

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, February 27, 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 6

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, February 27, 2024, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 2:00 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.)

APPROVAL OF MEETING MINUTES

President Peskin inquired whether a Member of the Board had any corrections to the January 23, 2024, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Walton, seconded by Supervisor Mandelman, moved to approve the January 23, 2024, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

240054 [Accept and Expend Grant - Retroactive - Local Immigrant Integration and Inclusion Grant - Governor's Office of Business and Economic Development - Amendment to Annual Salary Ordinance - FY2023-2024 and FY2024-2025 - \$165,978] Sponsors: Mayor; Walton and Safai

Ordinance retroactively authorizing the Office of Civic Engagement and Immigrant Affairs to accept and expend a grant in the amount of \$165,978 from the Governor's Office of Business and Economic Development to support the expansion of immigrant integration efforts, increase community trust, and enhance the organizational capacity to support immigrant populations; 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 temporary (1.0 FTE) Class 1822 Administrative Analyst for the period of October 1, 2023, through February 28, 2025. (City Administrator)

Ordinance No. 036-24

FINALLY PASSED

240055 [Public Works Code - Retroactive - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk Sales During Lunar New Year Holiday Season] Sponsors: Mayor; Peskin, Chan, Mandelman, Melgar and Safai

Ordinance retroactively waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy permits in the Chinatown neighborhood from Saturday, January 27, 2024, through Saturday, February 10, 2024, to promote sidewalk sales of merchandise during the Lunar New Year holiday season; and affirming the Planning Department's determination under the California Environmental Quality Act.

Ordinance No. 040-24

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

240002 [Settlement of Lawsuit - Shally Nguyen and Kyle Ravelo - \$35,000]

Ordinance authorizing settlement of the lawsuit filed by Shally Nguyen and Kyle Ravelo against the City and County of San Francisco for \$35,000; the lawsuit was filed on October 26, 2022, in San Francisco Superior Court, Case No. CGC-22-602620; entitled Shally Nguyen and Kyle Ravelo v. City and County of San Francisco; the lawsuit involves alleged personal injury arising from collision with City vehicle. (City Attorney)

PASSED ON FIRST READING

240003 [Settlement of Lawsuit - Peter Misthos - \$65,000]

Ordinance authorizing settlement of the lawsuit filed by Peter Misthos against the City and County of San Francisco for \$65,000; the lawsuit was filed on July 28, 2022, in San Francisco Superior Court, Case No. CGC-22-600973; entitled Peter Misthos v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

240034 [Settlement of Lawsuit - Jeffrey Paillet - \$835,000]

Ordinance authorizing settlement of the lawsuit filed by Jeffrey Paillet against the City and County of San Francisco for \$835,000; the lawsuit was filed on November 2, 2021, in San Francisco Superior Court, Case No. CGC-21-596176; entitled Jeffrey Paillet v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

240010 [Settlement of Unlitigated Claim - Lynette Chun - \$42,115.44]

Resolution approving the settlement of the unlitigated claim filed by Lynette Chun against the City and County of San Francisco for \$42,115.44; the claim was filed on March 6, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

Resolution No. 088-24

ADOPTED

Recommendation of the Land Use and Transportation Committee**231164 [Planning Code - Downtown Rail Extension Fee Waiver]**

Sponsors: Dorsey; Mandelman

Ordinance amending the Planning Code to conditionally waive certain fees for projects along the corridor of the Downtown Rail Extension; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Ordinance No. 039-24

FINALLY PASSED

Recommendation of the Rules Committee

240015 [Administrative Code - Procuring Behavioral Health and Public Health Residential Care and Treatment Services]

Sponsors: Mayor; Ronen and Mandelman

Ordinance amending the Administrative Code to authorize the Department of Public Health to procure behavioral health and public health residential care and treatment services for patients of the Department without adhering to the competitive solicitation or Local Business Enterprise requirements of the Municipal Code.

Ordinance No. 037-24

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

Severed from the Consent Agenda

Supervisor Walton requested that File No. 240004 be severed so that it may be considered separately.

Supervisors Peskin and Walton Excused from Voting

Supervisors Peskin and Walton requested to be excused from voting on File No. 240004, due to possible conflicts of interest.

