

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 19, 2023 - 2:00 PM

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

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 Ronen, Mandelman, Walton

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Dorsey, Walton, Safai

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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, September 19, 2023, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 2:02 p.m.

Remote Access to Information and Participation

The Board of Supervisors (www.sfbos.org) and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access (watch: www.sfgovtv.org), and remote public comment via teleconference (<https://sfbos.org/remote-meeting-call>).

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisor Mandelman was noted not present.

A quorum of the Board was 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 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.)*

AGENDA CHANGES

There were no agenda changes.

Supervisor Mandelman was noted present at 2:03 p.m.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

230702 [Administrative Code - Exempt Guaranteed Income From County Adult Assistance Program Determinations]

Sponsors: Mayor; Safai, Mandelman and Ronen

Ordinance amending the Administrative Code to exempt payments received by housed participants in Guaranteed Income pilot programs from the Human Service Agency's determinations regarding the participants' eligibility for the County Adult Assistance Programs and the amount of aid the participants may receive.

Ordinance No. 196-23

FINALLY PASSED

230833 [Authorizing Tax-Exempt and/or Taxable Certificates of Participation - Multiple Capital Improvement Projects - Not to Exceed \$77,170,000]

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount of not to exceed \$77,170,000 ("Certificates"), to finance and refinance certain capital improvement projects within the City and County of San Francisco's ("City") capital plan and generally consisting of critical repairs, renovations and improvements to City-owned buildings, facilities, streets and works maintained and utilized by various City departments; approving the form of a Supplement to Trust Agreement between the City and U.S. Bank Trust Company, National Association (as successor-in-interest to U.S. Bank National Association), as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee, for the lease to the Trustee and lease back to the City of all or a portion of certain real property and improvements owned by the City and located at 375 Laguna Honda Boulevard within the City and at 1 Moreland Drive, San Bruno, California, together with any other property determined by the City's Director of Public Finance to be made subject to the lease and lease back arrangements; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of an Official Statement in preliminary and final form; approving the form of a purchase contract between the City and one or more initial purchasers of the Certificates; approving the form of a Continuing Disclosure Certificate, as defined herein; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates; approving modifications to documents, as defined herein; ratifying previous actions taken in connection therewith, as defined herein; and repealing and rescinding a portion of the authorization to issue Certificates of Participation of the City established through the adoption of Ordinance No. 226-19 of the City on October 11, 2019.
(Fiscal Impact)

Ordinance No. 197-23

FINALLY PASSED

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

230813 [Declaration of City Property - 1939 Market Street and 1515 South Van Ness Avenue - Exempt Surplus Land for 100% Affordable Housing]

Sponsors: Mayor; Ronen, Mandelman and Safai

Resolution 1) declaring the City's real property located at 1939 Market Street (Assessor's Parcel Block No. 3501, Lot No. 006) ("1939 Market Property") and 1515 South Van Ness Avenue ("1515 SVN" Property, and together with the 1939 Market Property, collectively, the "Property") as Exempt Surplus Land under California Government Code, Sections 25539.4 and 54221(f)(1)(A); 2) affirming use of the Property by the Mayor's Office of Housing and Community Development ("MOHCD") for the development as 100% affordable housing with ancillary commercial space; 3) affirming MOHCD's intent to convey the Property under a long term ground lease with an annual base rent of \$100 annual lease monitoring fee of \$15,000 and restricting the Property for affordable housing and ancillary commercial space; and 4) affirming the Planning Department's approval of the projects developed on the Property under Senate Bill (SB) No. 35 or Assembly Bill (AB) No. 2162. (Mayor's Office of Housing and Community Development)

Resolution No. 436-23

ADOPTED by the following vote:

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

230879 [Lease Amendment - San Francisco Market Corporation - San Francisco Wholesale Produce Market - Jerrold Avenue and Toland Street]**Sponsor: Walton**

