BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO MEETING MINUTES

Tuesday, November 29, 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 Agenda

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 1:30 PM

Wednesday 10:00 AM

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, inperson with remote access and public comment also available via telephone, on Tuesday, November 29, 2022, with President Shamann Walton presiding.

President Walton called the meeting to order at 2:00 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 (<u>www.sfgovtv.org</u>) 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: <u>bos@sfgov.org</u>; 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 <u>https://sfbos.org/meetings/42</u>.

Please visit the Board's website (<u>www.sfbos.org</u>) 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 <u>bos@sfgov.org</u>.

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 (<u>bos@sfgov.org</u>) 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 October 18, 2022, or October 25, 2022, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Peskin, moved to approve the October 18, 2022, and the October 25, 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.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

220729 [Settlement of Lawsuit - Phi Associates (Drisco Hotel) to Make Payments to Benefit the Swords to Plowshares Veterans Academy \$2,500,000]

Ordinance authorizing settlement of the lawsuit filed by Phi Associates L.P., against the City and County of San Francisco for payments by Phi Associates of \$2,500,000 to provide construction loan repayment, and fund capital improvements and operating reserves, and thereby support affordable housing for veterans at the Veterans Academy located at 1030 Girard Road, San Francisco, operated by Swords to Plowshares ("Veterans Academy"), in exchange for the release of 16 Residential Hotel rooms from regulation under the Hotel Conversion Ordinance; the lawsuit was filed on March 17, 2021, in San Francisco Superior Court, Case No. CPF-21-517409, entitled Phi Assoc., L.P. v. City and County of San Francisco; the lawsuit involves petitioner's challenge to the City's enforcement of the Hotel Conversion Ordinance at the Drisco Hotel, located at 2901 Pacific Avenue, San Francisco. (City Attorney)

PASSED ON FIRST READING

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)

PASSED ON FIRST READING

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)

PASSED ON FIRST READING

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)

PASSED ON FIRST READING

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)

Resolution No. 506-22 ADOPTED

221066 [Settlement of Unlitigated Claim - Visa U.S.A. Inc. - \$28,771.32]

Resolution approving the settlement of the unlitigated claim filed by Visa U.S.A. Inc. against the City and County of San Francisco for \$28,771.32; the claim was filed on June 30, 2022; the claim involves a refund of commercial rents taxes. (City Attorney)

Resolution No. 509-22 ADOPTED

Recommendation of the Land Use and Transportation Committee

220924 [Planning Code - Landmark Designation - Turk and Taylor Streets Intersection] Sponsors: Preston; Dorsey

Ordinance amending the Planning Code to designate the Turk and Taylor Streets Intersection together with defined portions of 101 Taylor Street, Assessor's Parcel Block No. 0339, Lot No. 003 (known as the "Site of the Compton's Cafeteria Riot"), as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

Ordinance No. 246-22

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

221070 [Business and Tax Regulations Code - Temporary Suspension of Cannabis Business Tax]

Sponsors: Mandelman; Dorsey

Ordinance amending the Business and Tax Regulations Code to suspend the imposition of the Cannabis Business Tax through December 31, 2025. (Fiscal Impact)

(Supervisor Chan dissented in committee.)

Ordinance No. 247-22

FINALLY PASSED by the following vote:

Ayes: 9 - Dorsey, Mandelman, Mar, Melgar, Preston, Ronen, Safai, Stefani, Walton Noes: 2 - Chan, Peskin

NEW BUSINESS

Recommendations of the Budget and Finance Committee

220947 [Contracting Process - Communications Based Train Control System - Waiver of Administrative Code Contract Prohibition and Authorization to Use Negotiated Procurement Procedures]

Sponsors: Mayor; Mandelman, Melgar, Dorsey and Safai

Ordinance authorizing the Municipal Transportation Agency to issue a Request for Proposals for a Communications Based Train Control System to be awarded by a contract with a term exceeding ten years; waiving the Administrative Code prohibition against issuing solicitations for a contract for general or professional services for a term longer than ten years; authorizing use of negotiated procurement procedures, stating that the award of the contract will be subject to the approval of the Board of Supervisors pursuant to Charter, Section 9.118(b); and adopting findings under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

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

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)

