

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, January 30, 2024 - 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Chan, Mandelman, Melgar, Walton, Peskin

Budget and Finance Committee

Supervisors Chan, Mandelman, Melgar

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Ronen, Walton, Safai

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

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

Volume 119 Number 3

Members Present: Connie Chan, Matt Dorsey, Joel Engardio, Rafael Mandelman, 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 on Tuesday, January 30, 2024, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 2:04 p.m.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

All Members were present.

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

President Peskin led the Members of the Board and the audience in the pledge of allegiance to the flag of the United States of America, pursuant to Board Rule 4.9.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, welcomed members of the public to attend Board meetings and provide comment in-person or view the meeting live on SFGovTV's award winning Cable Channel 26 or at www.sfgovtv.org. Those requiring interpretation services should contact the Office of the Clerk of the Board at least two business days in advance of the meeting, pursuant to Administrative Code, Section 91.7.

(Written comments may be submitted through email (bos@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.)

AGENDA CHANGES

There were no agenda changes.

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

240042 [Formal Policy Discussions - January 30, 2024]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss eligible topics submitted from the Supervisors. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

The following topic was noticed on the agenda representing District 5:

1. Single Room Occupancy (SRO) Elevator Repairs

Mayor London N. Breed addressed the Board of Supervisors regarding upcoming Black History Month and Lunar New Year events, including ensuring neighborhoods are clean and safe, the moratorium for street vending, and efforts to change state policies and laws to continue addressing these matters.

Mayor Breed then discussed the above referenced topic submitted by the District 5 Supervisor.

Supervisor Preston began the discussion by asking the following question: Will you commit to making sure the Notice of Funding Availability for the Single Room Occupancy elevator repairs is published no later than February 12, 2024? Mayor Breed responded she is in agreement on this issue and understands the urgency, but there is a limited number of individuals or companies who can complete this work and the City is working on addressing this issue.

Supervisor Preston then followed up with the following question: Can you commit, on the record, that the Department of Homelessness and Supportive Housing will receive the Notice of Funding Availability by February 12, 2024? Mayor Breed responded she will not go on the record to make that commitment because she can't commit to the date, but she is working on improving the conditions and has given the Department direction to move as quickly and as safely as possible to assist those who are struggling in the Tenderloin. Mayor Breed did not ask any follow-up questions related to this topic.

Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

231054 [Authorization of American Registry for Internet Numbers Agreements with Department of Technology]

Ordinance approving contracts between the City and the American Registry for Internet Numbers, LTD. (ARIN) for the registration of the City's internal network and the public-facing network Internet Protocol addresses, and granting waivers of specified contract-related requirements in the Administrative Code for this transaction. (Department of Technology)

Ordinance No. 014-24

FINALLY PASSED

231128 [Appropriation - \$1,350,239 in Tax Increment Revenue Bond Proceeds in Treasure Island Infrastructure and Revitalization Financing District - FY2023-2024]

Sponsors: Mayor; Dorsey

Ordinance appropriating \$1,350,239 from the issuance of Treasure Island Infrastructure and Revitalization Financing District (IRFD) Series 2023B Tax Increment Revenue Bonds to the affordable housing project in the Mayor's Office of Housing and Community Development; and placing these amounts on Controller's Reserve in Fiscal Year (FY) 2023-2024.
(Fiscal Impact)

Ordinance No. 015-24

FINALLY PASSED

231222 [Accept and Expend Grant - Retroactive - State of California - Board of State and Community Corrections - Organized Retail Theft Vertical Prosecution Program - Amendment to the Annual Salary Ordinance - FY2023-2024 and FY2024-2025 - \$2,050,000]

Sponsors: Mayor; Mandelman, Melgar, Engardio and Safai

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$2,050,000 from the State of California, Board of State and Community Corrections, to fund the Organized Retail Theft Vertical Prosecution Grant Program; and amending Ordinance No. 145-23 (Annual Salary Ordinance, File No. 230645 for Fiscal Years (FYs) 2023-2024 and 2024-2025) to provide for the addition of one grant-funded position in Class 8177 Attorney-Civil/Criminal (FTE 1.0) and one grant-funded position in Class 8550 District Attorney's Investigator-SFERS (FTE 1.0) at the Office of the District Attorney for the grant agreement period of October 1, 2023, through June 1, 2027. (District Attorney)

Ordinance No. 013-24

FINALLY PASSED

231267 [Organized Retail Theft Prevention Grant Program - Waiving Competitive Procurement Requirements Under Administrative Code]**Sponsors: Mayor; Safai, Mandelman and Engardio**

Ordinance authorizing the Police Department to expend grant funds received from the Board of State and Community Corrections Organized Retail Theft Grant Program to procure equipment and services without competitive bidding under Administrative Code, Chapter 21.

Ordinance No. 019-24**FINALLY PASSED****Recommendations of the Government Audit and Oversight Committee****231211 [Settlement of Lawsuit - Phaedra Michelle Scott - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Phaedra Michelle Scott against the City and County of San Francisco for \$40,000; the lawsuit was filed on September 27, 2021, in San Francisco Superior Court, Case No. CGC-21-595521; entitled Phaedra Michelle Scott v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from tripping due to a pothole. (City Attorney)

PASSED ON FIRST READING**231212 [Settlement of Lawsuit - Alfred Coutts - \$190,000]**

Ordinance authorizing settlement of the lawsuit filed by Alfred Coutts against the City and County of San Francisco for \$190,000; the lawsuit was filed on May 14, 2020, in San Francisco Superior Court, Case No. CGC-20-584459; entitled Alfred Coutts, et al. v. City and County of San Francisco, et. al.; the lawsuit involves allegations of negligence, dependent adult neglect/abuse, and violations of the Patient's Bill of Rights concerning Mr. Coutts' care at Laguna Honda Hospital and Rehabilitation Center. (City Attorney)

PASSED ON FIRST READING**231213 [Settlement of Lawsuit - Peyman Pakdel and Sima Chegini - \$450,000]**

Ordinance authorizing settlement of the lawsuit filed by Peyman Pakdel and Sima Chegini against the City and County of San Francisco for \$450,000; the lawsuit was filed on June 26, 2017, in the United States District Court for the Northern District of California, Case No. 3:17-cv-03638; entitled Peyman Pakdel, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged diminution of Plaintiffs' property value as a result of conditions of approval of San Francisco's Expedited Conversion Program; other material terms of the settlement include the Plaintiffs' sale of the property to the current tenant and termination of the lifetime lease under the Expedited Conversion Program. (City Attorney)

