

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, July 2, 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 Walton, Safai

Meeting Days

Wednesday

1:30 PM

Wednesday

9:00 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.

Members Present: Connie Chan, Matt Dorsey, Joel Engardio, Rafael Mandelman, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, and Shamann Walton

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, July 2, 2024, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 2:01 p.m.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisors Safai and Stefani were noted not present.

A quorum of the Board was 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.

Clerk Calvillo further informed the Board that she was in receipt of correspondence from Supervisor Catherine Stefani, dated July 2, 2024, informing the Board of her absence today and requesting to be excused.

(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.)

Supervisor Stefani Excused from Attendance

Supervisor Mandelman, seconded by Supervisor Dorsey, moved that Supervisor Stefani be excused from attending today's meeting. The motion carried by the following vote:

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

Excused: 1 - Stefani

Absent: 1 - Safai

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Appropriations Committee

240609 [De-Appropriation and Appropriation - Police Department and Sheriff's Department - \$6,862,571 - FY2023-2024]

Sponsor: Mayor

Ordinance de-appropriating \$6,862,571 from salaries, equipment, and materials and supplies and appropriating \$2,770,003 to overtime in the Police Department and \$4,092,568 to overtime in the Sheriff's Department, in order to support the Departments' projected increases in overtime as required per Administrative Code, Section 3.17.
(Fiscal Impact)

Ordinance No. 173-24

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

240468 [Settlement of Lawsuit - Jean Agustin - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Jean Agustin against the City and County of San Francisco for \$75,000; the lawsuit was filed on February 1, 2023, in San Francisco Superior Court, Case No. CGC-23-604409; entitled Jean Agustin v. City and County of San Francisco; the lawsuit involves alleged personal injury occurring on a City sidewalk. (City Attorney)

PASSED ON FIRST READING

240571 [Settlement of Lawsuit - Rahul Seth, M.D. - City to Receive \$170,000]

Ordinance authorizing settlement of the lawsuit filed by Rahul Seth, M.D. against the City and County of San Francisco for a payment to the City of \$170,000; the lawsuit was filed on April 19, 2022, in San Francisco Superior Court, Case No. CGC-22-599250; entitled Rahul Seth, M.D. 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

240572 [Settlement of Lawsuit - Vincent Keith Bell - \$500,000]

Ordinance authorizing settlement of the lawsuit filed by Vincent Keith Bell against the City and County of San Francisco for \$500,000; the lawsuit was filed on December 16, 2013, in United States District Court-Northern District of California, Case No. 13-cv-05820; entitled Vincent Keith Bell v. Ken Lee, et al.; the lawsuit involves alleged civil rights violation. (City Attorney)

PASSED ON FIRST READING

240573 [Settlement of Lawsuit - Denise Wear - \$45,000]

Ordinance authorizing settlement of the lawsuit filed by Denise Wear against the City and County of San Francisco for \$45,000; the lawsuit was filed on January 20, 2022, in San Francisco Superior Court, Case No. CGC-22-597744; entitled Denise Wear v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

PASSED ON FIRST READING

240574 [Settlement of Lawsuit - Wendy Offen and Stephen Offen - \$140,000]

Ordinance authorizing settlement of the lawsuit filed by Wendy Offen and Stephen Offen against the City and County of San Francisco for \$140,000; the lawsuit was filed on December 13, 2021, in San Francisco Superior Court, Case No. CGC-21-597078; entitled Wendy Offen and Stephen Offen v. City and County of San Francisco; the lawsuit involves an alleged injury on a City sidewalk. (City Attorney)

PASSED ON FIRST READING

240579 [Tolling Agreement - Maplebear, Inc. - Gross Receipts, Homelessness Gross Receipts, and Payroll Expense Tax Dispute - \$2,204,716]

Resolution approving a Tolling Agreement to extend the statute of limitations for Maplebear, Inc. (doing business as Instacart) to bring potential litigation against the City and County of San Francisco for a refund of \$2,204,716 of gross receipts, homelessness gross receipts, and payroll expense taxes to allow for possible resolution of the matter without litigation. (City Attorney)

Resolution No. 381-24

ADOPTED

240580 [Settlement of Unlitigated Claims - GSW Arena LLC - \$281,289.76]