Resolution No. 507-22

ADOPTED by the following vote:

221092 [Lease Renewal - Hudson 1455 Market, LLC - Transit Management Center - 1455 Market Street - Term Extension - \$1,320,059.49]

Resolution authorizing and approving a first amendment to the lease to the renewal of an office lease for the existing Transportation Management Center with Hudson 1455 Market, LLC, as landlord, for the San Francisco Municipal Transportation Agency, at 1455 Market Street, at a yearly initial base rent of \$1,320,059.49 with annual adjustments of three percent for a term of ten years to commence September 20, 2023, for a total term of September 20, 2023, through September 19, 2033; 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. (Real Estate Department) (Fiscal Impact)

Resolution No. 511-22

ADOPTED by the following vote:

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

President Walton requested File Nos. 221107 and 221108 be called together.

221107 [Accept and Expend Grant - Retroactive - California Department of Insurance -Automobile Insurance Fraud Program - \$314,180]

Sponsor: Mayor

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$314,180 from the California Department of Insurance for the Automobile Insurance Fraud Program, for the grant period of July 1, 2022, through June 30, 2023. (District Attorney)

Resolution No. 512-22

ADOPTED by the following vote:

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

221108 [Accept and Expend Grant - Retroactive - California Department of Insurance -Workers' Compensation Insurance Fraud Program - \$1,008,768] Sponsor: Mayor

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$1,008,768 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period July 1, 2022, through June 30, 2023. (District Attorney)

Resolution No. 513-22

ADOPTED by the following vote:

221127 [Accept and Expend Grant - Retroactive - California Board of State and Community Corrections - Proposition 47 STARR - Cohort III - \$6,000,000] Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$6,000,000 from the California Board of State and Community Corrections for participation in a program, entitled "Proposition 47 Supporting Treatment & Reducing Recidivism - Cohort III," for the period of September 1, 2022, through June 1, 2026. (Public Health Department) (Fiscal Impact)

Resolution No. 514-22

ADOPTED by the following vote:

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

Referred Without Recommendation from the Budget and Finance Committee

221128 [Agreement Amendment - Clear Channel Outdoor, LLC - Transit Shelter Advertising - Term Extension]

Sponsors: Mayor; Melgar

Resolution approving the Second Amendment to the Transit Shelter Advertising Agreement between the City and County of San Francisco and Clear Channel Outdoor, LLC, to exercise the option to extend the Agreement for five years, from December 7, 2022, through December 7, 2027; adjust the minimum annual guarantee payments, as well as administrative and marketing payments; and increase the maintenance and service obligations of Clear Channel.

Privilege of the floor was granted unanimously to Nicolas Menard (Office of the Budget and Legislative Analyst) and Jonathan Rewers (Municipal Transportation Agency) who responded to questions raised throughout the discussion.

Resolution No. 500-22

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

President Walton requested File Nos. 220828, 220859, 220889, 220890, 220893, 220894, amd 221129 be called together.

220828 [Tourism Improvement District and Moscone Expansion District - Annual Report -FY2020-2021]

Sponsor: Peskin

Resolution receiving and approving the annual report for the Tourism Improvement District and Moscone Expansion District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 518-22

ADOPTED by the following vote:

220859 [Yerba Buena Community Benefit District - Annual Report - FY2020-2021] Sponsor: Dorsey

Resolution receiving and approving an annual report for the Yerba Buena Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4.

Resolution No. 519-22

ADOPTED by the following vote:

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

220889 [East Cut Community Benefit District - Annual Report - FY2020-2021] Sponsor: Dorsey

Resolution receiving and approving an annual report for The East Cut Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 501-22

ADOPTED by the following vote:

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

220890 [Castro/Upper Market Community Benefit District - Annual Report - FY2020-2021] Sponsor: Mandelman

Resolution receiving and approving an annual report for the Castro/Upper Market Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 502-22

ADOPTED by the following vote:

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

220893 [Ocean Avenue Community Benefit District - Annual Report - FY2020-2021] Sponsors: Melgar; Safai

Resolution receiving and approving an annual report for the Ocean Avenue Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 503-22

ADOPTED by the following vote:

220894 [Discover Polk Community Benefit District - Annual Report - FY2020-2021] Sponsor: Peskin

Resolution receiving and approving an annual report for the Discover Polk Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 504-22

ADOPTED by the following vote:

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

221129 [Lower Polk Community Benefit District - Annual Report - FY2020-2021] Sponsors: Peskin; Preston

Resolution receiving and approving an annual report for the Lower Polk Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 515-22

ADOPTED by the following vote:

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

Supervisor Preston Excused from Voting

Supervisor Preston requested to be excused from voting on File No. 221063, due to a possible conflict of interest.

