

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, February 28, 2023 - 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

Regular Meeting

AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Chan, Mandelman, Safai, Ronen, Walton

Budget and Finance Committee

Supervisors Chan, Mandelman, Safai

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Homelessness and Behavioral Health Select Committee

Supervisors

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Dorsey, Walton, Safai

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Engardio

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

2nd Friday

10:00 AM

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session, in-person with remote access and public comment also available via telephone, on Tuesday, February 28, 2023, with President Aaron Peskin presiding.

President Peskin 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) 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; 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) 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.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

All Members were present.

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

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 telephone number published on the agenda and scrolling across the screen. 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) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.)*

APPROVAL OF MEETING MINUTES

President Peskin inquired whether any Member of the Board had any corrections to the January 24, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Stefani, moved to approve the January 24, 2023, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

230003 [029-23Settlement of Lawsuit - Ludmila Ulitskaya - \$65,000]

Ordinance authorizing settlement of the lawsuit filed by Ludmila Ulitskaya against the City and County of San Francisco for \$65,000; the lawsuit was filed on May 5, 2021, in San Francisco Superior Court, Case No. CGC-21-591299; entitled Ludmila Ulitskaya v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

PASSED ON FIRST READING

230005 [Settlement of Lawsuit - Nicole Spencer - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Nicole Spencer against the City and County of San Francisco for \$225,000; the lawsuit was filed on January 18, 2021, in San Francisco Superior Court, Case No. CGC-21-589457; entitled Nicole Spencer v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

230006 [Settlement of Lawsuit - Francisco Valle - \$1,950,000]

Ordinance authorizing settlement of the lawsuit filed by Francisco Valle against the City and County of San Francisco for \$1,950,000; the lawsuit was filed on August 30, 2021, in United States District Court-Northern District of California, Case No. 21-cv-5636 EMC; entitled Francisco Valle v. Paolo Morgado, et al.; the lawsuit involves alleged civil rights violations including Brady violations and fabrication of evidence in violation of the Fourteenth Amendment. (City Attorney)

PASSED ON FIRST READING

230007 [Settlement of Unlitigated Claim - AB Taylor Propco LLC - \$2,900,000]

Resolution approving the settlement of the unlitigated claim filed by AB Taylor Propco LLC against the City and County of San Francisco for \$2,900,000; the claim was filed on October 20, 2022; the claim involves allegations of property damage to the Tilden Hotel caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney)

Resolution No. 077-23

ADOPTED

230008 [Settlement of Unlitigated Claim - San Francisco Bay Regional Water Quality Control Board - \$236,500]

Resolution approving the settlement of an unlitigated claim by the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco for \$236,500 for alleged violations of combined sewage discharge permit requirements and state laws from 2013 to 2021. (City Attorney)

Resolution No. 078-23

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

230002 [Administrative Code Waivers - Biogas Utilization Project Agreements, Southeast Treatment Plant]

Ordinance authorizing the San Francisco Public Utilities Commission (SFPUC) to exempt certain design, construction, finance, operation, and maintenance services and related agreements for the Public-Private Partnership (P3) delivery of the Biogas Utilization Project at the Southeast Treatment Plant (SEP), located at 1800 Jerrold Avenue, from Chapters 6, 14B, and 21, and Section 23.30 of the Administrative Code, but requiring compliance with the underlying public policies, including the payment of prevailing wages, implementation of a local business enterprise participation program, and compliance with the City's local hire policy and first source hiring ordinance, as applicable to such agreements, and permitting a best-value selection of the contractor team if the City elects to proceed with the Project after completing its review under the California Environmental Quality Act. (Public Utilities Commission)

PASSED ON FIRST READING by the following vote:

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

230097 [De-Appropriation and Appropriation - District 10 General City Responsibility - District 10 Projects and Services - Various Departments - \$250,000 - FY2022-2023] Sponsor: Walton

Ordinance de-appropriating \$250,000 from General City Responsibility and re-appropriating \$170,000 to the Human Rights Commission for District 10 safety plan implementation, youth activities such as sports, mentoring, college exploration, and on-site school support to District 10 schools, and \$80,000 to the Department of Children, Youth and Their Families for District 10 sports programming for basketball and football in Fiscal Year (FY) 2022-2023. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

220949 [Designation of Agents Authorized to Obtain Disaster and Emergency Assistance Funding]**Sponsor: Mayor**

Resolution authorizing agents to act on behalf of the City and County of San Francisco for all matters pertaining to State and Federal disaster and emergency assistance funding and to provide the assurances and agreements required by the Governor's Office of Emergency Services.

Resolution No. 076-23

ADOPTED by the following vote:

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

President Peskin requested File Nos. 230011, 230012, 230013, 230014, and 230015 be called together.

230011 [Grant Agreement Amendment - Meals on Wheels of San Francisco - Home-Delivered Meal (HDM) Nutrition Services to Older Adults - Not to Exceed \$35,653,759]

Resolution approving the second amendment to the grant agreement between the City and County of San Francisco and the non-profit Meals on Wheels of San Francisco, for the administration of the Home-Delivered Meal (HDM) Nutrition Services to Older Adults program, to increase the grant amount by \$4,173,350 for a total not to exceed amount of \$35,653,759 effective upon approval of this Resolution, with no change to the grant period of July 1, 2021, through June 30, 2025. (Human Services Agency)
(Fiscal Impact)

Resolution No. 079-23

ADOPTED by the following vote:

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

230012 [Grant Agreement Amendment - Project Open Hand - Congregate Nutrition Services for Older Adults - Not to Exceed \$11,782,223]

Resolution approving an amendment to the grant agreement between the City and County of San Francisco and the non-profit Project Open Hand, for the administration of the Congregate Nutrition Services for Older Adults program, to increase the grant amount by \$2,224,772 for a total not to exceed amount of \$11,782,223 effective upon approval of this Resolution, with no change to the grant period of July 1, 2021, through June 30, 2025. (Human Services Agency)
(Fiscal Impact)

Resolution No. 080-23

ADOPTED by the following vote:

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

230013 [Grant Agreement Amendment - Retroactive - San Francisco-Marin Food Bank - Citywide Grocery Access - Not to Exceed \$11,228,328]

