

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 18, 2022 - 2:00 PM

IN-PERSON MEETING

Legislative Chamber, Room 250

City Hall, 1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102-4689

(remote access provided)

(remote public comment provided via teleconference)

www.sfgovtv.org

Regular Meeting

SHAMANN WALTON, PRESIDENT

CONNIE CHAN, MATT DORSEY, RAFAEL MANDELMAN, GORDON MAR,
MYRNA MELGAR, AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI,
CATHERINE STEFANI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Ronen, Safai, Chan, Mar, Walton

Budget and Finance Committee

Supervisors Ronen, Safai, Chan

Government Audit and Oversight Committee

Supervisors Preston, Chan, Mandelman

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Mar, Stefani, Melgar

Rules Committee

Supervisors Peskin, Mandelman, Chan

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Dorsey

Meeting Days

Wednesday

1:00 PM

Wednesday

12:30 PM

1st and 3rd Thursday

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, Rafael Mandelman, Gordon Mar, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, and Shamann Walton

The Board of Supervisors of the City and County of San Francisco met in regular session, in-person with remote access and public comment also available via telephone, on Tuesday, October 18, 2022, with President Shamann Walton presiding.

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

Remote Access to Information and Participation

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

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

All Members of the Board were present.

President Walton presented the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula, pursuant to Board Rule 4.7.1.

COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes in-person or by dialing the provided telephone number. 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 Walton inquired whether any Member of the Board had any corrections to the September 6, 2022, or September 13, 2022, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Preston, seconded by Supervisor Stefani, moved to approve the September 6, 2022, and September 13, 2022, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

There were no questions submitted from the eligible Supervisors representing Districts 9, 10 or 11. Mayor London N. Breed addressed the Board of Supervisors regarding Governor Gavin Newsom's recent declaration to end the COVID-19 health emergency on February 28, 2023, and she reflected on all the work that has been done during the emergency and will be done during this transition. Following public comment this matter was filed. No further action was taken.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

220786 [Settlement of Lawsuit - Khalid Barrow - \$42,500]

Ordinance authorizing settlement of the lawsuit filed by Khalid Barrow against the City and County of San Francisco for \$42,500; the lawsuit was filed on June 19, 2020, in United States District Court, Case No. 20-cv-04099; entitled Khalid Barrow v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)

FINALLY PASSED

220809 [Settlement of Lawsuit - Eric Taylor - \$37,500]

Ordinance authorizing settlement of the lawsuit filed by Eric Taylor against the City and County of San Francisco for \$37,500; the lawsuit was filed on November 24, 2020, in San Francisco Superior Court, Case No. CGC-20-587959; entitled Eric Taylor v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

220840 [Settlement of Lawsuit - Linda Howdysshell - \$750,000]

Ordinance authorizing settlement of the lawsuit filed by Linda Howdysshell against the City and County of San Francisco for \$750,000; the lawsuit was filed on October 28, 2020, in San Francisco Superior Court, Case No. CGC-20-587334; entitled Linda Howdysshell v. City and County of San Francisco; the lawsuit involves alleged personal injury due to a fall from a retaining wall on a raised planter adjacent to a City sidewalk. (City Attorney)

FINALLY PASSED

220842 [Settlement of Lawsuit - Theresa Moorehouse - \$150,000]

Ordinance authorizing settlement of the lawsuit filed by Theresa Moorehouse against the City and County of San Francisco for \$150,000; the lawsuit was filed on October 7, 2020, in San Francisco Superior, Case No. CGC-20-587190; entitled Theresa Moorehouse v. City and County of San Francisco, et al.; the lawsuit involves an alleged trip and fall on a City sidewalk. (City Attorney)

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee**220041 [Planning Code, Zoning Map - Production, Distribution, and Repair Uses]**

Sponsor: Walton

Ordinance amending the Planning Code and Zoning Map to eliminate the Industrial Protection Zone Special Use District, and allow Social Service or Philanthropic Facilities Uses greater than 5,000 gross square feet subject to a conditional use authorization in PDR-2 districts; allowing Self Storage in PDR-2 Districts, subject to certain conditions; 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