Resolution approving and authorizing the Director of Property to enter into a first amendment to the current lease ("Lease") for the San Francisco Wholesale Produce Market, located near 2095 Jerrold Avenue (generally bordering Highway 280 and Innes and Kirkwood Avenues, and Toland and Rankin Streets), with the San Francisco Market Corporation to distribute City funds to support the development of certain elements of the Produce Market Reinvestment Plan; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the contemplated transactions are consistent with the General Plan, and the eight priority policies of the Planning Code, Section 101.1; authorizing the Director of Property to execute a first amendment to the Lease, make certain modifications, and take certain actions in furtherance of this Resolution and the Lease, as defined herein; and authorizing the Director of Property to enter into any additions, amendments, or other modifications to the Lease that do not materially increase the obligations or liabilities of the City to effectuate the purposes of the First Amendment or this Resolution.
(Fiscal Impact)

Resolution No. 438-23**ADOPTED by the following vote:**

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

Recommendations of the Land Use and Transportation Committee**230767 [Administrative Code - Treatment of Seating Area at Taraval Street and 46th Avenue as Sidewalk for Shared Spaces Program]****Sponsor: Engardio**

Ordinance waiving specified requirements in the Administrative Code to allow seating area designated as a curbside traffic island on Taraval Street at 46th Avenue to be defined as two sidewalk shared spaces, subject to certain requirements; 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, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

230858 [Treasure Island/Yerba Buena Island - The Rocks Park Acceptance]**Sponsors: Mayor; Dorsey**

Ordinance acknowledging the Treasure Island Development Authority's acceptance of certain improvements on a portion of the Yerba Buena Island Hilltop Parks known as The Rocks (Assessor's Parcel Block No. 8958, Lot No. 003), adjacent to Macalla Road, and the Authority's acceptance of the park improvements for maintenance and liability purposes; dedicating The Rocks to public use; designating the property for public open space and park purposes; adopting 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 adopting a Public Works Order that recommends acceptance of The Rocks park improvements and related actions, as defined herein.
(Treasure Island Development Authority)

PASSED ON FIRST READING by the following vote:

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

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Chan assumed the chair at 2:13 p.m. The President resumed the chair 2:15 p.m.

Supervisors Peskin and Walton Excused from Voting

Supervisors Peskin and Walton requested to be excused from voting on File No. 230817 due to possible conflicts of interest.

Supervisor Safai, seconded by Supervisor Ronen, moved that Supervisors Peskin and Walton be excused from voting on File No. 230817. The motion carried by the following vote:

Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Melgar, Preston, Ronen, Safai, Stefani

Excused: 2 - Peskin, Walton

230817 [Interim Zoning Controls - Extending and Modifying Conditional Use Authorization Requirement for Parcel Delivery Service Uses]

Sponsor: Dorsey

Resolution extending and modifying interim zoning controls enacted in Resolution No. 109-22, to require a Conditional Use authorization for proposed Parcel Delivery Service uses, and to modify those interim controls in two ways: 1) to apply to Parcel Delivery Services uses greater than 10,000 square feet; and 2) to use the definition of Parcel Delivery Services that was in effect as to the effective date of Resolution No. 109-22; 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, Sections 101.1 and 306.7. (Supervisor Peskin was excused from voting on this matter in committee.)

Resolution No. 437-23

ADOPTED by the following vote:

Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Melgar, Preston, Ronen, Safai, Stefani

Excused: 2 - Peskin, Walton

Recommendations of the Rules Committee

230920 [Appointment, San Francisco Health Authority - Norlissa Cooper]

Motion appointing Norlissa Cooper, term ending January 15, 2024, to the San Francisco Health Authority. (Rules Committee)

Motion No. M23-123

APPROVED by the following vote:

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

230961 [Appointment, Reentry Council - David Mauroff]

Motion appointing David Mauroff, term ending June 1, 2024, to the Reentry Council. (Rules Committee)

Motion No. M23-124

APPROVED 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).

President Peskin introduced, welcomed, and presented a Certificate of Honor to Annette Williams (Municipal Transportation Agency) on the occasion of her retirement after 33 years with the City and County of San Francisco and in recognition of her tremendous work as an advocate for accessible transportation.

