

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, March 21, 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 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

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

TBD

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, March 21, 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 and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access, and remote public comment via teleconference (<https://sfbos.org/remote-meeting-call>). Members of the public may also submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record.

Live watch San Francisco Cable Channels 26, 28, 78 or 99 (depending on your provider) or stream meetings on the SFGovTV website (www.sfgovtv.org). Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>.

Visit the Board's website (www.sfbos.org) for additional information or contact the Office of the Clerk of the Board at (415) 554-5184.

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 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 February 14, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Dorsey, seconded by Supervisor Mandelman, moved to approve the February 14, 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

Recommendation of the Land Use and Transportation Committee

220878 [Planning, Building Codes - Penalties for Code Enforcement]

Sponsors: Ronen; Peskin and Chan

Ordinance amending the Planning and Building Codes to increase fines and penalties for violations of Planning and Building Code provisions; clarify that violations affecting more than one unit in a building constitute multiple violations for purposes of assessing penalties; requiring the Planning Commission and the Historic Preservation Commission to adopt factors for the Zoning Administrator to consider in determining the appropriate amount of civil penalties; establishing penalties for residential units merged, constructed, or divided without required permits or approvals; establishing penalties for violations involving illegal demolition and enhancement of penalty amounts for certain buildings by age or historic status; providing additional notices for Responsible Parties; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

FINALLY PASSED

Recommendation of the Rules Committee

230057 [Administrative Code - Health Service System Eligibility for Members of New Commission]

Sponsors: Safai; Walton

Ordinance amending the Administrative Code to provide that members of the Homelessness Oversight Commission are eligible for health insurance coverage through the San Francisco Health Service System.

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

UNFINISHED BUSINESS

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.)

FINALLY PASSED by the following vote:

Ayes: 7 - Dorsey, Engardio, Mandelman, Peskin, Ronen, Safai, Stefani

Noes: 4 - Chan, Melgar, Preston, Walton

NEW BUSINESS

Recommendations of the Budget and Finance Committee

221162 [Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers]

Sponsors: Peskin; Chan and Mandelman

Ordinance amending the Business and Tax Regulations Code to extend through Fiscal Year 2027-2028 the temporary suspension of the application of the business registration and fee requirements to transportation network company drivers and taxi drivers.

PASSED ON FIRST READING by the following vote:

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

230074 [Safe Consumption Sites - Behested Payment Waiver]

Sponsors: Ronen; Mandelman, Walton, Dorsey and Preston

Resolution authorizing the Mayor, officers and employees of the Office of the Mayor, and officers and employees of the Department of Public Health to solicit donations to support the opening and operation of safe consumption sites from various private entities and foundations, notwithstanding the Behested Payment Ordinance.

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

ADOPTED by the following vote:

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

230121 [California Constitution Appropriations Limit for FY2022-2023]

Resolution establishing the appropriations limit established at \$10,609,128,182 for Fiscal Year (FY) 2022-2023 pursuant to California Constitution, Article XIII B; due to the addition of local non-residential new construction and the percent change in population within the San Francisco Metropolitan Area from the previous year for the purpose of computation of its Appropriations Limit. (Controller)

ADOPTED by the following vote:

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

230168 [Resolution of Intention to Establish San Francisco Enhanced Infrastructure Financing District No. 1 (Power Station)]**Sponsors: Mayor; Walton, Safai and Mandelman**

Resolution of intention to establish San Francisco Enhanced Infrastructure Financing District No. 1 (Power Station) to finance public capital facilities and projects of communitywide significance related to the Potrero Power Station project and other authorized costs, and determining other matters in connection therewith, as defined herein.

ADOPTED by the following vote:

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

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.

ADOPTED by the following vote:

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

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.

ADOPTED by the following vote:

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

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)

ADOPTED by the following vote:

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

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.