Supervisor Ronen, seconded by Supervisor Peskin, moved to excuse Supervisor Preston from voting on File No. 221063. The motion carried by the following vote:

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

221063 [Mills Act Historical Property Contract - 942-944 Fell Street]

Resolution approving a historical property contract between Julie A. Chin, the owner of 942-944 Fell Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

Resolution No. 508-22

ADOPTED by the following vote:

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

221083 [Memorandum of Understanding - Metropolitan Transportation Commission and Bay Area Transit Operators - Next Generation Clipper® System] Sponsors: Mayor; Ronen and Dorsey

Resolution authorizing the San Francisco Municipal Transportation Agency Director of Transportation to execute the Next Generation Clipper® System Memorandum of Understanding with the Metropolitan Transportation Commission and Bay Area transit operators, including the allocation of operating and maintenance costs for the participating agencies, effective upon approval of this Resolution. (Municipal Transportation Agency) (Fiscal Impact)

Resolution No. 510-22

ADOPTED by the following vote:

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

221131 [Amending the Budget and Legislative Analyst Services Audit Plan - Delegated Procurement Authority Under Chapter 6 of the Administrative Code and Citywide Conflicts of Interest - FY2022-2023]

Sponsors: Preston; Walton and Mar

Motion directing the Budget and Legislative Analyst to conduct two additional performance audits in Fiscal Year (FY) 2022-2023 consisting of 1) a multi-part audit of various departments' delegated authority for public works contracts pursuant to Chapter 6 of the Administrative Code; and 2) how conflicts of interest are managed citywide.

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

Motion No. M22-185

APPROVED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

220542 [Planning Code - Temporary Safe Overnight Parking and Cannabis Retail Uses] Sponsor: Safai

Ordinance amending the Planning Code to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; extending the date for expiration of temporary cannabis retail uses to January 1, 2024; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

Recommendation of the Public Safety and Neighborhood Services Committee

220972 [Mental Health Services Act Annual Update - FY2022-2023]

Sponsor: Mayor

Resolution authorizing adoption of the San Francisco Mental Health Services Act Annual Update Fiscal Year (FY) 2022-2023.

Resolution No. 505-22

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

220641 [Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]

Sponsor: Mayor

Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law, and approving the Police Department's use of Equipment Policy.

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED on Page 8, Line 8, to add modifications to the Use of Equipment Policy. Before the vote was taken, Supervisor Peskin rescinded his second.

Supervisor Ronen, seconded by Supervisor Melgar, moved that this Ordinance be AMENDED on Page 8, Line 8, to add modifications to the Use of Equipment Policy. The motion FAILED by the following vote:

Ayes: 5 - Chan, Mar, Melgar, Preston, Ronen Noes: 6 - Dorsey, Mandelman, Peskin, Safai, Stefani, Walton

Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 8, Line 8, to add ', with the following modification: Section 1.A.5 ("Unmanned, remotely piloted, powered ground vehicle (ground): Authorized Use") is amended to replace the words "outweighs any other force option available to SFPD" with "officers cannot subdue the threat after using alternative force options or de-escalation tactics options or conclude that they will not be able to subdue the threat after evaluating alternative force options and de-escalation tactics. Only the Chief, Assistant Chief of Operations, or Deputy Chief of Special Operations may authorize the use of robots as a deadly force option.""

Supervisor Ronen requested the motion to amend be DIVIDED to consider the amendments separately.

Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be AMENDED on Page 8, Line 8, by adding ', with the following modification: Section 1.A.5 ("Unmanned, remotely piloted, powered ground vehicle (ground): Authorized Use") is amended to replace the words "outweighs any other force option available to SFPD" with "officers cannot subdue the threat after using alternative force options or de-escalation tactics options or conclude that they will not be able to subdue the threat after evaluating alternative force options and de-escalation tactics.' The motion carried by the following vote:

Ayes: 9 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Safai, Stefani Noes: 2 - Ronen, Walton Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be AMENDED on Page 8, Line 8, by adding 'Only the Chief, Assistant Chief of Operations, or Deputy Chief of Special Operations may authorize the use of robots as a deadly force option." The motion carried by the following vote:

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

Upon approval of both divided questions to amend the Ordinance, the Ordinance was AMENDED as a whole.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

220702 [Administrative Code - Definitions of Prohibited Discrimination in Contracting Ordinances and Human Rights Commission Ordinance] Sponsors: Mayor; Mandelman, Dorsey and Mar

Ordinance amending the Administrative Code to revise the definitions of gender identity, sex, and sexual orientation, and add the definition of gender expression, in Chapters 12B and 12C (ordinances prohibiting discrimination in contracting including property contracts); revise the definition of age in Chapters 12A (the Human Rights Commission ordinance) and 12B; and revise the definition of disability in Chapters 12A, 12B, and 12C.

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

PASSED ON FIRST READING by the following vote:

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

221125 [Administrative Code - 706 Mission Fund]

Sponsors: Peskin; Dorsey, Chan and Mandelman

Ordinance amending the Administrative Code to establish the 706 Mission Fund to receive funds provided to the City under the 2013 purchase and sale agreement regarding the property at 706 Mission Street; to authorize the Recreation and Park Department and the Mayor's Office of Housing and Community Development to expend monies from the Fund for specified purposes after receiving recommendations from the SoMa Community Stabilization Fund Community Advisory Committee; and to require the Recreation and Park Department and the Mayor's Office of Housing and Community Development to prepare reports regarding expenditures from the Fund.

PASSED ON FIRST READING 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

There were no commendations recognized.

COMMITTEE REPORTS

Recommendation of the Rules Committee

221149 [Updated Annual Fundraising Drive - 2022]

Sponsors: Mandelman; Chan

Resolution updating the proposed designation of agencies qualified to participate in the 2022 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Resolution No. 499-22

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

Brent Turner; expressed concerns regarding certain media stories and the search for a new Elections Director.

Dave Schmidt; expressed concerns regarding the current Elections Director and supported the search.

Lavette Arnold; expressed concerns regarding slanderous attacks against her.

Francisco Da Costa; expressed concerns regarding quality of life issues and certain neighborhoods and locations.

Michael Petrelis; expressed concerns regarding the placement of general public comment on the Board's agenda and the loss of seats at the Castro Theatre.

Citizen 22; expressed concerns regarding technology and the various ways it can be disadvantageous.

Speaker; expressed concerns regarding the loss of seats at the Castro Theatre and the recent mass shooting.

Joe Kunzler; expressed concerns regarding another public commenter and lewd comments made.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

221177 [Supporting the Human Rights of the People of Iran]

Sponsors: Safai; Walton, Dorsey, Preston, Mandelman, Ronen, Mar, Melgar and Stefani Resolution supporting the human rights of the people of Iran, including the immediate cessation of human rights abuses on the demonstrators in Iran and the immediate release of political prisoners in Iran, and standing in solidarity with the women and people of Iran.

Supervisors Dorsey, Preston, Mandelman, Ronen, Mar, Melgar, and Stefani requested to be added as co-sponsors.

Resolution No. 517-22

ADOPTED 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.

ORDINANCES

221216 [Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One, Block 2]

Sponsor: Dorsey

Ordinance approving an amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area to increase bulk limits on Block 2 of Zone One of the Transbay Redevelopment Project Area (Assessor's Parcel Block No. 3739, Lot No. 014, located on the north side of Folsom Street between Beale and Main Streets), by increasing certain maximum floor plate sizes; making findings under the California Community Redevelopment Law; making findings 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.

11/29/22; ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 12/29/2022.

220878 [Planning, Building Codes - Penalties for Code Enforcement] Sponsors: Ronen; Peskin and Chan

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

07/26/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/25/2022.

08/24/22; REFERRED TO DEPARTMENT.

09/08/22; RESPONSE RECEIVED.

10/21/22; RESPONSE RECEIVED.