PASSED ON FIRST READING

231246 [Settlement of Lawsuit - Pacific Gas & Electric Co. - Power Connections]

Ordinance authorizing settlement of the complaint of the City and County of San Francisco (City) against Pacific Gas & Electric Co. (PG&E) that was filed by the City on January 28, 2019, before the Federal Energy Regulatory Commission, Docket No. EL19-38; entitled City and County of San Francisco v. Pacific Gas & Electric Co.; the complaint concerns PG&E's imposition of unreasonable restrictions on connections of City facilities to PG&E's distribution system; the material terms of the settlement are that, in exchange for the City dismissing its complaint and waiving any claim for monetary relief, PG&E will allow the City to connect 30 megawatts of metered secondary voltage load over the next five years, provided the loads will be used to serve 1) existing points of delivery that undergo changes, 2) City departments or related public entities, or 3) private entities using City-owned property. (City Attorney)

PASSED ON FIRST READING

231126 [Settlement of Unlitigated Claim - Deven Gadula - \$175,000]

Resolution approving the settlement of the unlitigated claim filed by Deven Gadula against the City and County of San Francisco for \$175,000; the claim was filed on January 9, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

Resolution No. 033-24

ADOPTED

231127 [Settlement of Unlitigated Claim - Joan Assereto - \$44,000]

Resolution approving the settlement of the unlitigated claim filed by Joan Assereto against the City and County of San Francisco for \$44,000; the claim was filed on March 10, 2023; the claim involves alleged property damage arising from flooding caused by a water main rupture. (City Attorney)

Resolution No. 034-24

ADOPTED

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

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

Resolution No. 035-24

ADOPTED

231248 [Settlement of Grievance - San Francisco Deputy Sheriff's Association, 8504 Deputy Sheriffs, 8304 Deputy Sheriffs and 8306 Senior Deputy Sheriffs - \$94,675]

Resolution approving the settlement of the grievance filed on October 20, 2021, by San Francisco Deputy Sheriff's Association on behalf of class 8504 Deputy Sheriffs, 8304 Deputy Sheriffs and 8306 Senior Deputy Sheriffs against the City and County of San Francisco by the payment of \$94,675; the grievance involves an employment dispute under the Memorandum of Understanding. (City Attorney)

Resolution No. 036-24

ADOPTED

Recommendation of the Land Use and Transportation Committee

231130 [Existing Building Code - Supplemental Inspections for Tall Buildings]

Sponsors: Peskin; Chan

Ordinance amending the Existing Building Code to require buildings with 15 or more stories to conduct and submit supplemental inspection reports that will focus on windows and exterior glass surfaces to identify any defective or damaged materials that may cause glass failure; and affirming the Planning Department's determination under the California Environmental Quality Act.

Ordinance No. 016-24

FINALLY PASSED

Recommendation of the Public Safety and Neighborhood Services Committee

231158 [Health Code - Regulating Medical Specimen Test Collection Sites]

Sponsors: Preston; Ronen and Dorsey

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

Ordinance No. 017-24

FINALLY PASSED

Recommendation of the Rules Committee

231124 [Campaign and Governmental Conduct Code - Form 700 Filers - General Services Agency - City Administrator]

Ordinance amending the Campaign and Governmental Conduct Code to update and clarify the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements for officers and employees in the General Services Agency under the City Administrator. (City Administrator)

Ordinance No. 012-24

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

231273 [Settlement of Claims, Litigation - SFPUC Water Pipeline Break - Fillmore Street and Green Street - Not to Exceed \$7,000,000]

Sponsor: Stefani

Ordinance authorizing the San Francisco Public Utilities Commission (SFPUC) and the Office of the City Attorney to approve settlements of claims arising out of the September 10, 2023, break of the SFPUC's water transmission pipeline at the intersection of Fillmore and Green Streets for amounts exceeding \$25,000 per claim, notwithstanding Administrative Code, Section 10.22, et. seq., but not to exceed \$1,000,000 per claim, and delegating authority under Charter, Section 6.102(5) for the settlement of related litigation, if any, up to an aggregate total settlement amount not to exceed \$7,000,000, subject to periodic reporting to the Board of Supervisors Government Audit and Oversight Committee. (Public Utilities Commission)

Ordinance No. 020-24

FINALLY PASSED by the following vote:

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

Referred Without Recommendation From the Land Use and Transportation Committee

231216 [Planning Code - Landmark Designation - Westwood Park Entrance Gateways and Pillars]

Sponsors: Melgar; Safai

Ordinance amending the Planning Code to designate the Westwood Park Entrance Gateways and Pillars, located at the intersections of Miramar Avenue and Monterey Boulevard, Miramar Avenue and Ocean Avenue, and Judson Avenue and Frida Kahlo Way, as a Landmark consistent with the standards set forth in 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)
(Supervisor Preston voted No on First Reading.)

Ordinance No. 018-24

FINALLY PASSED by the following vote:

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

Recommendation of the Public Safety and Neighborhood Services Committee

231087 [Support for the SOMA Pilipinas Gateway Cultural Marker]

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

Resolution expressing support for a permanent cultural monument for the Filipino Cultural Heritage District; urging the Arts Commission to commission new works that center voices and stories that are not currently reflected by the current collection, such as the voices that reflect Filipino culture and identity; and finding that the SOMA Pilipinas Gateway Project could provide a model for the City to advance social and racial equity by producing cultural monuments that lift up the rich history and collective experience, contributions, struggles, and triumphs of people of color and immigrant communities who are an important part of San Francisco's diversity and soul as a City.