ADOPTED by the following vote:

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

Referred Without Recommendations From the Budget and Appropriations Committee**230158 [Appropriation - General Reserve - \$25,371,063 - Other Revenue - \$587,029 - Fund Balance - \$834,204 - Police Department - Overtime - De-Appropriation and Re-Appropriation - \$31,999,402 - Releasing \$7,430,008 from Reserve - FY2022-2023] Sponsors: Mayor; Stefani, Dorsey, Engardio, Mandelman and Safai**

Ordinance appropriating \$25,371,063 of General Fund General Reserves, \$587,029 of other revenues, and \$834,204 of special revenue fund balance to the Police Department; de-appropriating \$31,999,402 from permanent salaries, mandatory fringe benefits, equipment, budgeted debt service, budgeted project expenditures, and overtime for increased overtime budget in the Police Department in Fiscal Year (FY) 2022-2023 as required per Administrative Code, Section 3.17, required biweekly reporting to the Board of Supervisors on overtime by neighborhood, and releasing \$7,430,008 from expenditure reserve; this Ordinance requires a two-thirds approval vote of all members of the Board of Supervisors pursuant to Charter Section 9.113(c).

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

(Fiscal Impact)

Privilege of the floor was granted unanimously to Ben Rosenfield, Controller (Office of the City Controller), Chief William Scott and Patrick Leung (Police Department), Anne Pearson (Office of the City Attorney), and Tom Paulino and Anna Duning (Mayor's Office) who responded to questions raised throughout the discussion.

Supervisor Safai, seconded by Supervisor Stefani, moved to increase the appropriation by \$3,100,000. Before the vote was taken, Supervisor Stefani withdrew her second. The motion failed due to the lack of a second.

Supervisor Safai requested the Ordinance be DUPLICATED ON FIRST READING.

Supervisor Safai moved that the Duplicated Ordinance be RE-REFERRED to the Budget and Appropriations Committee. The motion failed due to the lack of a second.

The Duplicated Ordinance did not move forward due to insufficient action.

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Preston, Walton

President Peskin requested File Nos. 230214 and 230215 be called together. During the discussion on these matters, privilege of the floor was granted unanimously to Carla Short, Interim Director (Public Works), who responded to questions raised.

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)

PASSED ON FIRST READING by the following vote:

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

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)

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. 230041 and 230043 be called together.

230041 [Grant Agreement Amendment - Mid-Market Foundation - Mid-Market/Tenderloin Community-Based Safety Program - Not to Exceed \$33,590,570]

Resolution approving Amendment No. 2 to a grant agreement between the Office of Economic and Workforce Development and Mid-Market Foundation, for management of the Mid-Market /Tenderloin Community-Based Safety Program; to increase the grant amount by \$13,100,570 for a total not to exceed amount of \$33,590,570 for the period of July 1, 2022, through October 15, 2023; to commence following approval by the Board of Supervisors; and to authorize the Director of the Office of Economic and Workforce Development to enter into amendments or modifications to the contract 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 contract. (Department of Economic and Workforce Development)
(Fiscal Impact)

ADOPTED by the following vote:

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

230043 [Grant Agreement Amendment - San Francisco Tourism Improvement District Management Corporation Downtown Welcome Ambassador Program Not to Exceed \$16,227,000]

Resolution approving Amendment No. 4 to a grant agreement between the Office of Economic and Workforce Development and the San Francisco Tourism Improvement District Management Corporation, for management of the Downtown Welcome Ambassador Program; to increase the grant amount by \$6,300,000 for a total not to exceed amount of \$16,227,000 for the period of July 1, 2021, through October 15, 2023; to commence following approval by the Board of Supervisors; and to authorize the Director of the Office of Economic and Workforce Development to enter into amendments or modifications to the contract 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 contract. (Department of Economic and Workforce Development)
(Fiscal Impact)

ADOPTED by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee**230162 [Police Code - Cannabis Regulation]****Sponsor: Mandelman**

Ordinance amending the Police Code to allow holders of temporary cannabis business permits to transfer an aggregate ownership interest of 50% or more in the business to persons that were not owners at the time the temporary permit was issued so long as five years or more have passed since the Office of Cannabis Director first acknowledged receipt of the business's application for a temporary cannabis business permit, regardless of whether the business has received a permanent cannabis business permit.

