

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Wednesday, April 12, 2023 - 9:30 AM

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

Recessed 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

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

2nd Friday

10:00 AM

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

Members Present: Connie Chan, Matt Dorsey, Joel Engardio, Rafael Mandelman, Aaron Peskin, Dean Preston, Ahsha Safai, and Shamann Walton

The Board of Supervisors of the City and County of San Francisco met in recessed session, in-person with remote access and public comment also available via telephone, on Wednesday, April 12, 2023, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 9:33 a.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.

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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, Peskin, Preston, Safai, and Walton were noted present.

Supervisors Melgar, Ronen, and Stefani were 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.

Supervisors Melgar, Ronen, and Stefani Excused from Attendance

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

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

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 March 7, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Dorsey, moved to approve the March 7, 2023, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

AGENDA CHANGES

There were no agenda changes.

SPECIAL ORDER - Mayor's Appearance Before The Board

230393 [Formal Policy Discussions - April 11, 2023]

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

The following topic was noticed on the agenda representing District 10:

1. Reparations

Due to the unexpected recessed meeting and scheduling conflicts, Mayor London N. Breed was unable to attend today's meeting. President Peskin indicated eligible topic(s) would be discussed at the next Mayoral appearance. Privilege of the floor was granted unanimously to Tom Paulino (Mayor's Office) who responded to questions raised regarding the Mayor's schedule and availability.

Eligible topic(s) CONTINUED to the next Mayoral appearance before the Board of Supervisors.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

230045 [Settlement of Lawsuit - Andrea Cervantes - \$400,000]

Ordinance authorizing settlement of the lawsuit filed by Andrea Cervantes against the City and County of San Francisco for \$400,000; the lawsuit was filed on August 10, 2020, in San Francisco Superior Court, Case No. CGC-20-586083; entitled Andrea Cervantes v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

230046 [Settlement of Lawsuit - Erica Zweig - \$85,000]

Ordinance authorizing settlement of the lawsuit filed by Erica Zweig against the City and County of San Francisco for \$85,000; the lawsuit was filed on August 20, 2021, in San Francisco Superior Court, Case No. CGC-21-594634; entitled Erica Zweig v. City and County of San Francisco; the lawsuit involves an alleged trip and fall on a City Street. (City Attorney)

FINALLY PASSED

230119 [Settlement of Lawsuit - William Bailey - \$52,500]

Ordinance authorizing settlement of the lawsuit filed by William Bailey against the City and County of San Francisco for \$52,500; the lawsuit was filed on October 27, 2020, in San Francisco Superior Court, Case No. CGC-20-587323; entitled William Bailey v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

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

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

FINALLY PASSED

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

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

FINALLY PASSED

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

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

FINALLY PASSED

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

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

FINALLY PASSED

230166 [Police Code - Displaced Worker Protections Under Certain Service Contracts]

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

Ordinance amending the Police Code to require an awarding authority, following the termination or end of a contract for janitorial, security, or building maintenance services in San Francisco, to provide information to facilitate the successor contractor's retention of the terminated or ending contractor's employees; to strengthen enforcement by permitting the City Attorney or an aggrieved employee to bring a civil action against the awarding authority for injunctive relief; to further strengthen enforcement by authorizing the Office of Labor Standards Enforcement (OLSE) to, among other things, promulgate rules, investigate possible violations, and order interim or final relief, including backpay, administrative penalties, costs of investigation, and interest; and to establish procedures for a person subject to an OLSE investigation to appeal the OLSE's determination of violation.

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee**230134 [Police, Building Codes - Wage Theft Bonds]**

Sponsors: Mandelman; Chan

Ordinance amending the Police and Building Codes to require owners of certain residential construction projects to maintain a labor compliance bond at the time of issuance of the first construction document; and clarifying that the bonding requirement applies to projects that submitted an application for a building permit or a complete preliminary permit application pursuant to California Government Code, Section 65941.1, on or after June 6, 2022.

FINALLY PASSED

Recommendation of the Rules Committee

221245 [Administrative Code - Reentry Council; Pretrial Services Seat]

Sponsor: Ronen

Ordinance amending the Administrative Code to add a seat to the Reentry Council, to be appointed by the Board of Supervisors, designated for a representative of the entity responsible for the administration of pretrial services involving alternatives to incarceration.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Government Audit and Oversight Committee

President Peskin requested File Nos. 230194 and 230195 be called together.

