

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, February 7, 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)*

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### 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

#### Meeting Days

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

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session, in-person with remote access and public comment also available via telephone, on Tuesday, February 7, 2023, with President Aaron Peskin presiding.*

*President Peskin called the meeting to order at 2:01 p.m.*

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

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

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

*Please visit the Board's website ([www.sfbos.org](http://www.sfbos.org)) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184 or [bos@sfgov.org](mailto:bos@sfgov.org).*

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

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

*Supervisor Walton 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.*

## **Supervisor Walton Excused from Attendance**

*President Peskin informed the Board that Supervisor Walton submitted a letter, indicating he could not be in attendance due to travel delays, and requested to be excused from attending today's meeting.*

**Supervisor Ronen, seconded by Supervisor Mandelman, moved that Supervisor Walton be excused from attending today's meeting. The motion carried by the following vote:**

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

## 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](mailto:bos@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.)

## AGENDA CHANGES

Clerk Calvillo informed the Board that, due to the absence of Supervisor Walton and at his request, File Nos. 230078, 230108, and 230109 would be considered for continuation when the matters are called.

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

#### **220876 [Appropriation and De-Appropriation - District 7 Participatory Budgeting - General City Responsibility - \$292,674; SFMTA - Vision Zero Projects - \$77,500 - FY2022-2023]**

##### **Sponsor: Melgar**

Ordinance de-appropriating \$292,674 from District 7 General City Responsibility (GEN) and re-appropriating \$128,000 to the Department of Children, Youth and Their Families (CHF) for creating a community space, a sports hub, and teen workforce development program in District 7; \$50,000 to the Department of Emergency Management (DEM) for neighborhood and community building activities in District 7; \$114,674 to the Department of Public Works (DPW) for a parklet installation in public space, increased refuse bins installations, and cleaning supplies for District 7; and de-appropriating \$77,500 from San Francisco Municipal Transportation Agency (SFMTA) and re-appropriating \$77,500 for improving traffic flow and pedestrian safety, and building a pedestrian island for District 7 Vision Zero projects at SFMTA in Fiscal Year (FY) 2022-2023.

(Fiscal Impact)

**FINALLY PASSED**

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

**Sponsors: Mayor; Safai**

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

**FINALLY PASSED**

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

**221188 [Settlement of Lawsuit - Margarita Herrera - \$650,000]**

Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for \$650,000; the lawsuit was filed on July 30, 2019, in San Francisco Superior Court, Case No. CGC-19-578026; entitled Margarita Herrera v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

**FINALLY PASSED**

**221189 [Settlement of Lawsuit - Dante King - \$562,500]**

Ordinance authorizing settlement of the lawsuit filed by Dante King against the City and County of San Francisco for \$562,500; the lawsuit was filed on September 21, 2022, in San Francisco Superior Court, Case No. CGC-22-601923; entitled Dante King v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

**FINALLY PASSED**

**221190 [Settlement of Lawsuit - Michael Oakes - \$95,000]**

Ordinance authorizing settlement of the lawsuit filed by Michael Oakes against the City and County of San Francisco for \$95,000; the lawsuit was filed on July 10, 2020, in San Francisco Superior Court, Case No. CGC-20-585373; entitled Michael Oakes v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

**FINALLY PASSED**

**221191 [Settlement of Lawsuit - Jo-Theresa Elias-Jackson - \$92,000]**

Ordinance authorizing settlement of the lawsuit filed by Jo-Theresa Elias-Jackson against the City and County of San Francisco for \$92,000; the lawsuit was filed on April 23, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02937-PJH; entitled Jo-Theresa Elias-Jackson v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

**FINALLY PASSED**

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

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

**FINALLY PASSED**

**Recommendations of the Rules Committee****221025 [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]**

**Sponsors: Walton; Chan**

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements by adding, deleting, and changing titles of certain designated officials and employees to reflect organizational and staffing changes, and by refining disclosure requirements for certain designated officials and employees. (Meet and confer obligations met.)

