Assessor's Parcel Block No. 6272, Lot No. 021, identified in Planning Case No. 2021-011352CUA, issued by the Planning Commission by Motion No. 21178, dated September 29, 2022, to establish an approximately 1,300 square-foot Cannabis Retail use within the ground floor commercial space of the existing two-story mixed-use building, with no on-site smoking or vaporizing of cannabis products within the Excelsior Outer Mission Street NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. (District 11) (Appellant: Olinda Meza Vega) (Filed October 31, 2022) (Clerk of the Board)

*President Walton opened the public hearing and Supervisor Safai provided opening remarks, indicating he would be making a motion to continue this matter to a future date. The President then inquired as to whether any individual wished to address the Board regarding the proposed continuance. Speaker; Speaker; Speaker; Speaker; Speaker; Speaker; Ellen Grant; Speaker; Speaker; Joe Kunzler; Yolanda Williams; Speaker; spoke on various concerns relating to the proposed continuance. There were no other speakers. President Walton closed public comment on the continuance.*

**Supervisor Safai, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of January 24, 2023. The motion carried by the following vote:**

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

### **221142 [Approving Conditional Use Authorization - 4835 Mission Street]**

Motion approving the decision of the Planning Commission by its Motion No. 21178, approving a Conditional Use Authorization, identified as Planning Case No. 2021-011352CUA, for a proposed project located at 4835 Mission Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

**Supervisor Safai, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of January 24, 2023. The motion carried by the following vote:**

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

### **221143 [Conditionally Disapproving the Conditional Use Authorization - 4835 Mission Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 21178, approving a Conditional Use Authorization, identified as Planning Case No. 2021-011352CUA, for a proposed project at 4835 Mission Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

**Supervisor Safai, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of January 24, 2023. The motion carried by the following vote:**

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

**221144 [Preparation of Findings Related to Conditional Use Authorization - 4835 Mission Street]**

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2021-011352CUA for a proposed project at 4835 Mission Street. (Clerk of the Board)

**Supervisor Safai, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of January 24, 2023. The motion carried by the following vote:**

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

## COMMITTEE REPORTS

### Recommendation of the Land Use and Transportation Committee

**221110 [Initiating Landmark Designation - 1200 Taraval Street (aka Parkside Library)]**

**Sponsors: Mar; Chan, Melgar and Peskin**

Resolution initiating a landmark designation under Article 10 of the Planning Code of 1200 Taraval Street (aka Parkside Library) in the Sunset District, Assessor's Parcel Block No. 2351, Lot No. 001.

**Resolution No. 540-22**

**ADOPTED by the following vote:**

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

### Recommendation of the Public Safety and Neighborhood Services Committee

**221124 [Police Code - Private Sector Military Leave Pay]**

**Sponsors: Mar; Melgar, Dorsey, Preston, Stefani, Walton and Safai**

Ordinance amending the Police Code to require private employers to pay employees who are military reservists and are called for military duty the difference between their military salary and their salary as employees, for up to 30 days in a calendar year, and to create procedures for implementation and enforcement of this requirement.

**PASSED ON FIRST READING by the following vote:**

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

## **Recommendations of the Rules Committee**

### **Supervisor Safai Excused from Voting**

Supervisor Ronen, seconded by Supervisor Mandelman, moved that Supervisor Safai be excused from voting on File No. 221224. The motion carried by the following vote:

Ayes: 10 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani, Walton  
Excused: 1 - Safai

### **221224 [Appointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Ahsha Safai]**

Motion appointing Supervisor Ahsha Safai, term ending January 31, 2023, to the Golden Gate Bridge, Highway and Transportation District Board of Directors. (Clerk of the Board)

**Motion No. M22-196**

**APPROVED by the following vote:**

Ayes: 10 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani, Walton  
Excused: 1 - Safai

### **221226 [Mayoral Reappointment, Redevelopment Successor Agency Oversight Board - Anna Van Degna]**

Motion approving/rejecting the Mayor's nomination for reappointment of Anna Van Degna to the Redevelopment Successor Agency Oversight Board, term ending January 24, 2026. (Clerk of the Board)

(Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: December 2, 2022)

*(This item was not sent as a committee report.)*

### **221227 [Mayoral Reappointment, Redevelopment Successor Agency Oversight Board - Moses Corrette]**

Motion approving/rejecting the Mayor's nomination for reappointment of Moses Corrette to the Redevelopment Successor Agency Oversight Board, term ending January 24, 2026. (Clerk of the Board)

(Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: December 2, 2022.)