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

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

ADOPTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

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

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

ADOPTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

Recommendation of the Land Use and Transportation Committee

Supervisor Safai Excused from Voting

Out of an abundance of caution, Supervisor Safai requested to be excused from voting on File No. 210585 due to a possible conflict of interest.

Supervisor Mandelman, seconded by Supervisor Walton, moved that Supervisor Safai be excused from voting on File No. 210585. The motion carried by the following vote:

Ayes: 7 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Walton
Excused: 4 - Melgar, Ronen, Safai, Stefani

**210585 [Planning Code - State-Mandated Accessory Dwelling Unit Controls]
Sponsor: Mayor**

Ordinance amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings and to permit certain ADUs in the rear yard under the City's local, discretionary approval program; making findings under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

FINALLY PASSED by the following vote:

Ayes: 7 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Walton
Excused: 4 - Melgar, Ronen, Safai, Stefani

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Peskin requested File Nos. 230055 and 230209 be called together.

230055 [Public Employment - Amendment to the Salary Ordinance for the Office of the Public Defender - Immigration Legal Defense Support - FY2022-2023]

Sponsors: Mayor; Melgar, Safai, Mandelman and Preston

Ordinance amending Ordinance No. 162-22 (Salary Ordinance Fiscal Years 2022-2023 and 2023-2024) to reflect the addition of two positions (0.34 FTEs) in the Office of the Public Defender to support Immigration Legal Defense in Fiscal Year (FY) 2022-2023.
(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

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

Sponsors: Mayor; Safai, Mandelman and Preston

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

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

Sponsor: Mayor

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

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

Sponsors: Mayor; Safai and Mandelman

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230217 [Grant Agreement - Planned Parenthood Northern California - Security Services - Not to Exceed \$400,000 - Waiver of Competitive Solicitation Requirement]

Sponsors: Stefani; Mandelman

Ordinance authorizing the Department of Public Health ("Department") to award a one-time grant to Planned Parenthood Northern California ("Planned Parenthood NC") by waiving the competitive solicitation requirements of Administrative Code, Chapter 21G, for the purpose of funding security personnel to support access to family planning and other sexual and reproductive healthcare services in an amount not to exceed \$400,000, for a term not to exceed two years; and requiring the Department to provide an annual report to the Board of Supervisors on the security personnel selected by Planned Parenthood NC and security incidents experienced by Planned Parenthood NC.
(Public Health Department)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

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

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

ADOPTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

230317 [Multifamily Housing Revenue Note - Hunters Point Shipyard Block 52-54 - 151 and 351 Friedell Street - Not to Exceed \$63,000,000]**Sponsors: Mayor; Walton, Safai and Mandelman**

Resolution approving for purposes of the Internal Revenue Code of 1986, as amended, and authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$63,000,000 for the purpose of providing financing for the acquisition and construction of a 112-unit multifamily rental housing project located at 151 and 351 Friedell Street; 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 to the City, and the execution and delivery of the note; approving the form of and authorizing the execution of a project 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 two regulatory agreements and declaration of restrictive covenants; 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: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

Recommendations of the Land Use and Transportation Committee**230124 [Administrative and Public Works Codes - Shared Spaces Program]****Sponsors: Peskin; Dorsey, Engardio and Mandelman**

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, convert the shared space use into a post-pandemic permit, and modify the consent procedures for fronting tenants and property owners; amending the Public Works Code to address abandonment of structures as part of shared spaces enforcement; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton
Excused: 3 - Melgar, Ronen, Stefani

230156 [Environment Code - Safe Drug Disposal]**Sponsors: Mayor; Mandelman and Dorsey**