220813 [Landmark Tree Designation - Cork Oak - 20th Street at Noe Street]

Sponsor: Mandelman

Ordinance designating the cork oak (*Quercus suber*) tree located at the public right-of-way on 20th Street at Noe Street as a landmark tree pursuant to the Public Works Code; making findings supporting the designation; and directing official acts in furtherance of the designation.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

220845 [Lease Amendment No. 4 - World Duty Free Group North America, LLP - Terminal 2 Newsstands, Coffee and Specialty Store Lease No. 10-0232 - Reduction of Premises - Reduction in the Minimum Annual Guarantee of \$302,625]

Resolution approving Amendment No. 4 to the Terminal 2 Newsstands, Coffee and Specialty Store Lease No. 10-0232, between World Duty Free Group North America, LLP, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a reduction in the total leasehold square footage of the demised premises by approximately 20% which results in a reduction in the Minimum Annual Guarantee of \$302,625 with no change to the term of May 1, 2011, through June 30, 2023, effective upon approval of this Resolution. (Airport Commission)

ADOPTED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

220758 [Administrative Code - Outreach for Tax-Defaulted Properties]

Sponsors: Safai; Chan and Ronen

Ordinance amending the Administrative Code to require the Tax Collector to provide information to the Mayor's Office of Housing and Community Development on real property that for at least three years has been tax-defaulted, and to require the Tax Collector to provide to the Board of Supervisors a summary of its referrals to government agencies and other organizations for the purpose of resolving property tax delinquencies prior to sale for nonpayment of taxes.

PASSED ON FIRST READING by the following vote:

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

220841 [Refund of Homelessness Gross Receipts Tax Overpayments for 2020 Tax Year]

Ordinance authorizing the Tax Collector, through April 30, 2023, to refund overpayments of Homelessness Gross Receipts Tax to taxpayers who paid estimated Homelessness Gross Receipts Taxes to the City for the 2020 tax year and reported \$50,000,000 or less in total taxable gross receipts for the 2020 tax year on a timely filed original Gross Receipts Tax return. (Treasurer-Tax Collector)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

President Walton requested File Nos. 220295 and 220297 be called together.

220295 [Authorization to Join the Federal Excess Personal Property Program - Acceptance of Loans of Equipment to the Fire Department]

Sponsors: Mayor; Safai

Resolution authorizing the Fire Department to enter into a Cooperative Agreement for the Federal Excess Personal Property Program under which the Department may receive temporary loans of equipment for fire suppression and pre-suppression use for an initial term of five years. (Fire Department)

ADOPTED by the following vote:

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

220297 [Authorization to Join the Firefighter Property Program - Acceptance of Gifts of Equipment to the Fire Department]

Sponsors: Mayor; Safai

Resolution authorizing the San Francisco Fire Department to enter into a Local Cooperator Agreement to join the Firefighter Property Program, under which the Department may receive gifts of equipment for use in fire suppression or pre-suppression activities, providing emergency medical services, or supporting disaster relief activities for an initial term of three years. (Fire Department)

ADOPTED by the following vote:

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

220533 [Real Property Lease Extension - 120 14th Street LLC - 1740 Folsom Street - \$1,030,400 Annual Base Rent]

Resolution approving and authorizing the Director of Property, on behalf of the Sheriff's Department, to extend the lease of 18,862 square feet located at 1740 Folsom Street with 120 14th Street LLC for an additional five years, at a base rent of \$1,030,400 in the initial year, with 3% annual adjustments, commencing on approval of this Resolution; and approving and authorizing a five-year lease extension beginning July 1, 2022, with a total term of July 1, 2002, through June 30, 2027, at the City's option; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Lease and this Resolution, as defined herein; and to authorize the Director of Property to enter into amendments or modifications to the Lease that do not increase the rent or otherwise materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

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

220790 [Agreement Amendment - Cellco Partnership d/b/a Verizon Wireless - Wireless Telecommunications Services - Total Not to Exceed \$30,626,500]

