

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

IN-PERSON MEETING

Legislative Chamber, Room 250

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

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PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001/ Meeting ID: 2496 023 1524 #](tel:14156550001)

Tuesday, November 29, 2022 - 2:00 PM

Regular Agenda

SHAMANN WALTON, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Ronen, Safai, Chan, Mar, Walton

Budget and Finance Committee

Supervisors Ronen, Safai, Chan

Government Audit and Oversight Committee

Supervisors Preston, Chan, Mandelman

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Mar, Stefani, Melgar

Rules Committee

Supervisors Peskin, Mandelman, Chan

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Dorsey

Meeting Days

Wednesday

1:00 PM

Wednesday

12:30 PM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

2nd Friday

10:00 AM

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

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) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing 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 the public testimony time limit. 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 a document displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting. Hard copy documents may not be shared during in-person meetings.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee and will be shared with the Members.

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LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

傳譯服務: 所有常規及特別市參事會會議和常務委員會會議將提供西班牙文, 中文以及菲律賓文的傳譯服務, 但必須在會議前最少48小時作出請求, 以確保能獲取到傳譯服務。將因應請求提供交替傳譯服務, 以便公眾向有關政府機構發表意見。如需更多資訊或請求有關服務, 請致電 (415) 554-5184聯絡我們。

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PAUNAWA: Mayroong serbisyon 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.

Americans with Disabilities Act (ADA)

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. The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

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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 copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <https://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 <https://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 <https://sfethics.org>.

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The Board of Supervisors and its committees will convene hybrid meetings that will allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 28, 78 or 99 (depending on your provider).

Members of the public may provide public comment in-person at the noticed location or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>). Individuals who wish to share documents during a hearing must provide them to the Clerk 48 hours in advance (bos@sfgov.org). Persons attending the meeting in-person 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. Members of the public may also submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record.

Members of the public attending in-person may be required to wear masks or adhere to current orders, please visit https://sfbos.org/in_person_meeting_guidelines for the current guidelines. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>.

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(Press *3 to enter the speaker line)

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

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

APPROVAL OF MEETING MINUTES

Approval of the [October 18, 2022](#), and [October 25, 2022](#), Board Meeting Minutes.

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 7

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Chan, Stefani

1. [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)

Question: Shall this Ordinance be PASSED ON FIRST READING?
2. [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)

Question: Shall this Ordinance be PASSED ON FIRST READING?
3. [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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. [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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
5. [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)
Question: Shall this Resolution be ADOPTED?
6. [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)
Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

7. [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)
11/15/2022; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Ronen, Safai, Chan

8. [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.)

11/15/2022; NOT AMENDED.

11/15/2022; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ronen, Safai, Chan

9. [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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. [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)

Question: Shall this Resolution be ADOPTED?

11. [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)

Question: Shall this Resolution be ADOPTED?

12. [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)

Question: Shall this Resolution be ADOPTED?

13. [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)

Question: Shall this Resolution be ADOPTED?

14. [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)

Question: Shall this Resolution be ADOPTED?

Referred Without Recommendation from the Budget and Finance Committee

Present: Supervisors Ronen, Safai, Chan

15. [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.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Chan, Stefani

16. [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.

Question: Shall this Resolution be ADOPTED?

17. [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.
Question: Shall this Resolution be ADOPTED?
18. [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.
Question: Shall this Resolution be ADOPTED?
19. [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.
Question: Shall this Resolution be ADOPTED?
20. [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.
Question: Shall this Resolution be ADOPTED?
21. [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.
Question: Shall this Resolution be ADOPTED?

22. [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.
Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chan, Stefani
23. [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)
Question: Shall this Resolution be ADOPTED?

Present: Supervisors Preston, Chan, Stefani
24. [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)
Question: Shall this Resolution be ADOPTED?
25. [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
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.
Question: Shall this Motion be APPROVED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

26. [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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Mar, Stefani, Melgar

27. [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.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Peskin, Mandelman, Chan

28. [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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. [220702](#) **[Administrative Code - Definitions of Prohibited Discrimination in Contracting Ordinances and Human Rights Commission Ordinance]**

Sponsors: Mayor; Mandelman and Dorsey

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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. [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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

COMMITTEE REPORTS

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

The following item will be considered by the Rules Committee at a Regular Meeting on Monday, November 28, 2022, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, November 29, 2022.

31. [221149](#) **[Updated Annual Fundraising Drive - 2022]**

Sponsor: Mandelman

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.

Question: Shall this Resolution be ADOPTED?

32. **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.

33. 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.

PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001 / Meeting ID: 2496 023 1524 # #](tel:14156550001)

(Press *3 to enter the speaker line)

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 Item 34 will be taken during Item 33 - General Public Comment.)

Item 34

34. [221177](#) [Supporting the Human Rights of the People of Iran]

Sponsors: Safai; Walton

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.