Supervisor Mandelman, seconded by Supervisor Safai, moved that Supervisors Peskin and Walton be excused from voting on File No. 240004. The motion carried by the following vote:

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

240004 [Settlement of Unlitigated Claims - Amazon.com Sales, Inc. - \$448,119.86]

Resolution approving the settlement of the unlitigated claims filed by Amazon.com Sales, Inc. against the City and County of San Francisco for \$448,119.86; the claims were filed on June 26, 2023; the claims involve a refund of payroll expense, gross receipts, and homelessness gross receipts taxes. (City Attorney)

Resolution No. 087-24

ADOPTED by the following vote:

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

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

240057 [De-Appropriation and Appropriation - General City Responsibility - APEC 2023 Project - Municipal Transportation Agency and Office of Economic and Workforce Development - \$3,500,000 - FY2023-2024]

Sponsors: Chan; Peskin, Dorsey, Engardio, Melgar and Safai

Ordinance de-appropriating \$3,500,000 from General City Responsibility (GEN) and re-appropriating \$500,000 to the Municipal Transportation Agency (MTA) to support free two-hour parking in the Portsmouth Square Garages, Ambassador Services and transit fares for the Lunar New Year Parade in February 2024, and \$3,000,000 to the Office of Economic and Workforce Development (ECN) to support a relief fund for SOMA area business and organizations from direct APEC impacts and for a Small Business Transit Impact relief fund in the Fiscal Year (FY) 2023-2024.
(Fiscal Impact)

Supervisors Engardio, Melgar, and Safai requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

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

240038 [Public Auction - Tax-Defaulted Real Property]

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property, as defined herein. (Treasurer-Tax Collector)

Privilege of the floor was granted unanimously to Amanda Fried (Office of the Treasurer-Tax Collector) who responded to questions raised throughout the discussion.

Supervisor Safai, seconded by Supervisor Stefani, moved that the following three properties be removed from Page 3 of the attachment, entitled 'List of Tax-Defaulted Property Subject to Impending Tax Sale 2024,' contained in File No. 240038: 92 Ellington Avenue; 26 Stanley Street; and 41 Sears Street. The motion carried by the following vote:

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

Resolution No. 090-24

ADOPTED, after removing three properties from the 'List of Tax-Defaulted Property Subject to Impending Tax Sale 2024,' by the following vote:

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

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)

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

Resolution No. 092-24

ADOPTED by the following vote:

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

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)

Resolution No. 093-24

ADOPTED by the following vote:

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

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, and delay the rent commencement date to no later than October 1, 2024, as defined in the Amended and Restated Lease; with no change to the initial term of 10 years, retroactive to August 1, 2023, plus options to extend for a total term of up to 34 years and 11 months, with an initial annual base rent of \$92,809.80; 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)

Resolution No. 094-24**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**231129 [Administrative Code - Extending Sunset Date of Contracting Waivers for Homeless Services]****Sponsors: Mayor; Ronen and Mandelman**

Ordinance amending the Administrative Code to extend by five years, from May 5, 2024, through May 5, 2029, the sunset date of the provisions authorizing the Department of Homelessness and Supportive Housing ("HSH") to enter into and amend contracts without requiring competitive bidding for services relating to sites and programs for people experiencing homelessness ("Projects Addressing Homelessness"), and the Department of Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and services relating to Projects Addressing Homelessness; and affirming the Planning Department's determination under the California Environmental Quality Act.
(Supervisors Chan, Dorsey, Peskin, and Safai voted No on First Reading.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Engardio, Mandelman, Melgar, Preston, Ronen, Stefani, Walton

Noes: 4 - Chan, Dorsey, Peskin, Safai

Recommendations of the Government Audit and Oversight Committee

231255 [Public Works Code - Neighborhood Commercial Districts Banner Fee Waiver]

Sponsor: Preston

Ordinance amending the Public Works Code to waive the banner and inspection fees for nonprofit organizations in certain Neighborhood Commercial Districts (NCDs) and Neighborhood Commercial Transit Districts (NCTDs) through December 31, 2026; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

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

231264 [Apologizing to African Americans and Their Descendants]

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

Resolution apologizing on behalf of the Board of Supervisors of the City and County of San Francisco to African Americans and their descendants for systemic and structural discrimination, targeted acts of violence, and atrocities; and committing to the rectification and redress of past policies and misdeeds.

Resolution No. 086-24

ADOPTED by the following vote:

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

President Peskin requested File Nos. 240035, 240037, and 240050 be called together.

240035 [Settlement of Lawsuit - Mason Masuda - \$9,000,000]

Ordinance authorizing settlement of the lawsuit filed by Mason Masuda against the City and County of San Francisco for \$9,000,000; the lawsuit was filed on May 9, 2023, in San Francisco Superior Court, Case No. CGC-23-606369; entitled Mason Masuda v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

240037 [Settlement of Unlitigated Claims - Florence Kong; Kin Wo Construction, Inc.; Kwan Wo Ironworks, Inc.; and SFR Recovery, Inc. - San Francisco to Receive \$750,000]

Resolution approving settlement of unlitigated claims against Florence Kong; Kin Wo Construction, Inc.; Kwan Wo Ironworks, Inc.; and SFR Recovery, Inc. (collectively “the Kong Parties”) for restitution and civil penalty payments totaling \$750,000; the claims involve allegations that Florence Kong provided gifts to a City official with the intent to unlawfully influence City officials in award of City contracts to the Kong Parties; other material terms of the settlement are that all of the Kong Parties will be debarred except for Kwan Wo Ironworks, Inc., which will remain suspended for a minimum term of three years and until full payment of the settlement amount of \$750,000. (City Attorney)

Resolution No. 089-24

ADOPTED by the following vote:

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

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)

Resolution No. 080-24

ADOPTED by the following vote:

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

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.

