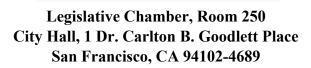
BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



Tuesday, November 14, 2023 - 2:00 PM

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

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BOARD COMMITTEES

Committee Membership **Meeting Days Budget and Appropriations Committee** Wednesday Supervisors Chan, Mandelman, Safai, Ronen, Walton 1:30 PM **Budget and Finance Committee** Wednesday Supervisors Chan, Mandelman, Safai 10:00 AM **Government Audit and Oversight Committee** 1st and 3rd Thursday Supervisors Preston, Stefani, Chan 10:00 AM Homelessness and Behavioral Health Select Committee 2nd and 4th Friday Supervisors Ronen, Mandelman, Walton 10:00 AM Land Use and Transportation Committee Monday Supervisors Melgar, Preston, Peskin 1:30 PM Public Safety and Neighborhood Services Committee 2nd and 4th Thursday Supervisors Stefani, Engardio, Dorsey 10:00 AM **Rules** Committee Monday Supervisors Dorsey, Walton, Safai 10:00 AM

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

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents: 1) Legislation; 2) Budget and Legislative Analyst report; 3) Department or Agency cover letter and/or report; 4) Public correspondence. These items are available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk or at https://sfbos.org/legislative-research-center-lrc.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where legislation is the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) vocal or audible support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones or electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room. Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives; except that public speakers using interpretation assistance will be allowed to testify for twice the amount of time. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want to display a document should place it on the overhead during their public comment and remove the document when they want the screen to return to live coverage of the meeting.

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PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

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The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance No. 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

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Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org Citizens may obtain a free company of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at http://www.sfbos.org/sunshine.

Ethics Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site http://www.sfgov.org/ethics.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit http://www.sfethics.org.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Pursuant to Board Rule 4.7.1 the President shall present the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula.

COMMUNICATIONS

AGENDA CHANGES

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman, Safai

1. <u>230962</u> [Waiver of Municipal Code Provisions - City of Phoenix - Phoenix Sky Harbor International Airport - Used Compressed Natural Gas Transit Buses - Not to Exceed \$350,000]

Ordinance waiving competitive bidding requirements in the Administrative Code, and all other requirements in the Administrative Code, Environment Code, or other parts of the Municipal Code as applied to a commodities purchase, to authorize the Airport Commission to procure up to 14 used compressed natural gas transit buses from the City of Phoenix, which owns and operates Phoenix Sky Harbor International Airport, for an amount not to exceed \$350,000; and authorizing the Airport Director to negotiate the terms of the agreement consistent with the not to exceed amount. (Airport Commission)

(Fiscal Impact)

11/07/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. <u>230971</u> [General Obligation Bond Election - Affordable Housing - Not to Exceed \$300,000,000]

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

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, March 5, 2024, for the purpose of submitting to San Francisco voters a proposition to incur bonded indebtedness of not-to-exceed \$300,000,000, subject to independent citizen oversight and regular audits, to finance the construction, development, acquisition, and/or rehabilitation of rental affordable housing, including workforce housing and senior housing, for households ranging from extremely low-income to moderate-income households; and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase, if any, to residential tenants under Administrative Code Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such Bonds; incorporating the provisions of the Administrative Code relating to the Citizens' General Obligation Bond Oversight Committee's review of Affordable Housing Bond expenditures; setting certain procedures and requirements for the election; affirming a determination under the California Environmental Quality Act; and finding that the proposed Bond is consistent with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

(Pursuant to California Government Code, Sections 43607 and 43608, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)

(Fiscal Impact)

11/07/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. <u>230980</u> [Administrative Code - Reproduction and Notary Fees - Department of Administrative Services]

Ordinance amending the Administrative Code to increase the fees imposed by the Department of Administrative Services for reproduction and notary services provided to the public, and authorizing the Controller to make future adjustments to ensure that costs of providing the services are recovered without producing revenue which is significantly more than such costs. (City Administrator)