**FINALLY PASSED**

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

**Sponsor: Peskin**

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

**FINALLY PASSED**

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

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

## REGULAR AGENDA

## NEW BUSINESS

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

*President Peskin requested File Nos. 221276, 221277, 230027, and 230028 be called together.*

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

**Sponsors: Mayor; Dorsey and Mandelman**

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

**ADOPTED by the following vote:**

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

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

**Sponsors: Mayor; Dorsey and Mandelman**

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

**ADOPTED by the following vote:**

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

**230027 [Accept and Expend Grant - Retroactive - California Department of Public Health - Sexually Transmitted Disease Program Management and Collaboration - \$1,365,222]**

**Sponsors: Mayor; Mandelman and Dorsey**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$386,274 from the California Department of Public Health for a total amount of \$1,365,222 for participation in a program, entitled "Sexually Transmitted Disease Program Management and Collaboration," for the period of July 1, 2019, through June 30, 2024. (Public Health Department)

**ADOPTED by the following vote:**

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

**230028 [Accept and Expend Grant - Retroactive - California Department of Public Health - Monkeypox Response Funding Award Number MPX-012 City & County of San Francisco - \$1,616,252]**

**Sponsors: Mayor; Mandelman, Dorsey and Engardio**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,616,252 from the California Department of Public Health for participation in a program, entitled "Monkeypox Response Funding Award Number MPX-012 City & County of San Francisco," for the period of July 1, 2022, through June 30, 2023.

**ADOPTED by the following vote:**

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

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

**Sponsors: Mayor; Dorsey**

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

**ADOPTED by the following vote:**

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

**230009 [Real Property Lease - Retroactive - Autodesk, Inc. - Pier 9, Suite 116, and Bays 1-3 - Monthly Rent \$124,508]**

Resolution retroactively approving Port Commission Lease L-16848 with Autodesk, Inc., a Delaware Corporation, located at Pier 9, Suite 116, and Bays 1-3 for approximately 30,590 square feet of office and shed space and license area for solar panels and public improvements for a term of one year with one option to extend the term for one year, effective upon approval of this Resolution at a monthly rent of \$124,508; and to authorize the Executive Director of the Port to enter into any additions, amendments or other modifications to the Lease that do not materially increase the obligations or liabilities of the City or Port and are necessary or advisable to complete the transactions which this Resolution contemplates and effectuate the purpose and intent of this Resolution. (Port)

**ADOPTED by the following vote:**

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

**230010 [Airport Professional Services Agreement - PGH Wong & Partners JV - Project Management Support Services for the Courtyard 3 Connector Project - Further Modifications Not to Exceed \$25,000,000]**

Resolution approving Modification No. 9 to Airport Contract No. 10072.41, Project Management Support Services for the San Francisco International Airport, Courtyard 3 Connector Project with PGH Wong & Partners JV, a joint venture consisting of PGH Wong Engineering, Inc., and Avila and Associates Consulting Engineers, Inc., to increase the Contract amount by \$7,750,000 for a new not to exceed amount of \$25,000,000 for services, pursuant to Charter, Section 9.118(b); and making findings under the California Environmental Quality Act. (Airport Commission)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**230016 [Contract Agreement - California Health and Human Services Agency - Data Sharing Agreement - \$0]**

Resolution approving an original agreement between Department of Public Health (DPH) and the California Health and Human Services Agency, to exchange Health and Social Services Information, in the amount of \$0 for a term exceeding ten years, effective January 31, 2023, remaining in full force and effect until terminated by the DPH or the California Health and Human Service Agency; and to authorize the DPH to enter into amendments or modifications to the agreement prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Public Health Department)

**ADOPTED by the following vote:**

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

**230029 [Accept and Expend Grant - Retroactive - San Francisco Health Plan - CalAIM Incentive Payment Program (IPP) - \$316,800]****Sponsors: Mayor; Dorsey**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$316,800 from the San Francisco Health Plan for participation in a program, entitled "CalAIM Incentive Payment Program (IPP)," for the period of September 12, 2022, through February 28, 2023. (Public Health Department)

**ADOPTED by the following vote:**

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

**230033 [Agreement - Treasure Island Series 1, LLC - Completion of Foundation for Sculpture - \$274,076]****Sponsor: Dorsey**

Resolution authorizing the Arts Commission to enter into an agreement with Treasure Island Series 1, LLC, the developer of a hilltop park at Yerba Buena Island, to construct a foundation for a 69-foot tall sculpture by Hiroshi Sugimoto, as part of the Treasure Island Arts Program, for an amount of \$274,076 for a term starting upon approval of this Resolution and ending upon the completion of the foundation; and to authorize the Director of Cultural Affairs to enter into any additions, amendments or other modifications to the Foundation Contract do not materially increase the obligations or liabilities of the City, or reduce the benefits to the City, and are necessary or advisable to complete the transaction contemplated by this Resolution. (Arts Commission)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**Recommendations of the Land Use and Transportation Committee****221104 [Planning Code - SoMa Nighttime Entertainment Uses; Leather and LGBTQ Cultural District]****Sponsors: Dorsey; Mandelman and Engardio**

Ordinance amending the Planning Code to allow Nighttime Entertainment as a principally permitted use on properties fronting Folsom Street between 7th Street and Division Street and properties fronting 11th Street between Howard Street and Division Street in the Folsom Street Neighborhood Commercial Transit District, the Regional Commercial District, and the Western SoMa Mixed Use-General District; removing certain restrictions on Nighttime Entertainment uses on properties fronting Folsom Street between 7th Street and Division Street and properties fronting 11th Street between Howard Street and Division Street in the Western SoMa Special Use District; clarifying the buffer restrictions for Nighttime Entertainment uses in the Service/Arts/Light Industrial District and the Western SoMa Mixed Use-Office District; 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.