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. 230021 and 230022 be called together.

230021 [Liquor License Issuance - 1198 Pacific Avenue - Dapper]

Resolution determining that the issuance of a Type-20 off-sale beer and wine liquor license to Dapper Nob Hill LLC, to do business as Dapper located at 1198 Pacific Avenue (District 3) 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 no additional conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

230022 [Liquor License Transfer - 3801-3 Street - Lucky Bayview]

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 Save Mart Supermarkets LLC, doing business as Lucky Bayview, located at 3801-3 Street (District 10), 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 no additional conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**230154 [Appointments, Homelessness Oversight Commission - Christin Evans, Joaquin Whit Guerrero, and Bevan Dufty]**

Motion appointing Christin Evans, term ending May 1, 2025, and Joaquin Whit Guerrero and Bevan Dufty, terms ending May 1, 2027, to the Homelessness Oversight Commission. (Rules Committee) (Supervisor Dorsey dissented in Committee.)

Supervisor Mandelman requested that the question be DIVIDED to consider the appointment of Christin Evans separately.

The divided question to consider the appointment of Christin Evans was APPROVED by the following vote:

Ayes: 7 - Chan, Melgar, Peskin, Preston, Ronen, Safai, Walton

Noes: 4 - Dorsey, Engardio, Mandelman, Stefani

Motion No. M23-042

The remaining balance of the question was APPROVED by the following vote:

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

Upon approval of both the divided and remaining balance questions, the Motion was APPROVED, as a whole.

President Peskin requested File Nos. 230197, 230198, and 230199 be called together.

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

Motion approving 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.)

Motion No. M23-043

APPROVED by the following vote:

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

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

Motion approving 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.)

Motion No. M23-044

APPROVED by the following vote:

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

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

Motion approving 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.)

Motion No. M23-045

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).

Supervisor Melgar introduced, welcomed, and presented a Certificate of Honor to Carol Dimmick in recognition of her accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

230115 [Hearing - Committee of the Whole - Place for All Report - March 21, 2023, at 3:00 p.m.]

Hearing of the Board of Supervisors to sit as a Committee of the Whole on Tuesday, 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; scheduled pursuant to Motion No. M23-022 (File No. 230114), approved on February 7, 2023. (Clerk of the Board)

President Peskin opened the public hearing and Supervisor Mandelman provided opening remarks. The President then inquired as to whether any individual wished to address the Committee of the Whole relating to the Place for All Report (File No. 230115). Sam Dodge (Department of Emergency Management), Amy King (Pallet Shelters), Shireen McSpadden, Director, Noelle Simmons, and Gigi Whitley (Department of Homelessness and Supportive Housing), Gail Gilman (All Homes), and Jeff Bellisario (Bay Area Council) provided an overview of the Place for All Report and responded to questions raised throughout the discussion. Thierry Fill; Jordan Davis; Mark Nagel; Jennifer Friedenbach; Andrea Ayala; Raphael; Stephanie Ashley; Otto Duffy; Speaker; William; Alice Rogers; Speaker; Marnie Regen; Chris Wright; Gloria Berry; Illani; Joi Jackson-Morgan; Melanie Medina; Julia Rome; Speaker; Jarod Goldmine; spoke on various concerns relating to the Place for All Report. There were no other speakers. The President closed public comment, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Supervisor Mandelman, seconded by Supervisor Dorsey, moved that this Hearing be HEARD AND FILED. The motion carried 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 Walton assumed the chair at 3:47 p.m. The President resumed the chair 3:55 p.m.

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

230260 [Administrative Code - COVID-19 Tenant Protections]

Sponsors: Preston; Walton, Peskin, Ronen and Chan

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency.