Supervisor Dorsey, seconded by Supervisor Mandelman, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 3-4, by adding 'and public realm artworks', Lines 5-6, by changing 'reflected by the current' to 'highlighted in the Civic Art', Lines 6-7, by changing 'the voices' to 'permanent and temporary public realm artworks', Line 9, by changing 'producing cultural monuments that lift up' to 'visually uplifting'; on Page 3, Line 5, by changing '2020' to '2023', Line 6, by changing 'works' to monuments and memorials in the Civic Art Collection' and adding 'underrepresented', Line 7, by striking 'have been neglected by the current collection, but', and Lines 11-21, by adding 'WHEREAS, The San Francisco Arts Commission is advancing the recommendations of the Monuments and Memorials Advisory Committee through a project funded by the Mellon Foundation, to broadly and transparently engage diverse communities who have historically been excluded from discussions regarding the process of commissioning new monuments and memorials; and WHEREAS, this project will continue with community engagement and artist activations through 2025 and include a comprehensive equity audit of existing monuments and memorials in the Civic Art Collection; and WHEREAS, the engagement of diverse underrepresented communities will guide the Arts Commission in the commissioning of new works; and WHEREAS, the Arts Commission is actively doing outreach to the Filipino community for new works being commissioned in the SOMA Pilipinas Cultural District; and'; on Page 3, Lines 1-4, by adding 'WHEREAS. A bronze plaque contextualizing this conflict and the sacrifices made by the Filipino people in the struggle against the occupying American forces was permanently attached to the base of the Dewey Monument by the Philippine American War Centennial Committee of San Francisco in 2019; and'; on Page 3, Line 14, through Page 8, Line 11, by striking all 'WHEREAS' clauses; on Page 8, Lines 14-15, by adding 'a permanent cultural monument and public realm artworks such as', Lines 17-23, by adding two 'WHEREAS' clauses; and on Page 9, Lines 5-6, by changing 'report' to 'and Memorials Committee Final Report', and Line 7, by changing 'reflected by' to 'currently highlighted in' and changing 'current' to 'Civic Art'. The motion carried by the following vote:

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

Resolution expressing support for a permanent cultural monument and public realm artworks for the Filipino Cultural Heritage District; urging the Arts Commission to commission new works that center voices and stories that are not currently highlighted in the Civic Art Collection, such as permanent and temporary public realm artworks that reflect Filipino culture and identity; and finding that the SOMA Pilipinas Gateway Project could provide a model for the City to advance social and racial equity by visually uplifting the rich history and collective experience, contributions, struggles, and triumphs of people of color and immigrant communities who are an important part of San Francisco's diversity and soul as a City.

Resolution No. 048-24

ADOPTED AS AMENDED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

231237 [Accept and Expend Grant - Retroactive - Overdose Prevention Initiative - California Department of Public Health - Substance and Addiction Prevention Branch - Amendment to Annual Salary Ordinance - Fiscal Years 2023-2024 and 2024-2025 - \$1,086,740.83]

Sponsors: Mayor; Mandelman

Ordinance retroactively authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of \$1,086,740.83 from the California Department of Public Health, Substance and Addiction Prevention Branch; and amending Ordinance No. 145-23 (Annual Salary Ordinance for Fiscal Years (FYs) 2023-2024 and 2024-2025) to provide for the addition of grant-funded Class 2403 Forensic Laboratory Analyst, Class 2456 Forensic Toxicologist, and Class 2457 Forensic Toxicologist Supervisor positions, as required, for the period beginning December 1, 2023, through June 30, 2028. (Medical Examiner/Coroner)

PASSED ON FIRST READING by the following vote:

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

231270 [Appropriation Reserve - Various Departments' Budget Appropriations on Reserve - \$48,403,840 - FY2023-2024]

Sponsor: Chan

Ordinance placing a total of \$48,403,840 in various departments' budget appropriations specified in the Mayor's Fiscal Year (FY) 2023-2024 mid-year budget reduction plan on Board of Supervisors Budget and Finance Committee Reserve in Fiscal Year 2023-2024.

PASSED ON FIRST READING by the following vote:

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

240005 [Amending Authorizing Agreements - Bank Credit Facility for CleanPowerSF - Public Utilities Commission]

Sponsor: Mandelman

Ordinance amending Ordinance No. 8-18, to authorize the General Manager of the San Francisco Public Utilities Commission to enter into amendments and extensions of, or replacements for, the bank credit facility agreement authorized under Ordinance No. 8-18, to provide liquidity support, as needed, for power purchases, regulatory requirements, and other financial obligations of San Francisco's CleanPowerSF community choice aggregation program for an additional term or terms not exceeding 10 years. (Public Utilities Commission)

PASSED ON FIRST READING by the following vote:

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

231278 [Declaration of Restrictions - ARE-SAN FRANCISCO NO. 15 OWNER, LLC - 1450 Owens Street - Initial Annual Payment to City \$72,000]

Sponsor: Dorsey

Resolution approving a Declaration of Restrictions with the ARE-SAN FRANCISCO NO. 15 OWNER, LLC ("Owner) to establish a no-build zone on a portion of property owned by the City and County of San Francisco, adjacent to the Owner's property at 1450 Owens Street, intended for future public park uses, providing for annual payments in the initial amount of \$72,000 with 3% annual increases, to the City from Owner in exchange for such restrictions for term effective on January 1, 2024, through in perpetuity unless terminated by the City, as defined in the Declaration of Restrictions; and authorizing the Director of Property to execute any amendments, make certain modifications and take certain actions that do not materially increase the obligations or liabilities to the City, do not materially decrease the benefits to the City and are necessary or advisable to effectuate the purposes of the Declaration of Restrictions or this Resolution. (Real Estate Department)

Resolution No. 037-24

ADOPTED by the following vote:

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

240018 [Accept and Expend Grant - U.S. Department of Transportation, Maritime Administration - Amador Street Infrastructure Improvement Project - \$9,607,500]

Sponsors: Mayor; Walton

Resolution authorizing the Port Commission to accept and expend a grant in the amount of \$9,607,500 from the United States Department of Transportation, Maritime Administration Port Infrastructure Development Program to fund the Amador Street Infrastructure Improvement Project from March 1, 2024, through February 28, 2027; and authorizing the Port Executive Director to enter into modifications to the Grant Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Grant Agreement or this Resolution. (Port)
(Fiscal Impact)

Resolution No. 017-24

ADOPTED by the following vote:

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

President Peskin requested File Nos. 240019 and 240023 be called together.