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

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

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

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

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

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

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

*Presiden Peskin requested File Nos. 221221 and 221222 be called together.*

**221221 [Liquor License - 312 Harriet Street - SinombreSF]**

Resolution determining that the issuance of a Type-48 on-sale general public premises liquor license to SinombreSF LLC, doing business as SinombreSF, located at 312 Harriet Street (District 6), 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 conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

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

**221222 [Liquor License Transfers - 1750 Harrison Street - Total Wine & More]**

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits license; the transfer of a Type-42 on-sale beer and wine public premises license; and the transfer of a Type-86 educational tasting license to California Wine and Spirits LLC, doing business as Total Wine & More located at 1750 Harrison 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)

**ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **221062 [Administrative Code - Funding, Acquisition, and Use of Certain Sheriff's Department Equipment]**

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

**Supervisor Dorsey, seconded by Supervisor Mandelman, moved that this Ordinance be RE-REFERRED to the Rules Committee. The motion carried by the following vote:**

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

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

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

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

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

Ayes: 8 - Chan, Dorsey, Engardio, Melgar, Peskin, Preston, Ronen, Safai  
Noes: 2 - Mandelman, Stefani  
Excused: 1 - 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 Senior Inspector Jason J. Collom (Office of the District Attorney) on the occasion of his retirement after 27 years of public service and in recognition of his numerous accomplishments specializing in fraud cases impacting the Asian American and Pacific Islander community.*

## SPECIAL ORDER 3:00 P.M.

### Appointment of President Pro Tempore

*At the request of President Peskin, Supervisor Mandelman assumed the chair at 2:37 p.m. The President resumed the chair 2:38 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 - March 14, 2023, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, March 14, 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 informed the Board that Supervisor Walton has requested this Hearing be continued to a later date. The President then inquired whether any individual wished to address the Board regarding the proposed continuance. Reverend Amos Brown; Kurt Brantford Young; Speaker; Gloria Berry; spoke on various concerns relating to the hearing matter. There were no other speakers. President Peskin closed public comment on the continuance, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**Supervisor Dorsey, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of March 14, 2023. The motion carried by the following vote:**

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

## Committee of the Whole Adjourn and Report

## COMMITTEE REPORTS

### Recommendation of the Land Use and Transportation Committee

#### **230025 [Administrative Code - Shared Spaces Program]**

**Sponsors: Mayor; Dorsey and Engardio**

Ordinance amending the Administrative Code to extend the grace period for an additional 120 days for permit applicants to operate under pandemic shared spaces permits, including any Just-Add-Music approvals related to these spaces, and convert the shared space use into a post-pandemic permit; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

### Recommendation of the Rules Committee

#### **221246 [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 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.

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

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

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Rory Gambrell; shared a personal experience being ejected from a shelter and staying on the streets.*

*Sevana Panosian; expressed support of the Resolution condemning Azerbaijan's blockage of Artsakh (File No. 230107).*

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

*Citizen 22; expressed concerns regarding government surveillance and the removal of rights to participate.*

*Joe Kunzler; expressed support of an appointment and gun violence advocacy.*

*Gloria Berry; shared her experience with homelessness and the need for compassionate services.*

*Peter Warfield; shared concerns regarding the lack of equipment available at the Public Library to access audio services.*

*Speaker; expressed concerns regarding the need for civility and caring.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **230106 [Declaring the Intent to Waive Fee for Major Encroachment Permit - Burnside Mosaic Steps]**

**Sponsor: Mandelman**

Resolution of intent to waive the Major Encroachment Permit fee and ongoing fees, including the annual assessment and street improvement annual assessment fees, for the Burnside Mosaic Steps.

**ADOPTED**

### **230107 [Condemning Azerbaijan's Blockade Of Artsakh]**

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

Resolution condemning Azerbaijan's Blockade of the Armenians of Nagorno-Karabakh (Artsakh) and ongoing human rights violations.

*Supervisors Walton and Preston requested to be added as co-sponsors.*

**ADOPTED**

### **230114 [Committee of the Whole - Place for All Report - March 21, 2023, at 3:00 p.m.]**

**Sponsors: Mandelman; Stefani, Safai and Dorsey**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 21, 2023, at 3:00 p.m., to hold a public hearing to consider the Place for All Report; and requesting the Department of Homelessness and Supportive Housing to report.