Resolution approving the settlement of the unlitigated claims filed by GSW Arena LLC against the City and County of San Francisco for \$281,289.76; the claims were filed on August 4, 2023, and April 3, 2024; the claims involve a refund of gross receipts, homelessness gross receipts, and commercial rents taxes. (City Attorney)

Resolution No. 382-24

ADOPTED

240581 [Settlement of Unlitigated Claim - Bay Area Air Quality Management District - \$42,125]

Resolution approving settlement of the unlitigated claim filed by the Bay Area Air Quality Management District (BAAQMD) against the City and County of San Francisco for \$42,125; the claim involves the resolution of notices of violation issued by the Bay Area Air Quality Management District to the City and County of San Francisco concerning alleged violations of testing requirements governing onsite boilers at the Hall of Justice facility located at 850 Bryant Street; other material terms of the settlement include the resolution of all claims between BAAQMD and the City and County of San Francisco with regard to the dispute, with each party to bear their own costs. (City Attorney)

Resolution No. 383-24

ADOPTED

240491 [Settlement of Unlitigated Claim - Cindy Ngo - \$37,342.76]

Resolution approving the settlement of the unlitigated claim filed by Cindy Ngo against the City and County of San Francisco for \$37,342.76; the claim was filed on December 29, 2023; the claim involves alleged personal injuries from a fall on a City sidewalk. (City Attorney)

Resolution No. 379-24

ADOPTED

Recommendations of the Land Use and Transportation Committee**240411 [Planning Code - Polk Street Neighborhood Commercial District]**

Sponsor: Peskin

Ordinance amending the Planning Code to create an exception to allow storefront mergers and large uses for certain Limited Restaurant Uses designated as Legacy Businesses in the Polk Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Ordinance No. 169-24

FINALLY PASSED

240640 [Landmark Tree Designation - Coast Redwood - 4 Montclair Terrace]

Sponsor: Peskin

Ordinance designating the coast redwood (*Sequoia sempervirens*) tree located at 4 Montclair Terrace as a landmark tree pursuant to the Public Works Code; making findings supporting the designation; and directing official acts in furtherance of the landmark tree designation, as defined herein.

Ordinance No. 174-24

FINALLY PASSED

Recommendations of the Rules Committee

240332 [Administrative Code - Library Read to Recovery Program]

Sponsors: Dorsey; Mandelman, Stefani, Engardio, Ronen, Safai and Preston

Ordinance amending the Administrative Code to establish the Library Read to Recovery Program to provide at the Main Library and all Library branches free written materials and books from mutual-help programs, for individuals who seek recovery from substance-use disorders and non-substance-related addictive disorders.

Ordinance No. 168-24

FINALLY PASSED

240412 [Administrative Code - Repealing Deemed Approved Off-Street Alcohol Use Nuisance Ordinance]

Sponsors: Stefani; Dorsey and Mandelman

Ordinance amending the Administrative Code to repeal Chapter 26, known as the Deemed Approved Off-Sale Alcohol Use Nuisance Regulations, and thereby repealing certain City provisions regulating establishments that sell alcoholic beverages for off-site consumption.

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

Ordinance No. 170-24

FINALLY PASSED

240469 [Administrative Code - Amended Airport Surveillance Technology Policy]

Ordinance approving the amended Airport Surveillance Technology Policy governing the use of pre-security cameras. (Airport Commission)

Ordinance No. 172-24

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Stefani

Absent: 1 - Safai

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Rules Committee

240439 [Public Works Code - Vending Requirements and Restrictions]

Sponsors: Mayor; Safai

Ordinance amending the Public Works Code to streamline the enforcement of vending requirements and restrictions, clarify vending permit application and compliance requirements, require certain vending permittees to register with the Tax Collector and pay related fees, prohibit stationary sidewalk vendors from vending in residential districts as defined in the Planning Code, limit permissible vending times, and streamline approval of vending regulations; and affirming the Planning Department's determination under the California Environmental Quality Act.