PASSED ON FIRST READING by the following vote:

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

230263 [Conveyance of Real Property - Land Dedication by 598 Brannan Street Phase 1, L.L.C. - 160 Freelon Street - Inclusionary Affordable Housing]

Sponsors: Mayor; Dorsey

Resolution approving and authorizing an agreement with 598 Brannan Street Phase 1, L.L.C. for the conveyance of a parcel of real estate, consisting of approximately 12,800 square feet of land within Assessor's Parcel Block No. 3777, located at 160 Freelon Street in the City and County of San Francisco to the Mayor's Office of Housing and Community Development pursuant to the land dedication process permitted under Planning Code, Section 249.78(e)(2)(B); adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain 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, and take certain actions in furtherance of this Resolution, as defined herein.

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

230160 [Administrative Code - Establishing the Enhanced Infrastructure Financing District Public Financing Authority No. 1]

Sponsors: Mayor; Walton and Safai

Ordinance amending the Administrative Code to establish and define the membership and duties of the Enhanced Infrastructure Financing District Public Financing Authority No. 1.

PASSED ON FIRST READING by the following vote:

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

230289 [Appointments, Sugary Drinks Distributor Tax Advisory Committee - Chester Williams, John Ilesha Ena, Marna Armstead, Francis Abigail Cabrera, Jamey Schmidt, Linda Ye, Eva Holman, and Laura Urban]

Motion appointing Chester Williams (residency requirement waived), John Ilesha Ena, Marna Armstead, Francis Abigail Cabrera, Jamey Schmidt, Linda Ye, Eva Holman, and Laura Urban, terms ending December 31, 2024, to the Sugary Drinks Distributor Tax Advisory Committee. (Rules Committee)

Motion No. M23-046

APPROVED by the following vote:

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

230290 [Appointments, Food Security Task Force - Austin Dalmasso, Earl Campbell Barbee, and Jade Quizon]

Motion appointing Austin Dalmasso, Earl Campbell Barbee, and Jade Quizon (residency requirement waived), for indefinite terms, to the Food Security Task Force. (Rules Committee)

Motion No. M23-047

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.

PUBLIC COMMENT

Speaker; shared various religious ideas.

Jordan Davis; spoke in support of newly introduced legislation urging protection of trans and LGBTQ+ youth.

Lea McGeever; spoke in support of newly introduced legislation urging protection of trans and LGBTQ+ youth.

Robert Hanley; spoke in support of the Resolution recognizing National Surveyors Week and Global Surveyors Day (File No. 230296).

Illani; spoke in support of newly introduced legislation urging protection of trans and LGBTQ+ youth.

Joe Kunzler; spoke in support of various policy actions and decisions made regarding remote public comment and meeting procedures.

Michael Petrelis; expressed concerns regarding the placement of General Public Comment on the Board Agendas.

Speaker; expressed concerns regarding public comment. (Clerk Calvillo responded to the speaker's inquiry regarding comments directed to the full Board, as a whole, and not to individual Members, as provided in Board Rule 4.22, Public Comment.)

Thien; shared concerns regarding tenant protections.

Allison Eddy-Brewson; spoke in support of newly introduced legislation urging protection of trans and LGBTQ+ youth.

Brandy Markman; spoke in support of newly introduced legislation urging protection of trans and LGBTQ+ youth.

Gloria Berry; expressed support of appropriations and resources for reparations.

Nikcole Cunningham; expressed support of appropriations and resources for reparations.

Keone Shaw; expressed support of appropriations and resources for reparations.

Speaker; expressed support of appropriations and resources for reparations.

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Mandelman assumed the chair at 8:16 p.m. The President resumed the chair 8:18 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

230295 [Commemorating the 125th Anniversary of United States v. Wong Kim Ark - March 28, 2023]

Sponsors: Engardio; Walton, Stefani and Melgar

Resolution commemorating March 28, 2023, as the 125th anniversary of the landmark Supreme Court decision in United States v. Wong Kim Ark, which affirmed the birthright citizenship of everyone born in the United States including children of immigrants.