11/07/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. <u>231078</u> [De-Appropriation and Appropriation - District 7 General City Responsibility -Municipal Transportation Agency - District 7 Vision Zero Project - District 7 Projects and Services - Various Departments - \$527,000 - FY2023-2024] Sponsor: Melgar

Ordinance de-appropriating \$377,000 from General City Responsibility and \$150,000 from Municipal Transportation Agency (MTA); and re-appropriating \$100,000 to the Arts Commission (ART) for mural artwork, \$98,000 to Children, Youth and Their Families (CHF) for playground upgrades, youth nutrition education, and food security; \$25,000 to the Department of Emergency Services (DEM) for emergency preparedness training and capacity building; \$49,000 to the Department of Public Works (DPW) for irrigation system, outdoor seating area, and trees and plants in three locations; \$50,000 to the Department of Economic and Community Development (ECN) for small business rainy day funds; \$25,000 to the Recreation and Park Department (REC) for removal of storm damage and hazardous trees from Mount Sutro; \$30,000 to the Police Department (POL) for cameras in the Inner Sunset; and \$150,000 to the Municipal Transportation Agency (MTA) for community space design, traffic calming, and traffic safety at three locations in Fiscal Year (FY) FY2023-24.

(Fiscal Impact)

11/07/2023; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Stefani, Engardio, Dorsey

5. <u>230866</u> [Health Code - Regulating Medical Specimen Test Collection Sites] Sponsors: Preston; Ronen and Dorsey

Ordinance amending the Health Code to require that sites that collect medical specimens on behalf of clinical laboratories partner with either a governmental entity, a licensed health care provider located in the City, or an educational or academic institution, establish hygiene, sanitation, and privacy standards, and adhere to the Health Insurance Portability and Accountability Act; and providing that a violation of the specimen collection standards is a public health nuisance subject to an administrative penalty that may be imposed by the Department of Public Health.

11/07/2023; DUPLICATED ON FIRST READING.

11/07/2023; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chan, Mandelman

6. <u>230999</u> [Real Property Lease Amendment - Retroactive - 716 Sacramento LLC and DLS Sacramento LLC - 716-720 Sacramento Street - \$370,000 Annual Base Rent]

Resolution retroactively approving and authorizing the Director of Property, on behalf of the Department of Public Health, to execute a Fourth Amendment to a Lease of real property located at 716-720 Sacramento Street, with 716 Sacramento LLC (73.4%) and DLS Sacramento LLC (26.6%), at a base rent of \$370,000 per year with 3% annual increases, for an initial term commencing July 1, 2023, with a total term of December 1, 1996, through June 30, 2026, with two one-year options to extend; and to authorize the Director or Property to enter into any extensions, amendments, or modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Public Health Department)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

7. <u>231000</u> [Lease of Property - J.D. Harney, Inc., et al. - 2205 Jennings Street - Annual Base Rent of \$264,000]

Resolution authorizing and approving the lease of a portion of the real property located at 2205 Jennings Street with J.D. Harney, Inc., a California corporation, John Daniel Harney and Bernadette Patricia Harney, Co-Trustees or Successor Trustee of the John Daniel Harney and Bernadette Patricia Harney Revocable Living Trust Under Agreement dated August 13, 1987, as Community Property, and MM1495Wall LP, a California Limited partnership, for an initial three-year term at an annual base rent of \$264,000 (or the monthly amount of \$22,000); plus 3% annual increases to base rent; plus one five-year extension option to further extend the term of the Lease; the Lease will be effective upon approval of this Resolution; and to authorize the Director of Property to enter into amendments or modifications to the Lease that do not 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)

Question: Shall this Resolution be ADOPTED?