*(This item was not sent as a committee report.)*

**221228 [Reappointment, Metropolitan Transportation Commission - Supervisor Hillary Ronen]**

Motion reappointing Supervisor Hillary Ronen, term ending February 10, 2027, or the conclusion of her term as a Member of the Board of Supervisors, to the Metropolitan Transportation Commission. (Clerk of the Board)

*(This item was not sent as a committee report.)*

**221239 [Mayoral Reappointment, Historic Preservation Commission - Kate Black]**

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

(Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: December 1, 2022.)

**Motion No.** M22-197

**APPROVED** by the following vote:

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

*President Walton recessed the meeting at 5:02 p.m. and reconvened at 5:03 p.m.*

**221240 [Intent to Reappoint, Police Commission - Cindy Elias]**

Motion of intent to confirm the reappointment of Cindy Elias, term ending April 30, 2027, to the Police Commission. (Clerk of the Board)

*APPROVED* by the following vote:

*Ayes: 8 - Chan, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton*

*Noes: 3 - Dorsey, Mandelman, Stefani*

*Supervisor Stefani, seconded by Supervisor Dorsey, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Motion No.** M22-198

**APPROVED** by the following vote:

Ayes: 8 - Chan, Mar, Melgar, Peskin, Preston, Ronen, Safai, Walton

Noes: 3 - Dorsey, Mandelman, Stefani

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Linda Chapman; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Denhi Donis; shared their experience being displaced by eviction and expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Cheyenne Tate; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Yasmine Williams; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Carolina Ayala; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Speaker; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Adriana Villareal; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Doris Logos; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Maria Tejo; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Tsu Ping Nang; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Julio Alvarado; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*David Schmidt; expressed support of the Resolution of intent to not appropriate funds for recruitment services and urging the reappointment of the incumbent Director of Elections (File No. 221210).*

*Brent Turner; expressed support of the Resolution of intent to not appropriate funds for recruitment services and urging the reappointment of the incumbent Director of Elections (File No. 221210).*

*Juanello; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Roger Sandoval; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Leticia Seguerra; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Martin Francisco Cerda Guido; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Bilal Nadine; shared their experience losing her job at Twitter and expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Olga Miranda; expressed support of the Resolution urging employers to comply with the Displaced Workers Act (File No. 221250).*

*Maria Vallejo Howard; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Marina; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Christian Jimenez; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Miguel Carrera; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Sonya Bartes; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

*Dennis Williams, Jr.; expressed concerns regarding the oversight and grant funding of black project developers.*

Marnie Regan; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Elsa Lund; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Jamie Lang; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Antonio; expressed concerns regarding COVID and expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Beverly Upton; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Jennifer Friedenbach; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Susan Witka; expressed gratitude for an In Memoriam provided and support of various Resolutions.

Chris Romero; expressed support of the Resolution of intent to not appropriate funds for recruitment services and urging the reappointment of the incumbent Director of Elections (File No. 221210).

Jordan Davis; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249), newly introduced legislation on a wellness hub, and used harassing remarks pertaining to certain Members of the Board, violating City policy and governing law prohibiting discrimination against or harassment of City employees. (Clerk Calvillo interrupted and informed the speaker that the content and tone of her comments were not appreciated; the speaker yielded the remainder of her time.)

Kelly; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Peter Estes; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249) and newly introduced legislation.

Speaker; shared concerns regarding services that encourage drug use and the continuation of retail theft when there are no consequences.

Leslie Saber; expressed concerns regarding pretextual traffic stops and the need to review the Police Department's policies.

Dawson Noah; expressed support of newly introduced legislation urging internet service providers to provide affordable internet connections.

Yolanda Williams; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

David Pilpel; expressed support of an In Memoriam and various Resolutions, and expressed concerns regarding the Resolution certifying the November 2022 Election results (File No. 221252).

Tom Wolfe; expressed concerns regarding newly introduced legislation on wellness hubs, drug overdoses and safe consumption sites.

Ian James; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Maricela; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Barry Toronto; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249) and concerns regarding the Municipal Transportation Agency and the plight of taxi medallion holders.

Joe Kunzler; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249) and certain Members of the Board.

Jessica Hernandez; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Alan Brego; expressed concerns regarding the election of the Board of Supervisors President.

Alani; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Tracy Nixon; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

Seamus McGeever; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).