Ordinance No. 171-24

FINALLY PASSED by the following vote:

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

Excused: 1 - Stefani

Absent: 1 - Safai

NEW BUSINESS

Recommendations of the Budget and Finance Committee

240436 [Lease of City Property - Friends and Foundation of the San Francisco Public Library - Portion of the Main Public Library - Initial Annual Base Rent of \$15,555.84 - Subject to Rent Abatement With Supplemental Funding]

Resolution authorizing and approving the lease of 387 square feet of space at the Main Library located at 100 Larkin Street, with The Friends and Foundation of the San Francisco Public Library, a non-profit 501(c)(3), for an initial five-year term at an annual base rent of \$15,555.84 (or the monthly amount of \$1,296.32), with annual CPI increases to base rent and three additional five-year extension options, effective upon approval of this Resolution; and to authorize the Director of Property to enter into amendments or modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Real Estate Department)

Resolution No. 377-24

ADOPTED by the following vote:

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

Excused: 1 - Stefani

Absent: 1 - Safai

240483 [Lease and Revocable License of City Real Property - Retroactive - New Community Leadership Foundation - City Hall - Sales Based Rent]**Sponsors: Walton; Preston**

Resolution retroactively approving and authorizing the Director of Property, on behalf of the Real Estate Division, to execute a Lease for 1,426 square feet for the operation of a café by the New Community Leadership Foundation, dba Café Melange, and a revocable license for 1,360 square feet of adjacent space for patron seating, on the ground level of City Hall for an initial five-year lease term, commencing on March 1, 2024, at 10% of gross sales beginning July 1, 2024, with one option to extend for five-years; and authorizing the Director of Property to enter into any additions, amendments, or other modifications to the permit that do not materially increase the obligations or liabilities of the City to effectuate the purposes of this Resolution.

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

Resolution No. 378-24**ADOPTED by the following vote:**

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

Excused: 1 - Stefani

Absent: 1 - Safai

240566 [Real Property Lease - Greater Calvary Hill Missionary Baptist Church - 141 Industrial Street, Unit #1- Initial Base Rent \$351,000]**Sponsor: Walton**

Resolution approving and authorizing the Director of Property, on behalf of the San Francisco Human Rights Commission, to execute a Lease of a portion of the real property located at 141 Industrial Street, Unit #1 with Greater Calvary Hill Missionary Baptist Church, a California corporation, for an initial term of three years at an initial annual base rent of \$351,000 effective upon approval of this Resolution; and authorizes the Director of Property to enter into amendments or modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution.

(Fiscal Impact)

Resolution No. 380-24**ADOPTED by the following vote:**

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

Excused: 1 - Stefani

Absent: 1 - Safai

240686 [Assignment and Assumption Agreement - California Barrel Company LLC - Potrero Power Station Mixed-Use Project - Waiver of Indemnification Obligations]**Sponsor: Walton**

Resolution affirming the Planning Director's approval of an assignment and assumption agreement between California Barrel Company LLC, a Delaware limited liability company ("Developer"), and the Regents of the University of California, on behalf of its San Francisco campus ("UCSF"), pursuant to which UCSF will assume a portion of Developer's right, title and interest in and to the Development Agreement between the City and Developer for the Potrero Power Station Project, with respect to Block 2 of the Project; approving a Waiver of Liability by the City, acting by and through its Planning Department, for the benefit of Developer, pursuant to which the City will waive and release any claims made for actions subsequent to execution of the Waiver against Developer, in connection with Developer's indemnification obligations in Section 4.10 of the Development Agreement, with respect to Block 2 of the Project; and adopting findings under the California Environmental Quality Act.

Resolution No. 374-24**ADOPTED by the following vote:**

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

Excused: 1 - Stefani

Absent: 1 - Safai

Recommendations of the Budget and Appropriations Committee

President Peskin requested File Nos. 240645 and 240647 be called together.

240645 [Grant Agreement - Japanese Community Youth Council - Japantown Youth Leaders; Mayor's Youth Employment and Education Program; SF STEM Academy - Not to Exceed \$40,386,800]**Sponsor: Mayor**

Resolution approving grant agreement for Contract No. 1000032567 for the Japanese Community Youth Council programs: Japantown Youth Leaders; Mayor's Youth Employment and Education Program; and SF STEM Academy Program; between the Japanese Community Youth Council and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families, for a term of July 1, 2024, through June 30, 2029, and for a total not to exceed amount of \$40,386,800 with Board of Supervisor's approval under Charter, Section 9.118.

