

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, July 11, 2023 - 2:00 PM

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

### Regular Meeting

AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

### BOARD COMMITTEES

#### Committee Membership

##### **Budget and Appropriations Committee**

Supervisors Chan, Mandelman, Safai, Ronen, Walton

##### **Budget and Finance Committee**

Supervisors Chan, Mandelman, Safai

##### **Government Audit and Oversight Committee**

Supervisors Preston, Stefani, Chan

##### **Homelessness and Behavioral Health Select Committee**

Supervisors Ronen, Mandelman, Walton

##### **Land Use and Transportation Committee**

Supervisors Melgar, Preston, Peskin

##### **Public Safety and Neighborhood Services Committee**

Supervisors Stefani, Engardio, Dorsey

##### **Rules Committee**

Supervisors Dorsey, Walton, Safai

#### Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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

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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, July 11, 2023, with President Aaron Peskin presiding.*

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

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

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

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

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

*Supervisor Ronen 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 Ronen Excused from Attendance**

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

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

## **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](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.)*

## APPROVAL OF MEETING MINUTES

*President Peskin inquired whether any Member of the Board had any corrections to the June 6, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.*

**Supervisor Mandelman, seconded by Supervisor Preston, moved to approve the June 6, 2023, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:**

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

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendation of the Land Use and Transportation Committee

#### **230447 [Building, Planning Codes - Existing Awning Amnesty Program]**

**Sponsors: Mayor; Peskin, Stefani, Chan, Preston, Ronen, Mandelman, Safai and Engardio**

Ordinance amending the Building and Planning Codes to create a temporary amnesty program for unpermitted awnings that streamlines the application process to legalize awnings, waives applicable fees, and confers legal nonconforming status for awnings and signs that do not comply with the Planning Code; 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.

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

### **230165 [Administrative Code - Reporting Requirements for City-Funded Nonprofit Organizations]**

**Sponsor: Safai**

Ordinance amending the Administrative Code to limit the application of nonprofit reporting requirements to organizations receiving more than \$100,000 annually, require submission of tax and governance documents to confirm nonprofit status, centralize reporting by restoring the City Administrator as the sole collector of information, and require the City Administrator to make reported information publicly available.

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

## **Recommendation of the Rules Committee**

### **230482 [Park Code - PROSAC Membership]**

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

Ordinance amending the Park Code to 1) reduce the number of seats on the Parks, Recreation, and Open Space Advisory Committee (PROSAC), 2) provide for alternate members, 3) allow members to serve for more than four consecutive terms, 4) provide for the appointment of members having experience with environmental justice, racial equity, and disability issues; and 5) provide that meetings shall occur at City Hall.

(Supervisor Ronen voted No on First Reading.)

**Supervisor Safai requested this Ordinance be DUPLICATED ON FINAL PASSAGE.**

*See Duplicated File No. 230809.*

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

**FINALLY PASSED by the following vote:**

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

**230809 [Park Code - PROSAC Membership]****Sponsors: Peskin; Walton, Safai and Chan**

Ordinance amending the Park Code to 1) reduce the number of seats on the Parks, Recreation, and Open Space Advisory Committee (PROSAC), 2) provide for alternate members, 3) allow members to serve for more than four consecutive terms, 4) provide for the appointment of members having experience with environmental justice, racial equity, and disability issues; and 5) provide that meetings shall occur at City Hall.

*Duplicated from File No. 230482.*

**Supervisor Safai, 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, Safai, Stefani, Walton  
Excused: 1 - Ronen

## NEW BUSINESS

### Recommendations of the Budget and Appropriations Committee

**230312 [Public Works, Administrative Codes - Curbside Shared Spaces Permit and License Fees]****Sponsor: Safai**

Ordinance amending the Public Works Code to eliminate permit fees for a Curbside Shared Spaces permit approved before June 30, 2024; amending the Administrative Code to increase the gross receipts threshold from \$2,000,000 to \$2,500,000 for reductions to annual Curbside Shared Spaces permit and license fees; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

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

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

**230709 [Project List Approval - Senate Bill 1 Local Streets and Road Program Road Maintenance and Rehabilitation Account Funds]****Sponsor: Mayor**

Resolution approving the list of projects to be funded by Fiscal Year 2023-2024 Road Maintenance and Rehabilitation Account funds as established by California Senate Bill 1, the Road Repair and Accountability Act of 2017.

**ADOPTED by the following vote:**

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

President Peskin requested File Nos. 230644, 230645, 230646, 230647, 230648, 230649, 230650, 230651, 230652, 230653, 230654, 230655, 230656, 230658, 230659, 230661, 230662, 230663, 230664, 230665, 230666, 230667, 230668, 230669, 230671, 230672, 230673, 230674, 230675, 230676, 230677, 230678, 230679, 230680, and 230681 (the Annual Budget) be called together.