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*Shiva Bendida; expressed support of the Resolution urging the City to prevent displacement of families at the Oasis Inn (File No. 221249).*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **221252 [Declaration of Election Results - November 8, 2022, Consolidated General Election]**

Resolution declaring the results of the November 8, 2022, Consolidated General Election. (Clerk of the Board)

**Resolution No. 544-22**

**ADOPTED**

### **221241 [Appointment, Park, Recreation, and Open Space Advisory Committee - Therese Oxford]**

Motion appointing Therese Oxford, terms ending February 1, 2023, and February 1, 2025, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board)

**Motion No. M22-199**

**APPROVED**

### **221256 [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)

**Motion No. M22-200**

**APPROVED**

### **221233 [Final Map No.10332 3000-3008 Larkin Street & 884-898 North Point Street]**

Motion approving Final Map No. 10332, a four-lot vertical subdivision; lot one being a five-unit residential condominium project; lot three being three-unit commercial condominium project, located at 3000-3008 Larkin Street and 884-898 North Point Street, being a subdivision of Assessor's Parcel Block No. 0025, Lot No. 024; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-201**

**APPROVED**

### **221234 [Final Map No. 9625 - 1532 Howard Street]**

Motion approving Final Map No. 9625, a 15-unit residential condominium project, located at 1532 Howard Street, being a subdivision of Assessor's Parcel Block No. 3511, Lot No. 015; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-202**

**APPROVED**

**221235 [Final Map No. 10314 - 764 Cole Street]**

Motion approving Final Map No. 10314, a six-unit residential condominium project, located at 764 Cole Street, being a subdivision of Assessor's Parcel Block No. 1252, Lot No. 033; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-203**

**APPROVED**

**221236 [Final Map No. 10851 - 709 Lyon Street]**

Motion approving Final Map No. 10851, a five residential unit condominium project, located at 709 Lyon Street, being a subdivision of Assessor's Parcel Block No. 1159, Lot No. 004; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-204**

**APPROVED**

**221237 [Final Map No. 11065 - 2750-19th Street]**

Motion approving Final Map No. 11065, a 63 residential unit and two commercial unit mixed-use condominium project, located at 2750-19th Street, being a subdivision of Assessor's Parcel Block No. 4023, Lot No. 004A; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-205**

**APPROVED**

**221238 [Final Map No. 11111 - 793 South Van Ness Avenue]**

Motion approving Final Map No. 11111, a 78-unit mixed-use (75 residential and three commercial) condominium project, located at 793 South Van Ness Avenue, being a subdivision of Assessor's Parcel Block No. 3591, Lot No. 024; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M22-206**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

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

## **Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Peskin requested that File No. 221210 be severed so that it may be considered separately.*

### **221210 [Resolution of Intent to Not Appropriate Funding in FY 2022-2023 for Executive Recruitment Services and Urging Reappointment of Incumbent Director of Elections]**

**Sponsors: Peskin; Chan, Stefani, Mar, Preston, Dorsey, Melgar, Mandelman, Ronen, Walton and Safai**

Resolution declaring the Board of Supervisors' intent to not appropriate funding for the services of an executive recruitment firm to engage in a search for a new Director of Elections, and urging the Elections Commission to reappoint the incumbent Director.

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by adding 'in FY 2022-2023', and Lines 3-4, by adding 'in Fiscal Year (FY) 2022-2023'; and on Page 2, Line 12, by adding 'in Fiscal Year 2022-2023', and Lines 15-19, by adding 'FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco, hereby declares its intent to appropriate funding in Fiscal Year 2026-2027 for the services of an executive recruitment firm for the purpose of hiring a new Director of Elections prior to the May 21, 2027, expiration of the incumbent Director of Elections' next term; and, be it'. The motion carried by the following vote:**

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton  
Resolution declaring the Board of Supervisors' intent to not appropriate funding in Fiscal Year (FY) 2022-2023 for the services of an executive recruitment firm to engage in a search for a new Director of Elections, and intent to appropriate such funding in FY 2026-2027, and urging the Elections Commission to reappoint the incumbent Director.