Resolution authorizing the Department of Technology to enter into a First Amendment with Cellco Partnership d/b/a Verizon Wireless to purchase wireless telecommunication services with an increased amount of \$21,126,500 for a total not to exceed amount of \$30,626,500 and extend the term by four years and one month for a total term of seven years from June 1, 2020, through June 30, 2027, with one three-year option to extend, pursuant to Charter, Section 9.118. (Department of Technology)
(Fiscal Impact)

ADOPTED by the following vote:

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

220826 [Apply for Prohousing Designation Program - California Department of Housing and Community Development]

Sponsors: Mayor; Walton and Mandelman

Resolution authorizing the City and County of San Francisco, acting by and through the Mayor's Office of Housing and Community Development, to submit an application to and participation in the Prohousing Designation Program administered by the California Department of Housing and Community Development.

ADOPTED by the following vote:

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

220919 [Contract Agreement - Toyon Associates, Inc. - Regulatory Report and Reimbursement and Revenue Optimization Services - Not to Exceed \$8,492,339]

Resolution approving an original contract agreement between Toyon Associates, Inc. and the Department of Public Health, to provide regulatory report and reimbursement and revenue optimization services, in an amount not to exceed \$8,492,339 for a total contract term of October 1, 2022, through September 30, 2027, and to authorize the Department of Public Health 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)
(Fiscal Impact)

ADOPTED by the following vote:

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

220928 [Real Property Sale Agreement - Sale of Portions of SFPUC Parcel No. 57 - State Route 84 Alameda Creek Bridge Replacement Project in Alameda County - \$24,528]

Resolution 1) approving and authorizing the General Manager of the San Francisco Public Utilities Commission ("SFPUC") and/or the Director of Property, on behalf of the City and County of San Francisco ("City"), to sell certain real property located along State Route 84 in unincorporated Alameda County to the State of California, acting through its California Department of Transportation ("Caltrans"); 2) approving and authorizing an Agreement for Sale of Real Estate ("Sale Agreement") for the sale of the Property to Caltrans; 3) authorizing the SFPUC General Manager and/or City's Director of Property to execute the Sale Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Sale Agreement, as defined herein; 4) adopting findings declaring that the real property is "surplus land" and "exempt surplus land" pursuant to the California Surplus Land Act; 5) determining that a competitive bidding process for the conveyance of the Property is impractical and not in the public interest, in accordance with Section 23.3 of the Administrative Code; 6) affirming the Planning Department's determination under the California Environmental Quality Act ("CEQA"), and adopting the findings required by Section 15091 of the CEQA Guidelines previously adopted by Caltrans in conjunction with the Project; 7) adopting the Planning Department's findings that the Sale Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 8) and to authorize the SFPUC General Manager and/or City's Director of Property to enter into any additions, amendments or modifications to the Sale Agreement that do not materially decrease the benefits to the City with respect to the Property, and that do not otherwise materially increase the obligations or liabilities of either SFPUC or to the City and are necessary or advisable to effectuate the purposes of the Sale Agreement or this Resolution. (Public Utilities Commission)

ADOPTED by the following vote:

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

**220930 [Grant Agreement - Retroactive - Low Income Investment Fund - San Francisco Child Care Facilities Fund and Technical Assistance - Not to Exceed \$85,625,200]
Sponsors: Ronen; Safai and Mar**

Resolution retroactively approving the grant agreement between the City and County of San Francisco and Low Income Investment Fund for the provision to administer the San Francisco Child Care Facilities Fund and technical assistance for the period of July 1, 2022, through June 30, 2024, in an amount not to exceed \$85,625,200. (Human Services Agency)
(Fiscal Impact)

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

ADOPTED by the following vote:

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

President Walton requested File Nos. 220951 and 220952 be called together.