(Pursuant to Administrative Code, Section 3.9, the Committee shall return the Annual Budget to the Board of Supervisors no later than July 15th, and pursuant to Charter, Section 9.100(b), the Board shall adopt the Annual Budget no earlier than July 15th nor later than August 1st. Therefore, all items comprising the Annual Budget appeared on the July 11, 2023, Board Agenda and were Continued to the July 18, 2023, Board of Supervisors meeting for First Reading or Adoption.)

#### **230644 [Budget and Appropriation Ordinance for Departments - FYs 2023-2024 and 2024-2025]**

**Sponsor: Mayor**

Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of June 1, 2023, for the Fiscal Years (FYs) ending June 30, 2024, and June 30, 2025.  
(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

#### **230645 [Annual Salary Ordinance - FYs 2023-2024 and 2024-2025]**

**Sponsor: Mayor**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Years (FYs) ending June 30, 2024, and June 30, 2025, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.  
(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230646 [Administrative Code - Minimum Compensation Ordinance]****Sponsor: Mayor**

Ordinance amending the Administrative Code to increase the minimum hourly compensation rate for employees of nonprofit City contractors incrementally to \$23.00 per hour by January 1, 2026, with annual increases every July thereafter based on increases in the Consumer Price Index; to increase the minimum hourly compensation rate for employees of public entity City contractors incrementally to \$25.50 per hour by January 1, 2027, with annual increases every July thereafter based on increases in the regional Consumer Price Index for certain workers; and to modify the exemption to minimum compensation requirements for youth employees in summer and after-school programs.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230647 [Administrative and Environment Codes - Reducing Reporting Burdens]****Sponsor: Mayor**

Ordinance amending the Administrative and Environment Codes to reduce administrative costs by requiring the Risk Manager to review and update insurance requirements only as necessary to protect the interests of the City, instead of annually; and eliminating the requirement that the Office of Contracts Administration regularly report on the implementation of City laws relating to select employment practices and the use of tropical hardwood by City contractors; and by requiring the City Administrator to send a list of available reports to the Board of Supervisors annually.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230648 [Administrative Code - Eliminating Annual Joint Fundraising Drive]****Sponsor: Mayor**

Ordinance amending the Administrative Code to eliminate the City's annual joint fundraising drive.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230649 [Administrative Code - Technology Commodities and Services Procurements]****Sponsor: Mayor**

Ordinance amending the Administrative Code to conform to current nomenclature the definition of the City's Technology Marketplace for procurement of technology commodities and services, and adjust associated fees paid by City departments.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230650 [Administrative Code - Department of Public Health Managed Care Contracts]****Sponsor: Mayor**

Ordinance amending the Administrative Code to extend the Board of Supervisors' delegation of authority under Charter, Section 9.118, to the Department of Public Health to approve managed care contracts to include contracts ending on December 31, 2028; and to exclude from the requirement of Controller review those managed care contracts that are based on rates set by the California Department Health Care Services or on actual healthcare delivery costs.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230651 [Administrative Code - Film Commission Programs]****Sponsor: Mayor**

Ordinance amending the Administrative Code to clarify when the filming of a news event does not require a use contract; to clarify that the Executive Director is appointed pursuant to Charter, Sections 3.100(19) and 4.102(5); to authorize the Executive Director to approve the use of the Film SF logo by third parties to market Film Commission programs and activities; to increase the daily use fees to engage in film production; and to allow funds from the Film Rebate Project Account to be used to administer and market the Film Rebate Program.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230652 [Appropriation - \$124,020,472 in Proceeds from Revenue Bonds, Hetch Hetchy Revenue, Cap and Trade Allowance for Hetch Hetchy Water and Power Capital Improvements - FY2023-2024]****Sponsor: Mayor**

Ordinance appropriating a total of \$124,020,472 of Hetch Hetchy revenue, Cap and Trade Revenue and Power and Water Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Capital Improvement Program for Fiscal Year (FY) 2023-2024; and placing \$41,031,367 of Power Bonds and \$77,084,105 of Water Bonds by project on Controller's Reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) Findings for projects, following review and consideration of completed project related environmental analysis, where required, in Fiscal Year (FY) 2023-2024.

(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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



**230653 [Appropriation - Proceeds from CleanPowerSF Revenue and California Public Utilities Commission Grant Funds for CleanPowerSF Capital Improvements - \$1,607,220 - FY2023-2024]**

**Sponsor: Mayor**

Ordinance appropriating \$759,000 of CleanPowerSF revenue for CleanPowerSF Capital Improvements and \$848,220 in California Public Utilities Commission grant funds to implement the Disadvantaged Communities Green Tariff and Community Solar Green Tariff Programs for Fiscal Year (FY) 2023-2024.

(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

Excused: 1 - Ronen

**230654 [Appropriation - \$332,278,006 in Proceeds from Revenue Bonds, State Loan or Grant Funds, Water Revenues, and Water Capacity Fees - FY2023-2024]**

**Sponsor: Mayor**

Ordinance appropriating a total of \$332,278,006 of proceeds from Revenue Bonds, State of California Water Resources Control Board's revolving loan funds (State Loan Funds) or grant funds (State Grant Funds), water revenues, and water capacity fees for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program for Fiscal Year (FY) 2023-2024; and placing \$281,901,348 of Revenue Bond and State Loan Funds or State Grant Funds proceeds by project on Controller's Reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) findings for projects, following review and consideration of completed project related environmental analysis, where required, in FY2023-2024.