**Resolution No. 545-22**

**ADOPTED AS AMENDED by the following vote:**

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

*Supervisor Peskin requested that File No. 221249 be severed so that it may be considered separately.*

### **221249 [Urging the Mayor and HSH to Prevent Displacement of Families at the Oasis Inn; Support Efforts to Acquire the Oasis Inn to Safely House Families Experiencing Homelessness]**

**Sponsors: Preston; Stefani, Peskin, Ronen, Walton, Safai, Mar, Dorsey and Melgar**

Resolution urging the Mayor and Department of Homelessness and Supportive Housing (HSH) to prevent displacement of families at the Oasis Inn (located at 900 Franklin Street); and to support efforts to acquire the Oasis Inn to safely house families experiencing homelessness.

*Supervisors Safai, Mar, Dorsey, and Melgar requested to be added as co-sponsors.*

**Resolution No. 546-22**

**ADOPTED by the following vote:**

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

*Supervisor Safai requested that File No. 221250 be severed so that it may be considered separately.*

**221250 [Urging Employers, Including Twitter, Inc., to Comply with the Displaced Workers Act]**

**Sponsors: Safai; Walton, Chan, Mandelman, Dorsey, Mar, Stefani, Ronen, Melgar and Peskin**

Resolution urging employers, including Twitter, Inc., to comply with the Displaced Workers Act, Article 33 of the Police Code, to provide opportunities for janitorial staff and security guards to continue employment.

*Supervisors Chan, Mandelman, Dorsey, Mar, Stefani, Ronen, Melgar, and Peskin requested to be added as co-sponsors.*

**Resolution No. 547-22**

**ADOPTED by the following vote:**

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

*Supervisor Stefani requested that File No. 221251 be severed so that it may be considered separately.*

**221251 [Commending Nancy Pelosi, Speaker of the United States House of Representatives]**

**Sponsors: Stefani; Walton, Chan, Mandelman, Ronen, Peskin, Safai, Dorsey, Melgar, Preston and Engardio**

Resolution commending Nancy Patricia Pelosi for her eight years as Speaker of the United States House of Representatives, serving nearly 20 years as Leader of the House Democratic Caucus, and 35 years of dedicated service to the City and County of San Francisco and to the United States of America.

*Supervisors Chan, Mandelman, Ronen, Mar, Peskin, Safai, and Dorsey requested to be added as co-sponsors.*

**Supervisor Stefani, seconded by Supervisor Dorsey, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of January 24, 2023. The motion carried by the following vote:**

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

*President Walton requested that File No. 221253 be severed so that it may be considered separately. Members of the Board then spoke on Supervisor Mar's last four years of distinguished service as a Member of the Board of Supervisors, congratulated him on his impressive legislative record, and wished him well as he continues to serve the City in his future capacities.*

**221253 [Commending Supervisor Gordon Mar]**

**Sponsor: Board of Supervisors**

Resolution commending and honoring Supervisor Gordon Mar for his decades of work for a fairer and more just San Francisco and his distinguished service on behalf of District 4 as a Member of the San Francisco Board of Supervisors.

**Resolution No. 532-22**

**ADOPTED by the following vote:**

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

## IMPERATIVE AGENDA

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

## ORDINANCES

### 221261 [Planning Code, Zoning Map - The Village Special Use District]

**Sponsors: Mayor; Ronen, Preston, Melgar, Peskin, Dorsey, Safai, Mandelman and Chan**

Ordinance amending the Planning Code and the Zoning Map to add The Village Special Use District, located adjacent to 56 Julian Avenue, at 80 Julian Avenue, and constituting Assessor's Parcel Block No. 3547, Lot No. 52; making findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

12/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/12/2023.

### 221266 [Appropriation - GO Bond Proceeds - Health & Recovery Series 2023A - RPD - \$30,000,000 - Embarcadero Seawall Series 2023B - PRT - \$42,000,000 - Affordable Housing Series 2023C - MOHCD - \$172,000,000 - FY2022-2023]

**Sponsors: Mayor; Safai**

Ordinance appropriating \$30,000,000 of proceeds from Series 2023A Health and Recovery General Obligation (GO) Bonds to the Recreation and Park Department (RPD) for improvements to parks, recreation facilities, and open spaces; \$42,000,000 of proceeds from Series 2023B Embarcadero Seawall GO Bonds to the Port of San Francisco (PRT) for planning, engagement, program management, pilot projects, Embarcadero project pre-design and detailed design, and a flood study with the United States Army Corps of Engineers; \$172,000,000 from Series 2023C Affordable Housing to the Mayor's Office of Housing and Community Development (MOHCD) for public, low-income, preservation and middle income, and senior housing projects in Fiscal Year (FY) 2022-2023; and placing these funds on Controller's Reserve pending receipt of bond proceeds. (Fiscal Impact)

12/13/22; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/12/2023.