Supervisor Chan introduced, welcomed, and presented a Certificate of Honor to David Heller on the occasion of his 78th birthday and in recognition of his many accomplishments as a business owner and active community leader.

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****230078 [Hearing - Committee of the Whole - Draft San Francisco Reparations Plan and Dream Keeper Initiative Updates - September 19, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, September 19, 2023, at 3:00 p.m., to hold a public hearing on the Draft San Francisco Reparations Plan and Dream Keeper Initiative updates; and requesting the Human Rights Commission, the African American Reparations Advisory Committee, and the Dream Keeper Initiative to present; scheduled pursuant to Motion No. M23-021 (File No. 230077), approved on January 31, 2023. (Clerk of the Board)

President Peskin opened the public hearing and Supervisor Walton provided opening remarks regarding the Draft Reparations Plan and Dream Keeper Initiative (File No. 230078). The President then inquired as to whether any individual wished to address the Committee of the Whole on the hearing matter. Eric McDonnell and Tinisch Hollins (African American Reparations Advisory Committee) and Sheryl Davis, Director (Human Rights Commission), provided an overview of the hearing matter and responded to questions raised throughout the discussion. Reverend Doctor Amos Brown; Karen Valentia Clopton; Lynette Mackey; Reverend Arelious Walker; Hillary Brown; Cheryl Thornton; Paulette Brown; Tachina Walker; Lea Shepherd; Speaker; Barbara Wilson; Elaine Samuels; Susan Kelly; Tiffany Carter; Adrienne Kato; Moe McNeely; Yolanda Lewis; Speaker; Larry Martin; Richard Hargraves; Len Burnett; Phyllis Bowie; Dr. April Y. Silas; Tracy Griffin; Speaker; Leah Tim Collins; Sala-Haquekyah Chandler; Speaker; Shawn Chansley; Aisha Brooks; Coltrain Bolton; Joy Heredia; Ciara; Malik Seneferu; Karen; Candace Cavanaugh; Jessica Trubowitch; Tyler Gregory; Mary Harris; Brother Barrett; Jazmine Pope; Shawneshia Hoover; Joseph Williams; Fiona Flynn; Nancy Gitau; James Taylor; Erin Kimura; Samantha Sherman; Brent Turner; Elliott Coleman; Amy Larkin; Faneshia Jackson; Deborah Levy; Esther Turner; Ronald Carter; Tammy Brian; Jennifer Ravive; Christina Payne; Ariana Harrison; Dennis Bishop; Lea McGeever; Ann Ruben; Waynette Reynolds; Virginia Marshall; Alida Fisher; Leticia Irving; Jordan Davis; Shavonne Allen; Dennis; Gloria Berry; Carl Shorter; Keyante Clark; Paula Farmer; Ren Collins; Speaker; Speaker; Ace Washington; Brenda Barros; Speaker; Zach Manuel; Hakeem Mansori; Leo; John McCormick; Freddy Martin; Chester Williams; Speaker; Zopora; Jaime Voloria; Speaker; Speaker; Speaker; Francisco Da Costa; Tonya Randell; Cash Lean; Nikcole Cunningham; Hattie Wyatt; Speaker; Jerone Berg; Jason Wyman; Joyce Nakamura; Dennis Williams; Speaker; Tes Wilborn; David; Speaker; San Francisco; Toussaint Parker; Tom Butler; Shavonne Montessorri; Leylani; Ms. Jackson; Speaker; Latonia Grimes; Derek Adams; Evangela Booster; Christopher Andrews; Alicia Mayo; Rihanna Baptiste; Victoria Lewis; Sherica Holmes Fox; DeeDee Hewitt; Kevin Ortiz; Speaker; Naj Daniels; Danielle McVey; Speaker; Suzanne; Veronica Sheppard; Yasmine Akwali; Eric Bolton; Angela Alexandria; Yolanda Williams; Speaker; Larry Best; spoke on various concerns relating to the hearing matter. The President closed public comment, declared the matter heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 4:12 p.m. The President resumed the chair 4:15 p.m.

At the request of President Peskin, Supervisor Walton assumed the chair at 5:12 p.m. The President resumed the chair 5:21 p.m.