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

Resolution No. 095-24

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

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 3:55 p.m. so the President could participate in the debate on File No. 231079 from the floor.

The President resumed the chair at 4:09 p.m.

231079 [Planning Code - Density Controls in Three Historic Districts]

Sponsor: Peskin

Ordinance amending the Planning Code to modify density limits in the Northeast Waterfront Historic District, the Jackson Square Historic District, and the Jackson Square Historic District Extension, except for projects in those areas using the Commercial to Residential Adaptive Reuse Program; affirming the Planning Commission's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Supervisors Dorsey, Engardio, and Melgar voted No on Final Passage.)

Supervisor Stefani requested this Ordinance be DUPLICATED ON FIRST READING.

See duplicated File No. 240170.

PASSED ON FIRST READING by the following vote:

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

Noes: 3 - Dorsey, Engardio, Melgar

240170 [Planning Code - Density Controls in Three Historic Districts]

Sponsor: Peskin

Ordinance amending the Planning Code to modify density limits in the Northeast Waterfront Historic District, the Jackson Square Historic District, and the Jackson Square Historic District Extension, except for projects in those areas using the Commercial to Residential Adaptive Reuse Program; affirming the Planning Commission's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Duplicated from File No. 231079.

Supervisor Stefani, seconded by Supervisor Melgar, moved that this Ordinance be RE-REFERRED to the Land Use and Transportation Committee. The motion carried by the following vote:

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

231257 [Planning Code - Landmark Designation - Grand Theater]**Sponsor: Ronen**

Ordinance amending the Planning Code to designate the Grand Theater, located at 2665 Mission Street, Assessor's Parcel Block No. 3637, Lot No. 023, 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.

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Public Safety and Neighborhood Services Committee**240046 [Liquor License Issuance - 2389 Mission Street - Bruno's]**

Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to Bruno's Management LLC, to do business as Bruno's located at 2389 Mission Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 091-24**ADOPTED by the following vote:**

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

Recommendations of the Rules Committee**240052 [Reappointment, Redevelopment Successor Agency Oversight Board - Lydia Ely]**

Motion approving the Mayor's nomination for reappointment of Lydia Ely to the Redevelopment Successor Agency Oversight Board, term ending January 24, 2028. (Clerk of the Board) (Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: January 22, 2024)

Motion No. M24-014**APPROVED by the following vote:**

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

240108 [Appointments, Entertainment Commission - Anthony Schlander and Maria Davis]

Motion appointing Anthony Schlander, term ending July 1, 2027, and Maria Davis, term ending July 1, 2026, to the Entertainment Commission. (Rules Committee)

Motion No. M24-015

APPROVED by the following vote:

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

240109 [Appointment, Housing Stability Fund Oversight Board - Edward Parillon]

Motion appointing Edward Parillon, term ending December 13, 2026, to the Housing Stability Fund Oversight Board. (Rules Committee)

Motion No. M24-016

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).

President Peskin introduced, welcomed, and presented a Certificate of Honor to Ben Rosenfield, Controller (Office of the City Controller), on the occasion of his departure from the City and County of San Francisco after 26 years of dedicated service to the City and County of San Francisco and in recognition of his exceptional and loyal service to the people of this City. Supervisors Chan, Mandelman, Melgar, Dorsey, Walton, Ronen, Preston, Safai, and Stefani shared in this commendation.

Supervisor Melgar introduced, welcomed, and presented a Certificate of Honor to the Department of Emergency Management's 2024 Black History Month Honorees, including Janet Follings, Teodros Deressegne, Evora Heard, Antoinette Acoff, and Raquel Dawson, in recognition of their accomplishments and public service. Maryellen Carroll, Director (Department of Emergency Management), provided additional commending remarks.

Supervisor Preston introduced, welcomed, and presented a Certificate of Honor to Nate Ford in honor of Black History Month and in recognition of his accomplishments and continued community support. Supervisor Walton shared in this commendation.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Dr. Tyler TerMeer, Chief Executive Officer (San Francisco AIDS Foundation), in honor of Black History Month and in recognition of his accomplishments and continued community support.