**Motion No. M23-022**

**APPROVED**

**230110 [Findings to Allow Teleconferenced Meetings During Declared Emergency]**

Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board)

**Motion No.** M23-023

**APPROVED**

**230083 [Reappointment, Bicycle Advisory Committee - Whitney Ericson]**

Motion reappointing Whitney Ericson, term ending November 19, 2024, to the Bicycle Advisory Committee. (Clerk of the Board)

**Motion No.** M23-024

**APPROVED**

**230116 [Reappointment, Bicycle Advisory Committee - Brandon Powell]**

Motion reappointing Brandon Powell, term ending November 19, 2024, to the Bicycle Advisory Committee. (Clerk of the Board)

**Motion No.** M23-025

**APPROVED**

**230117 [Appointment, Park, Recreation, and Open Space Advisory Committee - Sophie Constantinou]**

Motion appointing Sophie Constantinou, term ending February 1, 2025, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board)

**Motion No.** M23-026

**APPROVED**

**230118 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Anne Cervantes]**

Motion appointing Anne Cervantes, term ending October 19, 2023, to the Eastern Neighborhoods Citizens Advisory Committee. (Clerk of the Board)

**Motion No.** M23-027

**APPROVED**

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

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

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

*Pursuant to a request received from Supervisor Walton who was not in attendance, President Peskin directed File Nos. 230108 and 230109 be severed so that they may be considered separately and continued to later dates.*

### **230108 [Black History Month - February 2023]**

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

Resolution recognizing and celebrating Black History Month in the City and County of San Francisco during the month of February 2023.

*Supervisors Peskin and Preston requested to be added as co-sponsors.*

**Supervisor Ronen, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of February 14, 2023. The motion carried by the following vote:**

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

### **230109 [Accepting the Draft San Francisco Reparations Plan of the African American Reparations Advisory Committee]**

**Sponsors: Walton; Preston and Mandelman**

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

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

**Supervisor Mandelman, seconded by Supervisor Dorsey, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 14, 2023. The motion carried by the following vote:**

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani  
Excused: 1 - 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.*

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](http://www.sfbos.org/legislation_introduced).

## **Introduced at the Request of a Department**

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

## **PROPOSED RESOLUTIONS**

### **230090 [Real Property Lease Amendment - 101 South Van Ness, LLC - 110-12th Street - Not to Exceed \$454,668.67 in the Initial Year]**

Resolution approving and authorizing the Director of Property, on behalf of the City's Department of Administration's ReproMail Services, to execute a lease amendment extending the term for five years for continued use of approximately 10,469 square feet of office space of real property located at 110-12th Street, with 101 South Van Ness, LLC for continued use of approximately 10,469 square feet of office space at a base rent of \$454,668.67 per year with 3% annual rent increases beginning February 1, 2024, for an extended term commencing February 1, 2023, and expiring on January 31, 2028; and authorizing the Director of Property to execute any amendments to the Lease, make certain modifications and take certain actions that do not materially increase the obligations or liabilities to the City, do not materially decrease the benefits to the City and are necessary or advisable to effectuate the purposes of the Lease or this Resolution. (Real Estate Department)

01/25/23; RECEIVED FROM DEPARTMENT.

02/07/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **230091 [Professional Services Agreement - APX Inc. - Power Scheduling Coordination Services and Related Support Services - Not to Exceed \$895,742,800]**

Resolution approving Amendment No. 2 to Contract No. PRO.0152, Power Scheduling Coordination and Related Support Services, with APX Inc., to allow for the processing of the California Independent System Operator power transmission service charges, to increase the contract by \$636,000,000 for a total not to exceed contract amount of \$895,742,800 subject to the Board of Supervisors approval pursuant to Charter, Section 9.118, with no change to the five year of term from March 2022, through April 2027. (Public Utilities Commission)

01/27/23; RECEIVED FROM DEPARTMENT.

02/07/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **230092 [Settlement of Unlitigated Claims - U.S. Department of Health and Human Services - City to Receive \$277,894.52]**

Resolution approving the settlement of unlitigated claims in favor of the City and County of San Francisco against the U.S. Department of Health and Human Services by payment of \$277,894.52 to the City; the claims were filed on February 8, 2007, January 16, 2013, and August 18, 2017; the claims involve underpayment of Medicare costs by the U.S. Department of Health and Human Services for direct graduate medical education and indirect medical education. (City Attorney)

01/30/23; RECEIVED FROM DEPARTMENT.

02/07/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 3:41 p.m.*