240019 [Accept and Expend Grant - Retroactive - California Department of Public Health - California Tobacco Prevention Program (CTPP) - \$3,973,298]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$281,965 for a total amount of \$3,973,298 from the California Department of Public Health for participation in a program, entitled "California Tobacco Prevention Program (CTPP)," for the period of July 1, 2023, to June 30, 2024. (Public Health Department)

Resolution No. 041-24

ADOPTED by the following vote:

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

240023 [Grant Agreement - Retroactive - Advocates for Human Potential, Inc. - Round 3 - 822 Geary Street - Anticipated Revenue to the City \$6,774,965]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Department of Public Health to enter into a Grant Agreement for a term commencing on execution of the Grant Agreement, through June 30, 2027, between the City and County of San Francisco ("City"), acting by and through its Department of Public Health ("DPH"), and Advocates for Human Potential, Inc., having anticipated revenue to the City of \$6,774,965 for construction at 822 Geary Street, 1st Floor; including a Permitted and Restricted Use; authorizing the Grantor to apply for a Receiver in the event of the City's default; and authorizing DPH to enter into amendments or modifications to the Grant Agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purpose of the Grant. (Public Health Department)

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

Resolution No. 045-24

ADOPTED by the following vote:

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

President Peskin requested File Nos. 240020 and 240021 be called together.

240020 [Accept and Expend Grant - California Department of Housing and Community Development - Infill Infrastructure Grant Program - 850 Turk Street and 750 Golden Gate Avenue - \$8,091,600]

Sponsors: Mayor; Stefani, Mandelman and Preston

Resolution authorizing the Mayor's Office of Housing and Community Development to execute a Standard Agreement with California Department of Housing and Community Development (HCD) under the Infill Infrastructure Grant Program for a total award of \$8,091,600 disbursed by HCD as a grant to the City for infrastructure improvements related to property located at 850 Turk Street and 750 Golden Gate Avenue selected by the State of California for 100% affordable housing projects for the period starting on the execution date of the Standard Agreement to June 30, 2030, and as amended.

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

Resolution No. 042-24

ADOPTED by the following vote:

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

240021 [Accept and Expend Grant - California Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - 850 Turk Street - \$31,971,048]

Sponsors: Mayor; Stefani, Mandelman and Preston

Resolution authorizing the Mayor's Office of Housing and Community Development (MOHCD) to execute the Standard Agreements with the California Department of Housing and Community Development (HCD) under the Affordable Housing and Sustainable Communities Program for a total award of \$31,971,048 including \$22,000,000 disbursed by HCD as a loan to the MP Turk Street Associates, L.P. for a 100% affordable housing project at 850 Turk Street and \$9,971,048 to be disbursed as a grant to the City for public transportation improvements near 850 Turk Street, for the period starting on the execution date of the Standard Agreements to November 30, 2043; and authorizing MOHCD to accept and expend the grant of up to \$9,971,048 for transportation, streetscape and pedestrian improvements, and other transit oriented programming and improvement as approved by HCD. (Mayor's Office of Housing and Community Development)

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

Resolution No. 043-24

ADOPTED by the following vote:

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

240022 [Support for the Application for California Department of Housing and Community Development's Local Government Matching Grants Program - MidPen Housing Corporation - Affordable Housing Phase I - 750 Golden Gate Avenue]

Sponsors: Mayor; Stefani, Mandelman and Preston

Resolution supporting MidPen Housing Corporation's ("Applicant") submission of an application under the Excess Sites Local Government Matching Grants Program to the California Department of Housing and Community Development to receive Program funds in order to develop and construct an affordable, 75-unit multifamily rental housing development affordable to low-income households, including one resident manager unit (the "Project") as Phase I on a state-owned Excess Site located at 750 Golden Gate Avenue ("Property"); and supporting the Applicant to submit the Project Budget ("Attachment 1") and Anticipated and Committed Project Sources ("Attachment 2") to be included in their application.

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

Resolution No. 044-24

ADOPTED by the following vote:

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

240024 [Loan Amendment - San Cristina L.P. - 100% Affordable Housing at 1000 Market Street - Not to Exceed \$12,781,730]**Sponsors: Mayor; Preston**

Resolution approving and authorizing 1) the execution of a First Amendment to the Amended and Restated Loan Agreement with San Cristina L.P., a California limited partnership, to increase the loan amount by \$1,993,694 for a new aggregate loan amount not to exceed \$12,781,730 to finance additional rehabilitation costs related to a 100% affordable, 58-unit multifamily rental housing development for very-low income formerly homeless households located at 1000 Market Street ("Project"); and 2) the Mayor and the Director of Mayor's Office of Housing and Community Development to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

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

Resolution No. 046-24

ADOPTED by the following vote:

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

240025 [Accept and Expend Grant - San Francisco Special Events Committee - APEC-Related Overtime Costs - Total Amount of Up to \$6,500,000]**Sponsor: Mayor**

Resolution authorizing the Police Department to accept and expend a grant in two payment installments with an initial payment of \$5,000,000 followed by a payment of available funds of up to \$1,500,000 for a total amount of up to \$6,500,000 from the San Francisco Special Events Committee nonprofit to fund overtime costs incurred by the Police Department in support of the City's hosting of the Asia-Pacific Economic Cooperation (APEC) Summit in November 2023; approving the associated grant agreement; and authorizing the Chief of Police to enter into modifications to the Grant Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Grant Agreement or this Resolution. (Police Department)

Resolution No. 047-24

ADOPTED by the following vote:

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

Referred Without Recommendation From the Budget and Finance Committee**231247 [Contract Amendment - San Francisco Pretrial Diversion Project - Pretrial Services - \$19,763,114]**

Resolution authorizing the Sheriff's Office to enter into a Fourth Amendment to a contract with the San Francisco Pretrial Diversion Project for pretrial services, increasing the contract amount by \$499,342 for a total not to exceed amount of \$19,763,114 with no change to the term of three years from July 1, 2021, through June 30, 2024, with two one-year options to extend. (Sheriff)
(Fiscal Impact)

Resolution No. 039-24

ADOPTED by the following vote:

Ayes: 9 - Chan, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton

Noes: 2 - Dorsey, Stefani

Recommendation of the Government Audit and Oversight Committee**231275 [Civic Bridge Program - Behested Payments Waiver]**

Sponsor: Mayor

Resolution authorizing the Office of the Mayor to solicit in-kind donations through the Civic Bridge Program from various City contractors, notwithstanding the Behested Payments Ordinance for six months from the enactment date of this Resolution.