220951 [Accept and Expend Grant - Retroactive - Crankstart - Summer Together Program - Up to \$22,937,000]

Sponsors: Mayor; Safai, Ronen and Mandelman

Resolution retroactively authorizing the Department of Children Youth and Their Families (DCYF) to accept and expend a grant in the amount of \$15,937,000 from Crankstart and up to an additional \$7,000,000 will be matched dollar for dollar contingent upon DCYF raising up to \$7,000,000 from private donors by June 30, 2022, for a total up to \$22,937,000; the funds will support community and school-based organizations to provide summer programming that focuses on literacy and math support, academic support, social/emotional learning, behavioral and mental health support, career/college support, and enrichment and physical activities for the period of June 1, 2022, through September 30, 2022. (Department of Children, Youth & Their Families)

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

ADOPTED by the following vote:

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

220952 [Accept and Expend Grant - Retroactive - David and Katherine deWilde - Summer Together Program - \$500,000]

Sponsors: Mayor; Safai and Ronen

Resolution retroactively authorizing the Department of Children Youth and Their Families to accept and expend a grant in the amount of \$500,000 from David and Katherine deWilde to support community and school-based organizations that provide math and literacy programming for the Summer Together Program for the period of June 1, 2022, through September 30, 2022.

ADOPTED by the following vote:

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

President Walton requested File Nos. 220953, 221004, and 221005 be called together.

220953 [Accept and Expend Grant - Retroactive - National Institutes of Health - The Regents of the University of California, San Francisco - University of California, San Francisco - Gladstone Center for Acquired Immunodeficiency Syndrome Research - \$233,512]

Sponsors: Mayor; Dorsey and Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$95,155 from the National Institutes of Health through The Regents of the University of California, San Francisco for a total amount of \$233,512 for participation in a program, entitled "University of California, San Francisco - Gladstone Center for Acquired Immunodeficiency Syndrome Research," for the period of September 1, 2017, to August 31, 2022.

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

ADOPTED by the following vote:

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

221004 [Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - California Department of Public Health - Asylum Seeker Health Surveillance and Linkage to Care - \$226,000]

Sponsors: Mayor; Dorsey, Ronen and Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$226,000 from the Centers for Disease Control and Prevention through the California Department of Public Health for participation in a program, entitled "Asylum Seeker Health Surveillance and Linkage to Care," for the period of September 1, 2022, through June 30, 2023. (Public Health Department)

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

ADOPTED by the following vote:

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

221005 [Accept and Expend Grant - Retroactive - Health Resources and Services Administration - Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B - \$4,667,400]

Sponsors: Mayor; Dorsey, Mandelman and Preston

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$2,000,400 for a total amount of \$4,667,400 from the Health Resources and Services Administration for participation in a program, entitled "Ending the Human Immunodeficiency Virus (HIV) Epidemic: A Plan for America - Ryan White Human Immunodeficiency Virus (HIV)/Acquired Immunodeficiency Syndrome (AIDS) Program Parts A and B," for the period of March 1, 2020, through February 28, 2023. (Public Health Department)

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

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

220874 [Administrative Code - Naming the Permanent Supportive Housing Development at 1321 Mission Street for Margot Antonetty]

Sponsors: Mandelman; Dorsey, Preston and Ronen

Ordinance amending the Administrative Code to name the permanent supportive housing development located at 1321 Mission Street in memory of public health advocate Margot Antonetty.

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

PASSED ON FIRST READING by the following vote:

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

221002 [Health, Police Codes - Cannabis Sunset Dates]**Sponsor: Mandelman**

Ordinance amending the Health Code and Police Code to extend the sunset date for provisions governing Medical Cannabis Dispensaries from December 31, 2022, to December 31, 2024; and to allow the extension of Temporary Cannabis Business Permits for additional 120-day terms through December 31, 2024, rather than December 31, 2022; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

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

220721 [Board Response - Civil Grand Jury Report - Buried Problems and a Buried Process: The Hunters Point Naval Shipyard in a Time of Climate Change]**Sponsors: Walton; Chan**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2021-2022 Civil Grand Jury Report, entitled "Buried Problems and a Buried Process: The Hunters Point Naval Shipyard in a Time of Climate Change;" and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Clerk of the Board)

ADOPTED by the following vote:

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

220925 [Non-Renewal of a Mills Act Historical Property Contract - 621 Waller Street]**Sponsors: Peskin; Mandelman**