8. <u>231035</u> [Real Property Lease - Gough Club, LLC - 42 Gough Street - \$44,472 Initial Base Rent]

Resolution authorizing and approving the lease of real property located at 42 Gough Street, with Gough Club, LLC, a California limited liability corporation, for a three year term at an initial base rent of \$44,472 per year with annual rent increases based on the Consumer Price Index of 3% to 5%, with one option to extend for one-year, effective upon approval of this Resolution; authorizing the Director of Property to enter into any additions, amendments, or other modifications to the Lease that do not materially increase the obligations or liabilities of the City to effectuate the purposes of the Lease or this Resolution. (Human Services Agency)

Question: Shall this Resolution be ADOPTED?

9. 231012 [Accept and Expend Grant - Retroactive - U.S. Department of Housing and Urban Development - Housing Opportunities for Persons with AIDS Permanent Supportive Housing Renewal - FY2023-2026 - \$1,510,695] Sponsors: Mayor; Engardio, Dorsey and Mandelman

Resolution retroactively approving the Fiscal Year (FY) 2022 Housing Opportunities for Persons with AIDS (HOPWA) Permanent Supportive Housing Renewal Grant; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's FY 2022 HOPWA Permanent Supportive Housing Renewal Grant from the U.S. Department of Housing and Urban Development in the amount of \$1,510,695 for the period of June 1, 2023, through May 31, 2026. (Mayor's Office of Housing and Community Development)

Question: Shall this Resolution be ADOPTED?

10. <u>231059</u> [Contract Amendment - Retroactive - Bar None Auction - Auction Services - \$2,900,000 Anticipated Revenue]

Resolution retroactively authorizing the Office of Contract Administration to execute a third amendment (Modification 3) to Contract 1000024326 with Bar None Auction for as-needed auction services; extending the duration by one year from October 1, 2023, for a total contract duration of five years from October 1, 2019, through September 30, 2024, with an increase in anticipated revenue of \$800,000 for a total anticipated revenue amount of \$2,900,000. (Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

11. <u>231062</u> [Participation Agreement - Retroactive - California Department of Health Care Services - County-Based Medi-Cal Administrative Activities - Anticipated Revenue to the City of \$1,000,000 or More]

Resolution retroactively authorizing the Department of Public Health to enter into a Participation Agreement for County-based Medi-Cal Administrative Activities effective July 1, 2019, that will remain in full force and effect until terminated by either the Department of Public Health or the California Department of Health Care Services, with anticipated revenue to the City of \$1,000,000 or more; 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)

Question: Shall this Resolution be ADOPTED?

12. <u>231084</u> [Accept and Expend Grant - Retroactive - United States Department of Energy - Decarbonizing Deliveries in San Francisco - \$605,620] Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Department of the Environment ("Environment Department") to accept and expend a grant of \$605,620 for a term of three years from September 12, 2023, through September 11, 2026, from the United States Department of Energy's Vehicle Technologies Office to expand an electric bicycle pilot for delivery workers; and to authorize the Director of the Environment Department to enter into and execute the Grant Agreement and amendments thereto, and to execute the contracts between the City and various agencies consistent with the aforementioned proposal and necessary to carry out the purpose of the grant or this Resolution.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

13. <u>231085</u> [Affirming Compliance with State Housing Laws] Sponsor: Mayor

Resolution affirming San Francisco's compliance with certain state housing laws in support of the Municipal Transportation Agency's application for funding by the Metropolitan Transportation Commission's One Bay Area Grant Program (OBAG 3).

Question: Shall this Resolution be ADOPTED?

14. <u>231117</u> [Authorizing Expenditures - SoMa Community Stabilization Fund - \$99,000] Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of \$99,000 to engage a consultant team in developing a new five-year strategic plan to address various impacts of destabilization on residents and businesses in SoMa for a term to commence effective upon approval of this Resolution through November 30, 2025. (Mayor's Office of Housing and Community Development)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Stefani, Chan, Engardio

15. <u>230873</u> [Memorandum of Understanding - Friends and Foundation of the San Francisco Public Library]