Ordinance amending the Environment Code to eliminate the requirement that certain drugs ("covered drugs") be disposed of at either a permitted hazardous waste disposal facility or permitted large municipal waste combustor, as those terms are defined by Environmental Protection Agency regulations, or at a facility that provides equivalent or superior environment and human health protection to such facilities, and to instead require that covered drugs be disposed of at a waste disposal facility operating in compliance with all local, state, and federal requirements applicable to that waste disposal facility; to require regular reporting of the compliance status of disposal facilities used; to change drug wholesalers' obligation to update the City's list of covered drug producers from an annual update to an update on request of the Environment Department's Director; to remove the requirement that operators of a drug stewardship plan receive prior approval of a change in manufacturers, and instead add a requirement that such operators receive prior approval of a change in disposal facilities used; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

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

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

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

ADOPTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

Recommendations of the Rules Committee**230186 [Mayoral Appointment, Treasure Island Development Authority Board of Directors - Timothy Reyff]**

Motion approving the Mayor's nomination for the appointment of Timothy Reyff to the Treasure Island Development Authority Board of Directors, term ending February 26, 2026. (Clerk of the Board) (Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are not City officers are only effective upon approval by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal Date: February 15, 2023.)

Motion No. M23-051**APPROVED by the following vote:**

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

President Peskin requested File Nos. 230254 and 230255 be called together.

230254 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Steve Heminger]

Motion approving the Mayor's nomination for the reappointment of Steve Heminger to the Municipal Transportation Agency Board of Directors, term ending March 1, 2027. (Clerk of the Board) (Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: March 7, 2023.)

Motion No. M23-052

APPROVED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230255 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Amanda Eaken]

Motion approving the Mayor's nomination for the reappointment of Amanda Eaken to the Municipal Transportation Agency Board of Directors, term ending March 1, 2027. (Clerk of the Board) (Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: March 7, 2023.)

Motion No. M23-053

APPROVED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230306 [Amending the Rules of Order - Providing for Remote Public Comment Opportunities]

Motion amending the Board of Supervisors' Rules of Order by creating a new Rule 1.3.3, In-Person and Remote Public Comment, and amending Rule 4.22, Public Comment, to provide for remote comment opportunities by all members of the public who wish to comment remotely. (Clerk of the Board)

(Pursuant to Board Rule 3.26.1, an amendment to the Board of Supervisors' Rules of Order shall be adopted by the affirmative vote of two-thirds (8 votes) of the full membership of the Board of Supervisors.)

NOT APPROVED by the following vote:

Ayes: 7 - Chan, Dorsey, Engardio, Peskin, Preston, Safai

Noes: 1 - Mandelman

Excused: 3 - Melgar, Ronen, Stefani

Supervisor Peskin, seconded by Supervisor Mandelman, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai

Excused: 3 - Melgar, Ronen, Stefani

Motion No. M23-054

APPROVED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

SPECIAL ORDER - 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 Dorsey introduced, welcomed, and presented a Certificate of Honor to Dr. Alexis Petra, Co-Founder and Chief Executive Officer of TransClinique, in recognition of her work and advocacy within the transgender and non-binary community.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Eric Ginsberg; expressed support for the Resolution recognizing Wild Parrots of San Francisco as the official animal of the City and County of San Francisco (File No. 230384).

Judy Irving; expressed support for the Resolution recognizing Wild Parrots of San Francisco as the official animal of the City and County of San Francisco (File No. 230384).

Mark Bittner; expressed support for the Resolution recognizing Wild Parrots of San Francisco as the official animal of the City and County of San Francisco (File No. 230384).

Speaker; shared concerns on traffic, high crime, and human interaction.

Speaker; shared concerns on empty storefronts, gentrification, and advertisements on City property.

Anastasia Youvonapolous; expressed support for the Resolution supporting the Bay Area Housing Finance Agency's November 2024 General Obligation Bond (File No. 230394).

Gilbert Criswell; shared concerns regarding service cuts on San Francisco Transportation Agency routes.

Charlie Sciammas; expressed support for the Resolution supporting the Bay Area Housing Finance Agency's November 2024 General Obligation Bond (File No. 230394).

Liliana Marquez; expressed support for the Resolution celebrating the Week of the Young Child in San Francisco (File No. 230395).

Speaker; shared various concerns and free speech.

David Osgood; shared an invitation to his neighborhood council meeting.

William Walker; expressed concerns regarding the San Francisco Municipal Transportation Agency's budget.

Mitch Madkin; expressed support for the Resolution supporting the Bay Area Housing Finance Agency's November 2024 General Obligation Bond (File No. 230394).