Resolution regarding non-renewal of a Mills Act historical property contract with Claude Zellweger and Renee Zellweger, the owners of 621 Waller Street, Assessor's Parcel Block No. 0864, Lot No. 023, under Chapter 71 of the San Francisco Administrative Code; notifying the Assessor-Recorder's Office of such non-renewal; and authorizing the Planning Director to send notice of the non-renewal of the historical property contract to the owner and record a notice of non-renewal. (Historic Preservation Commission)

ADOPTED by the following vote:

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

Recommendations of the Land Use and Transportation Committee

210866 [Planning, Administrative, Subdivision Codes - Density Exception in Residential Districts]

Sponsors: Mandelman; Melgar

Ordinance amending the Planning Code to provide a density limit exception to permit up to four dwelling units per lot, and up to six dwelling units per lot in Corner Lots, in all RH (Residential, House) zoning districts, subject to certain requirements, including among others the replacement of protected units; amending the Administrative Code to require new dwelling units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; amending the Subdivision Code to authorize a subdivider that is constructing new dwelling units pursuant to the density exception to submit an application for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani

Noes: 1 - Walton

220710 [Landmark Tree Designation - Coast Redwood - 313 Scott Street]

Sponsor: Preston

Ordinance designating the coast redwood (*Sequoia sempervirens*) tree located at 313 Scott Street as a landmark tree pursuant to the Public Works Code; making findings supporting the designation; and directing official acts in furtherance of the landmark tree designation, as defined herein.

PASSED ON FIRST READING by the following vote:

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

220888 [Designation of Commemorative Sites; Commemorative Street Plaques - LEATHER & LGBTQ Cultural District Leather History Cruise]

Sponsors: Dorsey; Peskin, Melgar, Preston and Mandelman

Resolution designating various locations within and near the LEATHER & LGBTQ Cultural District in the area bounded by Brannan Street, Third Street, Mission Street, 12th Street, and Division Street as commemorative sites in recognition and honor of the extensive history and contributions of the leather and LGBTQ community in the South of Market area; initiating the process set forth in Public Works Code, Sections 789 et seq., to facilitate the installation of commemorative plaques on the sidewalks near these locations to delineate the Leather History Cruise, subject to the submittal of all required application materials and the review and approval of the same by Public Works and the City Engineer.

ADOPTED by the following vote:

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

220957 [Urging SFMTA to Enforce Powered Scooter Safety Violations and Modify Permits Accordingly]

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

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to empower Parking Control Officers to issue administrative citations for powered scooter safety violations, including but not limited to double-riding, riding on sidewalks, and all parking violations; and immediately modify all permits to Powered Scooter Share companies to mandate an immediate cease of operations for devices not equipped with city-approved anti-sidewalk riding technology available citywide.

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

Privilege of the floor was granted unanimously to Joel Ramos (Municipal Transportation Agency) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

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

From the Land Use and Transportation Committee with a Recommendation of "Do Not Pass"**220914 [General Plan Amendments - Transbay Block 4 Redevelopment Project]**

Ordinance amending the General Plan, to revise the Transit Center District Plan, a Sub-Area Plan of the Downtown Plan, to facilitate development of the Transbay Block 4 Redevelopment Project by revising height limits and bicycle network policy; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and general welfare findings under Planning Code, Section 340. (Planning Department)

NOT PASSED ON FIRST READING by the following vote:

Noes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Recommendations of the Rules Committee**220843 [Administrative Code - Approval of Surveillance Technology Policies for Multiple City Departments]**

Ordinance approving Surveillance Technology Policies governing the use of 1) Automatic License Plate Readers by the Municipal Transportation Agency, 2) Biometric Processing Software or System by the Juvenile Probation Department, 3) Body-Worn Cameras by the Fire Department, 4) People-Counting Camera by the Library, 5) Third-Party Security Cameras by the Municipal Transportation Agency and War Memorial, 6) Location Management Systems by the Juvenile Probation Department, 7) Computer Management System by the Library, and 8) Social Media Monitoring Software by the Library; and making required findings in support of said approvals. (City Administrator)

PASSED ON FIRST READING by the following vote:

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

220938 [Mayoral Appointment, Public Utilities Commission - Kate Stacy]

Motion approving the Mayor's nomination for the appointment of Kate Stacy to the Public Utilities Commission, for a term ending August 1, 2026. (Clerk of the Board)
(Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority of the Board of Supervisors. Transmittal date: August 26, 2022.)