Supervisor Walton introduced, welcomed, and presented a Certificate of Honor to Kai'Ree Howard in honor of Black History Month and in recognition of her accomplishments and continued community support.

Supervisor Safai introduced, welcomed, and presented a Certificate of Honor to Renard Monroe, Executive Director (Youth 1st), in honor of Black History Month and in recognition of his accomplishments and continued community support. Supervisor Walton shared in this commendation.

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 3:25 p.m. and Supervisor Stefani assumed the chair at 3:26 p.m. The President resumed the chair 3:28 p.m.

Board of Supervisors Sitting as a Committee of the Whole

President Peskin requested File Nos. 231067, 231068, 231069, 231070, and 231071 be called together.

SPECIAL ORDER 3:00 P.M.

231067 [Hearing - Committee of the Whole - Reports of Delinquent Real Property Transfer Taxes - February 27, 2024, at 3:00 p.m.]

Hearing to consider objections to reports of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0340, Lot No. 007 (34 Turk Street), Block No. 0340, Lot No. 018 (141 Eddy Street), Block No. 0326, Lot No. 010 (174 Ellis Street), and Block No. 3725, Lot No. 025 (988-992 Howard Street); and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund; scheduled pursuant to Motion No. M23-134 (File No. 231066), approved October 24, 2023. (Clerk of the Board)

President Peskin opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the reports of delinquent real property (File Nos. 231067, 231068, 231069, 231070, and 231071), with the understanding that these matters have been resolved and are no longer before the Board for action. There were no speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

From the Board

231068 [Report of Delinquent Real Property Transfer Taxes - 34 Turk Street]

Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0340, Lot No. 007 (34 Turk Street); and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Assessor-Recorder)

Supervisor Chan, seconded by Supervisor Stefani, moved that this Resolution be TABLED. The motion carried by the following vote:

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

231069 [Report of Delinquent Real Property Transfer Taxes - 141 Eddy Street]

Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0340, Lot No. 018 (141 Eddy Street); and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Assessor-Recorder)

Supervisor Chan, seconded by Supervisor Stefani, moved that this Resolution be TABLED. The motion carried by the following vote:

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

231070 [Report of Delinquent Real Property Transfer Taxes - 174 Ellis Street]

Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0326, Lot No. 010 (174 Ellis Street); and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Assessor-Recorder)

Supervisor Chan, seconded by Supervisor Stefani, moved that this Resolution be TABLED. The motion carried by the following vote:

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

231071 [Report of Delinquent Real Property Transfer Taxes - 988-992 Howard Street]

Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 3725, Lot No. 025 (988-992 Howard Street); and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Assessor-Recorder)

Supervisor Chan, seconded by Supervisor Stefani, moved that this Resolution be TABLED. 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

231080 [Planning Code - Fleet Charging]

Sponsors: Peskin; Chan, Preston, Melgar and Safai

Ordinance amending the Planning Code to require Conditional Use authorization for converting Private Parking Lots or Vehicle Storage Lots to Fleet Charging in all PDR (Production, Distribution, and Repair) Districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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

Supervisor Mandelman, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 4-5, by striking ' , subject to the notification and review procedures required by Section 311.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

231223 [Planning Code - Parcel Delivery Service]

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

Ordinance amending the Planning Code to require Conditional Use authorizations for establishing Parcel Delivery Service uses, prohibit Non-Cannabis Parcel Delivery Service as an accessory use, and revise zoning control tables to reflect these changes; 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.

Supervisors Engardio and Safai requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

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

240132 [Supporting California State Senate Bill No. 915 (Cortese) - The Autonomous Vehicle Service Deployment and Data Transparency Act]**Sponsors: Chan; Peskin, Ronen, Mandelman and Safai**

Resolution supporting California State Senate Bill No. 915, introduced by Senator Dave Cortese, which prioritizes local control in the decision to deploy autonomous vehicle services, contingent upon an autonomous vehicle service company receiving approval by the California Department Motor Vehicles and the California Public Utilities Commission, and will prevent deployment in a geographic location until a local government passes an ordinance authorizing operations.

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

Resolution No. 081-24**ADOPTED by the following vote:**

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Michael Petrelis; expressed concerns regarding the closure of Macy's in Union Square and possible next uses of the building.

Thierry Fill; shared concerns regarding pornography, autonomous vehicles, and the need to create beauty.

Zed John; expressed concerns regarding broken elevators at certain hotels and buildings that restrict access to those with mobility issues.

Chris Ward Kline; shared concerns regarding peace, unity, and community and the need to reduce digital surveillance.

Amanda Perez; spoke in support of newly introduced legislation opposing state funding cuts to the Public Defense Pilot Program.

Lia McGeever; expressed concerns regarding anti-trans hate and other policies.

Mark Iverson; spoke in support of newly introduced legislation opposing state funding cuts to the Public Defense Pilot Program.