Resolution retroactively approving an amendment to the grant agreement between the City and County of San Francisco and the non-profit San Francisco-Marin Food Bank, for the administration of the Citywide Grocery Access program, to increase the grant amount by \$4,930,828 for a total not to exceed amount of \$11,228,328 and to extend the grant period from February 1, 2023, for a total period of July 1, 2022, through June 30, 2023, effective upon approval of this Resolution. (Human Services Agency)
(Fiscal Impact)

Resolution No. 081-23

ADOPTED by the following vote:

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

230014 [Grant Agreement Amendment - Self-Help for the Elderly - Congregate Nutrition Services for Older Adults - Not to Exceed \$11,881,213]

Resolution approving a second amendment to the grant agreement between the City and County of San Francisco and the non-profit Self-Help for the Elderly, for the administration of the Congregate Nutrition Services for Older Adults program, to increase the grant amount by \$1,216,203 for a total not to exceed amount of \$11,881,213 effective upon approval of this Resolution, with no change to the grant period of July 1, 2021, through June 30, 2025. (Human Services Agency)
(Fiscal Impact)

Resolution No. 082-23

ADOPTED by the following vote:

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

230015 [Grant Agreement Amendment - Glide Foundation - Free Meals Program - Not to Exceed \$12,055,383]

Resolution approving a second amendment to the grant agreement between the City and County of San Francisco and the non-profit Glide Foundation, for the administration of the Free Meals Program, to increase the grant amount by \$4,187,149 for a total not to exceed amount of \$12,055,383 effective upon approval of this Resolution, with no change to the grant period of July 1, 2021, through June 30, 2025. (Human Services Agency)
(Fiscal Impact)

Resolution No. 083-23

ADOPTED by the following vote:

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

230049 [Modification to License and Services Agreement - Airport Research and Development Foundation - Application-Based Commercial Ground Transportation Trip Fee Collection Services - Aggregate Amount Not to Exceed \$1,970,000]

Resolution approving Modification No. 3 to License and Services Agreement No. 50037 between the City and County of San Francisco, acting by and through its Airport Commission, and Airport Research and Development Foundation, a not-for-profit corporation, to extend the Services Term of the Agreement for two years through March 12, 2025, and cap the payment of the Administrative Services Fee by City at up to \$144,000 annually for the period of March 13, 2023, through March 12, 2025, for an aggregate amount not to exceed \$1,970,000. (Airport Commission)

Resolution No. 085-23

ADOPTED by the following vote:

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

230067 [Real Property Lease Amendment - 33 Gough, LLC - 33 Gough Street - \$1,372,000 Annual Base Rent]

Sponsors: Mayor; Dorsey and Ronen

Resolution authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing, to amend the lease with 33 Gough, LLC, as landlord of the real property located at 33 Gough Street, for continued use as a non-congregate cabin program; setting a base rent of \$1,372,000 per year; extending the term for two years for a total term of March 14, 2020, through March 13, 2025, with a one-year option to extend; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of the extended term under the lease and this Resolution, as defined herein.

(Fiscal Impact)

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

Resolution No. 075-23

ADOPTED by the following vote:

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

230100 [Tax Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation (Series 1 and Series 2) - To Fund Board Approved Capital Projects Not to Exceed \$150,000,000]

Sponsor: Mayor

Resolution re-authorizing the issuance of Tax-Exempt Lease Revenue Commercial Paper Certificates of Participation, Series 1 and Series 2, and Taxable Lease Revenue Commercial Paper Certificates of Participation, Series 1-T and Series 2-T, in an aggregate principal amount not to exceed \$150,000,000 to finance the acquisition, construction, and rehabilitation of capital improvements and capital equipment approved by the Board of Supervisors and the Mayor; authorizing the delivery of an alternate credit facility in the principal amount of \$163,500,000; and approving and authorizing the execution of a second supplement to trust agreement, a second amendment to site lease, a second amendment to sublease, a revolving credit agreement, a fee agreement, an offering memorandum, and certain other related financing documents, and authorizing other related actions, as defined herein.

(Fiscal Impact)

Resolution No. 086-23

ADOPTED by the following vote:

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

President Peskin requested File Nos. 230101 and 230102 be called together.

230101 [Multifamily Housing Revenue Bonds - 4200 Geary - Not to Exceed \$60,000,000]

Sponsors: Mayor; Chan, Mandelman and Safai

Resolution authorizing the issuance and delivery of tax-exempt multifamily housing revenue bonds in an aggregate principal amount not to exceed \$60,000,000 for the purpose of providing financing for the construction of a 98-unit, affordable multifamily residential rental housing project for seniors located at 4200 Geary Boulevard within the City; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a loan agreement; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving modifications, changes and additions to the documents; authorizing the collection of certain fees; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$60,000,000 to finance the acquisition and construction of the 4200 Geary apartments; ratifying and approving any action heretofore taken in connection with the bonds and the Project, as defined herein; granting general authority to City officials to take actions and execute any other documents necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

Resolution No. 073-23

ADOPTED by the following vote:

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

230102 [Acquisition of Real Property - 4200 Geary Associates, L.P. - 4200 Geary Boulevard - 100% Affordable Housing - \$11,064,369 - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$20,537,592]

Sponsors: Mayor; Chan, Mandelman and Safai

Resolution 1) approving and authorizing the Director of Property, on behalf of the Mayor's Office of Housing and Community Development ("MOHCD"), to acquire Real Property located at 4200 Geary Boulevard ("Property") from 4200 Geary Associates, L.P. ("Borrower") for \$11,064,369 under an Agreement for Purchase and Sale ("Purchase Agreement"); 2) placing the Property under the jurisdiction of MOHCD for use in constructing affordable housing for San Franciscans; 3) approving and authorizing the Director of Property and the Director of MOHCD to enter into a Ground Lease to lease the Property back to the Borrower for a term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 ("Ground Lease") in order to construct a 100% affordable, 98-unit multifamily rental housing development affordable to low-income senior households, including one manager unit and ancillary commercial space (the "Project"); 4) approving and authorizing an Amended and Restated Loan Agreement in an amount not to exceed \$20,537,592 for a minimum loan term of 57 years ("Loan Agreement") to finance the development and construction of the Project; 5) adopting findings declaring that the Property is "exempt surplus land" pursuant to the California Surplus Lands Act; 6) determining that the less than market rent payable under the Ground Lease will serve a public purpose by providing affordable housing for low-income households in need, in accordance with Section 23.3 of the Administrative Code; 7) adopting findings that the Project and proposed transactions are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 8) authorizing the Director of Property and/or the Director of MOHCD to make certain modifications to the Purchase Agreement, Ground Lease, and Loan Agreement, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

Resolution No. 072-23

ADOPTED by the following vote:

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

President Peskin requested File Nos. 230103 and 230104 be called together.