Motion No. M22-160

APPROVED by the following vote:

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

220996 [Presidential Appointment, Child Care Planning and Advisory Council - Jessica Campos]

Motion approving the President of the Board of Supervisors Shamann Walton's nomination of Jessica Campos (residency requirement waived) for appointment to the Child Care Planning and Advisory Council, term ending March 19, 2024. (Clerk of the Board)

Motion No. M22-161

APPROVED by the following vote:

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

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

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

FILIPINO AMERICAN HISTORY MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Filipino American History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Dorsey recognized Tess Diaz Guzman;

Supervisor Safai recognized Franco Finn;

President Walton recognized Bri'Yana Butler;

Supervisor Melgar recognized Andreliz Bautisa McGlade;

Supervisor Peskin recognized the Manilatown Heritage Foundation, accepted by Caroline Cabading, Executive Director, and Jibril Alvarez;

Supervisor Preston recognized Jaime Vilorio;

Supervisor Ronen recognized Giulio Sorro;

Supervisor Stefani recognized Joaquin J. Gonzalez;

Supervisor Chan recognized Jeantelle Laberinto;

Supervisor Mandelman recognized Robin Abad; and

Supervisor Mar recognized Shari Balisi.

COMMITTEE REPORTS

Recommendations of the Public Safety and Neighborhood Services Committee

President Walton requested File Nos. 220726, 220904, and 220909 be called together.

220726 [Liquor License Transfer - 3801-3rd Street - Save Mart]

Resolution determining that the person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Save Mart Supermarkets LLC, doing business as Save Mart, located at 3801-3rd Street (District 10), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Clerk of the Board)

Resolution No. 422-22

ADOPTED by the following vote:

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

220904 [Liquor License Transfer - 217 Kearny Street - Murphy's Pub]

Resolution determining that the transfer for a Type-48 on-sale general public premises liquor license, converted from a Type-47 on-sale general for bona find eating place liquor license, to Conary and Murphy LLC, to do business as Murphy's Pub, located at 217 Kearny Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4. (Clerk of the Board)

ADOPTED by the following vote:

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

220909 [Liquor License Double Transfer - 88 Kearny Street - Expensify Lounge]

Resolution determining that the premise-to-premise/person-to-person transfer, also known as a "Double Transfer," for a Type-57 special on-sale general beer, wine, and distilled spirits liquor license to Expensify, Inc., to do business as Expensify Lounge located at 88 Kearny Street, 16th Floor (District 3), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4. (Clerk of the Board)

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Dr. Nolan Mill; expressed the need to ensure City sidewalks and pathways are accessible for all and meet the requirements of the Americans with Disabilities Act.

Dr. Ahisma Porter SumChai; expressed concerns regarding the contamination of Hunters Point Shipyard.

Speaker; expressed concerns regarding the contamination of Hunters Point Shipyard.

Beverly Upton; shared the work being done to address domestic violence in San Francisco and invited the Members to certain upcoming events.

Michael Petrelis; expressed concerns regarding public comment opportunities at the Board and the reduction of seats at the Castro Theatre.

Speaker; expressed concerns regarding the homeless situation and violence occurring within certain neighborhoods.

Jordan Davis; expressed concerns regarding homeless sweeps and transphobic comments made by elected officials.

Speaker; shared concerns regarding the delayed response when calling for Police assistance and transphobic comments made by elected officials.

Speaker; expressed concerns about limiting remote public comment and the need to keep it accessible for the majority.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

221030 [Approval of a 90-Day Extension for Planning Commission Review of Neighborhood Commercial and Mixed-Use Zoning Districts (File No. 220340)]