Supervisors Walton, Stefani, and Melgar requested to be added as co-sponsors.

ADOPTED

230296 [Recognizing National Surveyors Week and Global Surveyors Day]**Sponsors: Mandelman; Chan and Peskin**

Resolution recognizing the week of March 19, 2023, through March 25, 2023, as National Surveyors Week, and March 21, 2023, as Global Surveyors Day in the City and County of San Francisco.

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

ADOPTED**230299 [Initiating Landmark Designation - Carnaval Mural - 1311 South Van Ness Avenue]****Sponsor: Ronen**

Resolution initiating landmark designation under Article 10 of the Planning Code of the Carnaval Mural, located at 1311 South Van Ness Avenue, Assessor's Parcel Block No. 6519, Lot No. 039.

ADOPTED**230300 [Initiating Landmark Designation - Chata Gutierrez Mural - 3175-24th Street]****Sponsor: Ronen**

Resolution initiating a landmark designation under Article 10 of the Planning Code of the Chata Gutierrez Mural, located at 3175-24th Street, Assessor's Parcel Block No. 6519, Lot No. 041.

ADOPTED**230305 [Supporting California State Assembly Bill No. 28 (Gabriel) - The Gun Violence Prevention, Healing, and Recovery Act]****Sponsors: Stefani; Walton and Chan**

Resolution supporting California State Assembly Bill No. 28, introduced by Assembly Member Jesse Gabriel, the Gun Violence Prevention, Healing, and Recovery Act, which would state the intent of the Legislature to enact legislation to impose a tax on firearms and ammunition sales to fund measures to protect against gun violence.

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

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

Supervisor Ronen requested that File No. 230179 be severed so that it may be considered separately.

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 Preston, moved that this Resolution be REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

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

President Peskin requested that File No. 230298 be severed so that it may be considered separately.

230298 [Recognizing Problem Gambling Awareness Month - March 2023]**Sponsors: Peskin; Chan, Engardio, Walton, Stefani and Mandelman**

Resolution recognizing March 2023 as Problem Gambling Awareness Month in the City and County of San Francisco.

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

President Peskin provided the following 24/7 toll-free number for those struggling with gambling addiction, it is free and confidential: 1-888-968-7888.

ADOPTED 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.

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.

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

230279 [Settlement of Lawsuit - Lyn Rawles - \$200,000]

Ordinance authorizing settlement of the lawsuit filed by Lyn Rawles against the City and County of San Francisco for \$200,000; the lawsuit was filed on December 4, 2020, in San Francisco Superior Court, Case No. CGC-20-588157; entitled Lyn Rawles v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)

03/07/23; RECEIVED FROM DEPARTMENT.

03/21/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230280 [General Plan - Environmental Justice Framework and General Plan Introduction]

Ordinance amending the General Plan by adopting the San Francisco Environmental Justice Framework and amending the Introduction to the General Plan; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and general welfare under Planning Code, Section 340, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Department)

03/10/23; RECEIVED FROM DEPARTMENT.

03/21/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/20/2023.

230281 [Administrative Code - Purchase and Sale of Electricity and Related Products - Public Utilities Commission]

Ordinance amending the Administrative Code to modify the waivers of specified contract-related requirements in the Administrative and Environment Codes for electricity and related product transactions, authorize binding arbitration for contracts with Investor Owned Utilities, and increase the annual expenditure limit for energy procurements from \$150,000,000 to \$200,000,000. (Public Utilities Commission)

03/13/23; RECEIVED FROM DEPARTMENT.

03/21/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/20/2023.

PROPOSED RESOLUTION

230282 [Sheriff's Department Oversight Board - 2022 Annual Report]

Resolution accepting the Sheriff's Department Oversight Board's annual report for the calendar year 2022. (Sheriff's Department Oversight Board)

03/09/23; RECEIVED FROM DEPARTMENT.

03/21/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:45 p.m.