Sponsor: Mayor Resolution approving the Memorandum of Understanding (MOU) between the Friends and Foundation of the San Francisco Public Library and the San Francisco Public Library to establish roles and responsibilities of each party for purposes of fundraising, enhancing operations, and capital projects for a term of 10 years effective upon approval of this Resolution; and to authorize the San Francisco Public Library to enter into amendments or modifications of 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. (Public Library)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

16. <u>230895</u> [Administrative Code - Approval of Airport Surveillance Technology Policies] Ordinance approving Airport Surveillance Technology Policies governing the use of 1) application-based commercial transport technology, 2) electronic toll readers, and 3) detection systems for gunshots and other noises. (Airport Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 231040 [Mayoral Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Kent Lim] Motion approving the Mayor's nomination for appointment of Kent Lim, term ending November 3, 2026, to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure). (Clerk of the Board)

(Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: October 10, 2023)

Question: Shall this Motion be APPROVED?

Referred Without Recommendation From the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

Pursuant to the provisions of Board of Supervisors Rule 2.22.7, at least six days must intervene between the first appearance of a proposed Charter Amendment, before the Board as a referral from Committee, and any Board order of submission to the electorate. In accordance therewith, consideration of the following proposed Charter Amendments appropriately may be continued at least one week.

18. <u>230985</u> [Charter Amendment - Minimum Police Department Staffing and Five-Year Annual Funding Requirement]

Sponsor: Safai

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to define "Full-Duty Sworn Officers" for purposes of establishing minimum staffing levels for sworn officers of the Police Department; and, contingent upon the Controller's certification that a future tax measure passed by the voters will generate sufficient additional revenue to fund the cost of employing Full-Duty Sworn Officers at specified minimum staffing levels and the minimum amount necessary to implement a police staffing fund: 1) set the Minimum Staffing Number for five fiscal years beginning with 1,700 full-duty sworn officers in year one, with increases each year such that by the fifth fiscal year, the Minimum Staffing Number shall be 2,074; 2) require for a period of five years that the Mayor and Board of Supervisors appropriate funds to pay for at least the number of sworn officers as of February 1 of the prior fiscal year; 3) establish a Police Full Staffing Fund ("Fund") for a period of five fiscal years to facilitate minimum police staffing; 4) require that \$16.8 million be appropriated into the Fund in the first year, and varying amounts in years two through five, calculated based on staffing shortages, but allowing for a temporary freeze of appropriations to the Fund after the first year in a budgetary or economic emergency; at an election to be held on March 5, 2024.

(Supervisor Dorsey dissented in Committee.)

Question: Shall this Charter Amendment be CONTINUED?

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Scheduled pursuant to an oral motion made and approved on November 7, 2023, during action at the Board of Supervisors meeting for File No. 230986.

19. <u>231177</u> [Hearing - Committee of the Whole - Charter Amendment - Mayoral Authority to Disapprove Certain SFMTA Budget Proposals - November 14, 2023, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on November 14, 2023, at 3:00 p.m., to consider a Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024 (File No. 230986); and a Motion modifying the amount of time required under Board Rule 2.22.7 between the first appearance on the Board's agenda and the order of submission to the electorate for the subject Charter Amendment; scheduled pursuant to an oral motion made and approved on November 7, 2023, during action at the Board of Supervisors meeting for File No. 230986. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

20. <u>231178</u> [Modifying Time for Submission of Charter Amendment - Rules 2.22.7 and 2.22.8]

Sponsor: Safai

Motion modifying the amount of time required under Rule 2.22.7 between the first appearance on the Board's agenda and the order of submission to the electorate for the Charter Amendment to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024 (File No. 230986).

Question: Shall this Motion be APPROVED?

Recommendation of the Rules Committee

Present: Supervisors Dorsey, Walton, Safai

Pursuant to the provisions of Board of Supervisors Rule 2.22.7, at least six days must intervene between the first appearance of a proposed Charter Amendment, before the Board as a referral from Committee, and any Board order of submission to the electorate. In accordance therewith, consideration of the following proposed Charter Amendments appropriately may be continued at least one week.