Sponsor: Dorsey

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220340) amending the Planning Code to update and reorganize Neighborhood Commercial and Mixed Use Zoning District controls, including, among other things, to 1) permit Accessory Arts Activities, and production, wholesaling, and processing of goods and commodities, to occupy more than one-third of total space in Commercial (C), Downtown Residential (DTR), Eastern Neighborhoods Mixed Use, Mission Bay, and Residential-Commercial (RC) Districts; 2) principally permit Arts Activities, Job Training, Public Facility, and Social Service and Philanthropic Facility uses in the Folsom Street Neighborhood Commercial Transit (NCT), SoMa NCT, Regional Commercial, and certain Eastern Neighborhoods Mixed Use Districts, and in historic and nonconforming commercial buildings in Residential Enclave Districts; 3) principally permit General Entertainment and Nighttime Entertainment uses in the Folsom Street NCT District; 4) principally permit Bar uses on the second floor in the Folsom Street NCT and Regional Commercial Districts; 5) principally permit Nighttime Entertainment uses in the Regional Commercial and Western SoMa Mixed Use - General (WMUG) Districts; 6) principally permit Nighttime Entertainment in the Mixed Use - General (MUG) and WMUG Districts; 7) principally permit Job Training, Public Facility, and Social Service and Philanthropic Facility uses in the SoMa NCT District and certain Eastern Neighborhoods Districts; 8) require that large developments in South of Market Mixed use districts which contain commercial spaces provide a mix of commercial space sizes; 9) require that all Nighttime Entertainment uses comply with the Entertainment Commission's good neighbor policies; and 10) remove certain limitations on location for Nighttime Entertainment and Animal Services uses in the Western SoMa Special Use District; and adopting environmental findings, findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

221032 [Committee of the Whole - Draft Housing Element 2022 Update - November 15, 2022, at 3:00 p.m.]

Sponsors: Mar; Melgar and Stefani

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on November 15, 2022, at 3:00 p.m., during the regular Board of Supervisors meeting, to hold a public hearing on the draft Housing Element 2022 Update, including its goals, objectives, policies, and actions; and requesting the Planning Department to report.

Motion No. M22-162

APPROVED

221061 [Final Map No. 10451 - 188 Octavia Street]

Motion approving Final Map No. 10451, a 28 Residential and two Commercial Mixed-Use Condominium Project, located at 188 Octavia Street, being a subdivision of Assessor's Parcel Block No. 0853, Lot No. 034; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M22-163

APPROVED

The foregoing items were acted upon by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES**221048 [Settlement of Lawsuit - John LaSalle - \$489,000]**

Ordinance authorizing settlement of the lawsuit filed by John LaSalle against the City and County of San Francisco for \$489,000; the lawsuit was filed on January 21, 2021, in San Francisco Superior Court, Case No. CGC-21-589176; entitled John LaSalle v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from collision with City vehicle. (City Attorney)

09/22/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

221049 [Settlement of Lawsuit - Crystal Gomez and Martha Gomez - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Crystal Gomez and Martha Gomez against the City and County of San Francisco for \$60,000; the lawsuit was filed on July 14, 2021, in U.S. District Court for the Northern District of California, Case No. 21-cv-05394 JCS; entitled Crystal Gomez and Martha Gomez v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

09/23/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

221050 [Settlement of Lawsuit - Linda Gebroe - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Linda Gebroe against the City and County of San Francisco for \$40,000; the lawsuit was filed on May 7, 2021, in San Francisco Superior Court, Case No. CGC-21-591651; entitled Linda Gebroe v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

10/04/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

221051 [Settlement of Unlitigated Claim - Onjanette Hudson - \$275,000]

Resolution approving the settlement of the unlitigated claim filed by Onjanette Hudson against the City and County of San Francisco for \$275,000; the claim was filed on December 22, 2021; the claim involves an employee dispute. (City Attorney)

09/30/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

221052 [Settlement of Unlitigated Claim - 100-120 Powell Owner L.P., L.L.C. - \$5,362,325]

Resolution approving the settlement of the unlitigated claim filed by 100-120 Powell Owner L.P., L.L.C. against the City and County of San Francisco for \$5,362,325; the claim was filed on January 14, 2022; the claim involves allegations of property damage to the Hotel Union Square caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs. (City Attorney)

09/30/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

221053 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving Amendment No. 47 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2022, for a total term of November 19, 1998, through November 30, 2023; and to authorize the Treasure Island Director to execute and enter into amendments to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes and intent of this Resolution. (Treasure Island Development Authority)