11/29/22; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

RESOLUTIONS

221203 [Accept and Expend Grant - Retroactive - National Institutes of Health - Brief Longitudinal Incident Sentinel Surveillance (BLISS) to End the HIV Epidemic Among Persons Who Inject Drugs (PWID) - \$178,137]

Sponsors: Mayor; Mandelman, Ronen and Dorsey

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$178,137 from the National Institutes of Health for participation in a program, entitled "Brief Longitudinal Incident Sentinel Surveillance (BLISS) to End the Human Immunodeficiency Virus (HIV) Epidemic among Persons Who Inject Drugs (PWID)," for the period of August 15, 2022, through July 31, 2023.

11/29/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221204 [Residential Mortgage Revenue Bonds or Notes - Reimbursement Declarations and TEFRA Approvals]

Sponsor: Mayor

Resolution delegating limited authority to execute and deliver certificates declaring the City's official intent to reimburse original expenditures for the costs of multifamily rental housing projects in the City with proceeds of residential mortgage revenue bonds or notes of the City, for purposes of Section 1.150-2 of Title 26 of the Code of Federal Regulations; delegating limited authority to execute and deliver certificates granting public approval of residential mortgage revenue bonds to finance multifamily rental housing projects in the City; and approving certain related matters, as defined herein.

11/29/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221205 [Apply for Grant and Accept Funds Allocation - California Department of Housing and Community Development - Transitional Housing Program for an Amount up to \$4,084,482 - Housing Navigation and Maintenance Program for an Amount up to \$607,376]

Sponsor: Mayor

Resolution authorizing the Human Services Agency, on behalf of the City and County of San Francisco, to apply for and accept the county allocation award from the California Department of Housing and Community Development under the Transitional Housing Program for an amount up to \$4,084,482 and Housing Navigation and Maintenance Program for an amount up to \$607,376 to help young adults secure and maintain housing. (Human Services Agency)

11/29/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221206 [Urging Creation of Programming and Resources for Victims of Gun Violence] Sponsors: Chan; Walton and Preston

Resolution urging the San Francisco Department of Public Health to create a program to provide resources and education for victims of gun violence regarding their rights to file lawsuits against gun manufacturers in accordance to California State Assembly Bill No. 1594.

11/29/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

221175 [Use Agreement - Topspin Content - Documentary Series "Real Streets of San Francisco"]

Sponsor: Dorsey

Resolution authorizing the San Francisco Police Department ("SFPD") to enter into a Use Agreement with Topspin Content ("Producer") to develop and produce a documentary series, entitled "Real Streets of San Francisco," about the day-to-day challenges and opportunities of 21st century policing, granting all necessary trademark licenses and rights to traditional and digital networks. (Police Department)

11/15/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221207 [Josè Sarria Day - December 13, 2022]

Sponsors: Mandelman; Dorsey, Preston and Mar

Resolution declaring December 13, 2022, to be "Josè Sarria Day" in the City and County of San Francisco, in recognition of his significant contributions to San Francisco and LGBTQ+ history, and in celebration of his 100th Birthday.

11/29/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

221208 [Urging the Inclusion of Climate Action Plan Funding Priorities in the General Obligation Bond Schedule]

Sponsors: Mar; Melgar

Resolution urging the Capital Planning Committee to include Climate Action Plan (CAP) funding priorities recommended by the Center for Law, Energy & the Environment (CLEE) Report, entitled "Funding San Francisco Climate Action: Strategies for Revenue, Implementation, and Equity," in the proposed General Obligation (GO) Bond schedule.

11/29/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

221209 [Urging the City Administrator's Office to Conduct a Disparity Study of the LBE Program]

Sponsors: Melgar; Dorsey, Mandelman and Preston

Resolution urging the City Administrator's Office to conduct a Local Business Enterprises (LBE) disparity study to analyze disparities in the City and County of San Francisco's contracting to women-owned, minority-owned, and disabled Veteran-owned businesses.

11/29/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

221210 [Resolution of Intent to Not Appropriate Funding in FY 2022-2023 for Executive Recruitment Services and Urging Reappointment of Incumbent Director of Elections]

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

Resolution declaring the Board of Supervisors' intent to not appropriate funding for the services of an executive recruitment firm to engage in a search for a new Director of Elections, and urging the Elections Commission to reappoint the incumbent Director.