21. <u>230986</u> [Charter Amendment - Mayoral Authority to Disapprove Certain SFMTA Budget Proposals]

Sponsors: Safai; Peskin and Ronen

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024.

(Supervisor Dorsey dissented in committee.)

10/31/2023; CONTINUED.

11/07/2023; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/07/2023; CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be CONTINUED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, November 13, 2023, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, November 14, 2023.

22. <u>230924</u> [Planning Code, Zoning Map - Non-Profit Arts Education Special Use District] Sponsor: Peskin

Ordinance amending the Planning Code to create the Non-Profit Arts Education Special Use District (Assessor's Parcel Block No. 49, Lot No. 1, generally bounded by Francisco Street, Jones Street, Chestnut Street, and Leavenworth Street, and numbered as 800 Chestnut Street); amending the Zoning Map to show the Non-Profit Arts Education Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Regular Meeting on Monday, November 13, 2023, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, November 14, 2023.

23. <u>231019</u> [Declaration of Policy - Eighth Grade Algebra and SFUSD Math Curriculum Development]

Sponsors: Engardio; Safai, Melgar, Stefani and Dorsey

Motion ordering submitted to the voters at an election to be held on March 5, 2024, a Declaration of Policy urging the San Francisco Unified School District (SFUSD) to offer Algebra 1 to students by the eighth grade, and supporting the SFUSD in its efforts to develop its math curriculum for students at all grade levels.

Question: Shall this Motion be APPROVED?

24. <u>231041</u> [Appointments, Ballot Simplification Committee] Motion appointing three members, terms ending November 30, 2024, to the Ballot Simplification Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

25. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

26. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

(PUBLIC COMMENT for Items 27 and 28 will be taken during Item 26 - General Public Comment.)

Items 27 and 28

27. <u>231180</u> [Reaffirming Support For An Independent, Impartial and Qualified Judiciary] Sponsors: Peskin; Walton and Chan

Resolution reaffirming support for the fundamental role of an independent, impartial, and qualified judiciary in upholding the law in the pursuit of justice and the functional operation of a healthy democracy.

11/08/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. <u>231156</u> [Final Map No.11095 - 1776 Green Street]

Motion approving Final Map No. 11095, a five-unit new residential condominium project, located at 1776 Green Street, being a subdivision of Assessor's Parcel Block No. 0544, Lot No. 006; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

11/03/2023; RECEIVED FROM DEPARTMENT.

11/08/2023; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

29. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

(PUBLIC COMMENT WILL BE TAKEN on any Imperative Agenda item introduced.)

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

<u>231144</u> [Planning, Administrative Codes - Code Corrections Ordinance]

Ordinance amending the Planning and Administrative Codes to correct typographical errors, update outdated cross-references, and make non-substantive revisions to clarify or simplify Code language; 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 adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302. (Planning Department)

11/02/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

231145 [Administrative Code - Surveillance Technology Policy - Driver-Safety Video Analytics]

Ordinance approving a Surveillance Technology Policy for San Francisco Municipal Transportation Agency (SFMTA) use of Driver-Safety Video Analytics. (Municipal Transportation Agency)

11/02/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

PROPOSED RESOLUTIONS

231146 [Agreement Amendment - McKesson Corporation - Group Purchasing Organization Purchase of Pharmaceuticals - Not to Exceed \$977,652,155]

Resolution approving Amendment No. 1 to the Group Purchasing Organization pharmaceutical Agreement between McKesson Corporation and the Department of Public Health (DPH), under Administrative Code, Chapter 21A.2, to increase the Agreement sum by \$596,269,164 for a not to exceed amount of \$977,652,155; extend the term by four years and five months from February 1, 2024, for a total term of February 1, 2020, through June 30, 2028; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

10/31/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

231147 [Agreement Amendment - McKesson Plasma and Biologics LLC - Group Purchasing Organization Purchase of Pharmaceuticals - Not to Exceed \$1,466,737,824]