At the request of President Peskin, Supervisor Mandelman assumed the chair at 6:42 p.m. The President resumed the chair 6:43 p.m.

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

Recommendations of the Public Safety and Neighborhood Services Committee

230729 [Liquor License Transfer - 3239 Balboa Street - Slake San Francisco Bottle Sundry]

Resolution determining that the person-to-person, premises-to-premises transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Coolwater SF LLC, doing business as Slake San Francisco Bottle and Sundry, located at 3239 Balboa Street (District 1), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4. (Public Safety and Neighborhood Services Committee)

Resolution No. 434-23

ADOPTED by the following vote:

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

230731 [Liquor License - 3153-17th Street - ODC Theater]

Resolution determining that the issuance of a Type-64 special on-sale general theater liquor license to ODC, doing business as the ODC Theater, located at 3153-17th Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose a condition on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 435-23

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

230923 [Administrative Code - Firefighters Cancer Prevention Foundation]

Sponsors: Peskin; Chan, Walton, Dorsey, Safai and Mandelman

Ordinance amending the Administrative Code to add the Firefighters Cancer Prevention Foundation to the list of organizations to which City officers and employees may make donations by payroll deduction.

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

PASSED ON FIRST READING by the following vote:

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

230856 [Mayoral Appointment, Historic Preservation Commission - Hans Baldauf]

Motion approving the Mayor's nomination for the appointment of Hans Baldauf 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: July 25, 2023.)

Motion No. M23-125

APPROVED 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.

During Roll Call for Introductions, in connection with newly introduced legislation, Supervisor Stefani provided the following contact information for those in crisis:

Suicide & Crisis Lifeline

Dial 988 or visit <https://988lifeline.org>

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Mandelman assumed the chair at 2:53 p.m. The President resumed the chair 2:55 p.m.

PUBLIC COMMENT

@DisabilityActivismSF; expressed concerns regarding the handling of public comment during a previous Board committee meeting.

Lea McGeever; spoke against the Women's Rights Conference due to concerns regarding transphobia.

Jordan Davis; expressed concerns regarding antisemitism.

Roxanne Makasdjian; expressed support of the Resolution declaring Armenian Independence Day (File No. 230979).

JConr B. Ortega; expressed concerns regarding open air drug markets and wellness centers.

Gloria Berry; shared her personal experience with homelessness and concerns regarding voucher programs.

Otto Duffy; shared research done on Jewish holidays and language interpretation.

Speaker; expressed concerns regarding drug dealing and shoplifting.

Speaker; shared dismay about a veteran going through homelessness and concerns regarding drug overdoses.

Ladonna Williams; expressed concerns regarding access to public comment opportunities.

Speaker; expressed concerns regarding public comment opportunities.

Yolanda Williams; expressed concerns about the need to address mass murder of certain demographics.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

230975 [Annette Williams Day - September 19, 2023]

Sponsors: Peskin; Mandelman, Preston, Chan, Stefani and Melgar

Resolution declaring September 19, 2023, as Annette Williams Day in the City and County of San Francisco and honoring the legacy of her career in accessible transportation and in recognition of her exemplary public service on the occasion of her well-deserved retirement.

Resolution No. 439-23

ADOPTED

230979 [Armenian Independence Day - September 21, 2023]

Sponsors: Melgar; Peskin, Safai, Mandelman, Stefani and Dorsey

Resolution declaring September 21, 2023, as Armenian Independence Day in the City and County of San Francisco and commemorating the 32nd Anniversary of Armenian Independence Day on September 21, 2023.

Supervisors Mandelman, Stefani, and Dorsey requested to be added as co-sponsors.

Resolution No. 441-23

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

President Peskin requested that File No. 230976 be severed so that it may be considered separately.

230976 [Urging the City Administrator to Create Interagency Framework to Secure 2022 Inflation Reduction Act (IRA) Funding]

Sponsors: Peskin; Mandelman, Chan and Preston

Resolution urging the City Administrator to create a centralized framework and strategy by which to coordinate City Departments and eligible community-based organizations, to secure and leverage available 2022 Inflation Reduction Act (IRA) funding, including identifying infrastructure development, financing and grant opportunities to support the creation of Community Resiliency Hubs to provide essential response and recovery support during and after emergencies, including natural and climate disasters; and urging the City Administrator to report back with a plan no later than November 28, 2023.