11/29/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

221211 [Ethics Commission Audits Backlog]

Sponsors: Peskin; Preston, Chan, Mandelman, Ronen, Safai, Walton, Mar and Stefani Resolution urging the Ethics Commission to timely complete backlog of outstanding campaign finance and lobbyists audits.

11/29/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

221212 [City Policy - Autonomous Vehicles Declaration of Policy] Sponsors: Peskin; Mandelman, Walton and Chan

Resolution declaring the official policy of the City and County of San Francisco regarding Autonomous Vehicle (AV) services and programs, by urging the National Highway Traffic Safety Administration (NHTSA), state and local agencies to condition the granting of permits and incentives on addressing San Francisco's safety concerns.

11/29/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

221213 [Commemorating World Expo 2025 in Osaka, Kansai, Japan]

Sponsor: Stefani

Resolution commemorating the World Expo Event "Expo 2025 Osaka, Kansai Japan" held in Osaka, Japan.

11/29/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

221214 [Committee of the Whole - Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area - Zone One, Block 2 - January 10, 2023, at 3:00 p.m.]

Sponsor: Dorsey

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on January 10, 2023, at 3:00 p.m., to hold a public hearing to consider an Ordinance for the proposed Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area to increase bulk limits on Block 2 of Zone One of the Transbay Redevelopment Project Area (Assessor's Parcel Block No. 3739, Lot No. 014), located on the north side of Folsom Street between Beale and Main Streets, by increasing certain maximum floor plate sizes.

11/29/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

221217 [Board of Supervisors Regular Meeting Schedule - 2023]

Motion establishing the 2023 Board of Supervisors Regular Meeting Schedule, pursuant to Board of Supervisors Rules of Order, Sections 4.2 and 4.2.1, by cancelling the Regular Board meetings of January 17, February 21, May 30, June 20, July 4, October 10, and November 28; and all Regular Board and Committee meetings during the spring, summer and winter breaks from March 27 through March 31, July 31 through September 4, and December 18, 2023, through January 5, 2024; and further suspending portions of Board Rule 4.2 to effectuate certain dates within the regular meeting schedule to augment the flow of business. (Clerk of the Board)

11/29/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

221224 [Appointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Ahsha Safai]

Motion appointing Supervisor Ahsha Safai, term ending January 31, 2025, to the Golden Gate Bridge, Highway and Transportation District Board of Directors. (Clerk of the Board) 11/29/22; RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

221218 [Hearing - 2022 Aging and Disability Affordable Housing Needs Assessment Report]

Sponsor: Stefani

Hearing requesting the key findings and recommendations made in the 2022 Aging and Disability Affordable Housing Needs Assessment Report; and requesting the Department of Disability and Aging Service, Mayor's Office on Housing and Community Development, Planning Department, Department of Homelessness and Supportive Housing, and Mayor's Office on Disability to report. 11/29/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

221219 [Hearing - Implementation of the Recovery Summit Working Group Recommendations - Final Report of the Housing Needs of Justice Involved Adults Research Project]

Sponsor: Stefani

Hearing regarding the implementation of recommendations approved by the Reentry Council in October 2020 and discussed in the Board of Supervisors' Public Safety and Neighborhood Services Committee in February 2021; new recommendations from the Recovery Summit Working Group to improve drug treatment services in San Francisco and address the open-air drug scenes, and support for people struggling with addiction; and discussion of the final report of the Housing Needs of Justice Involved Adults research project of the Reentry Council's Direct Services Subcommittee; and requesting the Reentry Division of the Adult Probation Department to report.

11/29/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

221220 [Hearing - Sheriff's Department Staffing Levels] Sponsor: Stefani

Hearing regarding updates on the Sheriff's Department's current staffing levels and how staffing impacts relate to jail conditions and a status report of rehabilitation programs, including but not limited to Five Keys Charter, RSVP, etc.; and requesting the Sheriff's Department to report. 11/29/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

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 RESOLUTIONS

221181 [Settlement of Unlitigated Claim - Grievance: Service Employees International Union, Local 1021 and 2320 Registered Nurses and 2328 Nurse Practitioners -\$236,895.29]

Resolution approving the settlement of the unlitigated claim filed by Service Employees International Union, Local 1021 on behalf of a class of 2320 Registered Nurses and 2328 Nurse Practitioners against the City and County of San Francisco by the payment of \$236,895.29; the claim was filed on January 30, 2020; the claim involves a labor dispute. (City Attorney)

11/09/22; RECEIVED FROM DEPARTMENT.