Richard Estenson; expressed concerns regarding Muni and riders who do not pay, and issues experienced as a potential landlord.

Peter Warfield; expressed concerns regarding Public Library programs and inaccurate minutes.

Sala Haquekyah-Chandler; shared concerns regarding African American experiences and the need for reparations.

Otto Duffy; expressed concerns regarding housing density and historical districts.

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Safai assumed the chair at 4:53 p.m. The President resumed the chair 5:06 p.m.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

240141 [Closed Session - Labor Negotiations - February 27, 2024]

Closed Session for the Board of Supervisors to convene in closed session on February 27, 2024, to confer with the Mayor's Office and the Department of Human Resources, pursuant to California Government Code, Section 54957.6, and San Francisco Administrative Code, Section 67.10(e), regarding negotiations with labor unions and bargaining units representing City employees; scheduled pursuant to the Motion contained in File No. 240140, to be considered on February 27, 2024. (Clerk of the Board)

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 5:16 p.m. to convene in closed session pursuant to the Motion contained in File No. 240140, approved on February 27, 2024.

The following Supervisors were noted present: Supervisors Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton

Persons in attendance: Sean Elsbernd, Andrea Bruss, Anna Duning, and Tom Paulino (Mayor's Office); Anne Pearson and Jon Rolnick (Office of the City Attorney); Carol Isen, Director, Ardis Graham, Steve Ponder, and Mawuli Tugbenyoh (Department of Human Resources); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

The matter was heard in closed session, no action was taken, and the hearing was filed.

HEARD IN CLOSED SESSION

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 5:58 p.m.

The following Supervisors were noted present: Supervisors Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Ronen, seconded by Supervisor Dorsey, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**240131 [Honoring Yuan Yuan Tan]****Sponsor: Chan**

Resolution declaring February 14, 2024, as “Yuan Yuan Tan Day” in the City and County of San Francisco; and recognizing and honoring the San Francisco Richard C. Barker Principal Ballet Dancer on her retirement, for her dedication to the San Francisco Ballet, and for her work promoting the City’s arts and culture across the globe.

Resolution No. 082-24**ADOPTED****240133 [Supporting California Governor Gavin Newsom’s March 2024 Ballot Initiative Proposition 1]****Sponsors: Mandelman; Engardio, Stefani, Ronen, Peskin and Safai**

Resolution supporting Proposition 1, Governor Gavin Newsom’s March 2024 ballot initiative to modernize California’s behavioral healthcare system, comprised of Senate Bill No. 326, an update of the Mental Health Services Act authored by Senator Susan Talamantes Eggman, and Assembly Bill No. 531, a \$6,380,000,000 General Obligation Bond authored by Assembly Member Jacqui Irwin intended to build more than 11,150 new behavioral health beds and housing, and 26,700 outpatient treatment slots across California.

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

Resolution No. 083-24**ADOPTED****240138 [Supporting California State Assembly Bill No. 2359 (Ting) to Increase the Number of Full-Service Restaurants in the Excelsior/Outer Mission and Other San Francisco Outer Neighborhoods]****Sponsor: Safai**

Resolution supporting California State Assembly Bill No. 2359, authored by Assembly Member Phil Ting, to increase the total number of Type-87 neighborhood restaurant liquor licenses in San Francisco to combat retail vacancies, create economic opportunity for up-and-coming chefs and restaurateurs, and provide more dining options and culinary jobs for residents of the Excelsior/Outer Mission and other neighborhoods outside downtown or the City’s established tourist neighborhoods.

Resolution No. 084-24**ADOPTED****240140 [Closed Session - Labor Negotiations - February 27, 2024]****Sponsor: Peskin**

Motion that the Board of Supervisors convene in closed session on February 27, 2024, to confer with the Mayor’s Office and the Department of Human Resources, pursuant to California Government Code, Section 54957.6, and San Francisco Administrative Code, Section 67.10(e), regarding negotiations with labor unions and bargaining units representing City employees.

Motion No. M24-017**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

President Peskin requested that File No. 240159 be severed so that it may be considered during Recognition of Commendations.

240159 [Controller Ben Rosenfield Day - February 29, 2024]

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

Resolution commending and honoring Ben Rosenfield for his outstanding service as the San Francisco Controller; and declaring February 29, 2024, as Controller Ben Rosenfield Day in the City and County of San Francisco. (Clerk of the Board)

Supervisors Mandelman, Preston, Chan, Ronen, Engardio, Melgar, Dorsey, Safai, Stefani, and Walton requested to be added as co-sponsors.

President Peskin severed this matter during 'Recognition of Commendations' and inquired whether any individual wished to address the Board on this Resolution. Thierry Fill; Otto Duffy; Speaker; Michael Petrelis; spoke in support of the Resolution and Ben Rosefield. The President declared public comment closed.