**221267 [Accept and Expend Grant and Amendment of Annual Salary Ordinance - Retroactive - California Employment Development Department - Community Economic Resilience Fund Planning Grant - \$5,000,000]**

**Sponsor: Mayor**

Ordinance retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$5,000,000 from the California Economic Development Department for the Community Economic Resilience Fund Planning Grant for the grant period of October 1, 2022, through September 30, 2024; and amending Ordinance No. 162-22 (Annual Salary Ordinance, File No. 220670 for Fiscal Years 2022-2023 and 2023-2024) to provide for the creation of one grant-funded full-time position, in Class 1823 Senior Administrative Analyst (1.0 FTE). (Department of Economic and Workforce Development)

12/13/22; ASSIGNED to Budget and Finance Committee.

**221268 [Administrative Code - Public Works Contracting and Contractor Performance Evaluations]**

**Sponsor: Mandelman**

Ordinance amending the Administrative Code to remove the minimum cost criterion weighting for Design-Build and Construction Manager/General Contractor best value procurements; and to require consideration of available contractor performance evaluations when considering contractors for award of a public works construction contract.

12/13/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2023.

**221269 [Administrative Code - Veterans' Affairs Commission]**

**Sponsor: Peskin**

Ordinance amending the Administrative Code to decrease from 17 to 13 the number of members of the Veterans' Affairs Commission, and make corresponding revisions to qualifications and appointing authorities for members.

12/13/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2023. Referred to the Veterans' Affairs Commission for informational purposes.

**221270 [Administrative Code - Resignations from City Boards and Commissions]**

**Sponsors: Preston; Walton, Ronen, Mar, Peskin and Safai**

Ordinance amending the Administrative Code to establish a City policy against seeking preemptive resignation letters from persons seeking or being considered for appointment or reappointment to City boards and commissions and other City bodies.

(Supervisors Mandelman and Stefani dissented on First Reading.)

12/13/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2023.

**221271 [Administrative Code - Treatment of Shared Spaces on Valencia Street Sidewalk Bulb-Out as Curbside Shared Spaces]**

**Sponsors: Ronen; Safai**

Ordinance waiving specified requirements in the Administrative Code to allow two food service shared spaces on a sidewalk bulb-out on the 500 Block of Valencia Street to be defined as curbside shared spaces, subject to certain requirements; and affirming the Planning Department's determination under the California Environmental Quality Act.

12/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/12/2023.

**221272 [Appropriation - General Reserve - Department of Public Health - Wellness Hubs - \$5,500,000 - FY2022-2023]****Sponsors: Ronen; Safai, Preston, Dorsey, Walton and Chan**

Ordinance appropriating \$5,500,000 of General Fund General Reserves to the Department of Public Health for wellness hubs for the purpose of providing drug and alcohol treatment to members of the public in Fiscal Year (FY) 2022-2023.

(Fiscal Impact; No Budget and Legislative Analyst Report)

12/13/22; ASSIGNED to Budget and Finance Committee.

**RESOLUTIONS****221265 [Sale of General Obligation Bonds (Health and Recovery, 2020), Series 2023A, - Not to Exceed \$30,000,000]****Sponsor: Mayor**

Resolution authorizing the issuance and sale of not to exceed \$30,000,000 aggregate principal amount of one or more series of bonds on a tax-exempt or taxable basis of City and County of San Francisco General Obligation Bonds (Health and Recovery, 2020), Series 2023A; prescribing the form and terms of such bonds and any subseries designation; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.

(Fiscal Impact)

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221273 [Sale of General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018), Series 2023B - Not to Exceed \$42,000,000]****Sponsor: Mayor**

Resolution authorizing the issuance and sale of not to exceed \$42,000,000 aggregate principal amount in one or more series of bonds on a tax-exempt or taxable basis of City and County of San Francisco General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018) Series 2023B; prescribing the form and terms of such bonds; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.

(Fiscal Impact)

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221274 [Sale of General Obligation Bonds (Social Bonds - Affordable Housing, 2019), Series 2023C - Not to Exceed \$172,000,000]****Sponsor: Mayor**

Resolution authorizing the issuance and sale of not to exceed \$172,000,000 aggregate principal amount on a tax-exempt or taxable basis of City and County of San Francisco General Obligation Bonds (Social Bonds-Affordable Housing, 2019) Series 2023C; prescribing the form and terms of such bonds; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.