(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

Excused: 1 - Ronen

**230655 [Appropriation - Proceeds from Revenue Bonds, State Loans or Grant Funds, Wastewater Revenues, and Wastewater Capacity Fees for Wastewater Capital Improvements - \$1,142,597,402 - FY2023-2024]**

**Sponsor: Mayor**

Ordinance appropriating a total of \$1,142,597,402 of proceeds from revenue bonds, State of California Water Resources Control Board's revolving loan funds (State Loan Funds) or grant funds (State Grant Funds), wastewater revenue and capacity fees for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for Fiscal Year (FY) 2023-2024, and placing \$1,047,288,286 in Revenue Bonds or State Loan or Grant Funds by project on Controller's Reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) findings for projects, following review and consideration of completed project related environmental analysis, where required in Fiscal Year (FY) 2023-2024.  
(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230656 [Appropriations - Port Commission - \$501,908 - Public Utilities Commission - \$97,057,341 - FY2023-2024]**

**Sponsor: Mayor**

Ordinance appropriating \$501,908 in the Port Commission and \$97,057,341 in the San Francisco Public Utilities Commission in Fiscal Year (FY) 2023-2024.  
(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230658 [Building Code - Increase Fees]**

**Sponsor: Mayor**

Ordinance amending the Building Code to increase fees charged by the Department of Building Inspection by 15%; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230659 [Business and Tax Regulations, Health Codes - Emergency Medical Services Fees]****Sponsor: Mayor**

Ordinance amending the Business and Tax Regulations Code to update emergency medical services fees to reflect amounts authorized under annual adjustment provisions and to require fees for certain additional services; and amending the Health Code to define the terms “trauma center” and “pediatric center.”

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230661 [Business and Tax Regulations Code - Early Care and Education Commercial Rents Tax Baseline]****Sponsor: Mayor**

Ordinance modifying the baseline funding requirements for early care and education programs in Fiscal Years 2023-2024 and 2024-2025, to enable the City to use Early Care and Education Commercial Rents Tax revenues for those programs.  
(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230662 [Health Code - Patient Rates for Fiscal Years 2023-2024 and 2024-2025]****Sponsor: Mayor**

Ordinance amending the Health Code to set patient rates and rates for other services provided by the Department of Public Health, for Fiscal Years 2023-2024 and 2024-2025.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230663 [Municipal Elections Code - Supporters and Opponents in Ballot Questions for Local Measures]****Sponsor: Mayor**

Ordinance amending the Municipal Elections Code to opt out of state law that would require the names of supporters and opponents of a local ballot measure to be listed in the ballot statement or question for the measure.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230664 [Business and Tax Regulations Code - Waiver of Permit, License, and Business Registration Fees for Certain Small Businesses]****Sponsors: Mayor; Ronen, Engardio, Dorsey, Mandelman and Stefani**

Ordinance amending the Business and Tax Regulations Code to waive, retroactively to July 1, 2023, certain first-year permit, license, and business registration fees for specified small businesses that newly form or that open a new location; and refunding any waived fees that have been paid to the City.

(Fiscal Impact)

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

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

Excused: 1 - Ronen

**230665 [San Francisco Public Utilities Commission Water Revenue Bond and Other Forms of Indebtedness Issuance - Not to Exceed \$358,985,453]****Sponsor: Mayor**

Ordinance authorizing the issuance and sale of tax-exempt or taxable Water Revenue Bonds and other forms of indebtedness (as described below) by the San Francisco Public Utilities Commission ("Commission") in an aggregate principal amount not to exceed \$358,985,453 to finance the costs of various capital water projects benefitting the Water Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Water Revenue Refunding Bonds and the retirement of outstanding Water Enterprise Commercial Paper; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

Excused: 1 - Ronen

**230666 [San Francisco Public Utilities Commission Wastewater Revenue Bond Issuance - Various Capital Wastewater Projects Benefitting the Wastewater Enterprise - Not to Exceed \$1,047,288,286]**

**Sponsor: Mayor**

Ordinance authorizing the issuance and sale of tax-exempt or taxable Wastewater Revenue Bonds and other forms of indebtedness (as described below) by the San Francisco Public Utilities Commission ("Commission") in an aggregate principal amount not to exceed \$1,047,288,286 to finance the costs of various capital wastewater projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Wastewater Revenue Refunding Bonds and the retirement of outstanding Wastewater Enterprise Commercial Paper; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230667 [San Francisco Public Utilities Commission Power Revenue Bond and Other Forms of Indebtedness Issuance - Various Capital Projects Benefitting the Power Enterprise - Not to Exceed \$41,031,367]**