230103 [Accept and Expend Grant - Retroactive - Heluna Health - Patient-Centered Outcomes Research Institute (PCORI) - \$133,515]

Sponsors: Mayor; Mandelman and Dorsey

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$33,632 from the Patient-Centered Outcomes Research Institute (PCORI) through Heluna Health for a total amount of \$133,515 for participation in a program, entitled "Patient-Centered Outcomes Research Institute (PCORI)," for the period of October 1, 2020, through September 30, 2021.

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

Resolution No. 087-23

ADOPTED by the following vote:

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

230104 [Accept and Expend Grant - Retroactive - Heluna Health - Patient-Centered Outcomes Research Institute (PCORI) - \$134,528]**Sponsors: Mayor; Mandelman and Dorsey**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$34,645 from the Patient-Centered Outcomes Research Institute (PCORI) through Heluna Health for a total amount of \$134,528 for participation in a program, entitled "Patient-Centered Outcomes Research Institute (PCORI)," for the period of October 1, 2021, through September 30, 2022. (Public Health Department)

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

Resolution No. 088-23

ADOPTED by the following vote:

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

230105 [Execute Standard Agreement and Accept and Expend - Retroactive - California Business Consumer Service and Housing Agency - Encampment Resolution Funding Program - Not to Exceed \$10,849,033]**Sponsors: Mayor; Safai**

Resolution retroactively authorizing the Department of Homelessness and Supportive Housing ("HSH") to execute a Standard Agreement with the California Business, Consumer Service and Housing Agency ("BCSH"), through the California Interagency Council on Homelessness, for a total amount not to exceed \$10,849,033 of Encampment Resolution Funding Program grant funds; to retroactively accept and expend those funds to support people experiencing unsheltered homelessness for costs incurred upon approval of the Standard Agreement by BCSH through June 30, 2025; and authorizing HSH to enter into any additions, amendments, or other modifications to the Standard Agreement and grant 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)

Resolution No. 074-23

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee**230004** [Settlement of Lawsuit - Merrill Beth Ferguson - \$7,500,000]

Ordinance authorizing settlement of the lawsuit filed by Merrill Beth Ferguson against the City and County of San Francisco for \$7,500,000; the lawsuit was filed on November 12, 2020, in San Francisco Superior Court, Case No. CGC-20-587638; entitled Merrill Beth Ferguson v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle versus pedestrian collision. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

230040 [Settlement of Unlitigated Claims - WeWork Companies Inc. - \$13,346,256.40]

Resolution approving the settlement of the unlitigated claims filed by WeWork Companies Inc. against the City and County of San Francisco for \$13,346,256.40; the claims were filed on April 12, 2022, May 2, 2022, and November 22, 2022; the claims involve a refund of Early Care and Education Commercial Rents Tax. (City Attorney's Office)

Resolution No. 084-23

ADOPTED by the following vote:

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

Recommendation of the Public Safety and Neighborhood Services Committee**230056** [Health Code - Overdose Prevention Programs]

Sponsors: Mayor; Ronen, Preston, Mandelman, Walton and Dorsey

Ordinance amending the Health Code to repeal the City's permitting requirement for the operation of overdose prevention programs.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

221244 [Administrative Code - Extension of Sunset Date and Deadline for Required Reports of Reinvestment Working Group]

Sponsors: Preston; Chan

Ordinance amending the Administrative Code to extend the time for the Reinvestment Working Group to submit required reports to the Board of Supervisors and the Local Agency Formation Commission, from the current one-year deadline to September 30, 2023, and to extend the sunset date for the Working Group to December 31, 2023.

PASSED ON FIRST READING by the following vote:

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

President Peskin requested File Nos. 230128 and 230129 be called together.

230128 [Appointment, Assessment Appeals Board No. 2 - Stephen Wasserman]

Motion appointing Stephen Wasserman, term expiring September 2, 2024, to the Assessment Appeals Board No. 2. (Rules Committee)

Motion No. M23-035

APPROVED by the following vote:

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

230129 [Appointment, Assessment Appeals Board No. 3 - Elizabeth Miller]

Motion appointing Elizabeth Miller, term expiring September 2, 2024, to the Assessment Appeals Board No. 3. (Rules Committee)

Motion No. M23-036

APPROVED by the following vote:

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

Referred Without Recommendation From the Rules Committee

221147 [Administrative Code - Removing Construction Agreements from the Prohibition on Contracting in States with Certain Types of Discriminatory Laws]

Sponsors: Safai; Mandelman

Ordinance amending the Administrative Code to remove agreements let under Chapter 6 for Public Works or Improvement from the prohibitions in Chapter 12X on the City's entering into a contract with a contractor that has its United States headquarters in a state that allows discrimination against LGBT individuals, has restrictive abortion laws, or has voter suppression laws, or where any or all of the contract would be performed in such a state.

(Supervisors Chan, Melgar, Preston, and Walton voted no on First Reading.)

Supervisor Safai, seconded by Supervisor Walton, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of March 14, 2023. The motion carried by the following vote:

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

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

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

Supervisor Walton introduced, welcomed, and presented a Certificate of Honor to Pastor Sonya Brunswick in recognition of her accomplishments and continued community support.

Supervisor Walton introduced, welcomed, and presented a Certificate of Honor to Timothy Waters, Executive Director (Friends of the Children), in recognition of his accomplishments and continued community support.

Supervisor Preston introduced, welcomed, and presented a Certificate of Honor to Tracey Mixon (Coalition on Homelessness) in recognition of her accomplishments and continued community support.