(Fiscal Impact)

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221275 [Departmental Overdose Prevention Policies - Annual Submission - 2022]****Sponsors: Mayor; Dorsey**

Resolution receiving 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 the 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.

12/13/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**221276 [Apply for Grant - Retroactive - Centers for Disease Control and Prevention - Integrated HIV Surveillance and Prevention Programs for Health Departments - \$7,804,306]**

**Sponsors: Mayor; Dorsey and Mandelman**

Resolution retroactively authorizing the Department of Public Health to submit a one-year application for Calendar Year 2023 to continue to receive funding for the Integrated HIV Surveillance and Prevention Programs for Health Departments from the Centers of Disease Control and Prevention, and requesting \$7,804,306 in HIV prevention funding for San Francisco from January 1, 2023, through May 31, 2024. (Public Health Department)

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221277 [Apply for Grant - Retroactive - Health Resources Services Administration - Ryan White Act HIV/AIDS Emergency Relief Grant Program - \$15,962,602]**

**Sponsors: Mayor; Dorsey and Mandelman**

Resolution retroactively authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program grant from the Health Resources Services Administration; and requesting \$15,962,602 in HIV Emergency Relief Program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2023, through February 29, 2024.

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221278 [Accept and Expend Grant - Retroactive - Blue Shield of California Foundation - Economic Security and Mobility Program - \$200,000]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Department of the Status of Women to accept and expend a grant in the amount of \$200,000 from the Blue Shield of California Foundation for a two-year grant period from October 1, 2022, through September 30, 2024, to launch Women's Economic Security Pilot Programs. (Department on the Status of Women)

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221279 [Execute Standard Agreement and Accept and Expend Grant - California Department of Housing and Community Development - 2021 Homekey Grant - 5630 Mission Street - Not to Exceed \$16,823,000]**

**Sponsors: Mayor; Safai and Ronen**

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 a total amount not to exceed \$16,823,000 of Project Homekey grant funds; to accept and expend those funds for the acquisition of the property located at 5630 Mission Street for Permanent Supportive Housing for transitional aged youth ("TAY") and to support its operations upon execution of the Standard Agreement through June 30, 2026; approving and authorizing HSH to commit approximately \$13,043,500 in required matching funds for acquisition and rehabilitation of the property and a minimum of five years of operating subsidy; affirming the Planning Department's determination under the California Environmental Quality Act; adopting the Planning Department's findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing HSH 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 of the City or materially decrease the benefits to the City.  
(Fiscal Impact)

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221280 [Civic Bridge Program - Behested Payments Waiver]**

**Sponsors: Mayor; Safai**

Resolution authorizing the Office of the Mayor and the Department of Technology to solicit in-kind donations through the Civic Bridge program from various City contractors, notwithstanding the Behested Payments Ordinance.

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221281 [Water Purchase Agreement - Mission Rock Utilities - Water Purchase for Port-Owned Parks and Open Space at Mission Rock - Maximum Cost \$44,656,545]**

**Sponsors: Mayor; Dorsey**

Resolution approving a Water Purchase Agreement between the Port Commission and Mission Rock Utilities for purchase of water for Port-owned parks and open space at Mission Rock, with a term of 30 years up to a maximum cost of \$44,656,545 effective upon approval of this Resolution; and to authorize the Executive Director of the Port to enter into amendments or modifications to the Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Agreement or this Resolution. (Port)  
(Fiscal Impact)

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221282 [Issuance by the California Enterprise Development Authority of Revenue Obligations and TEFRA Hearing for Chinese American International School - Not to Exceed \$20,000,000]**

**Sponsors: Melgar; Chan and Mandelman**

Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority, in an aggregate principal amount not to exceed \$20,000,000 to finance the cost of renovation, construction, installation, equipping and/or furnishing of educational and related facilities to be owned and operated by Chinese American International School, a California nonprofit public benefit corporation.

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221283 [Urging Congress to Enact H.R. 3339 (Davis) - National Infrastructure Bank Act]**

**Sponsors: Preston; Walton, Chan and Mandelman**

Resolution urging Congress to enact the National Infrastructure Bank Act (H.R. 3339) introduced by Representative Danny Davis (D-IL); and the San Francisco Board of Supervisors declares its support and address the infrastructure needs of San Francisco and the Nation.