**Sponsor: Mayor**

Ordinance authorizing the issuance and sale of tax-exempt or taxable Power Revenue Bonds and other forms of indebtedness (as described below) by the San Francisco Public Utilities Commission ("Commission") in an aggregate principal amount not to exceed \$41,031,367 to finance the costs of various capital projects benefitting the Power Enterprise under the Charter, including amendments to the Charter enacted by the voters on June 5, 2018, commonly referred to as Proposition A; authorizing the issuance of Power Revenue Refunding Bonds; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt or taxable bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230668 [Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling]****Sponsor: Mayor**

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2023.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230669 [Public Employment - Amendment to the Salary Ordinance for the Port Commission and the Airport Commission - FY2023-2024]****Sponsor: Mayor**

Ordinance amending Ordinance No. 166-22 (Salary Ordinance Fiscal Years 2022-2023 and 2023-2024) to reflect the addition of four positions (3.16 FTEs) at the Port Commission; and the substitution of 31 positions (31.0 FTEs) and the addition of 128 positions (101.12 FTEs) at the Airport Commission in Fiscal Year (FY) 2023-2024.  
(Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230671 [Office of Community Investment and Infrastructure, Operating as Successor Agency to the San Francisco Redevelopment Agency - FY2023-2024 Budget - Bond Issuance Not to Exceed \$75,000,000]****Sponsor: Mayor**

Resolution approving the Fiscal Year (FY) 2023-24 Budget of the Office of Community Investment and Infrastructure ("OCII") operating as the Successor Agency to the San Francisco Redevelopment Agency; and approving the issuance by OCII of Bonds in an aggregate principal amount not to exceed \$75,000,000 for the purpose of financing a portion of OCII's enforceable obligations.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230672 [Proposition J Contract Certification Contracted-Out Department Services Previously Approved]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that department services previously approved can be performed by a private contractor for a lower cost than similar work performed by City and County employees, for the following services: Budget and Legislative Analyst Services (Board of Supervisors); Fleet Security Services, Real Estate Division Custodial Services, Real Estate Division Security Services, and Convention Facilities Management (General Services Agency - Administrative Services); Security Services (Department of Public Works); Security Services (Homelessness and Supportive Housing); Security Services (Human Services Agency); Food Services at County Jails (Sheriff's Department); Assembly of Vote by Mail Services (Department of Elections); Security Services (Mayor's Office of Housing and Community Development); and Security Services (Department of Public Health).

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230673 [Memorandum of Understanding - The San Francisco Public Health Foundation]****Sponsor: Mayor**

Resolution approving the Memorandum of Understanding (MOU) between the San Francisco Public Health Foundation and the Department of Public Health to establish the roles and responsibilities of each party for purposes of fundraising and capital projects; and to authorize the Department of Public Health to enter into amendments or modifications to the MOU 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 MOU or this Resolution.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230674 [Memorandum of Understanding - The San Francisco General Hospital Foundation]****Sponsor: Mayor**

Resolution approving the Memorandum of Understanding (MOU) between the San Francisco General Hospital Foundation and the City and County of San Francisco, acting by and through its Department of Public Health, to establish the roles and responsibilities of each party for purposes of fundraising and capital projects; and to authorize the Department of Public Health to enter into amendments or modifications to the MOU 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 MOU or this Resolution.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230675 [Homelessness and Supportive Housing Fund - FYs 2023-2024 and 2024-2025 Expenditure Plan]****Sponsor: Mayor**

Resolution approving the Fiscal Years (FYs) 2023-2024 and 2024-2025 Expenditure Plan for the Department of Homelessness and Supportive Housing Fund.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230676 [Adjusting the Access Line Tax with the Consumer Price Index of 2023]****Sponsor: Mayor**

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2023, and adjusting the Access Line Tax by the same rate.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230677 [Accept and Expend Grants - Recurring State Grant Funds - Department of Public Health - FY2023-2024]****Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for Fiscal Year (FY) 2023-2024. (Public Health Department)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230678 [Accept and Expend Grant - Friends of The San Francisco Public Library - Annual Grant Award - Up to \$1,030,400 of In-Kind Gifts, Services, and Cash Monies - FY2023-2024]****Sponsor: Mayor**

Resolution authorizing the San Francisco Public Library to accept and expend a grant in the amount of up to \$1,030,400 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services in Fiscal Year (FY) 2023-2024.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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



**230679 [Agreement - Retroactive - Advocates for Human Potential, Inc. - Mobile Crisis Services - Anticipated Revenue to the City of \$1,977,500]****Sponsor: Mayor**

Resolution retroactively approving an agreement, for a term of September 15, 2021, through June 30, 2025, between the San Francisco Department of Public Health and Advocates for Human Potential, Inc. having anticipated revenue to the City of \$1,977,500; and to authorize the Department of Public Health 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.