11/29/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

221182 [Contract Modification - Jefferies LLC - Litigation Consulting Services - Not to Exceed \$15,500,000]

Resolution authorizing the second amendment to a contract between the Office of the City Attorney and Jefferies LLC for litigation consulting services to extend the contract term for four years and five months, from April 1, 2023, for a total contract term of May 17, 2019, through September 17, 2027, and to increase the contract amount by \$5,501,000 for a new contract amount not to exceed \$15,500,000, pursuant to Charter, Section 9.118(b); and to authorize the City Attorney to enter into amendments or modifications to the contract 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. (City Attorney)

(Fiscal Impact)

11/18/22; RECEIVED FROM DEPARTMENT.

11/29/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221184 [Contract Amendment - Special Service for Groups, Inc. - Therapeutic and Specialty Mental Health Services for Children and Youth - Not to Exceed \$31,513,419]

Resolution approving Amendment No. 2 to the agreement between Special Service for Groups, Inc. and the Department of Public Health, for therapeutic and specialty mental health services, to increase the agreement by \$21,757,478 for an amount not to exceed \$31,730,191; to extend the term by four years and six months, from June 30, 2023, for a total agreement term of July 1, 2018, through December 31, 2027; and to authorize 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)

11/16/22; RECEIVED FROM DEPARTMENT.

11/29/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221185 [Contract Amendment - Retroactive - Progress Foundation - Behavioral Health Services - Not to Exceed \$221,847,999]

Sponsor: Safai

Resolution approving Amendment No. 2 to the Agreement between Progress Foundation and the Department of Public Health (DPH), for behavioral health services; to increase the Agreement by \$127,324,481 for an amount not to exceed \$221,847,999; to extend the term by five years, from December 31, 2022, for a total Agreement term of July 1, 2018, through December 31, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department) (Fiscal Impact)

11/17/22; RECEIVED FROM DEPARTMENT.

11/29/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

221186 [Prevailing Wage Rates - Various Workers Pursuant to Administrative Code, Section 6.22(e) and Sections 21C.1 through 21C.11]

Sponsor: Safai

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public works and improvements; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission)

(Fiscal Impact)

11/21/22; RECEIVED FROM DEPARTMENT.

11/29/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Myrna Melgar

To: Department of Public Works

Requests: Requesting a report on the activities of the Bureau of Architecture as follows:

• A comparison of Architecture and Engineering costs for projects completed "in-house" by the Bureau of Architecture compared to those put out to bid and completed by private architecture firms and managed by you;

• The total funds awarded to Local Business Enterprises (LBEs) for projects managed by the Bureau of Architecture.

• The total dollar amount of projects designed and managed by DPW for all City Departments per year, for the past 5 bond cycles, along with a report of projects designed in house and put out to bid in the private sector.

From: Supervisor Ahsha Safai

To: Department of Public Health, Ethics Commission, Department of Human Resources Requests: Whether there is an Ethics review, such as an Advance Written Determination, when an employee receives outside income from a contractor with the Department of Public Health.

11/29/2022

In Memoriams

Daniel Ashton – Supervisors Mandelman, Safai, and Stefani Kelly Loving – Supervisors Mandelman, Safai, and Stefani Ashley Paugh – Supervisors Mandelman, Safai, and Stefani Derrick Rump – Supervisors Mandelman, Safai, and Stefani Raymond Green Vance – Supervisors Mandelman, Safai, and Stefani Patrick Courtney – Supervisor Mandelman Maria Jose Garza – Supervisor Mandelman Carol Leigh – Supervisor Mandelman Marcia Rae Fontes – Supervisor Melgar John Heiter – Supervisors Peskin and Safai Richard "Momo" Anderson – Supervisor Peskin Laurie Jones Neighbors – Supervisor Preston Hazel Lee King – Board President Supervisor Walton

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:07 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 10, 2023.

Angela Calvillo, Clerk of the Board