Resolution approving Amendment No. 1 to the Group Purchasing Organization (GPO) pharmaceutical Agreement between McKesson Plasma and Biologics LLC and the Department of Public Health (DPH), under Administrative Code, Chapter 21A.2, to increase the Agreement amount by \$1,170,803,034 for a not to exceed amount of \$1,466,737,824; extend the term by four years and five months from February 1, 2024, for a total term of February 1, 2020, through June 30, 2028; and authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

10/31/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

231148 [Contract Amendment - A Better Way - Mental Health Outpatient Treatment Services and Optional Specialized Mental Health Treatment Services - Not to Exceed \$13,579,299]

Resolution approving Amendment No. 2 to the Agreement between A Better Way and the Department of Public Health (DPH), for mental health outpatient treatment services and optional specialized mental health treatment services; to increase the agreement by \$3,799,272 for a total amount not to exceed \$13,579,299; to extend the term by three years and six months from December 31, 2023, for a total agreement term of July 1, 2017, through June 30, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department)

11/03/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Homelessness and Behavioral Health Select Committee.

231149 [Contract Amendment - The Regents of the University of California -Outpatient/Ambulatory HIV Health Services - Not to Exceed \$26,481,255] Resolution approving Amendment No. 1 to the Agreement between The Regents of the University of California and the Department of Public Health (DPH), to provide outpatient/ambulatory HIV health services to increase the agreement by \$16,483,383 for an amount not to exceed \$26,481,255; to extend the term by five years and eight months from June 30, 2024, for a total agreement term of March 1, 2020, through February 28,

2030; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

11/02/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Homelessness and Behavioral Health Select Committee.

231150 [Contract Amendment - Richmond Area Multi Services, Inc. - Vocational Rehabilitation Employment and Training Programs - Not to Exceed \$40,837,235]

Resolution approving Amendment No. 1 to the Agreement between Richmond Area Multi Services, Inc. and the Department of Public Health (DPH), to provide vocational rehabilitation employment and training programs; to increase the agreement amount by \$31,268,440 for a total not to exceed amount of \$40,837,235; to extend the term by four years and six months from December 31, 2023, for a total agreement term of May 1, 2022, through June 30, 2028; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

11/02/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Homelessness and Behavioral Health Select Committee.

231151 [Contract Amendment - Latino Commission - Substance Use Disorder Treatment Services - Not to Exceed \$17,598,422]

Resolution approving Amendment No. 2 to the Agreement between Latino Commission and the Department of Public Health (DPH), for substance use disorder treatment services; to increase the agreement by \$7,934,917 for a total amount not to exceed \$17,598,422; to extend the term by three years and six months from December 31, 2023, for a total agreement term of July 1, 2018, through June 30, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department)

11/03/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Homelessness and Behavioral Health Select Committee.

231152 [Contract Agreement - Chinese Hospital Association - Subacute Skilled Nursing and Skilled Nursing Facility Beds - Not to Exceed \$18,851,840]

Resolution approving Amendment No. 1 to the Agreement between Chinese Hospital Association and the Department of Public Health, to provide subacute skilled nursing and skilled nursing facility beds for hospital overflow or emergency needs, to increase the agreement by \$8,960,000 for an amount not to exceed \$18,851,840 effective upon approval of this Resolution; with no changes to the term of December 1, 2022, through November 30, 2024; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

11/06/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

231153 [Lease Amendment - DFS Group, L.P. - The International Terminal Duty Free and Luxury Lease - Modify and Extend a Reduced Percentage Rent Structure to December 31, 2026 - Establish a Temporarily Reduced Minimum Annual Guarantee - \$30,000,000]