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230680 [Grant Agreement Amendment - San Francisco Tourism Improvement District Management Corporation - Downtown Welcome Ambassador Program - Not to Exceed \$21,377,000]****Sponsor: Mayor**

Resolution approving Amendment No. 5 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 \$5,150,000 for a total not to exceed amount of \$21,377,000 and to increase the term for one year and eight months for a new term from July 1, 2021, through June 30, 2025; effective upon approval of this Resolution; 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)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

**230681 [Grant Agreement Amendment - Mid-Market Foundation - Mid-Market/Tenderloin Community-Based Safety Program - Not to Exceed \$61,090,570]****Sponsor: Mayor**

Resolution approving Amendment No. 3 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 \$31,000,000 for a total not to exceed amount of \$61,090,570 and to extend the term from October 15, 2023, for a total period of July 1, 2022, through June 30, 2025; effective upon approval of this Resolution; 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. (Fiscal Impact)

**Supervisor Mandelman, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2023. The motion carried by the following vote:**

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

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

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

*Supervisor Walton introduced, welcomed, and presented a Certificate of Honor to the staff and volunteers of Pier 94, Site F, including Na'riiah Childress, Latoya Skinner, Jason Thomas, Thomas Taylor, Alice Flores, Antonae Ward, Kelin Flowers, Howard Smith Jr., Juanito Abston, Eric Blackmon, Kirey Carson, Reginal Dudley, Cheyenne Herbert, Ayana Higgins, Shaun Jones, Cassandra McFadden, Indio Moore, Melvin Powell, Mieka Robinson, Antoine Wright, Woody Woodson, Randy Wilferd, Sharon Thrower, Ramona Soberanis, Trevor Wong, Aurora Golden-Appleton, Dr. Dan Wlodarczyh, Anita Brown, Christine Odena, Junae Lowe, Diamond King, Jesus Salgado, Donna Camacho, Theresa Ick, Anand Iyer, Marvin Davis, Lynn Vaino, Charisse Lloyd, DeShawn Waters, Jessican Evans, Shawn Richard, Tina Brown, Randy Higgins, Jessica Camilli, Angelica Varela, Shannon Wise, Jason Brown, Maurice Byrd, Jonita Lloyd, Melvin Caldwell, Mike Donofrio, Moinnette Harris, Natalie Ram, and Cassandra Perkins, in recognition of their accomplishments and continued community support.*

*Supervisor Safai introduced, welcomed, and presented a Certificate of Honor to Ivan Contreras in recognition of his heroic actions assisting the victim of a catastrophic accident.*

*Supervisor Chan introduced, welcomed, and presented a Certificate of Honor to Kumiko Inui on the occasion of her retirement as a Pre-School Director and in recognition of her many accomplishments teaching the children of San Francisco.*

## SPECIAL ORDER 3:00 P.M.

*President Peskin requested File Nos. 230514 and 230515 be called together.*

## Board of Supervisors Sitting as a Committee of the Whole

### **230514 [Hearing - Committee of the Whole - Excelsior Community Benefit District - July 11, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on July 11, 2023, at 3:00 p.m., to consider establishment of a property-based assessment district to be known as the Excelsior Community Benefit District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600 et seq.), and City and County of San Francisco Business and Tax Regulations Code, Article 15; scheduled pursuant to the Resolution No. 235-23 contained in File No. 230386; adopted on May 2, 2023. (Clerk of the Board)

*President Peskin opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the Excelsior Community Benefit District. Chris Corgas (Mayor's Office of Economic and Workforce Development) provided an overview of the proposed community benefit district and responded to questions raised throughout the discussion. Maribel Ramirez; Cathy Mulkey Meyer; Laura Padilla; Rosanne Harrison; Linda White-Heiser; Mel Flores; Tom Murphy; Alma Castellanos; Leigh Salvador; Shanae Trinity; spoke in support of the community benefit district. Michael Rossi; Robert Rossi; Rosa Ortega; spoke in opposition to the community benefit district. There were no other speakers. The President closed public comment, declared the matter heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

### **From the Board**

### **230515 [Resolution to Establish - Excelsior Community Benefit District]**

#### **Sponsor: Safai**

Resolution to establish the property-based business improvement district known as the "Excelsior Community Benefit District," ordering the levy and collection of assessments against property located in that district for 10 years commencing with Fiscal Year 2023-2024, subject to conditions as specified, and making environmental findings.

*Alisa Somera, Legislative Deputy Director, informed the Board of Supervisors that the returned weighted ballots voting for the Excelsior Community Benefit District was 63.0%, and the returned weighted ballots voting against the Excelsior Community Benefit District was 37.0%, further indicating there was no majority protest.*

**ADOPTED by the following vote:**

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

## SPECIAL ORDER 3:00 P.M.

*President Peskin requested File Nos. 230627 and 230628 be called together.*

## Board of Supervisors Sitting as a Committee of the Whole

### **230627 [Hearing - Committee of the Whole - Report of Delinquent Real Property Transfer Taxes - July 11, 2023, at 3:00 p.m.]**

Hearing to consider objections to a report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0340, Lot No. 004 (2-16 Turk Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund; scheduled pursuant to Motion No. M23-091 (File No. 230626), approved June 13, 2023. (Clerk of the Board)

*President Peskin opened the public hearing and reported that this matter has been resolved and the Resolution is no longer needed. The President then inquired as to whether any member of the public wished to address the Board. There were no speakers. The President closed public comment, declared the matter heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