Resolution No. 040-24

ADOPTED by the following vote:

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

Recommendations of the Land Use and Transportation Committee

231163 [Fire Code - Filing of Proof of Inspections with Fire Department and Requiring Five Feet of Access to Divided Lot Structures]

Sponsor: Chan

Ordinance amending the Fire Code to require filing with the Fire Department records of five-year inspection of fire sprinkler systems and annual inspection of fire alarm and detection systems, mandate a filing fee to ensure that the costs of providing for such filings are recovered without producing revenue that is significantly more than such costs, and require a minimum five feet access from the public-right-of-way to residential structures on newly subdivided lots; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton

Noes: 3 - Dorsey, Engardio, Stefani

Supervisor Stefani, seconded by Supervisor Dorsey, moved to rescind the previous vote to allow additional discussion. The motion carried by the following vote:

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

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) and Fire Marshal Ken Cofflin (Fire Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

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

230419 [Street Encroachment Permit - 12th Street Plaza - 90-12th Street]

Sponsor: Dorsey

Resolution granting revocable permission to Otis Property Owner, LLC, to occupy and maintain the 12th Street Plaza on 12th Street at the corner of South Van Ness Avenue fronting 90-12th Street (Assessor's Parcel Block No. 3505, Lot No. 012); approving a nonexclusive public sidewalk easement for pedestrian access, passage, ingress, and egress for public sidewalk purposes; adopting environmental 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.

Resolution No. 038-24

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

231186 [Appointments, Food Security Task Force - Hannah Grant and Lura Jones]

Motion appointing Hannah Grant and Lura Jones, for indefinite terms, to the Food Security Task Force. (Rules Committee)

Motion No. M24-006

APPROVED by the following vote:

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

240013 [Appointment, Elections Commission - Wing Kwan (Kelly) Wong]

Motion appointing Wing Kwan (Kelly) Wong, term ending January 1, 2029, to the Elections Commission. (Rules Committee)

Motion No. M24-007

APPROVED by the following vote:

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

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

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

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to the Haight Ashbury Community Nursery School, accepted by Cocoa Drake, Director, on the occasion of the school's 50th Anniversary.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Dr. Akihiko Takahashi and Sara Liebert in recognition of their educational accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

President Peskin requested File Nos. 231187, 231188, 231189, and 231190 be called together.

231187 [Hearing - Appeal of Tentative Parcel Map Approval - 1365-1371 York Street]

Hearing of persons interested in or objecting to the decision of Public Works, dated November 1, 2023, approving a Tentative Parcel Map for a two-lot subdivision project at 1365-1371 York Street, Assessor's Parcel Block No. 4275, Lot No. 028. (District 9) (Appellant: Deepa Varma) (Filed: November 13, 2023) (Clerk of the Board)

President Peskin opened the public hearing and Supervisor Ronen indicated she would be making a motion to continue this matter to a future date, with the concurrence of the appellant and project sponsor. The President then inquired as to whether any individual wished to address the Board regarding the proposed continuance. There were no speakers. President Peskin closed public comment on the continuance.

Supervisor Ronen, seconded by Supervisor Preston, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of March 5, 2024. The motion carried by the following vote:

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

231188 [Approving Decision of Public Works and Approving the Tentative Parcel Map - 1365-1371 York Street]

Motion approving the decision of Public Works and approving the Tentative Parcel Map for a two-lot subdivision project at 1365-1371 York Street, Assessor's Parcel Block No. 4275, Lot No. 028; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Preston, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 5, 2024. The motion carried by the following vote:

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

231189 [Conditionally Disapproving Decision of Public Works and Disapproving the Tentative Parcel Map - 1365-1371 York Street]

Motion conditionally disapproving the decision of Public Works and disapproving the Tentative Parcel Map for a two-lot subdivision project at 1365-1371 York Street, Assessor's Parcel Block No. 4275, Lot No. 028, subject to the Board of Supervisors' adoption of written findings in support of the disapproval. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Preston, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 5, 2024. The motion carried by the following vote:

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

231190 [Preparation of Findings Related to the Tentative Parcel Map - 1365-1371 York Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a two-lot subdivision project at 1365-1371 York Street, Assessor's Parcel Block No. 4275, Lot No. 028. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Preston, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 5, 2024. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

President Peskin requested File Nos. 230859, 231245, and 231269 be called together.

230859 [Treasure Island/Yerba Buena Island - Delegation Related to Acceptance of Public Parks]

Sponsors: Mayor; Dorsey and Mandelman

Ordinance delegating to the Treasure Island Development Authority various powers related to acceptance of public parks and open space improvements that are required as part of development of the Treasure Island/Yerba Buena Island Project pursuant to Disposition and Development Agreement, Development Agreement, and a Special Use District in Planning Code, Section 249.52.

PASSED ON FIRST READING by the following vote:

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

231245 [Treasure Island/Yerba Buena Island - Street and Public Infrastructure Acceptance - Establishing Official Sidewalk Widths and Street Grades]**Sponsors: Mayor; Dorsey and Mandelman**

Ordinance accepting irrevocable offers of public infrastructure associated with the Treasure Island/Yerba Buena Island Project, Sub-Phases 1B, 1C, 1E, 1YA, and 1YB, including improvements located within portions of Avenue of the Palms, Bruton Street, Clipper Cove Avenue, Cravath Street, Garden Walk, Johnson Street, Seven Seas Avenue, Trade Winds Avenue, and Treasure Island Road on Treasure Island; Macalla Road, Signal Road, Treasure Island Road, and Yerba Buena Island Road on Yerba Buena Island; potable water storage tanks on Yerba Buena Island and electrical substructures serving a switchyard on Treasure Island; and City utilities in private streets and a service maintenance road on Yerba Buena Island; dedicating this infrastructure to public use; designating this public infrastructure for street and roadway purposes as applicable; accepting the public infrastructure for City maintenance and liability purposes, subject to specified limitations; establishing official public right-of-way widths and street grades; amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to establish official sidewalk widths on the abovementioned streets; delegating limited authority to the Public Works Director to accept specified infrastructure; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; and authorizing official acts, as defined herein, in connection with this Ordinance.