Resolution approving Amendment No. 4 to the International Terminal Duty Free and Luxury Store Lease No. 17-0303 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission, which continues the temporary reduced Percentage Rent structure, but increases the percentage amount to 36% of gross revenues, commencing with Lease Year 5 (2024) and continuing through Lease Year 7 (2026), and establishing a temporarily reduced Minimum Annual Guarantee of \$30,000,000 for Lease Year 5, adjusting annually in accordance with the Lease through Lease Year 7, with the original Base Rent structure recommencing in Lease Year 8 (2027), with each such rent accommodation being conditioned upon Tenant's timely completion of the construction of its remaining facilities in Harvey Milk Terminal 1 no later than December 31, 2024, with no change to the 14-year term, to be effective upon approval of this Resolution. (Airport Commission)

11/02/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

231154 [Contract Amendment - Golden Gate Petroleum - Renewable Diesel - Not to Exceed \$86,750,000]

Resolution authorizing the Office of Contract Administration to enter into a Third Amendment (Modification 3) to Contract 1000013880 between the City and County of San Francisco and Golden Gate Petroleum for the purchase of renewable diesel for all City departments, increasing the contract amount by \$18,750,000 for a new total not to exceed amount of \$86,750,000 and extending the duration by five months from May 31, 2024, for a total agreement term of June 1, 2019, through October 31, 2024; and to authorize the Office of Contract Administration 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. (Office of Contract Administration)

11/06/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

231155 [Settlement of Unlitigated Claims - John Paul USA, Inc. - \$70,805.11]

Resolution approving the settlement of the unlitigated claims filed by John Paul USA, Inc. against the City and County of San Francisco for \$70,805.11; the claims were filed on January 9, 2023; the claims involve a refund of gross receipts taxes and payroll expense taxes. (City Attorney)

11/06/2023; RECEIVED FROM DEPARTMENT.

11/14/2023; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

231181 [Petitions and Communications]

Petitions and Communications received from November 2, 2023, through November 9, 2023, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 14, 2023.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, making a reappointment to the following body. Copy: Each Supervisor. (1)

Reappointment pursuant to Charter, Sections 3.100(18) and 4.107:

- Human Rights Commission
 - o Mark Kelleher term ending June 30, 2027

From the San Francisco Police Department (SFPD), regarding the Third Quarter 2023 Report, per Chapter 96A, Law Enforcement Reporting Requirements and Domestic Violence Data Reporting, per Chapter 96E. Copy: Each Supervisor. (2)

From the Mayor's Office of Housing and Community Development (MOHCD), submitting the fully executed documents for the Commercial Ground Lease agreement between the City and County of San Francisco (CCSF) and 681 Florida Street Commercial LLC. Copy: Each Supervisor. (3)

From the Recreation and Park Department (RPD), submitting the Golden Gate Park Access and Safety Program Report for Quarter ending September 30, 2023. Copy: Each Supervisor. (4)

From the San Francisco Police Department (SFPD), submitting the SFPD's Staffing Analysis Report for 2023. Copy: Each Supervisor. (5)

From the San Francisco Public Utilities Commission (SFPUC), submitting the New Money Sale Report titled "Public Utilities Commission of the City and County of San Francisco \$123,905,000 Power Revenue Bonds, 2023 Series A Board of Supervisors Bond Sale Report," pursuant to File No. 220499, Ordinance No. 109-22. Copy: Each Supervisor. (6)

From the Recreation and Park Department (RPD), submitting First Quarter Childhood Lead Poisoning Prevention Program Status Report for Fiscal Year (FY) 2023-2024 pursuant to Resolution No. 157-99. Copy: Each Supervisor. (7)

From various departments, pursuant to Administrative Code, Section 12B.5-1(d)(1), submitting approved Chapter 12B Waiver Request Forms. 3 Contracts. Copy: Each Supervisor. (8)

From the San Francisco Police Department (SFPD), submitting Non-City Entity Live Monitoring Report for Q2 from July 1, 2023 through June 30, 2023, pursuant to Ordinance No. 205-22 and Crime Data Parts I and II between March 1, 2023, to October 31, 2023. Copy: Each Supervisor. (9)