09/20/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221054 [Contract Agreement - Retroactive - California Department of Health Care Services - San Francisco Mental Health Plan - \$0]

Resolution retroactively approving Agreement No. 22-20129, between Department of Public Health, Community Behavioral Health Services and the California Department of Health Care Services, for the San Francisco Mental Health Plan, in the amount of \$0 for a five year term of July 1, 2022, through June 30, 2027; 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. (Public Health Department)

09/30/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221055 [Contract Modification - MSC Industrial Supply Company Inc. - Purchase of Industrial Supplies - Not to Exceed \$15,177,623]

Resolution authorizing the Office of Contract Administration to execute Modification No. 7 to Contract 1000001663 between the City and County of San Francisco and MSC Industrial Supply Company Inc. for the purchase of industrial supplies for City departments, increasing the contract amount by \$900,000 for a total contract amount not to exceed \$15,177,623 with no change to the total contract duration of May 1, 2017, through June 30, 2023. (Office of Contract Administration)

10/03/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221056 [Contract Amendment - W.W. Grainger, Inc. - Industrial Supplies - Not to Exceed \$21,600,000]

Resolution authorizing the Office of Contract Administration to execute Amendment No. 4 to Contract 1000018631 between the City and County of San Francisco and W.W. Grainger, Inc., for the purchase of industrial supplies for City departments, increasing the contract amount by \$9,500,000 for a total contract amount not to exceed \$21,600,000 and extending the term by one year for a total contract duration of July 15, 2020, through December 31, 2023. (Office of Contract Administration)

10/03/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221057 [Contract Modification - Buckles-Smith Electric Co. - Purchase of Electrical Supplies and Fixtures - Not to Exceed \$16,946,868]

Resolution authorizing the Office of Contract Administration to execute Modification No. 6 to Contract 1000005805 between the City and County of San Francisco and Buckles-Smith Electric Co. for the purchase of electrical supplies and fixtures for City departments, increasing the contract amount by \$3,000,000 for a total not to exceed amount of \$16,946,868 with no change to the total contract duration of July 5, 2017, through June 30, 2023. (Office of Contract Administration)

10/03/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221058 [Grant Agreement Amendment - Mid-Market Foundation - Mid-Market/Tenderloin Community-Based Safety Program - Not to Exceed \$20,490,000 With an Option to Extend for a Total Not to Exceed Amount of \$32,890,000]

Resolution approving Amendment No. 1 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 \$11,490,000 for a total not to exceed amount of \$20,490,000 and to extend the term for three months for the total period of July 1, 2022, through June 30, 2023, with a one year option to extend the grant to June 30, 2024, at an increased grant amount of \$12,400,000 for a total not to exceed amount of \$32,890,000; to commence following approval by the Board of Supervisors; and to authorize the Director of the Office of Economic and Workforce Development to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract. (Department of Economic and Workforce Development)

10/07/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221059 [Contract - Intercare Holdings Insurance Services, Inc. - Workers' Compensation Third Party Administrator Services - \$33,771,962]

Resolution authorizing the Municipal Transportation Agency to execute an agreement with Intercare Holdings Insurance Services, Inc. for Workers' Compensation Third Party Administrator services for an amount not to exceed \$33,771,962 for a three-year base term from November 1, 2022, through October 31, 2025, and two three-year options to extend, with said options to be exercised by the Municipal Transportation Agency without further approval of the Board of Supervisors; and where applicable, affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

10/07/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221060 [Contract Agreement - Intercare Holdings Insurance Services, Inc. - Workers Compensation Claims Management Services - Not to Exceed \$29,357,361]

Resolution authorizing the Department of Human Resources to execute an agreement with Intercare Holdings Insurance Services, Inc. for Workers' Compensation Third Party Administrator services for an amount not to exceed \$29,357,361 for a three-year base term from November 1, 2022, through October 31, 2025, and two three-year options to extend, with said options to be exercised by the Department of Human Resources without further approval of the Board of Supervisors. (Human Resources Department)

10/07/22; RECEIVED FROM DEPARTMENT.

10/18/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:45 p.m.