Supervisor Chan introduced, welcomed, and presented a Certificate of Honor to Azikiwee Anderson (Rize Up Bakery) in recognition of their accomplishments and continued community support.

President Peskin introduced, welcomed, and presented a Certificate of Honor to Richard Alfred Galli, accepted by his son, Phil Galli, on his behalf, in recognition his service to the United States of America as a war veteran and a 30-year member of the San Francisco Fire Department.

COMMITTEE REPORTS

Recommendations of the Rules Committee

230125 [Administrative, Business and Tax Regulations Codes - Homelessness Oversight Commission and Related City Bodies]

Sponsors: Safai; Mandelman

Ordinance amending the Administrative Code and Business and Tax Regulations Code as required by Proposition C, adopted at the November 8, 2022 election, to provide that the Homelessness Oversight Commission ("Commission") appoint all members of the Local Homeless Coordinating Board ("Coordinating Board"); that the Coordinating Board's sole duties are to serve as the governing body required to participate in the federal Continuum of Care program and to advise the Commission on issues relating to the Continuum of Care; that the Shelter Monitoring Committee ("Monitoring Committee") advise the Commission in lieu of the Coordinating Board; that the Our City, Our Home Oversight Committee ("Oversight Committee") advise and make recommendations to the Commission and the Health Commission; and that the Oversight Committee inform the Department of Homelessness and Supportive Housing's strategic planning process; and make further amendments not required by Proposition C to increase the number of seats on the Coordinating Board from nine to eleven; decrease the number of seats on the Monitoring Committee from twelve to thirteen; align the Coordinating Board's member qualifications with Continuum of Care requirements; prohibit members of the Coordinating Board, the Monitoring Committee, and the Shelter Grievance Advisory Committee ("Grievance Committee") from serving on other City bodies related to homelessness; provide that the Commission appoint members of the Grievance Committee and the Monitoring Committee; require the Director of the Department of Homelessness and Supportive Housing ("Department") attend Commission meetings and provide administrative support to the Commission and the Monitoring Committee; remove the Mayor's sole authority to appoint and remove the Director of the Department; require the Department to report to the Commission in lieu of the Coordinating Board for the Mayor's Fund for the Homeless and the Navigation Partnerships Fund; and require that the Grievance Committee and the Monitoring Committee provide reports to the Commission.

PASSED ON FIRST READING by the following vote:

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

221008 [Remote Public Comment at Meetings of the Board of Supervisors and its Committees]

Sponsor: Mandelman

Motion discontinuing remote participation by members of the Board of Supervisors ("Board") at meetings of the Board and its committees for reasons related to COVID-19; and discontinuing remote public comment by members of the public at meetings of the Board and its committees, except as legally required to enable people with disabilities to participate in such meetings.

Privilege of the floor was granted unanimously to Nicole Bohn, Director (Mayor's Office on Disability), and Anne Pearson (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Dorsey, seconded by Supervisor Melgar, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 7, 2023. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Thierry Fill; shared the need to appreciate beauty in order to be happy and the need for a new education system.

Del Seymour; expressed the need to provide individuals with second chances.

Speaker; spoke on various concerns related to the COVID vaccine.

Speaker; spoke on concerns related to the democratic process and the use of fentanyl in food products.

Eric Kingsbury; spoke in support of newly introduced legislation moving Vision Zero forward.

Nancy Arbuckle; spoke in support of newly introduced legislation moving Vision Zero forward.

Speaker; expressed concerns regarding the war on drugs and the increased use of fentanyl creating more violence and murders.

Ruben Valderrama; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Guillermo Lopez; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Benny Yee; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Kevin Lo; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Speaker; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Aurora Gonzalez; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Maddie Armstrong; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Speaker; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Sarah Lee; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Becca Matola Barnes; spoke in support of newly introduced legislation moving Vision Zero forward.

Speaker; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Speaker; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Olga Miranda; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Donna; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Wynship Hillier; expressed concerns regarding the membership of the Behavioral Health Commission.

Emma Delgado; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Sophia; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Marlena; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Susan Marsh; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Ivan Corrado; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Lillia Rodriguez; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Lina Gonzalez; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Monica Mahajan; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Finn Palerma; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Zach Lipton; spoke in support of newly introduced legislation moving Vision Zero forward and the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Deanna Quintero; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Alan Burradell; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Sakinya; spoke in support of reparations and concerns regarding the death threats they are receiving.

Asale-Haquekyah Chandler; spoke in support of reparations and concerns regarding the death threats they are receiving.

Francisco Herrera; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Ken; spoke on concerns regarding the police apprehension of a suspect and immigration.

Barrett Tracinski; spoke in support of newly introduced legislation moving Vision Zero forward.

Francisco Da Costa; spoke on various concerns regarding immigrants and the need for the Board to consider policies.

Jose Ahn; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Amparo; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Jennifer Longley; spoke in support of the Resolution urging the legalization of consensual adult prostitution in the State of California (File No. 230179).

Flo Kelly; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Bruce Newsberger; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Levie Saladad; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Bruno Visas; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Jackie Vero; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

David Pilpel; shared in an In Memoriam presented during Roll Call for Introductions.

Caralita; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Speaker; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Angela Chan; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Louise Whitlock; spoke in opposition to the Resolution regarding Sanctuary City values (File No. 230178) and the Resolution urging the legalization of sex workers (File No. 230179).

Keith Kaufman; spoke in support of the Resolution condemning "red-baiting" (File No. 230177).

Speaker; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Daniel Casillas; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Rose Arietta; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Alejandro Garcia; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Citizen 22; expressed concerns regarding various transportation options and safety.

Yesenia Lacayo; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Stephen Martin-Pinto; spoke in opposition to the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Laura; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Susie Abunie; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Cynthia; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Patrick Monette-Shaw; spoke in support of legislation addressing immigrants who sell fentanyl and concerns around the public comment policies.

Maria Rinaldi; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Emelda; spoke in support of the Resolution upholding San Francisco values to protect our Sanctuary City (File No. 230178).

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 3:59 p.m. The President resumed the chair 4:05 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Walton attended remotely beginning at 6:04 p.m. and for the remainder of the meeting.