Supervisors Mandelman, Chan, and Preston requested to be added as co-sponsors.

Supervisor Peskin, seconded by Supervisor Walton, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 1, Lines 20-21, by adding ‘the Treasurer and Tax Collector (TTX)’; on Page 2, Lines 3-11, by adding ‘WHEREAS, On September 5, 2023, The Board of Supervisors unanimously passed Resolution No. 230874 to accept receipt of the San Francisco Reinvestment Working Group’s Final Governance Plan, Business Plan and Viability Study for a San Francisco Municipal Financial Corporation (SFMFC) and Final Governance Plan, Business Plan and Viability Study for a San Francisco Public Bank; and WHEREAS, The SFMFC would function as San Francisco’s green bank with a focus on addressing the lack of access to quality financial services for affordable housing, small business, and environmentally beneficial projects in San Francisco’s low-income and disadvantaged communities; and’, Lines 16-22, by adding ‘including through the creation of a green bank; and WHEREAS, The Greenhouse Gas Reduction Fund, created by the 2022 IRA, includes the \$14 billion National Clean Investment Fund and the \$6 billion Clean Communities Investment Accelerator competitions that are designed to fund community lenders, including green banks, to mobilize financing and private capital to finance clean energy and greenhouse gas reducing projects; and’; on Page 4, Lines 14-15, by adding ‘Secure funds to support the creation and implementation of a green bank to finance local projects; and’. The motion carried by the following vote:

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

Resolution No. 440-23

ADOPTED AS AMENDED 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.

CHARTER AMENDMENTS

230985 [Charter Amendment - Minimum Police Department Staffing and Five-Year Annual Funding Requirement]

Sponsors: Dorsey; Engardio

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to establish minimum staffing levels for sworn officers of the Police Department, requiring for a period of five years that the Mayor and Board of Supervisors appropriate funds to meet staffing levels, establishing a Police Full Staffing Fund for a period of five years for purposes of facilitating minimum police staffing, and allowing for a temporary freeze of appropriations to the Police Full Staffing Fund in a budget or economic emergency; at an election to be held on March 5, 2024.

09/19/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/19/2023. Transmitted to Elections.

230986 [Charter Amendment - Mayoral Authority to Disapprove Certain SFMTA Budget Proposals]

Sponsors: Safai; Peskin and Ronen

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor must affirmatively approve in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals as part of the SFMTA's proposed budget or budget amendment; proposals subject to the approval requirement include changes to fares, parking meter maximum rates, and hours or days of parking meter operation; at an election to be held on March 5, 2024.

(Supervisor Dorsey dissented in committee.)

09/19/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/19/2023.

230987 [Charter Amendment - Establishing the Department of Emergency Management in the Charter]

Sponsor: Safai

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to establish within the Charter the Department of Emergency Management, the position of the Director of the Department, and the Director's qualifications and appointing authority; at an election to be held on March 5, 2024.

09/19/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/19/2023.

ORDINANCE

230988 [Planning Code - Cannabis Retail Uses]

Sponsor: Stefani

Ordinance amending the Planning Code to require a minimum distance of 600 feet between a Cannabis Retail Use and daycare centers, exempt pending applications from that distance requirement, and establish an 18-month period of discontinuance of a Cannabis Retail Use as abandonment of the business, preventing its restoration except as a new Cannabis Retail Use; and 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.

09/19/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/19/2023.