Resolution No. 064-24

ADOPTED by the following vote:

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

Supervisor Stefani requested that File No. 240145 be severed so that it may be considered separately.

240145 [Supporting California Assembly Bill No. 2319 (Wilson and Weber) - Strengthening the California Dignity in Pregnancy and Childbirth Act of 2019]

Sponsors: Stefani; Preston, Melgar, Mandelman, Walton and Safai

Resolution supporting California State Assembly Bill No. 2319, introduced by Assembly Members Lori Wilson and Akilah Weber, to strengthen the training protocols in the California Dignity in Pregnancy and Childbirth Act of 2019, while introducing penalties for non-compliance from health care providers.

Supervisors Preston, Melgar, Mandelman, Walton, and Safai requested to be added as a co-sponsor.

Resolution No. 085-24

ADOPTED 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

240173 [Planning Code, Zoning Map - Residential Enclave-Mixed District, Rezone 135 Kissling Street]

Sponsor: Dorsey

Ordinance amending the Planning Code to conditionally permit vehicle storage lots in the Residential Enclave-Mixed (RED-MX) District and to update citations and cross-references in the text and tables of specified Mixed Use Districts; amending the Zoning Map to rezone 135 Kissling Street, Assessor's Parcel Block No. 3516, Lot No. 068, from Residential Enclave (RED) to RED-MX; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

02/27/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/28/2024.

240174 [Administrative, Municipal Elections Codes - General Obligation Bond Passthroughs]

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

Ordinance amending the Administrative Code to provide that the general obligation bond passthrough from landlords to tenants shall be calculated based on the amount the property tax rate has increased due to general obligation bonds since the tenant's move-in date or 2005, whichever is later; and to allow tenants to seek relief from general obligation bond passthroughs based on financial hardship.

02/27/24; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/28/2024.

240175 [Administrative Code - Firearm and Ammunition Procurement]

Sponsor: Stefani

Ordinance amending the Administrative Code to set minimum qualifications for suppliers from which the City procures firearms and ammunition.

02/27/24; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/28/2024.

RESOLUTIONS**240176 [Opposing State Funding Cuts to the Public Defense Pilot Program Statewide]****Sponsors: Chan; Ronen, Preston, Walton and Safai**

Resolution urging Governor Gavin Newsom and the California State Legislature to retain the full state funding of the Public Defense Pilot Program for three years.

02/27/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240177 [Approval of a 30-Day Extension for Historic Preservation Commission to Respond to Landmark Designation Initiation of Gregangelo & Velocity Art & Entertainment - 225 San Leandro Way (File No. 231091)]**Sponsor: Melgar**

Resolution extending by 30 days the prescribed time within which the Historic Preservation Commission may respond to a landmark designation initiation of Gregangelo & Velocity Art & Entertainment, located at 225 San Leandro Way, Assessor's Parcel Block No. 3253, Lot No. 015, from the Board of Supervisors (File No. 231091).

02/27/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240178 [Supporting California State Senate Bill No. 1170 (Menjivar) - Political Reform Act of 1974]**Sponsors: Stefani; Chan**

Resolution supporting California State Senate Bill No. 1170, introduced by Senator Caroline Menjivar, to allow non-incumbent candidates running for office to use campaign funds to pay for candidates' mental health care costs.

02/27/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240179 [Supporting California State Assembly Bill No. 2286 (Aguiar-Curry, Friedman, Kalra) - Requiring a Human Safety Operator in Autonomous Vehicles with a Gross Vehicle Weight Greater than 10,000 Pounds]**Sponsors: Stefani; Preston and Safai**

Resolution supporting California State Assembly Bill No. 2286, introduced by Assembly Members Cecilia Aguiar-Curry, Laura Friedman, and Ash Kalra, which restricts autonomous vehicles (AV) with a gross vehicle weight of 10,000 pounds or more from being operated on public roads for testing purposes, transporting goods, or transporting passengers without a human safety operator physically present in the AV at the time of operation.

02/27/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

240167 [Reappointment, Commission on the Aging Advisory Council - Margaret Graf]

Motion reappointing Margaret Graf, term ending March 31, 2026, to the Commission on the Aging Advisory Council. (Clerk of the Board)

02/27/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240171 [Presidential Appointment, Planning Commission - Gilbert Williams]

Motion approving/rejecting the President of the Board of Supervisors Aaron Peskin's nomination of Gilbert Williams to the Planning Commission, term ending July 1, 2026. (Clerk of the Board) (Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: February 27, 2024.)

02/27/24; RECEIVED AND ASSIGNED to Rules Committee.