PASSED ON FIRST READING by the following vote:

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

231269 [Treasure Island/Yerba Buena Island - Ferry Terminal and Other TIDA Improvements]**Sponsors: Mayor; Dorsey and Mandelman**

Ordinance acknowledging the Treasure Island Development Authority's (the "Authority" or "TIDA") acceptance of certain improvements on portions of Yerba Buena Island and Treasure Island, including ferry terminal improvements, and the Authority's acceptance of the improvements for maintenance and liability purposes; dedicating improvements to public use; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting a Public Works Order that recommends acceptance of these improvements and related actions, as defined herein.

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Rules Committee

240017 [Site for New Library Branch for Oceanview, Merced Heights, Ingleside, and Lakeview Neighborhoods]

Sponsors: Safai; Walton, Ronen and Preston

Ordinance requiring that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue, subject to environmental review, required approvals, and other applicable laws; and prohibiting the expenditure of City funds to explore, pursue, or plan construction of a new Public Library branch serving those neighborhoods at any alternate location, except as required by the environmental review process, required approvals, or other applicable laws.

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

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

Supervisor Safai, seconded by Supervisor Walton, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 3-4, by changing ‘that’ to ‘the City to prioritize the City-owned parcel of land at 100 Orizaba Avenue (Assessor’s Block No. 7136, Lot No. 060) as a potential site for’, Line 6, by striking ‘be built on the City-owned parcel of land at 100 Orizaba Avenue’, Line 8, by changing ‘prohibiting’ to ‘requiring departments to prioritize’, Lines 8-9, by changing ‘to explore, pursue, or plan construction of’ to ‘for’, and Lines 9-12, by changing ‘serving those neighborhoods at any alternate location, except as required by the environmental review process, required approvals or other applicable laws’ to ‘at that location’; on Page 4, Line 21, by adding ‘the City shall prioritize the’, and Line 23, by striking ‘shall be used’; and on Page 5, Line 2, by changing ‘not expend any’ to ‘prioritize the expenditure of budgeted’, and Lines 4-5, by striking ‘any location other than’. The motion carried by the following vote:

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

Ordinance requiring the City to prioritize the City-owned parcel of land at 100 Orizaba Avenue (Block/Lot No. 7136/060) as a potential site for the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods, subject to environmental review, required approvals, and other applicable laws; and requiring departments to prioritize the expenditure of City funds for a new Public Library branch at that location.

(Supervisors Dorsey, Mandelman, and Melgar voted No on First Reading.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Chan, Engardio, Peskin, Preston, Ronen, Safai, Stefani, Walton

Noes: 3 - Dorsey, Mandelman, Melgar

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Thierry Fill; expressed concerns regarding lying, the use of technology and its affects on health, and the need to regulate cell phone usage.

Carlos; expressed concerns regarding policies and the need to participate in solutions.

Christopher Kline; expressed concerns regarding drug disorders and mental health and hacking technology being used.

Speaker; expressed concerns regarding the recertification of Laguna Honda Hospital and the methodology used.

Sammi Reiner; expressed support of the Resolution declaring various services as safety and prevention tools during National Human Trafficking Prevention Month (File No. 240069).

Toni Evie; expressed support of the Resolution declaring various services as safety and prevention tools during National Human Trafficking Prevention Month (File No. 240069).

Patty Singh; shared concerns regarding upgrades being done to her building and issues experienced during the process.

Arcelio Reybol; shared concerns regarding a certain constituent and various California elected officials.

Lia McGeever; shared concerns regarding interactions with elected officials and issues experienced by trans-people.

Darren Marsaken; expressed concerns regarding the state of the City, the fentanyl epidemic, and homelessness.

Steven Clauster; expressed concerns regarding violent incidents and discrimination at the Fire Department.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

240066 [National Gun Violence Survivors Week - January 22 through January 26, 2024]

Sponsors: Stefani, Mandelman, Walton and Chan

Resolution declaring the week of January 22 through January 26, 2024, to be National Gun Violence Survivors Week in the City and County of San Francisco, to honor and remember all victims and survivors of gun violence and uplift the resilient voices of survivors across the nation.

Supervisors Mandelman, Walton, and Chan requested to be added as co-sponsors.

Resolution No. 050-24

ADOPTED

240069 [Declaring Gender-Based Shelter, Affordable Housing, and Support Services as Proven Safety and Prevention Tools During National Human Trafficking Prevention Month - January 2024]

Sponsors: Peskin; Chan, Ronen, Melgar, Walton and Preston

Resolution declaring gender-based shelter, affordable housing, and support services as proven safety and prevention tools during National Human Trafficking Prevention Month, January 2024, and urging City Departments to prioritize resource coordination and investments into safe shelter, affordable housing, and wrap-around services specifically for women and women-identified survivors of domestic abuse, sexual exploitation and violence, human trafficking, and street entrapment and trauma.

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

Resolution No. 051-24

ADOPTED

240041 [Appointment, Commission on the Aging Advisory Council - Lisa Cook]

Motion appointing Lisa Cook, terms ending March 31, 2024 and March 31, 2026, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Lisa Cook, Seat 10, succeeding Allegra Fortunati, term expired, must be a nominee of the District 5 Supervisor, for the unexpired portion of a two-year term ending March 31, 2024, and a two-year term beginning March 31, 2024, and ending March 31, 2026.

Motion No. M24-008

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Dorsey requested that File No. 240063 be severed so that it may be considered separately.

240063 [Support for the Matthew Shepard U.S. Stamp Campaign]

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

Resolution supporting the issuance of a commemorative United States (U.S.) Postage Forever Stamp, in honor and in memory of Matthew Shepard.

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

Supervisor Mandelman, seconded by Supervisor Stefani, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Lines 5-16, by adding 'WHEREAS, The International Imperial Court System of the United States, Canada, and Mexico, founded in 1965, has since its founding organized several significant campaigns to achieve federal recognition and visibility for historic LGBTQ+ icons and trailblazers; and WHEREAS, The International Imperial Court System sponsored a successful initiative to issue a U.S. commemorative stamp for Harvey Milk, unveiled in May 2014 at the White House by former President Barack Obama, and is also responsible for a campaign that resulted in the U.S. Navy's naming of the U.S.N.S. Harvey Milk; and WHEREAS, A coalition of organizations and leaders convened by the International Imperial Court System, including California Senate President pro Tempore Toni Atkins, Cleve Jones, Stuart Milk, the Matthew Shepard Foundation, and Bruce Cohen have formed the Matthew Shepard Stamp Campaign to honor Matthew Shepard through a commemorative stamp; and'; and on Page 2, Lines 10-11, by changing 'and the Matthew Shepard Foundation share a commitment' to 'has demonstrated an ongoing commitment'. The motion carried by the following vote:

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

Resolution No. 049-24

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, 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

240086 [Appropriation - Refunding General Obligation Bond Proceeds - Controller's Reserve - \$644,675,000 - FY2023-2024]

Sponsor: Mayor

Ordinance appropriating \$644,675,000 from the issuance of one or more series of Refunding General Obligation Bonds; and placing such amounts on Controller's reserve in Fiscal Year (FY) 2023-2024. (Fiscal Impact)

01/30/24; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/29/2024.