RESOLUTIONS

230989 [Apply for Grants - California Department of Resources Recycling and Recovery Funds]

Sponsors: Mayor; Peskin, Mandelman and Safai

Resolution authorizing the Department of the Environment to submit applications on behalf of the City and County of San Francisco for all grants offered by the California Department of Resources Recycling and Recovery for which it is eligible, effective for five years upon approval of this Resolution. (Environment)

09/19/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230990 [Grant Agreement Amendment - Episcopal Community Services - Cova Non-Congregate Shelter - Not to Exceed \$15,091,353]

Sponsor: Mayor

Resolution approving the third amendment to the grant agreement between Episcopal Community Services and the Department of Homelessness and Supportive Housing ("HSH") for services at the Cova Non-Congregate Shelter; extending the grant term by 10 months from November 1, 2023, for a total term of December 18, 2021, through August 31, 2024; increasing the agreement amount by \$5,150,877 for a total amount not to exceed \$15,091,353; 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)

09/19/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230991 [Grant Agreement Amendment - Episcopal Community Services - Henry Hotel - Not to Exceed \$14,591,945]**Sponsor: Mayor**

Resolution approving the third amendment to the grant agreement between Episcopal Community Services and the Department of Homelessness and Supportive Housing ("HSH") for property management and supportive services at the Henry Hotel, a permanent supportive housing site; extending the grant term by 20 months from October 31, 2023, for a total term of July 1, 2019, through June 30, 2025; increasing the agreement amount by \$4,853,433 for a total amount not to exceed \$14,591,945; 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)

09/19/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230992 [Grant Agreement Amendment - Episcopal Community Services - Housing First Permanent Supportive Housing - Not to Exceed \$47,159,399]**Sponsor: Mayor**

Resolution approving the first amendment to the grant agreement between Episcopal Community Services and the Department of Homelessness and Supportive Housing ("HSH") for property management and supportive services at five permanent supportive housing buildings; extending the grant term by 16 months from February 29, 2024, for a total term of January 1, 2021, through June 30, 2025; increasing the agreement amount by \$20,829,789 for a total amount not to exceed \$47,159,399; 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)

09/19/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230993 [Accept and Expend Gift - Retroactive - Bequest from the Estate of Janet D. Kramer - Support of Laguna Honda Hospital - \$79,231.32]**Sponsors: Mayor; Melgar**

Resolution retroactively authorizing the Department of Public Health to accept and expend a cash gift in the amount of up to \$79,231.32 from the Estate of Janet D. Kramer through the Federal Reserve in support of the Laguna Honda Hospital for the period of July 1, 2022, through June 30, 2032. (Public Health Department)

09/19/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230994 [Firearm Suicide Prevention Day - September 12, 2023]**Sponsors: Stefani; Mandelman**

Resolution retroactively recognizing September 12, 2023, to be Firearm Suicide Prevention Day in remembrance of the lives lost to firearm suicide, acknowledgement of the individuals, families, and communities who have been impacted, and to spread awareness about the growing firearm suicide crisis.

09/19/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230995 [Accepting the Final San Francisco Reparations Plan]

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

Resolution accepting the Final San Francisco Reparations Plan of the African American Reparations Advisory Committee.

09/19/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President 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**230959 [Settlement of Lawsuit - Katy Sullivan - \$207,500]**

Ordinance authorizing settlement of the lawsuit filed by Katy Sullivan against the City and County of San Francisco for \$207,500; the lawsuit was filed on August 13, 2021, in San Francisco Superior Court, Case No. CGC-21-593827; entitled Katy Sullivan v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

09/06/23; RECEIVED FROM DEPARTMENT.

09/19/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230960 [Settlement of Lawsuit - Twilio Inc. - \$18,000,000]

Ordinance authorizing settlement of the lawsuit filed by Twilio Inc. against the City and County of San Francisco for \$18,000,000; the lawsuit was filed on May 27, 2021, in San Francisco Superior Court, Case No. CGC-21-592267; entitled Twilio Inc. v. City and County of San Francisco; the lawsuit involves a claim for refund of telephone users taxes and access line taxes, and related penalties and interest, for tax periods June 1, 2009, through and including December 31, 2018; other material terms of the settlement are that the City will not impose additional telephone users taxes and access line taxes, and any related penalties and interest, for any periods through two months after the settlement is paid, and Twilio Inc. will collect and remit telephone users taxes and access line taxes in a certain manner for all subsequent periods. (City Attorney)

09/07/23; RECEIVED FROM DEPARTMENT.