Maria; expressed support for the Resolution celebrating the Week of the Young Child in San Francisco (File No. 230395).

Maria Luz Torre; expressed support for the Resolution celebrating the Week of the Young Child in San Francisco (File No. 230395).

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

230383 [Opposing Funding Cuts to the Statewide Public Defense Pilot Program]

Sponsors: Chan; Peskin, Ronen, Preston and Mandelman

Resolution urging Governor Gavin Newsom and the California State Legislature to retain the full state funding of the Public Defense Pilot Program for three years.

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

ADOPTED

230387 [Filicide Awareness Week - April 9 through April 15, 2023]

Sponsor: Stefani

Resolution declaring the week of April 9 through April 15, 2023, to be Filicide Awareness Week in the City and County of San Francisco and supporting "Pierce's Pledge."

ADOPTED

230395 [The Week of the Young Child in San Francisco - April 2 through April 8, 2023]**Sponsors: Melgar; Safai, Chan, Ronen, Walton, Peskin, Preston, Engardio and Mandelman**

Resolution celebrating early care educators and families of young children during "The Week of the Young Child," April 2 through April 8, 2023, in the City and County of San Francisco.

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

ADOPTED**230396 [Closed Session - Anticipated Litigation - Funding Overdose Prevention Centers - April 18, 2023]****Sponsors: Ronen; Dorsey, Preston and Peskin**

Motion that the Board of Supervisors convene in closed session on April 18, 2023, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(2), for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation in which the City may be a plaintiff or defendant, regarding existing and possible future claims and demands related to the City's potential use of City funds, including opioid settlement funds, to support overdose prevention centers.

Motion No. M23-055**APPROVED****230348 [Appointment, Park, Recreation, and Open Space Advisory Committee - Joanne Scott]**

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

Motion No. M23-056**APPROVED****230365 [Committee of the Whole - Report of Assessment Costs - Building Code Enforcement Violations - May 23, 2023, at 3:00 p.m.]**

Motion scheduling the Board of Supervisors to convene as a Committee of the Whole on May 23, 2023, at 3:00 p.m., to hold a public hearing on a Resolution confirming a report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

Motion No. M23-057**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

Severed from the For Adoption Without Committee Reference Agenda

President Peskin requested File Nos. 230384, 230385, and 230394 be severed so that they may be considered separately.

230384 [Resolution of Intent to Designate the Wild Parrots of San Francisco as the Official Animal of San Francisco]

Sponsors: Melgar; Peskin, Safai, Mandelman and Dorsey

Resolution recognizing the Wild Parrots of San Francisco as the official animal of the City and County of San Francisco.

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

Supervisor Chan, seconded by Supervisor Dorsey, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by changing 'Recognizing' to 'Resolution of Intent to Designate', Line 4, by changing 'recognizing' to 'of intent to amend the Administrative Code to designate'; and on Page 3, Line 1, by changing 'every' to 'many', and 'city in' to 'cities all over', and Line 14, by changing 'recognizes' to 'declares its intention to amend the Administrative Code to designate'. The motion carried by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

Resolution of intent to amend the Administrative Code to designate the Wild Parrots of San Francisco as the official animal of the City and County of San Francisco.

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230385 [City Policy Restricting Payment to Twitter for Blue Checkmark Verification]

Sponsors: Peskin; Ronen, Melgar and Walton

Resolution setting forth official City policy regarding restricting payment to Twitter for blue checkmark verification (Twitter Blue Service).

Privilege of the floor was granted unanimously to Anne Pearson (Office of the City Attorney) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

230394 [Supporting BAHFA November 2024 General Obligation Bond for Affordable Housing]**Sponsors: Peskin; Melgar, Ronen, Chan, Preston, Safai, Walton, Mandelman and Dorsey**

Resolution expressing the City and County of San Francisco's support for the Bay Area Housing Finance Agency's (BAHFA) proposal to place a general obligation bond on the November 2024 ballot to finance the production, protection and preservation of affordable housing in San Francisco and throughout the Bay Area; and urging the Capital Planning Committee, in collaboration with the Mayor's Office of Housing and Community Development, Planning Department, the Controller's Office and affordable housing developers, to assess the viability of a combination of local and regional housing bond scenarios in conjunction with the City's Capital Plan for the 2024 Presidential Primary and General Election cycles.