240087 [Pier 70, Public Works Code - Street and Public Infrastructure Acceptance, Official Sidewalk Widths and Street Grades, Sidewalk Maintenance for Certain Long-Term Lessees]

Sponsors: Mayor; Walton

Ordinance accepting irrevocable offers of public infrastructure associated with the Pier 70 Project, 28-acre site Phase 1, including improvements located within portions of 20th, 21st, 22nd, Illinois, Louisiana, and Maryland Streets; dedicating this infrastructure to public use; designating this public infrastructure for street and roadway purposes, as applicable; accepting the public infrastructure for City maintenance and liability purposes, subject to specified limitations; establishing official public right-of-way widths and street grades; amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to establish official sidewalk width on 20th, 21st, 22nd, Louisiana, and Maryland Streets; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; delegating limited authority to the Public Works Director to accept specified infrastructure; authorizing official acts, as defined, in connection with this Ordinance; adopting 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.

01/30/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/29/2024.

240088 [Administrative Code - Legacy Business Assistance Program]

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

Ordinance amending the Administrative Code to create the Legacy Business Assistance Program.

01/30/24; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/29/2024.

240089 [Planning Code - Landmark Designation - San Francisco Fire Station No. 44]**Sponsors: Walton; Peskin**

Ordinance amending the Planning Code to designate San Francisco Fire Station No. 44, located at 1298 Girard Street, Assessor's Parcel Block No. 6194, Lot No. 010, as a Landmark consistent with the standards set forth in 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.

01/30/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/29/2024.

RESOLUTIONS**240091 [Authorizing Expenditures - SoMa Community Stabilization Fund - \$200,000]****Sponsors: Mayor; Dorsey**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of \$200,000 to address various impacts of destabilization on residents and businesses in SoMa for a term to commence effective upon approval of this Resolution through June 30, 2026. (Mayor's Office of Housing and Community Development)

01/30/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240092 [Loan Amendment - Octavia RSU Associates, L.P. - 100% Affordable Housing at 78 Haight Street - Not to Exceed \$35,306,233]**Sponsors: Mayor; Dorsey**

Resolution approving and authorizing 1) the execution of a First Amendment to the Amended and Restated Loan Agreement with Octavia RSU Associates, L.P., a California limited partnership, to increase the loan amount by up to \$8,559,766 for a new total loan amount not to exceed \$35,306,233 to finance additional costs related to a 100% affordable, 63-unit multifamily rental housing development affordable to low-income households, including 32 units for Transitional Age Youth who are homeless or at-risk of homelessness, and including up to 3,200 square feet of commercial space located at 78 Haight Street ("Project"); and 2) the Mayor and the Director of Mayor's Office of Housing and Community Development, to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein. (Mayor's Office of Housing and Community Development)

(Fiscal Impact)

01/30/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240093 [Amended and Restated Real Property Lease - YMCA SF - Building 49 - 701 Illinois Street - Crane Cove Park - Initial Annual Base Rent \$92,809.80]**Sponsors: Mayor; Walton**

Resolution approving and authorizing the execution, delivery, and performance of Amended and Restated Lease No. 17134 for Building 49, located at 701 Illinois Street within Crane Cove Park between the Port of San Francisco and the Young Men's Christian Association of San Francisco (YMCA SF) that would among other things, reduce the seismic improvements described in the Existing Lease, eliminate all rent credits for any seismic work performed by the YMCA SF, require the YMCA SF to open the public restrooms no later than July 1, 2024, delay the rent commencement date to no later than October 1, 2024, as defined in the Amended and Restated Lease; affirming prior findings under the California Environmental Quality Act; and authorizing the Executive Director of the Port to enter into any additions, amendments or other modifications to the Amended and Restated Lease that do not materially increase the obligations or liabilities of the City or Port and are necessary or advisable to complete the transactions which this Resolution contemplates and effectuate the purpose and intent of this Resolution. (Port)
(Fiscal Impact)

01/30/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240100 [Lunar New Year 2024]**Sponsors: Chan; Peskin, Mandelman, Ronen, Engardio, Dorsey, Safai, Stefani, Preston and Walton**

Resolution celebrating 2024 as Year of the Dragon and recognizing February 10, 2024, as the start of Lunar New Year 4722.

01/30/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240094 [Recognizing the Twentieth Anniversary of the "Winter of Love" in San Francisco]**Sponsors: Dorsey; Mandelman, Engardio, Peskin, Safai, Walton, Preston, Stefani, Chan, Ronen and Melgar**

Resolution commemorating the twentieth anniversary of the "Winter of Love" in San Francisco on February 12, 2024; recognizing then-Mayor Gavin Newsom for his bold and history-making decision to issue marriage licenses to same-sex couples; and recognizing the panoply of city officials and their staffs, community-based advocacy and legal organizations and their members, couples and their families, friends and loved ones for courageous and united advocacy that both affirmed San Francisco's enduring commitment to LGBTQ+ equality, and that ultimately made history by invalidating discriminatory marriage laws in California, and setting the stage for the landmark United States (U.S.) Supreme Court decision in 2015 securing marriage equality nationwide.

01/30/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240095 [Supporting the UPTE-CWA 9119 Optometrists' Strike]**Sponsors: Mandelman; Preston, Melgar, Chan, Ronen, Walton, Dorsey, Safai, Stefani and Engardio**

Resolution supporting the University Professional & Technical Employees-Communications Workers of America Local 9119 (UPTE-CWA 9119) optometrists' strike; and urging the University of California administration to reach a fair agreement recognizing their essential labor for San Francisco.