230174 [Declaring the Intent to Waive Fee for Major Encroachment Permit - Seal Rock Inn Restaurant]

Sponsor: Chan

Resolution of intent to waive the Major Encroachment Permit fees and related ongoing fees, including the annual occupancy assessment fee, for the Seal Rock Inn Restaurant.

Resolution No. 089-23

ADOPTED

230175 [Declaring the Intent to Waive Fees - Detroit Steps Project]**Sponsor: Melgar**

Resolution of intent to waive the Major Encroachment Permit fee, General Plan Referral fee, Annual Assessment to Maintain Major Encroachment, and Street Improvement fee associated with the Detroit Steps Project.

Resolution No. 090-23

ADOPTED

230176 [Richard Alfred Galli Day - February 28, 2023]**Sponsor: Peskin**

Resolution commending Richard Alfred Galli for his service to the United States of America as a war veteran and his contributions to the City and County of San Francisco as a 30-year member of the San Francisco Fire Department; and declaring February 28, 2023, to be "Richard Alfred Galli Day" in the City and County of San Francisco.

Resolution No. 091-23

ADOPTED

230185 [Supporting California State Senate Bill No. 252 (Gonzalez) - Public Retirement Systems: Fossil Fuels: Divestment]**Sponsors: Peskin; Walton, Engardio, Melgar, Chan and Mandelman**

Resolution supporting California State Senate Bill No. 252, introduced by Senator Lena Gonzalez, requiring the California Public Employees' Retirement System (CalPERS) and the California State Teachers' Retirement System (CalSTRS) to divest from fossil fuel companies.

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

Resolution No. 092-23

ADOPTED

230187 [Appointment, Bicycle Advisory Committee - Joshua Kelly]

Motion appointing Joshua Kelly, term ending November 19, 2024, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M23-037

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Preston requested that File No. 230177 be severed so that it may be considered separately.

230177 [Condemning House Concurrent Resolution 9]

Sponsors: Preston; Dorsey

Resolution condemning the passage of "Red-Baiting" House Concurrent Resolution 9, and urging Congress not to engage in, vote for, or otherwise support fearmongering and red-baiting by the federal government.

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

Supervisor Preston, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 7, 2023. The motion carried by the following vote:

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

Supervisor Ronen requested that File Nos. 230178 and 230179 be severed so that they may be considered separately.

230178 [Upholding San Francisco Values to Protect our Sanctuary City]

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

Resolution urging the Department of Homeland Security (DHS) and the Biden Administration to reject the recent attack on San Francisco's long-standing Sanctuary Ordinance and urging DHS to extradite the accused individuals without further delay.

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

Supervisor Ronen, seconded by Supervisor Stefani, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 7, 2023. The motion carried by the following vote:

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

230179 [Urging Governor Gavin Newsom, Senator Scott Wiener, Assembly Member Matt Haney, and Assembly Member Phil Ting to Legalize Sex Work in California]

Sponsor: Ronen

Resolution urging Governor Gavin Newsom, Senator Scott Wiener, Assembly Member Matt Haney, and Assembly Member Phil Ting to legalize consensual adult prostitution in the State of California; legalization is a proven effective method to protect the health and safety of sex workers while reducing crime and violence.

Supervisor Ronen, seconded by Supervisor Stefani, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 7, 2023. The motion carried by the following vote:

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

230209 [Appropriation - \$1,051,298 State Settlement Award to the Office of Public Defender - FY2022-2023]

Sponsors: Mayor; Safai, Mandelman and Preston

Ordinance appropriating \$1,051,298 of state settlement funds to support immigration legal defense in the Office of the Public Defender (PDR) in Fiscal Year (FY) 2022-2023.
(Fiscal Impact)

02/28/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/30/2023.

230210 [Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - California Department of Public Health - Future of Public Health Funding - \$3,639,888]

Sponsor: Mayor

Ordinance retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$3,639,888 from the California Department of Public Health for participation in a program, entitled "Future of Public Health Funding," for the period of July 1, 2022, through June 30, 2023; and amending Ordinance No. 162-22 (Annual Salary Ordinance File No. 220670 for Fiscal Years 2022-2023 and 2023-2024) to provide for the addition of 17 grant-funded full-time positions in Class 0923 Manager II (0.5 FTE), Class 0931 Manager III (0.25 FTE), Class 0941 Manager VI (0.25 FTE), Class 1823 Senior Administrative Analyst (0.25 FTE), Class 1824 Principal Administrative Analyst (0.25 FTE), Class 2586 Health Worker II (0.75 FTE), Class 2802 Epidemiologist I (0.5 FTE), Class 2803 Epidemiologist II (0.5 FTE), and 2830 Public Health Nurse (1.0 FTE). (Public Health Department)

02/28/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/30/2023.

230211 [Appropriation - California Public Utilities Commission Revenue - San Francisco Public Utilities Commission - Community Food Service Energy Efficiency Program - \$4,579,056 - FY2022-2023]

Sponsors: Mayor; Safai and Mandelman

Ordinance appropriating \$4,579,056 of California Public Utilities Commission revenue in the San Francisco Public Utilities Commission for CleanPowerSF Capital Improvements to implement the Community Food Service Energy Efficiency Program; and placing \$3,052,704 on Controller's Reserve, in Fiscal Year (FY) 2022-2023.
(Fiscal Impact)

02/28/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/30/2023.

230212 [Planning, Building, Fire Codes - Small Business Month Fee Waivers Including for Awning Installation]**Sponsor: Engardio**

Ordinance amending the Planning and Building Codes to codify the annual waiver of awning replacement fees and awning sign fees applied for during the month of May, to annually waive fees for new awning installations applied for during the month of May, and to indicate that the Planning Code and Building Code waivers pertaining to pedestrian street lighting as well as awning replacement, awning installation, and awning sign fees are keyed to permit application in May rather than permit issuance in May; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

02/28/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/30/2023.

230213 [Administrative Code - Repealing Prohibitions on City Travel and Contracting Related to States with Certain Types of Discriminatory Laws]**Sponsors: Mandelman; Stefani, Peskin, Ronen, Safai, Dorsey and Engardio**

Ordinance amending the Administrative Code to repeal Chapter 12X, and thereby repeal the prohibitions on City-funded travel to a state, and the City's entering into a contract with a contractor that has its United States headquarters in a state or where any or all of the contract would be performed in a state, that allows discrimination against LGBT individuals, has restrictive abortion laws, or has voter suppression laws.