### **From the Board**

### **230628 [Report of Delinquent Real Property Transfer Taxes]**

Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0340, Lot No. 004 (2-16 Turk Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Assessor-Recorder)

**Supervisor Mandelman, seconded by Supervisor Preston, moved that this Resolution be TABLED. The motion carried by the following vote:**

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

## COMMITTEE REPORTS

### Recommendations of the Land Use and Transportation Committee

#### **230374 [Building Code - Streamlining Site Permit Review]**

**Sponsors: Safai; Melgar**

Ordinance amending the Building Code to outline the site permit application process, define and limit the scope of Building Official review of site permits, and require simultaneous interdepartmental review of site permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

*(This item was not sent as a committee report.)*

#### **230410 [Planning Code - Polk Street and Haight Street Neighborhood Commercial Districts]**

**Sponsors: Peskin; Preston**

Ordinance amending the Planning Code to permit Health Services uses on the ground floor for specified areas of the Polk Street Neighborhood Commercial District (NCD), to clarify that in the Polk Street NCD and within a quarter-mile of its boundaries Tobacco Paraphernalia Establishments where any Tobacco Paraphernalia is sold, delivered, distributed, furnished, or marketed are not permitted, to clarify that in the Haight Street NCD such Tobacco Paraphernalia Establishments require conditional use authorization, and to clarify that Tobacco Paraphernalia Establishments do not include medicinal and adult-use cannabis retail uses; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1, and making findings of public necessity, convenience, and welfare pursuant to the Planning Code, Section 302.

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

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

### Recommendations of the Rules Committee

#### **230569 [Administrative Code - Extending Sunset Date of Sentencing Commission]**

**Sponsors: Mayor; Stefani and Mandelman**

Ordinance amending the Administrative Code to extend the sunset date of the San Francisco Sentencing Commission to June 30, 2026.

*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, Safai, Stefani, Walton  
Excused: 1 - Ronen

**230590 [Mayoral Appointment, Sanitation and Streets Commission - Vincent Yuen]**

Motion approving/rejecting the Mayor's nomination for the appointment of Vincent Yuen to the Sanitation and Streets Commission, term ending July 1, 2026. (Clerk of the Board)  
(Charter, Section 4.139(b), provides that this nomination is subject to confirmation by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: May 18, 2023.)

*(On July 7, 2023, Mayor Breed withdrew this nomination; therefore, this matter was tabled in committee and not sent as a committee report.)*

*President Peskin requested File Nos. 230758 (vote taken separately), 230759, 230802, 230804, and 230805 be called together.*

**230758 [Mayoral Appointment, Building Inspection Commission - Bianca Neumann]**

Motion approving the Mayor's nomination for the appointment of Bianca Neumann to the Building Inspection Commission, term ending July 1, 2025. (Clerk of the Board)  
(Charter, Section 4.121, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 16, 2023.)

(Supervisor Walton dissented in Committee.)

**Motion No.** M23-102

**APPROVED** by the following vote:

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

Noes: 3 - Chan, Preston, Walton

Excused: 1 - Ronen

**230759 [Mayoral Appointment, Building Inspection Commission - Angie Sommer]**

Motion approving the Mayor's nomination for the appointment of Angie Sommer to the Building Inspection Commission, term ending July 1, 2024. (Clerk of the Board)  
(Charter, Section 4.121, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 16, 2023.)

(Supervisor Walton dissented in Committee.)

**Motion No.** M23-103

**APPROVED** by the following vote:

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

Excused: 1 - Ronen

**230760 [Mayoral Appointment, Building Inspection Commission - Raquel Bito]**

Motion rejecting the Mayor's nomination for the appointment of Raquel Bito to the Building Inspection Commission, term ending July 1, 2024. (Clerk of the Board)

(Charter, Section 4.121, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 16, 2023.)

(Supervisor Dorsey dissented in Committee.)

*(On July 11, 2023, Mayor Breed withdrew this nomination; therefore, this matter was no longer before the Board for consideration.)*

**TABLED BY OPERATION OF LAW**

**230802 [Presidential Appointment, Building Inspection Commission - Alysabeth Alexander-Tut]**

Motion approving President Aaron Peskin's nomination for the appointment of Alysabeth Alexander-Tut to the Building Inspection Commission, term ending July 1, 2025. (Clerk of the Board)

(Charter, Section 4.121, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 30, 2023.)

**Motion No. M23-104**

**APPROVED by the following vote:**

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

**230804 [Presidential Appointment, Building Inspection Commission - Evita Chavez]**

Motion approving President Aaron Peskin's nomination for the appointment of Evita Chavez to the Building Inspection Commission, term July 1, 2025. (Clerk of the Board)

(Charter, Section 4.121, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 30, 2023.)

**Motion No. M23-105**

**APPROVED by the following vote:**

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

**230805 [Presidential Appointment, Building Inspection Commission - Kavin Williams]**

Motion approving President Aaron Peskin's nomination for the appointment of Kavin Williams to the Building Inspection Commission, term ending July 1, 2024. (Clerk of the Board)  
(Charter, Section 4.121, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 30, 2023.)