(Department of Children, Youth & Their Families)

(Fiscal Impact)

Resolution No. 365-24**ADOPTED by the following vote:**

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

Excused: 1 - Stefani

Absent: 1 - Safai

240647 [Grant Agreement - Retroactive - Japanese Community Youth Council - Opportunities for All - Not to Exceed \$43,214,178]**Sponsor: Mayor**

Resolution retroactively authorizing the Human Rights Commission to execute a Grant Agreement between the City and County of San Francisco and Japanese Community Youth Council, Inc., for the Opportunities for All-YouthWorks program, for a total contract amount not to exceed \$43,214,178 and an initial term of five years commencing on June 10, 2024, through June 30, 2029, with no option to extend the term. (Human Rights Commission)
(Fiscal Impact)

Resolution No. 363-24**ADOPTED by the following vote:**

Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton
Excused: 1 - Stefani
Absent: 1 - Safai

240649 [Accept and Expend Grant - American Rescue Plan Act of 2021 - California State Water Resources Control Board - Assist Eligible Residential and Commercial Customers with Water and Wastewater Customer Account Arrears - \$23,368,920.23]**Sponsor: Chan**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend federal funds from the American Rescue Plan Act of 2021 and administered by the State Water Resources Control Board with a total amount of \$23,368,920.23 to assist eligible residential and commercial customers who accrued water and/or wastewater arrears or received discounts for water and/or wastewater services during the extended COVID-19 pandemic from June 16, 2021, through December 31, 2022, effective upon approval of this Resolution. (Public Utilities Commission)

Resolution No. 364-24**ADOPTED by the following vote:**

Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton
Excused: 1 - Stefani
Absent: 1 - Safai

Recommendation of the Government Audit and Oversight Committee**240639 [Business and Tax Regulations Code - Transient Occupancy Tax Exemption Increase]****Sponsor: Peskin**

Ordinance amending the Business and Tax Regulations Code to increase the daily transient occupancy tax exemption amount from less than \$52 to less than \$60; to increase the weekly transient occupancy tax exemption amount from less than \$130 to less than \$149; and to require review in the September 2027 - September 2029 time frame by the Controller of the exemption amounts for the purpose of considering adjustments in the amounts.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton
Excused: 1 - Stefani
Absent: 1 - Safai

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 and presented a posthumous Certificate of Honor for Kim Marie Thompson Cromb in recognition of her accomplishments and lifelong advocacy for others. Her husband, David Cromb, and Bianca Polovina (IFPTE Local 21) shared their memories and provided additional commending remarks.

Supervisor Dorsey introduced, welcomed, and presented a Certificate of Honor to David Nakanishi (Department of Emergency Management) in recognition of his amazing work and efforts in District 6 as the Coordinator of Special Projects. Sam Dodge (Department of Emergency Management) provided additional commending remarks.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Leadership San Francisco, accepted by Michal Zwiefelhofer, in recognition of their accomplishments developing leaders who work for the common good.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Jean Robertson, Assistant Superintendent of Special Education (San Francisco Unified School District), in recognition of her accomplishments over the last 30 years advocating for students with disabilities. Supervisors Walton and Preston shared in this commendation.

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 2:45 p.m. The President resumed the chair 2:52 p.m.

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

240474 [Building, Planning Codes - Existing Awning Amnesty Program]

Sponsors: Mayor; Stefani, Engardio, Peskin, Chan, Mandelman and Safai

Ordinance amending the Building and Planning Codes to make permanent the streamlined permitting provisions for unpermitted awnings and extend the waiver of applicable fees for one fiscal year, until July 1, 2025; 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.

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Stefani

Absent: 1 - Safai

240696 [Police Code - Tenderloin Retail Hours Restriction Pilot Program]

Sponsor: Mayor

Ordinance amending the Police Code to create a two-year pilot program, during which retail food and tobacco establishments in a high-crime area of the Tenderloin police district are prohibited from being open to the public from 12:00 a.m. to 5:00 a.m., or from 2:00 a.m. to 5:00 a.m. if subject to regulation by the California Department of Alcoholic Beverage Control; authorizing the Department of Public Health to impose administrative fines for violation of the hours restrictions; declaring an establishment's operation in violation of the hours restrictions to be a public nuisance; authorizing enforcement actions by the City Attorney; and creating a private right of action for persons harmed by a violation of the hours restriction.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Stefani

Absent: 1 - Safai

240687 [Resolution of Intention - Street Name Change - Oakdale Avenue East of Third Street to James Richards Way]

Sponsor: Walton

Resolution declaring the intention of the Board of Supervisors to rename Oakdale Avenue between Third Street to Newhall Street.