240184 [Mayoral Appointment, Entertainment Commission - Lieutenant Leonard Poggio]

Motion approving/rejecting the Mayor's nomination of Lieutenant Leonard Poggio to the Entertainment Commission, term ending July 1, 2026. (Clerk of the Board)

(Charter, Section 4.117, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: February 28, 2024.)

02/27/24; RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

240180 [Hearing - Small Business Mitigation Fund Implementation]

Sponsors: Chan; Dorsey

Hearing on the implementation of funds designated for SoMa small business relief through File No. 240057 [De-Appropriation and Appropriation - General City Responsibility - APEC 2023 Project - Municipal Transportation Agency and Office of Economic and Workforce Development - \$3,500,000 - Fiscal Year 2023-2024]; requesting to report back on the eligibility criteria and administration of the small business mitigation funds; and requesting the Office of Economic and Workforce Development and Office of Small Business to report.

02/27/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240181 [Hearing - Delays in Disbursement of Funds to Fix Elevators in Single Room Occupancy Housing]**Sponsors: Preston; Safai, Peskin and Chan**

Hearing on the ongoing delays in the disbursement of funds to fix elevators in Single Room Occupancy housing; and requesting the Department of Homelessness and Supportive Housing and Mayor's Office to report.

02/27/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240182 [Hearing - Future of Union Square]**Sponsors: Safai; Peskin and Chan**

Hearing on the future of Union Square, the plan to attract a diversity of uses to the area, and the impact of Macy's closure on retail workers, security guards, and other workers in the area; and requesting the Controller's Office, Office of Economic and Workforce Development, Planning Department, Building Inspection Department, Police Department, and Department of Labor Standards Enforcement to report.

02/27/24; RECEIVED AND ASSIGNED to Land Use and Transportation 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**240146 [Settlement of Lawsuit - Kirstin Johnson, et al. - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by Kirstin Johnson, et al. against the City and County of San Francisco for \$75,000; the lawsuit was filed on October 25, 2019, in San Francisco Superior Court, Case No. CGC-19-580277; entitled Kirstin Johnson, et al. v. Kierstie Barr, et al; removed to United States District Court, Case No. 20-cv-01569-SK; the lawsuit involves alleged civil rights violations. (City Attorney)

02/09/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240147 [Settlement of Lawsuit - Yes in My Back Yard and Sonja Trauss - Appellants to Pay City \$32,000]

Ordinance authorizing settlement of the lawsuit filed by Yes in My Back Yard, a California nonprofit corporation, and Sonja Trauss against the City and County of San Francisco, Nordstrom, Inc., 469 Stevenson Investment, LLC, and Yerba Buena Neighborhood Consortium, LLC for a payment to the City of \$32,000; the lawsuit was filed on January 20, 2022, in San Francisco Superior Court, Case No. case # CPF-22-517661, and appealed by petitioners to the First District Court of Appeal, Case No. A167949; entitled Yes In My Back Yard, et al. vs. City and County of San Francisco, et al.; the lawsuit involves a challenge to San Francisco's requirement of further environmental review of a proposed project under the California Environmental Quality Act and compliance with the California Housing Accountability Act. (City Attorney)

02/09/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240148 [Settlement of Lawsuit - Danielle Dillard and Kim Lee - \$2,800,000]

Ordinance authorizing settlement of the lawsuit filed by Danielle Dillard and Kim Lee against the City and County of San Francisco for \$2,800,000; the lawsuit was filed on August 3, 2020, in San Francisco Superior Court, Case No. CGC-20-585992; entitled Danielle Dillard et al. v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

02/16/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

240149 [Annual Surveillance Report Regarding Surveillance Technology]

Resolution accepting Annual Surveillance Reports under Administrative Code, Section 19B.6, for the following departments: Airport, Arts Commission, Asian Art Museum, Child Support Services, City Administrator's Office - Real Estate Division, Department of Elections, Department of Emergency Management, Department of Homelessness and Supportive Housing, Department of Human Resources, Department of Public Health, Department of Public Works, Department of Technology, Fire Department, Human Services Agency, Juvenile Probation Department, Municipal Transportation Agency, Police Department, Port of San Francisco, Public Library, Public Utilities Commission, Recreation and Park Department, Rent Stabilization and Arbitration Board, and War Memorial Department. (City Administrator)

02/08/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Rules Committee.