01/30/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240096 [Agreement - Owners' Association for Administration/Management of San Francisco Tourism Improvement District]**Sponsors: Peskin; Mandelman**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established business-based business improvement district known as the "San Francisco Tourism Improvement District," pursuant to the California Streets and Highways Code, Section 36651, for a period effective upon approval of this Resolution through December 31, 2038.

01/30/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240097 [Urging State of California to Restore Proposed Cuts to Affordable Housing Programs]**Sponsors: Preston; Peskin, Walton, Ronen, Chan, Mandelman, Engardio, Dorsey, Safai and Stefani**

Resolution urging Governor Gavin Newsom to reinstate, and state legislators to reject, a proposed \$1,200,000,000 in cuts to affordable housing programs and to fulfill Fair Housing mandates for California residents.

01/30/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240101 [Niners Day - February 11, 2024]**Sponsors: Walton; Preston, Mandelman, Melgar, Engardio, Ronen, Dorsey, Safai, Stefani, Chan and Peskin**

Resolution declaring February 11, 2024, also known as Super Bowl Sunday, as Niners Day and San Francisco 49ers Day in the City and County of San Francisco.

MOTION

240072 [Appointment, Park, Recreation, and Open Space Advisory Committee - Sarah Lartigue]

Motion appointing Sarah Lartigue, term ending February 1, 2026, to the Park, Recreation, and Open Space Advisory Committee. (Clerk of the Board)

01/30/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

240098 [Hearing - Business Interruption Funds for San Francisco Businesses Impacted by Housing Construction]**Sponsors: Melgar; Stefani**

Hearing on possible goals, design options, administrative costs, and feasibility of a residential construction mitigation program providing support to small businesses impacted by construction; and requesting the Office of Economic and Workforce Development, Planning Department, and Controller's Office to report.

01/30/24; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

240099 [Hearing - Status of UCSF's Proposed Acquisition of Dignity Health's Clinical Presence in San Francisco]**Sponsor: Safai**

Hearing on the status of University of California San Francisco's (UCSF) proposed acquisition of Dignity Health's clinical presence, including but not limited to St. Mary's Medical Center and St. Francis Memorial Hospital, and the impact of the proposed merger on staffing plans and patient care; and requesting the Department of Public Health and UCSF to report.

01/30/24; 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 ORDINANCES**240047 [General Plan - Potrero Bus Yard Project]**

Ordinance amending the Urban Design Element of the General Plan to facilitate the Potrero Bus Yard Project; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

(Pursuant to Charter, Section 4.105, the Planning Commission recommends General Plan amendments to the Board of Supervisors for approval or rejection. If the Board fails to act within 90 days of receipt, the proposed General Plan amendment shall be deemed approved. Transmittal Date: January 16, 2024.)

01/16/24; RECEIVED FROM DEPARTMENT.

01/30/24; ASSIGNED to Land Use and Transportation Committee.

240048 [Administrative Code - Surveillance Technology Policy - Human Services Agency - Call Recording Technology]

Ordinance approving Surveillance Technology Policy for Human Services Agency use of Call Recording Technology. (Human Services Agency)

01/17/24; RECEIVED FROM DEPARTMENT.

01/30/24; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/29/2024.

PROPOSED RESOLUTIONS

240049 [COVID-19 Lease Extension Program for Certain Airport Food and Beverage, Retail, and Service Concessions Tenants]

Resolution approving the COVID-19 Lease Extension Program for Certain Airport Food and Beverage, Retail, and Service Concession Tenants, allowing the Airport to offer lease extensions of up to three and one-half years to eligible concessionaires. (Airport Commission)

01/19/24; RECEIVED FROM DEPARTMENT.

01/30/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240050 [Tolling Agreement - Lyft, Inc. - Gross Receipts, Homelessness Gross Receipts, and Payroll Expense Tax Dispute - \$5,156,634]

Resolution approving a Tolling Agreement to extend the statute of limitations for Lyft, Inc. to bring potential litigation against the City and County of San Francisco for a refund of \$5,156,634 of gross receipts, homelessness gross receipts, and payroll expense taxes to allow for possible resolution of the matter without litigation. (City Attorney)

01/22/24; RECEIVED FROM DEPARTMENT.

01/30/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240051 [Airport Professional Services Agreement Modification - PGH Wong & Partners JV - Project Management Support Services for the Courtyard 3 Connector Project - Further Modifications Not to Exceed \$45,400,000]

Resolution approving Modification No. 11 to Airport Contract No. 10072.41, Project Management Support Services for the San Francisco International Airport, Courtyard 3 Connector Project with PGH Wong & Partners JV, a joint venture consisting of PGH Wong Engineering, Inc., and Avila and Associates Consulting Engineers, Inc., to increase the Contract amount by \$20,400,000 for a new not to exceed the amount of \$45,400,000 for services with no change to the term, pursuant to Charter, Section 9.118(b); and making findings under the California Environmental Quality Act. (Airport Commission)

(Fiscal Impact; No Budget and Legislative Analyst Report)

01/22/24; RECEIVED FROM DEPARTMENT.

01/30/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: President Aaron Peskin

To: City Attorney

Requests: Requesting the City Attorney's Office to draft legislation amending the Campaign and Finance Code and Police Code respectively:

- Require a campaign finance disclaimer on any piece of political mail, tv or radio ad, or 501c3 or 501c4 mailer that is linked to a person or persons who have been found by the City to have made credible and documented threats on the safety or physical well-being of public officials or anyone exercising their First Amendment rights to participate in our democracy and engage in civic discourse that says just that.*
- Require a minimum fine of \$1 per person in the offender's community for the first offense, \$10 for the second offense and \$100 for the third offense of violent speech. Those who cannot pay will be required to perform community service here in San Francisco.*

From: Supervisors Dean Preston and Shamann Walton

To: Mayor's Office of Housing and Community Development (MOHCD)

Requests: Requesting information regarding the implementation of the Senior Home Repair Program. (see attached)

From: Supervisor Rafael Mandelman

To: City College of San Francisco Board of Trustees

Requests: Requesting information regarding the Accrediting Commission for Community and Junior Colleges (ACCJC) warning sanction against City College of San Francisco (CCSF) and the departure of CCSF Chancellor, David Martin. (see attached).

In Memoriam

Lena Farrell - Supervisor Catherine Stefani

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:24 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 March 5, 2024.

Angela Calvillo, Clerk of the Board