11/15/2022; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 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.)

[1 \(415\) 655-0001 / Meeting ID: 2496 023 1524 # #](tel:14156550001)

(Press *3 to enter the speaker line)

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 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)

11/09/2022; RECEIVED FROM DEPARTMENT.

11/29/2022; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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

Resolution retroactively 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 five years, from September 17, 2022, 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)

11/18/2022; RECEIVED FROM DEPARTMENT.

11/29/2022; RECEIVED AND ASSIGNED to the 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 \$31,730,191]

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)

11/16/2022; RECEIVED FROM DEPARTMENT.

11/29/2022; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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

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)

11/17/2022; RECEIVED FROM DEPARTMENT.

11/29/2022; RECEIVED AND ASSIGNED to the 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]

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 performing moving services under City contracts at facilities owned or leased by the City; 7) 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)

11/21/2022; RECEIVED FROM DEPARTMENT.

11/29/2022; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

221183 **[Petitions and Communications]**

Petitions and Communications received from November 10, 2022, through November 22, 2022, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 29, 2022.

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 Planning Department, submitting Landmark Designation materials with the Historic Preservation Commission recommendation for approval of designation of St. James Presbyterian Church. File No. 220716. Copy: Each Supervisor. (1)

From the Mayor's Office of Housing and Community Development, submitting the Quarter 2 and Quarter 3 reporting on prioritization of 100% affordable housing projects. Copy: Each Supervisor. (2)

From the Youth Commission, regarding a Resolution requesting the Office of the Mayor to allow the Youth Commission to hold formal Full Commission and Committee meetings in person. Resolution No. 2223-AL-02. Copy: Each Supervisor. (3)

From the Office of the Treasurer & Tax Collector, pursuant to California State Government Code, Section 53646, submitting the City and County of San Francisco Pooled Investment Report for October 2022. Copy: Each Supervisor. (4)

From the Department of Homelessness and Supportive Housing, submitting a report pursuant to Ordinance No. 94-22. (File No. 220286). Copy: Each Supervisor. (5)

From various departments, submitting Chapter 12B Waiver Request Forms pursuant to Administrative Code, Section 12B.5-1.3. 6 Contracts. Copy: Each Supervisor. (6)

From the California Fish and Game Commission, regarding a notice of proposed changes to regulations concerning mobile (electronic) display of licenses. Copy: Each Supervisor. (7)

From Steve Capchak, regarding parking and curb management. Copy: Each Supervisor. (8)

From Ryan Ebstein, regarding housing. Copy: Each Supervisor. (9)

From concerned citizens, regarding a Hearing of the Board of Supervisors sitting as a Committee of the Whole to hold a public hearing on the draft Housing Element 2022 Update. File No. 221033. 16 Letters. Copy: Each Supervisor. (10)

From the Castro LGBTQ Cultural District, regarding a Resolution extending by six months the prescribed time within which the Historic Preservation Commission may respond to the landmark designation initiation from the Board of Supervisors and initiating an amendment to the landmark designation of 429-431 Castro Street. File Nos. 221150 and 220550. Copy: Each Supervisor. (11)

From Marc Bruno, regarding a Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to Chez Brando LLC, located at 775 Filbert Street, will serve the public convenience or necessity. File No. 220727. Copy: Each Supervisor. (12)

From Lisa Sanchez, regarding La Raza Resource Center food distribution. Copy: Each Supervisor. (13)

From The Green Cross, regarding an Ordinance amending the Business and Tax Regulations Code to suspend the imposition of the Cannabis Business Tax through December 31, 2025. File No. 221070. Copy: Each Supervisor. (14)

From concerned citizens, regarding public safety. 2 Letters. Copy: Each Supervisor. (15)

From Jang Hada, regarding second-hand smoke. Copy: Each Supervisor. (16)

From concerned citizens, regarding algal bloom in the San Francisco Bay. Copy: Each Supervisor. 7 Letters. Copy: Each Supervisor. (17)

From Tami Bryant, regarding a Resolution urging the continuation of services after the closure of the Tenderloin Center. File No. 221090. Copy: Each Supervisor. (18)

From concerned citizens, regarding the Slow Streets Program on Lake Street. 144 Letters. Copy: Each Supervisor. (19)

From concerned citizens, regarding Proposition I on the November 8, 2022 Consolidated General Election ballot. 120 Letters. Copy: Each Supervisor. (20)

From the Ethics Commission, regarding behested payment rules. Copy: Each Supervisor. (21)

From the Sunshine Ordinance Task Force, pursuant to Administrative Code, Section 67.30(e), submitting notice of attendance of a member. Copy: Each Supervisor. (22)

From the Executive Director of the Ethics Commission, submitting notice of intent to resign. Copy: Each Supervisor. (23)

ADJOURNMENT