240150 [Settlement of Unlitigated Claims - Deloitte Tax LLP, Deloitte & Touche LLP, Deloitte Consulting LLP, and Deloitte Services LP - \$3,902,930]

Resolution approving the settlement of the unlitigated claims filed by Deloitte & Touche LLP, Deloitte Consulting LLP, Deloitte Tax LLP, and Deloitte Services LP against the City and County of San Francisco for \$3,902,930; the claims were filed on April 26, 2023; the claims involve a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)

02/09/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240151 [Revocable Permit to Enter and Use Property Agreement - Mission Neighborhood Centers, Inc. - Children's Waiting Room - Hall of Justice, 850 Bryant Street - \$1 Annual Base Rent]

Resolution approving and authorizing the Director of Property to enter into a Revocable Permit to Enter and Use Property Agreement ("Permit") for 355 square feet of City owned space at the Hall of Justice (HOJ) located at 850 Bryant Street with Mission Neighborhood Centers, Inc., a California non-profit public benefit corporation, for the operation of a waiting room for children of HOJ visitors, guests, and City employees who are attending court at the Hall of Justice, for a term of five years effective upon approval of this Resolution, at an annual permit fee of \$1; finding that the Permit furthers a proper public purpose sufficient to meet the San Francisco Administrative Code, Section 23, market value requirements; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of entering into the Permit and this Resolution, as defined herein. (Real Estate Department)

02/09/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240152 [Grant Amendment - Tenderloin Housing Clinic, Inc. - Justice-Involved Transitional Housing and Supportive Services Program - Not to Exceed \$11,143,960]

Resolution approving a fifth amendment to Contract No. 1000020198 for the Justice-Involved Housing and Supporting Services Program between Tenderloin Housing Clinic, Inc. and the City and County of San Francisco, acting by and through its Adult Probation Department, to increase the grant amount by \$1,214,651 for a total not to exceed amount of \$11,143,960 with Board of Supervisors' approval under Charter, Section 9.118, and with no change to the grant term. (Adult Probation) (Fiscal Impact)

02/12/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240153 [Grant Amendment - Westside Community Mental Health Center - Minna Program - Not to Exceed \$18,336,834]

Resolution approving a second amendment to Contract No. 1000025153 for the Minna Program between Westside Community Mental Health Center and the City and County of San Francisco, acting by and through its Adult Probation Department, to increase the grant amount by \$10,776,676 for a total not to exceed amount of \$18,336,834; and to extend the performance period for two years and 10 months from July 1, 2024, for a performance period of May 1, 2022, through April 30, 2027, with Board of Supervisors' approval under Charter, Section 9.118. (Adult Probation)
(Fiscal Impact)

02/16/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240154 [Grant Amendment - Westside Community Mental Health Center - Treatment, Recovery, and Prevention Program - Not to Exceed \$17,308,923]

Resolution approving a third amendment to Contract No. 1000022359 for the Treatment, Recovery, and Prevention (TRP) Program between Westside Community Mental Health Center and the City and County of San Francisco, acting by and through its Adult Probation Department, to increase the grant amount by \$7,803,200 for a total not to exceed amount of \$17,308,923; and to extend the performance period for two years and one month from June 30, 2024, for a performance period of August 1, 2021, through July 31, 2026, with Board of Supervisors' approval under Charter, Section 9.118. (Adult Probation)
(Fiscal Impact)

02/16/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240155 [California Constitution Appropriations Limit for FY2023-2024]

Resolution establishing the appropriations limit established at \$11,678,040,780 for Fiscal Year (FY) 2023-2024 pursuant to California Constitution, Article XIII B, due to the addition of local non-residential new construction and the percent change in population within the San Francisco Metropolitan Area from the previous year for the purpose of computation of its Appropriations Limit.
(Controller)
(Fiscal Impact)

02/12/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240156 [Grant Agreement Amendment - Self-Help for the Elderly - Home-Delivered Meal Nutrition Services for Older Adults - Not to Exceed \$11,515,405]

Resolution approving a third amendment to the grant agreement between the City and County of San Francisco and the non-profit Self-Help for the Elderly, for the administration of the Home-Delivered Meal Nutrition Services for Older Adults program, to increase the grant amount by \$1,980,663 for a total not to exceed amount of \$11,515,405 effective upon approval of this Resolution, with no change to the grant period of July 1, 2021, through June 30, 2025. (Human Services Agency)
(Fiscal Impact)

02/12/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240157 [Sheriff's Department Oversight Board Third and Fourth Quarter Report - CY 2023]

Resolution accepting the Sheriff's Department Oversight Board's Third and Fourth Quarter Reports for the calendar year (CY) 2023. (Sheriff's Department Oversight Board)

02/14/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240158 [Sheriff's Department Oversight Board 2023 Annual Report]

Resolution accepting the Sheriff's Department Oversight Board's Annual Report for the calendar year 2023. (Sheriff's Department Oversight Board)

02/14/24; RECEIVED FROM DEPARTMENT.

02/27/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

In Memoriam

Logan Miller - Supervisor Rafael Mandelman

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:59 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 April 2, 2024.

Angela Calvillo, Clerk of the Board