12/13/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**221284 [Urging Internet Service Providers to Provide Truly Affordable Internet for Senior and Disabled San Franciscans]**

**Sponsors: Preston; Chan, Walton, Melgar, Ronen and Safai**

Resolution urging internet service providers, such as AT&T, Verizon, Comcast, and similar companies to provide affordable internet connections to seniors and people with disabilities in San Francisco.

12/13/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**221285 [Resolution of Intent to Use Some of San Francisco's Financial Recoveries from Opioid Litigation to Open and Operate Wellness Hubs by 2025]**

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

Resolution declaring the Board of Supervisors' intent to use a portion of the abatement funds arising from San Francisco's opioid litigation to open and operate wellness hubs, as outlined by the Department of Public Health's Overdose Prevention Plan, by 2025.

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221286 [Supporting Tartine Bakery Workers and Urging the San Francisco Employee Retirement System to Ensure Their Investments Support Labor Rights and Affordable Housing]**

**Sponsors: Ronen; Walton, Chan and Preston**

Resolution supporting Tartine Bakery workers right to organize and urging the San Francisco Retirement System to reevaluate their investment portfolio to ensure that only companies whose behavior is consistent with the values of San Francisco are included.

12/13/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**221287 [Supporting California State Assembly Bill No. 12 (Haney) - Security Deposits]****Sponsors: Walton; Chan, Preston and Mandelman**

Resolution supporting California State Assembly Bill No. 12, Security Deposits, authored by Assembly Member Matt Haney, to limit the maximum amount of rental security deposits at one month's rent.

12/13/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**MOTION****221288 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - January 10, 2023]****Sponsors: Mandelman; Peskin, Ronen and Chan**

Motion that the Board of Supervisors convene in closed session on January 10, 2023, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1313, petition for review filed August 17, 2020, consolidated with No. 20-1458, petition for review filed November 16, 2020; City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1084, petition for review filed March 23, 2020; consolidated with No. 20-1297, petition for review filed August 3, 2020; in re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. ER22-620-00, filed December 13, 2021; Federal Energy Regulatory Commission Case No. TX21-04-000, filed August 20, 2021; Federal Energy Regulatory Commission Case No. ER20-2878, filed September 15, 2020; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER 20-2878-000 et al, filed September 15, 2020; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. A.20-04-023, filed April 30, 2020; and California Public Utilities Commission Case No. P. 21-07-012, filed July 27, 2021.

12/13/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

### **221289 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - January 10, 2023]**

Closed Session for the Board of Supervisors to convene on January 10, 2023, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1313, petition for review filed August 17, 2020, consolidated with No. 20-1458, petition for review filed November 16, 2020; City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1084, petition for review filed March 23, 2020; consolidated with No. 20-1297, petition for review filed August 3, 2020; in re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. ER22-620-00, filed December 13, 2021; Federal Energy Regulatory Commission Case No. TX21-04-000, filed August 20, 2021; Federal Energy Regulatory Commission Case No. ER20-2878, filed September 15, 2020; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER 20-2878-000 et al, filed September 15, 2020; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. A.20-04-023, filed April 30, 2020; and California Public Utilities Commission Case No. P. 21-07-012, filed July 27, 2021; scheduled pursuant to the Motion contained in File No. 221288, to be considered on January 10, 2023. (Clerk of the Board)

12/13/22; RECEIVED AND ASSIGNED to Board of Supervisors.

**221290 [Hearing - Family and Newcomer Family Homelessness for Students in SFUSD]****Sponsor: Ronen**

Hearing to discuss and understand the scope of and proposed solutions to family and newcomer family homelessness for students and families in the San Francisco Unified School District (SFUSD); and requesting SFUSD, the Department of Homelessness and Supportive Housing, Office of Civic Engagement and Immigrant Affairs, Dolores Street Community Services, and Buena Vista Horace Mann's Stay Over Program to report.

12/13/22; RECEIVED AND ASSIGNED to Youth, Young Adult, and Families Committee.

**221291 [Hearing - Status of Wellness Hubs with the Gubbio Project and the SF AIDS Foundation]****Sponsors: Ronen; Safai, Preston, Dorsey, Walton and Chan**

Hearing to determine why the Department of Public Health (DPH) stopped any plans towards opening wellness hubs with the Gubbio Project and SF AIDS Foundation, and how DPH plans to implement its own Overdose Prevention Plan, address open-air drug use, and improve conditions on the street without the wellness hubs, and discuss which other organizations that DPH has been working with to open and operate wellness hubs; and requesting DPH and the Mayor's Office to report.