**Motion No.** M23-106

**APPROVED** by the following vote:

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Thierry Fill; reminded everyone about the need for beauty and how you don't need technology to be happy.*

*Christopher Kline; spoke on concerns related to technology and its influence on government and society.*

*Leah McGeever; spoke on concerns regarding the recent unsanctioned skating event that was disrupted by the Police Department.*

*Jordan Davis; spoke on concerns regarding the recent unsanctioned skating event that was disrupted by the Police Department.*

*Dimitri; spoke on concerns regarding the recent unsanctioned skating event that was disrupted by the Police Department.*

*Roman; spoke on concerns regarding the recent unsanctioned skating event that was disrupted by the Police Department.*

*Allan; expressed the need for more programs to clean the streets.*

*Carolyn Kennedy; spoke on concerns regarding the recent unsanctioned skating event that was disrupted by the Police Department.*

*Ephraim; expressed concerns regarding his rights and future goals.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*Supervisor Safai was noted absent at 3:58 p.m.*

**230777 [Funding for High School After-School Programming]**

**Sponsors:** Chan; Melgar, Ronen, Engardio and Preston

Resolution urging the Board of Education to allocate funding for high school after-school programming.

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

**ADOPTED**



**230780 [Declaring the Intent to Waive Fee for Major Encroachment Permit - Brotherhood Way Greenway Beautification Project]****Sponsor: Safai**

Resolution of intent to waive the Major Encroachment Permit fee and ongoing fees, including the street improvement permit, annual assessment, and street improvement annual assessment fees, for the Brotherhood Way Greenway Beautification Project.

**ADOPTED****230781 [Supporting Assembly Constitutional Amendment No. 4 (Bryan and Becker) - Restoring the Right to Vote for Incarcerated People]****Sponsors: Walton; Ronen, Peskin, Melgar, Preston, Chan, Engardio, Stefani and Mandelman**

Resolution supporting Assembly Constitutional Amendment No. 4, authored by Assembly Member Isaac Bryan and Senator Josh Becker, to restore the right to vote for incarcerated people in the California State Constitution.

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

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

Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Stefani, Walton

Excused: 1 - Ronen

Absent: 1 - Safai

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

*Supervisor Safai was noted present at 4:14 p.m.*

*Supervisor Walton requested that File No. 230782 be severed so that it may be considered separately.*

**230782 [Supporting Assembly Constitutional Amendment No. 8 (Wilson) - End Slavery in California Act]****Sponsors: Walton; Melgar, Preston, Ronen, Peskin, Chan, Safai, Stefani and Engardio**

Resolution supporting Assembly Constitutional Amendment No. 8, introduced by Assembly Member Lori Wilson, to prohibit slavery in any form, including forced labor as a punishment to a crime.

*Supervisors Chan, Safai, Stefani, and Engardio requested to be added as co-sponsors.*

**ADOPTED by the following vote:**

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

Excused: 1 - Ronen

**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 ORDINANCES

### **230783 [Administrative Code - Surveillance Technology Policy - Department of Elections' Use of Social Media Monitoring Technology]**

Ordinance approving the Surveillance Technology Policy for the Department of Elections' use of social media monitoring technology. (Elections Department)

06/22/23; RECEIVED FROM DEPARTMENT.

07/11/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/10/2023.

### **230784 [Various Codes - Sanitation and Streets Commission and Department of Sanitation and Streets]**

Ordinance amending the Public Works, Administrative, Police, Health, and Building Codes to clarify the authority of the Public Works Commission, the Sanitation and Streets Commission, the Department of Public Works, and the San Francisco Public Utilities Commission; amending said Codes to provide clarifications, corrections, and updates consistent with changes in state and local laws; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

06/30/23; RECEIVED FROM DEPARTMENT.

07/11/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/10/2023.

**230788 [Settlement of Lawsuit - Akashni Bhan - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by Akashni Bhan against the City and County of San Francisco, Sergeant Jennifer Streegan, Sergeant Steven Pomatto, Officer Anthony Oerlemans, and Officer Jennifer O'Keffee for \$175,000; the lawsuit was filed on October 4, 2019, in San Francisco Superior Court, Case No. CGC-19-579798; entitled Akashni Bhan v. City and County of San Francisco, et. al.; the lawsuit involves an employment dispute. (City Attorney)

06/22/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230791 [Settlement of Lawsuit - Cheri Pierce - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by Cheri Pierce against the City and County of San Francisco for \$75,000; the lawsuit was filed on April 26, 2022, in San Francisco Superior Court, Case No. CGC-22-599362; entitled Cheri Pierce v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury arising out of fall on uneven sidewalk. (City Attorney)

06/22/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230792 [Settlement of Lawsuit - Bi Jun Zhang - \$35,000]**

Ordinance authorizing settlement of the lawsuit filed by Bi Jun Zhang against the City and County of San Francisco for \$35,000; the lawsuit was filed on May 17, 2022, in San Francisco Superior Court, Case No. CGC-22-599662; entitled Bi Jun Zhang v. City and County of San Francisco, et al.; the lawsuit involves a personal injury to Plaintiff from uneven pavement. (City Attorney)