Supervisors Preston, Safai, Walton, Mandelman, and Dorsey requested to be added as co-sponsors.

Supervisor Mandelman, seconded by Supervisor Chan, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 15, by changing '43%' to '56%', and changing '54%' to '60%', and Line 16, by changing '52%' to '58%'. The motion carried by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Walton

Excused: 3 - Melgar, Ronen, Stefani

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**230349 [Waiver of Municipal Code Requirements for Public Utilities Commission Agreements with Caltrans]**

Ordinance exempting from requirements of the Administrative Code and the Environment Code two agreements between the San Francisco Public Utilities Commission and the California Department of Transportation for professional services for sewer improvement projects; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Utilities Commission)

03/31/23; RECEIVED FROM DEPARTMENT.

04/11/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/11/2023.

230350 [Settlement of Lawsuit - San Francisco Care Center, L.P. - \$825,000]

Ordinance authorizing settlement of the lawsuit City and County of San Francisco, et al., v. San Francisco Care Center, L. P., et al., for \$825,000; the lawsuit was filed on March 23, 2018, in San Francisco Superior Court, Case No. CGC 18-565184; the lawsuit involves alleged breaches of contract and Building Code violations. (City Attorney)

03/31/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230351 [Settlement of Lawsuit - Ronnie Jones - \$149,000]

Ordinance authorizing settlement of the lawsuit filed by Ronnie Jones against the City and County of San Francisco for \$149,000; the lawsuit was filed on February 17, 2021, in San Francisco Superior Court, Case No. CGC-21-589810; entitled Ronnie Jones v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

04/03/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

230352 [Contract Amendment - Asian and Pacific Island Wellness Center dba San Francisco Community Health Center - Intensive Case Management and Mobile Delivered Care and Services - Not to Exceed \$15,240,599]

Resolution approving Amendment No. 3 to the agreement between Asian and Pacific Islander Wellness Center dba San Francisco Community Health Center and the Department of Public Health (DPH), to provide intensive case management and mobile delivered care and services to severe need and special populations living with HIV/AIDS who reside in San Francisco, to increase the agreement by \$5,585,276 for an amount not to exceed \$15,240,599; to extend the term by three years from February 29, 2024, for a total agreement term of May 1, 2017, through February 28, 2027; and to authorize DPH 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 or this Resolution. (Public Health Department)

03/31/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230353 [Contract Amendment - Westside Community Mental Health Center, Inc. - Substance Use Disorder Services - Not to Exceed \$15,580,935]

Resolution approving Amendment No. 2 to the agreement between Westside Community Mental Health Center, Inc. and the Department of Public Health (DPH), for substance use disorder services; to increase the agreement by \$6,526,688 for an amount not to exceed \$15,580,935; to extend the term by three years from June 30, 2023, for a total agreement term of July 1, 2017, through June 30, 2026; and to authorize DPH 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 or this Resolution. (Public Health Department)

03/31/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230354 [Contract Amendment - Homeless Children's Network - Mental Health Services for Homeless Children and Families - Not to Exceed \$17,465,319]

Resolution approving Amendment No. 2 to the agreement between Homeless Children's Network and the Department of Public Health (DPH), for mental health services for homeless children and families; to increase the agreement by \$7,473,592 for a total amount not to exceed \$17,465,319; to extend the term by four years and six months, from June 30, 2023, for a total agreement term of July 1, 2018, through December 31, 2027; and to authorize DPH 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 or this Resolution. (Public Health Department)

04/03/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230357 [Report of Assessment Costs - Sidewalk Inspection and Repair Program]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to the provisions of Public Works Code, Section 706.9, and Administrative Code, Chapter 80, the costs thereof having been paid for out of a revolving fund. (Public Works)

04/03/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Board of Supervisors.

230360 [Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, ordered to be performed by said Director pursuant to the provisions of Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

04/03/23; RECEIVED FROM DEPARTMENT.

04/11/23; RECEIVED AND ASSIGNED to Board of Supervisors.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 10:53 a.m.