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**221292 [Hearing - Performance Measures - Controller's Annual Performance Report]****Sponsors: Safai; Chan**

Hearing to consider the Controller's Annual Performance Report and its impact on the budget and to hear how departments are meeting their performance goals; and requesting the Controller's Office, Fire Department, Public Works, Department of Homelessness and Supportive Housing, Department of Emergency Management, Human Services Agency, Recreation and Park Department, Department of Public Health, Library, Police Department, and City Administrator to report.

12/13/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## **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**

### **221229 [Settlement of Lawsuit - New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility - \$0]**

Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility against the City and County of San Francisco for \$0; the lawsuit was filed on April 21, 2021, in United States District Court for the Northern District of California, Case No. 4:21-cv-02871-JST; entitled New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility v. City and County of San Francisco, California; the lawsuit involves the denial of a Conditional Use Authorization to install a wireless telecommunications facility at 590-2nd Avenue; other material terms of the settlement are approval of the Planning Commission's Conditional Use Authorization based on a modification of the proposed facility's design which moves a screened equipment enclosure away from the building edge, rescission of Board of Supervisors Motions Nos. M21-052, M21-053, and M21-75 that disapproved that Conditional Use Authorization, directed the preparation of findings, and made findings pertaining to the same, dismissal of the lawsuit in its entirety with prejudice; and making environmental findings (City Attorney)

11/29/22; RECEIVED FROM DEPARTMENT.

12/13/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

### **221230 [Settlement of Unlitigated Claims - A2Z Development USA, Inc. - \$1,399,196]**

Resolution approving the settlement of the unlitigated claims filed by A2Z Development USA, Inc. against the City and County of San Francisco for \$1,399,196; the claims were filed on February 28, 2022; the claims involve a refund of payroll expense and gross receipts taxes. (City Attorney)

12/01/22; RECEIVED FROM DEPARTMENT.

12/13/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **221231 [Settlement of Unlitigated Claim - AmerisourceBergen Drug Corporation - \$76,250]**

Resolution approving the settlement of the unlitigated claim filed by AmerisourceBergen Drug Corporation against the City and County of San Francisco for \$76,250; the claim was filed on July 11, 2022; the claim involves an alleged overpayment of Homelessness Gross Receipts Tax penalties and interest for the 2019 tax year. (City Attorney)

12/05/22; RECEIVED FROM DEPARTMENT.

12/13/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**221232 [Tolling Agreement - A-N SFD Owner, LLC - Sir Francis Drake Hotel - Real Property Transfer Tax Dispute]**

Resolution approving a Tolling Agreement to extend the statute of limitations for A-N SFD Owner, LLC for the former Sir Francis Drake Hotel to bring potential litigation against the City and County of San Francisco for a refund of real property transfer tax to allow for possible resolution of the matter without litigation. (City Attorney)

12/05/22; RECEIVED FROM DEPARTMENT.

12/13/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Requests Granted**

*From: Supervisor Ahsha Safai*

*To: The San Francisco Municipal Transportation Agency, San Francisco Police Department Traffic Company, and the San Francisco Public Utilities Commission*

*Requests: Requesting a report on short-term improvements to the Geneva corridor for pedestrian safety, including traffic enforcement, capital projects and lighting assessments.*

*From: Supervisor Catherine Stefani*

*To: Ambulatory Care, Department of Public Health*

*Requests: Requests responses to questions following the Hearing on the state of Jail Health Services held at the Public Safety & Neighborhood Services Committee on December 8, 2022.*

*From: Supervisor Catherine Stefani*

*To: Department of Public Health*

*Requests: Requesting information regarding the Department of Public Health's contract with Research Triangle Institute.*

*From: Supervisor Catherine Stefani*

*To: Department of Public Health*

*Requests: Requesting information on harm reduction and abstinence programs.*

**In Memoriams**

*Juan Carlos Wallace – Supervisor Rafael Mandelman*

*Kenyatta Scott – Supervisor Gordon Mar*

*Michael E. Hardeman – Supervisors Myrna Melgar and Aaron Peskin*

*Francis Collins – Supervisor Dean Preston*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 8:30 p.m.*

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

*Approved by the Board of Supervisors on January 24, 2023.*

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Angela Calvillo, Clerk of the Board