06/22/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230793 [Settlement of Lawsuit - Wayne Kha - \$465,000]**

Ordinance authorizing settlement of the lawsuit filed by Wayne Kha against the City and County of San Francisco for \$465,000; the lawsuit was filed on September 7, 2021, in San Francisco Superior Court, Case No. CGC-21-595136; entitled Wayne Kha v. Johnathon Ng, et al.; the lawsuit involves an alleged personal injury arising from an accident involving a police car. (City Attorney)

06/27/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230794 [Settlement of Lawsuit - Digital Realty Trust, Inc. - \$1,858,150.71]**

Ordinance authorizing settlement of the lawsuit filed by Digital Realty Trust, Inc. against the City and County of San Francisco for \$1,858,150.71; the lawsuit was filed on April 18, 2023, in San Francisco Superior Court, Case No. CGC-23-605912, entitled Digital Realty Trust, Inc. v. City and County of San Francisco et al.; the lawsuit involves a claim for refund of Early Care and Education Commercial Rents Tax and Homelessness Gross Receipts Tax; an additional material term of the settlement is that Digital Realty Trust, Inc. and its related entities shall take certain filing positions with respect to their Early Care and Education Commercial Rents Taxes for tax year 2021 and subsequent tax years. (City Attorney)

06/27/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230795 [Settlement of Lawsuit - Build Group, Inc. - \$211,129.46]**

Ordinance authorizing settlement of the cross-complaint filed by Build Group, Inc. against the City and County of San Francisco for a payment to Build Group of \$211,129.46; the cross-complaint was filed on November 22, 2022, in the Superior Court of the State of California, County of San Francisco, Case No. CGC-22-598717; entitled CPM Environmental, Inc. v. Build Group, Inc. and DOES 1-100, et al.; the lawsuit involves allegations of breach of contract relating to the renovation of the Maxine Hall Health Center; other material terms of the settlement are that Build Group waives all other claims it has or may have relating to the project. (City Attorney)

06/28/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**230796 [Settlement of Unlitigated Claim - Cincinnati Insurance Company - \$37,636.23]**

Resolution approving the settlement of the unlitigated claim filed by Cincinnati Insurance Company against the City and County of San Francisco for \$37,636.23; the claim was filed on January 30, 2023; the claim involves alleged property damage arising from flooding caused by a water main rupture. (City Attorney)

06/22/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230797 [Settlement of Unlitigated Claim - Arthur Villegas - \$50,000]**

Resolution approving the settlement of the unlitigated claim filed by Arthur Villegas against the City and County of San Francisco for \$50,000; the claim was filed on May 8, 2023; the claim involves alleged property damage arising from flooding caused by a water main rupture. (City Attorney)

06/22/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230798 [Settlement of Unlitigated Claim - Ronghan Guan - \$50,450]**

Resolution approving the settlement of the unlitigated claim filed by Ronghan Guan against the City and County of San Francisco for \$50,450; the claim was filed on October 19, 2022; the claim involves alleged property damage due to flooding caused by a water main rupture. (City Attorney)

06/22/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230799 [Settlement of Unlitigated Claims - Glencore Ltd. - \$197,203.64]**

Resolution approving the settlement of the unlitigated claims filed by Glencore Ltd. against the City and County of San Francisco for \$197,203.64; the claims were filed on March 27, 2023; the claims involve a refund of gross receipts taxes and payroll expense taxes. (City Attorney)

06/27/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230800 [Acceptance and Recording of Avigation Easement - SyNoor LLC - 410 Noor Avenue, South San Francisco]**

Resolution authorizing the acceptance and recording of an avigation easement by the City and County of San Francisco from SyNoor LLC for the development at 410 Noor Avenue in South San Francisco, California, at no cost to the City and County of San Francisco; to authorize the Director of Property to enter into amendments or modifications to the grant of avigation easement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of this Resolution; and making findings under the California Environmental Quality Act and affirming the Planning Department's determination under the California Environmental Quality Act. (Airport Commission)

06/30/23; RECEIVED FROM DEPARTMENT.

07/05/23; TRANSFERRED to Land Use and Transportation Committee.

07/11/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**230801 [Airport Professional Services Agreement Modification - BEUMER Lifecycle Management LLC - Operations and Maintenance of the Baggage Handling System in the Harvey Milk Terminal - Not to Exceed \$38,000,000]**

Resolution approving Modification No. 2 to Airport Professional Services Contract No. 50195 between BEUMER Lifecycle Management LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for the operations and maintenance of the baggage handling system in the Harvey Milk Terminal to increase the contract amount by \$17,000,000 for a total not to exceed contract amount of \$38,000,000 and to extend the contract term for one year and six months from December 31, 2023, for a new contract term of August 1, 2020, through June 30, 2025, pursuant to Charter, Section 9.118(b). (Airport Commission)

06/30/23; RECEIVED FROM DEPARTMENT.

07/11/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 4:17 p.m.*