09/19/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230962 [Waiver of Municipal Code Provisions - City of Phoenix - Phoenix Sky Harbor International Airport - Used Compressed Natural Gas Transit Buses - Not to Exceed \$350,000]

Ordinance waiving competitive bidding requirements in the Administrative Code, and all other requirements in the Administrative Code, Environment Code, or other parts of the Municipal Code as applied to a commodities purchase, to authorize the Airport Commission to procure up to 14 used compressed natural gas transit buses from Phoenix Sky Harbor International Airport for an amount not to exceed \$350,000; and authorizing the Airport Director to negotiate the terms of the agreement consistent with the not to exceed amount. (Airport Commission)
(Fiscal Impact; No Budget and Legislative Analyst Report)

09/08/23; RECEIVED FROM DEPARTMENT.

09/19/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/19/2023.

PROPOSED RESOLUTIONS

230963 [Settlement of Unlitigated Claim - Macquarie Holdings (U.S.A.) Inc. - \$252,526.71]

Resolution approving the settlement of the unlitigated claim filed by Macquarie Holdings (U.S.A.) Inc. against the City and County of San Francisco for \$252,526.71; the claim was filed on May 1, 2023; the claim involves a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)

09/06/23; RECEIVED FROM DEPARTMENT.

09/19/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230964 [Agreement Amendment - Mission Neighborhood Health Center - HIV Health Services - Not to Exceed \$11,300,310]

Sponsors: Mandelman; Ronen and Dorsey

Resolution approving Amendment No. 1 to the Agreement between Mission Neighborhood Health Center and the Department of Public Health, to provide HIV health services, to increase the agreement by \$6,624,852 for an amount not to exceed \$11,300,310; to extend the term by six years from February 29, 2024, for a total agreement term of March 1, 2020, through February 28, 2030; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)
(Fiscal Impact)

09/01/23; RECEIVED FROM DEPARTMENT.

09/19/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230965 [Lease Modification - United States Government - Offices Occupied by the U.S. Drug Enforcement Administration - Annual Rent \$620,611.20]

Resolution approving Modification No. 2 of Lease No. GS-09P-LCA03384 between the United States (U.S.) Government and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term by two years from October 1, 2023, for a total term of October 1, 2015, through September 30, 2025, and increase the annual rent to \$620,611.20 for offices occupied by the U.S. Drug Enforcement Administration. (Airport Commission)

09/06/23; RECEIVED FROM DEPARTMENT.

09/19/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230966 [Lease Agreement - Guava and Java SFO, Inc. dba Black Point Café and La Colombe Coffee Roasters - \$420,000 Minimum Annual Guarantee]

Resolution approving the Terminal 2 Coffee Café Lease No.23-0197, between Guava and Java SFO, Inc. dba Black Point Café and La Colombe Coffee Roasters and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with two one-year options to extend at the sole discretion of the Airport Commission, and a minimum annual guarantee of \$420,000 for the first year of the lease, effective upon approval of this Resolution. (Airport Commission)

09/07/23; RECEIVED FROM DEPARTMENT.

09/19/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230967 [Lease of Property - 2789-25th Street - The San Francisco General Hospital Foundation - \$0 Initial Base Rent]

Resolution authorizing and approving the lease of a portion of the real property located at 2789-25th Street to The San Francisco General Hospital Foundation for an initial term of twenty years at an annual base rent of \$0 plus two 10-year extension options to extend, to commence upon execution of the Lease, after approval of this Resolution by the Board of Supervisors and Mayor, in their respective sole and absolute discretion; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting California Environmental Quality Act findings; and to authorize the Director of Property to enter into amendments or modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of this Resolution. (Real Estate Department)

(Fiscal Impact)

09/07/23; RECEIVED FROM DEPARTMENT.

09/19/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

*Neal Sofman - Supervisor Myrna Melgar
Father Louis Vitale - Supervisor Hillary Ronen
Ramanbhai Bhikhabhai Patel - Supervisor Ahsha Safai*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:58 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 October 24, 2023.

Angela Calvillo, Clerk of the Board