(Supervisors Chan, Melgar, Preston, and Walton voted No on First Reading.)

02/28/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/30/2023.

230214 [Public Employment - Amendment to the Salary Ordinance for the Department of Public Works - Street Cleaning and Graffiti Abatement - FY2022-2023]**Sponsors: Peskin; Safai, Chan, Preston and Ronen**

Ordinance amending Ordinance No. 162-22 (Annual Salary Ordinance Fiscal Years (FY) 2022-2023 and 2023-2024) to reflect the addition of 56 off-budget positions (18.67 FTEs) in the Department of Public Works to support street cleaning and graffiti abatement in FY2022-2023.

(Fiscal Impact)

02/28/23; ASSIGNED to Budget and Appropriations Committee.

230215 [Appropriation - General Reserve - Public Works - \$25,000,000 - FY2022-2023]**Sponsors: Peskin; Safai, Chan, Preston and Ronen**

Ordinance appropriating \$25,000,000 of General Fund General Reserves for street cleaning and graffiti abatement in the Department of Public Works in Fiscal Year (FY) 2022-2023.

(Fiscal Impact)

02/28/23; ASSIGNED to Budget and Appropriations Committee.

230216 [Administrative Code - Displaced Tenant Preference in City Affordable Housing]**Sponsors: Ronen; Walton**

Ordinance amending the Administrative Code to expand the Displaced Tenant Preference in City Affordable Housing Programs to cover tenants where the tenant's unlawful unit has been removed as a residential unit by a written approval by the Planning Commission of the demolition, conversion, or merger of the residential unit, or denial by the Planning Commission of an application to legalize the unlawful unit.

02/28/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/30/2023.

RESOLUTIONS**230218 [Apply for Grant - The Related Companies of California, LLC and San Francisco Housing Development Corporation - Assumption of Liability - Dept. of Housing and Community Development Affordable Housing and Sustainable Communities Program - 160 Freelon Family]****Sponsors: Mayor; Dorsey, Mandelman and Safai**

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with The Related Companies of California, LLC and San Francisco Housing Development Corporation, for the 100% affordable housing project identified as 160 Freelon Family; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230219 [Apply for Grant - MidPen Housing Corporation - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - 850 Turk Street]**Sponsors: Mayor; Stefani, Mandelman, Safai and Preston**

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with MidPen Housing Corporation, a California public benefit corporation, for the 100% affordable housing project identified as 850 Turk Street; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230220 [Apply for Grant - BRIDGE Housing Corporation - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Balboa Reservoir Building A]

Sponsors: Mayor; Melgar, Safai and Mandelman

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with BRIDGE Housing Corporation, a California public benefit corporation, for the 159-unit 100% affordable housing project identified as Balboa Reservoir Building A; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230221 [Accept and Expend Grant - Retroactive - California Coastal Conservancy - Islais Creek Interpretive Program - \$70,000]

Sponsors: Mayor; Walton and Mandelman

Resolution retroactively authorizing the Port of San Francisco to accept and expend grant funds in the amount of \$70,000 from the California Coastal Conservancy to fund the Islais Creek Interpretive Program from February 1, 2023, through February 29, 2024.

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230222 [Accept and Expend Grant - Noe Valley Town Square Prefabricated Public Restroom and Future Modular Restrooms Project in San Francisco Parks and Open Spaces - \$1,700,000]

Sponsors: Mayor; Mandelman and Ronen

Resolution authorizing the Recreation and Park Department to accept and expend a grant from the California Department of Parks and Recreation in the amount of \$1,700,000 for the Noe Valley Town Square Prefabricated Public Restroom and Future Modular Restroom Project in San Francisco Parks and Open Spaces; approving the associated grant agreement for the term of July 1, 2022, through June 30, 2026; and authorizing the Recreation and Park Department to enter into amendments or modifications to the grant agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of this grant or this Resolution. (Recreation and Park Department)

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230223 [Accept and Expend Grant - Volumetric Building Companies and Public Restroom Company - Noe Valley Town Square Restroom - \$425,000]

Sponsors: Mayor; Mandelman and Ronen

Resolution authorizing the Recreation and Park Department to accept and expend an in-kind grant valued at approximately \$425,000 from Volumetric Building Companies and Public Restroom Company for a prefabricated modular restroom that has been manufactured offsite, and its installation at Noe Valley Town Square, for a period of January 2023 through October 2023. (Recreation and Park Department)

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230224 [Accept and Expend Grant - Retroactive - Northern California Apprentice Network and Apprenticeship Growth in Northern California Through the Office of Economic and Workforce Development - \$900,000]

Sponsor: Mayor

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$900,000 from the James Irvine Foundation during the grant period of November 7, 2022, through November 7, 2024.

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230225 [Multifamily Housing Revenue Note - 11 Innes Court (“Hunters Point Shipyard Block 56”) - Not to Exceed \$36,361,354]

Sponsors: Mayor; Walton

Resolution authorizing the execution and delivery of a multifamily housing revenue note in a principal amount not to exceed \$36,361,354 for the purpose of providing financing for the construction of a 73-unit multifamily rental housing project known as “Hunters Point Shipyard Block 56”; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the loan from the funding lender identified therein to the City and for the execution and delivery of the note; approving the form of and authorizing the execution of a borrower loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of an assignment of deed of trust and related documents; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230226 [Grant Agreement Amendment - Five Keys Schools and Programs - Embarcadero SAFE Navigation Center - Not to Exceed \$36,621,656]

Sponsors: Mayor; Dorsey

Resolution approving the second amendment to the grant agreement between Five Keys Schools and Programs and the Department of Homelessness and Supportive Housing (“HSH”) for supportive services at the Embarcadero SAFE Navigation Center; extending the grant term by nine months for a term of September 1, 2020, through December 31, 2023; increasing the agreement amount through December 31, 2023, by \$4,209,528 for an amount of \$14,009,528; authorizing HSH to further extend the grant term up to December 31, 2027, if the Port Commission extends permission for the Embarcadero SAFE Navigation Center to continue to operate on Port property beyond December 31, 2023; increasing the overall not to exceed amount by \$26,821,656 to a total not to exceed \$36,621,656; and authorizing HSH to enter into any additions, amendments, or other modifications to the agreement that do not materially increase the obligations or liabilities, or materially decrease the benefits to the City. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

02/28/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230227 [Opposing State Ballot Initiative Limiting Voters' and Local Governments' Ability to Raise Revenues for Public Services]**Sponsors: Chan; Peskin, Preston, Mandelman, Walton, Dorsey, Ronen and Melgar**

Resolution opposing State Ballot Initiative 21-0042A1, which qualified for the November 2024 statewide ballot, and will further severely limit the ability of voters and local governments to raise revenues for government services.