From the State of California Fish and Game Commission, submitting a Notice of Proposed 90-Day Extension of Emergency Regulations. Copy: Each Supervisor. (10)

From Wynship Hillier, regarding a proposed Ordinance amending the Administrative Code to reduce the membership of the Behavioral Health Commission from 17 to 11 seats;

provide that the full Board of Supervisors rather than individual Supervisors makes these appointments; require that at least one seat be held by a veteran or veteran advocate; reduce the minimum number of seats reserved for consumers and families of consumers from nine to six; reset staggered terms for all seats; and remove seat requirements for child advocates and certain mental health professionals. File No. 231076. Copy: Each Supervisor. (11)

From Ellen B. Klyce, regarding the Sky Star Ferris Wheel. Copy: Each Supervisor. (12)

From Chris Ward Kline, regarding electronic surveillance. Copy: Each Supervisor. (13)

From Karen Kennard, regarding a proposed Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2022-2023 Civil Grand Jury Report, entitled "Taking Care of Business: San Francisco's Plan to Save its Small Businesses;" 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. File No. 230727. Copy: Each Supervisor. (14)

From Planet Glassberg, regarding vacant buildings. Copy: Each Supervisor. (15)

From members of the public, regarding street vendors. 2 Letters. Copy: Each Supervisor. (16)

From members of the public, regarding San Francisco Police Department (SFPD) Department General Order (DGO) 5.25, Foot Pursuits. 2 Letters. Copy: Each Supervisor. Copy: Each Supervisor. (17)

From members of the public, regarding John F. Kennedy Drive. 2 Letters Copy: Each Supervisor. (18)

From a member of the public, regarding algal blooms. Copy: Each Supervisor. (19)

From Trish Yee, regarding 2700 Sloat Holdings LLC. Copy: Each Supervisor. (20)

From Nicole Thomas, regarding a 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 and an 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. File No. 230644; Ordinance No. 144-23. File No. 230645; Ordinance No. 145-23. Copy: Each Supervisor. (21)

From Rob Fleischer, regarding San Francisco Police Department (SFPD) Department General Order (DGO) 6.21, SFPD use of Social Media. Copy: Each Supervisor. (22)

From Takoui Kechedjian, regarding the Affordable Care Act. Copy: Each Supervisor. (23)

From the Municipal Executives Association, regarding a proposed Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to establish within the Charter the Department of Emergency Management, the position of the Director of the Department, and the Director's qualifications and appointing authority; at an election to be held on March 5, 2024. File No. 230987. Copy: Each Supervisor. (24)

Board of Supervisors

From members of the public, regarding a proposed Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024. 3 Letters. File No. 230986. Copy: Each Supervisor. (25)

From members of the public, regarding a Resolution urging the Municipal Transportation Agency (MTA) to develop and implement a plan for No Turn On Red (NTOR) at every signalized intersection in San Francisco and approve a citywide NTOR policy. 15 Letters. File No. 231016; Resolution No. 481-23. Copy: Each Supervisor. (26)

From members of the public, regarding Hayes Street closures. 32 Letters. Copy: Each Supervisor. (27)

From members of the public, regarding a proposed Ordinance amending the Administrative Code to clarify the Controller's audit and monitoring responsibilities with respect to nonprofit organizations contracting with the City. 54 Letters. File No. 230973. Copy: Each Supervisor. (28)

From members of the public, regarding a proposed Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to define "Full-Duty Sworn Officers" for purposes of establishing minimum staffing levels for sworn officers of the Police Department; and, contingent upon the Controller's certification that a future tax measure passed by the voters will generate sufficient additional revenue to fund the cost of employing Full-Duty Sworn Officers at specified minimum staffing levels and the minimum amount necessary to implement a police staffing fund. 851 Letters. File No. 230985. Copy: Each Supervisor. (29)

* From SOMA Pilipinas, regarding APEC. Copy: Each Supervisor. (30)

ADJOURNMENT