02/28/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230228 [Condemning Texas State Senate Bill No. 147 (Kolkhorst) - Banning the Purchase of Real Property by Immigrants]**Sponsors: Chan; Peskin, Preston, Walton and Dorsey**

Resolution condemning Texas State Senate Bill No. 147, introduced by Texas State Senator Lois Kolkhorst, that prohibits immigrants from owning Texas real estate.

02/28/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

230230 [Commemorative Street Name Designation - "Emperor Norton Place" - 600 Block of Commercial Street]**Sponsors: Peskin; Mandelman and Chan**

Resolution adding the Commemorative Street Name "Emperor Norton Place" to the 600 block of Commercial Street in recognition of his contribution to San Francisco as a celebrated figure in American history.

02/28/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230231 [Supporting California Senate Bill No. 593 (Wiener) and Urging State Action to Increase Funding for Affordable Replacement Housing in San Francisco]**Sponsors: Peskin; Safai, Melgar, Chan, Engardio, Ronen, Mandelman, Dorsey, Preston and Walton**

Resolution supporting California Senate Bill No. 593, introduced by State Senator Scott Wiener, to authorize additional tax increment funding for affordable replacement housing in the City and County of San Francisco.

02/28/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230232 [Initiating Landmark Designation - Colombo Market Arch]**Sponsors: Peskin; Stefani and Safai**

Resolution initiating a landmark designation under Article 10 of the Planning Code for the Colombo Market Arch constructed in 1894 and located at Sydney Walton Park on Front Street between Jackson Street and Pacific Avenue.

02/28/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230233 [Contract Amendment - Sapient Corporation (Sapient) - Office of the Assessor-Recorder Property Assessment System Replacement Project - Not to Exceed \$27,158,702]

Sponsor: Peskin

Resolution authorizing the Office of the Assessor-Recorder (ASR) to execute Amendment No. 1 to Contract 1000010122 with Sapient Corporation for the implementation and maintenance of the Property Assessment System Replacement Project; increasing the contract by \$5,743,999 for a total not to exceed amount of \$27,158,702 and reducing the contract duration from 12-years to nine-years from November 1, 2030, to December 31, 2027.

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230234 [Joint Exercise of Powers Agreement - County Assessors Technology Improvements Funding - Up to \$30,000,000]

Sponsor: Peskin

Resolution authorizing the Assessor to enter into a Joint Exercise of Powers Agreement with other California counties to become a member of the California County Assessors' Information Technology Authority to receive, manage, and expend up to \$30,000,000 of State funds for technology improvements for County Assessor Offices.

02/28/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230235 [Moving Vision Zero Forward]

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

Resolution calling for a citywide re-commitment to Vision Zero and urging the Mayor, the Municipal Transportation Agency, Department of Public Health, San Francisco County Transportation Authority, Fire Department, Police Department, and other city agencies that signed onto Vision Zero in 2014 to prioritize this policy, provide the needed resources, and improve interagency processes and collaboration to bring our city closer to Vision Zero goals by December 2024.

02/28/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230236 [Supporting California State Senate Bill No. 227 (Durazo) - Safety Net for All]

Sponsors: Ronen; Walton, Chan, Preston, Mandelman and Melgar

Resolution supporting California State Senate Bill No. 227 (Durazo), a Safety Net for All, to create an Excluded Workers Program to offer unemployment benefits to undocumented workers who have paid into the system through tax on their wages.

02/28/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230237 [Supporting California State Senate Bill No. 691 (Portantino) - Dyslexia Risk Screening]

Sponsors: Safai; Ronen, Walton, Chan and Mandelman

Resolution supporting California State Senate Bill No. 691, introduced by Senate Member Anthony Portantino (SD- 25), which would require the State Board of Education to establish an approved list of evidence-based culturally, linguistically, and developmentally appropriate screening instruments to be used by a local educational agency, as defined, to screen pupils for risk of dyslexia.

02/28/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230238 [Supporting California State Assembly Bill No. 1505 (Rodriguez) - \$250,000,000 Seismic Retrofitting Program for Soft Story Multifamily Housing]**Sponsor: Safai**

Resolution supporting California State Assembly Bill No. 1505, introduced by Assembly Member Freddie Rodriguez, maintaining \$250,000,000 in funding for a state Seismic Retrofitting Program for Soft Story Multifamily Housing in California.

02/28/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS**230197 [Mayoral Appointment, Homelessness Oversight Commission - Sharky Laguana]**

Motion approving/rejecting the Mayor's nomination for the appointment of Sharky Laguana to the Homelessness Oversight Commission, term ending May 1, 2025. (Clerk of the Board)
(Charter, Section 4.133, provides that this nomination is subject to approval by the Board of Supervisors within 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: February 22, 2023.)

02/28/23; RECEIVED AND ASSIGNED to Rules Committee.

230198 [Mayoral Appointment, Homelessness Oversight Commission - Jonathan Butler]

Motion approving/rejecting the Mayor's nomination for the appointment of Jonathan Butler to the Homelessness Oversight Commission, term ending May 1, 2027. (Clerk of the Board)
(Charter, Section 4.133, provides that this nomination is subject to approval by the Board of Supervisors within 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: February 22, 2023.)

02/28/23; RECEIVED AND ASSIGNED to Rules Committee.

230199 [Mayoral Appointment, Homelessness Oversight Commission - Katie Albright]

Motion approving/rejecting the Mayor's nomination for the appointment of Katie Albright to the Homelessness Oversight Commission, term ending May 1, 2027. (Clerk of the Board)
(Charter, Section 4.133, provides that this nomination is subject to approval by the Board of Supervisors within 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: February 22, 2023.)

02/28/23; RECEIVED AND ASSIGNED to Rules Committee.

230200 [Mayoral Appointment, Homelessness Oversight Commission - Vikrum Aiyer]

Motion approving/rejecting the Mayor's nomination for the appointment of Vikrum Aiyer to the Homelessness Oversight Commission, term ending May 1, 2025. (Clerk of the Board) (Charter, Section 4.133, provides that this nomination is subject to approval by the Board of Supervisors within 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: February 22, 2023.)

02/28/23; RECEIVED AND ASSIGNED to Rules Committee.

REQUEST FOR HEARING

230239 [Hearing - Law Enforcement Data]

Sponsor: Engardio

Hearing to receive information on how San Francisco law enforcement data dashboards can provide more robust, user-friendly, and anonymized online information on crime and law enforcement response through the various stages: incident, arrest, intake by the District Attorney's Office, initiation of prosecution, sentencing, and disposition; and requesting the Police Department, District Attorney's Office, and Mayor's Office of Innovation to report.

02/28/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services 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 ORDINANCES

230188 [Settlement of Lawsuit - Precious Espinosa - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Precious Espinosa against the City and County of San Francisco for \$75,000; the lawsuit was filed on June 15, 2021, in San Francisco Superior Court, Case No. CGC-21-592684; entitled Precious Espinosa v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

02/07/23; RECEIVED FROM DEPARTMENT.

02/28/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230189 [Settlement of Lawsuit - Charlene Tuchman/Ellen Tuchman Rothmann - City to Receive \$250,000]

Ordinance authorizing settlement of the lawsuits filed by Charlene Tuchman and by Ellen Tuchman Rothmann, as successor in interest to Charlene Tuchman, against the City and County of San Francisco for a payment to the City of \$250,000; the lawsuits were filed on March 24, 2021, and March 9, 2022, in San Francisco Superior Court, Case Nos. CGC-21-590596 and CGC-22-598595; the lawsuits involve personal injuries sustained on a City sidewalk; other material terms of the settlement are payment of \$250,000 to Plaintiff from 3800 Washington, LLC. (City Attorney)

02/07/23; RECEIVED FROM DEPARTMENT.

02/28/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230190 [Settlement of Lawsuit - Jose Chavarria - \$3,000,000]

Ordinance authorizing settlement of the lawsuit filed by Jose Chavarria against the City and County of San Francisco for \$3,000,000; the lawsuit was filed on September 30, 2020, in San Francisco Superior Court, Case No. CGC-20-586880; entitled Jose Chavarria v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury arising out of police vehicle collision; other material terms of the settlement are City to waive \$33,607.51 offset for unpaid Zuckerberg San Francisco General Hospital bills. (City Attorney)

02/13/23; RECEIVED FROM DEPARTMENT.

02/28/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230191 [Settlement of Lawsuit - MJM Management Group - City to Receive \$400,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against MJM Management Group for \$400,000; the lawsuit was filed on April 29, 2020, in San Francisco Superior, Case No. CGC-20-584294; entitled City and County of San Francisco v. MJM Management Group, et al.; the lawsuit involves allegations of false claims for reimbursement in connection with property management expenses at Yerba Buena Gardens; consistent with the requirements of the California False Claims Act, a portion of the City's recovery shall be allocated to the qui tam plaintiff and to the City Attorney's Office. (City Attorney)

02/17/23; RECEIVED FROM DEPARTMENT.

02/28/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230192 [Planning Code - Landmark Designation Amendment - 429-431 Castro Street (the Castro Theatre)]**Sponsor: Mandelman**

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

02/15/23; RECEIVED FROM DEPARTMENT.

02/28/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/30/2023.

PROPOSED RESOLUTIONS

230193 [Annual Surveillance Report Regarding Surveillance Technology]

Resolution accepting Annual Surveillance Reports under Administrative Code, Section 19B.6, for the following departments: Airport, Arts Commission, Asian Art Museum, Child Support Services, City Administrator's Office - Real Estate Division, Department of Emergency Management, Department of Homelessness and Supportive Housing, Department of Human Resources, Department of Public Health, Department of Public Works, Department of Technology, Fire Department, Human Services Agency, Municipal Transportation Agency, Police Department, Port of San Francisco, Public Library, Public Utilities Commission, Recreation and Park Department, Rent Stabilization and Arbitration Board, and War Memorial Department. (City Administrator)

02/13/23; RECEIVED FROM DEPARTMENT.

02/28/23; RECEIVED AND ASSIGNED to Rules Committee.

230194 [Settlement of Unlitigated Claims against Walmart Inc. - City to Receive Approximately \$2,600,000 to \$6,800,000 Over 6 Years]

Resolution authorizing settlement of unlitigated claims on behalf of the City and County of San Francisco and the People of the State of California against Walmart Inc. for abatement funds in the range of \$2,600,000 to \$6,800,000 to be paid over 6 years; the claims relate to Walmart Inc.'s allegedly improper and unlawful dispensing of prescription opioids at its pharmacies, which contributed to the epidemic of opioid abuse and misuse and caused a public nuisance. (City Attorney)

02/17/23; RECEIVED FROM DEPARTMENT.

02/28/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230195 [Settlement of Unlitigated Claims against CVS Health Corporation and CVS Pharmacy, Inc. - City to Receive Approximately \$4,500,000 to \$12,000,000 Over 10 Years]

Resolution authorizing settlement of unlitigated claims on behalf of the City and County of San Francisco and the People of the State of California against CVS Health Corporation and CVS Pharmacy, Inc. for abatement funds in the range of \$4,500,000 to \$12,000,000 to be paid over 10 years; the claims relate to CVS's allegedly improper and unlawful dispensing of prescription opioids at its pharmacies, which contributed to the epidemic of opioid abuse and misuse and caused a public nuisance. (City Attorney)

02/17/23; RECEIVED FROM DEPARTMENT.

02/28/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

In Memoriams

*Michael L. Garcia - Supervisor Myrna Melgar and Board President Aaron Peskin
Ann Goodman Rapson - Supervisor Joel Engardio*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:11 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 April 4, 2023.

Angela Calvillo, Clerk of the Board