Resolution No. 384-24

ADOPTED by the following vote:

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

Excused: 1 - Stefani

Absent: 1 - Safai

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

*Chris Ward Kline; expressed concerns regarding technology and artificial intelligence.
Piercy Belsey; shared his vision for San Francisco and ways to address our various crises.
Jordan Davis; expressed concerns regarding Pride Events and certain elected officials.
Paulette Brown; shared concerns around the unsolved murder of her son and other victims.
Speaker; expressed support for the Resolution supporting The Justice for Renters Act on the November 2024 ballot (File No. 240684).
Olga Miranda; expressed concerns regarding the need for clean air buildings after 6:00 p.m.
Speaker; shared concerns regarding the annual, unsanctioned, Dolores Hill Bomb event.*

Supervisor Chan was noted absent at 3:00 p.m.

Supervisor Chan Excused from Attendance

Supervisor Ronen, seconded by Supervisor Mandelman, moved that Supervisor Chan be excused beginning at 3:00 p.m. and for the remainder of today's meeting. The motion carried by the following vote:

Ayes: 8 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton
Excused: 2 - Chan, Stefani
Absent: 1 - Safai

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

240732 [Kim Marie Thompson Cromb Day - June 29, 2024]

Sponsors: Peskin; Chan

Resolution recognizing June 29, 2024, as Kim Marie Thompson Cromb Day in the City and County of San Francisco.

Resolution No. 375-24

ADOPTED by the following vote:

Ayes: 8 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton
Excused: 2 - Chan, Stefani
Absent: 1 - Safai

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Dorsey requested that File No. 240684 be severed so that it may be considered separately.

240684 [Supporting The Justice for Renters Act - California State Proposition - November 5, 2024 Ballot]

Sponsors: Preston; Peskin, Ronen, Walton and Chan

Resolution supporting The Justice for Renters Act, a California State Proposition on the November 5, 2024, ballot; and reaffirming the City and County of San Francisco's support for repeal of the Costa-Hawkins Rental Housing Act.

Supervisor Preston, seconded by Supervisor Melgar, moved that this Resolution be REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 8 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton

Excused: 2 - Chan, Stefani

Absent: 1 - Safai

Supervisor Walton requested that File No. 240736 be severed so that it may be considered separately.

240736 [Urging SFUSD to Include Equity Criteria in Resource Alignment Initiative]

Sponsors: Peskin; Chan, Ronen, Walton and Preston

Resolution urging San Francisco Unified School District (SFUSD) Superintendent Matt Wayne and the Board of Education to include clear equity criteria in the Resource Alignment Initiative that includes the cultural and community significance of school sites in specific neighborhoods, such as Chinatown and the Tenderloin, as well as neighborhood density, walkability, in-language services and staffing, and on-site direct support services for low-income, immigrant and BIPOC communities who may have otherwise been undercounted for a variety of reasons, as part of the decision process.

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

Supervisor Ronen, seconded by Supervisor Preston, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**, on Page 1, Line 1, by adding 'Clear', Lines 6-7, by adding 'Bayview Hunter's Point, Visitacion Valley, the Mission, the Western Addition', Lines 9-10, by adding 'and those living in public housing and SRO residences', Lines 11-14, by adding 'and to undertake the enrollment realignment process, including middle and high schools, in parallel to the consideration of school facilities consolidation and potential closures; and to create a clear transition plan with transfer preference options for teachers and school staff', and Line 23, by adding 'a' before 'decision'; on Page 2, Line 3, by adding 'potentially', Lines 4-15, by adding 'WHEREAS, While the proposal does rank equity criteria above excellence criteria and effective use of resources criteria, the equity criteria should be more detailed and comprehensive, including using a clearer metric for Historical Inequities, such as Qualifying Census Tracts, HCD opportunity areas that are used by the State, or SF Planning Environmental Justice General Plan Policies and Public Health maps; and WHEREAS, Neighborhoods like Chinatown, Bayview Hunter's Point, Visitacion Valley, the Mission, the Western Addition, and the Tenderloin have experienced historical barriers to equitably accessing resources, disparities which were starkly highlighted during the pandemic, when children and families living in public housing sites or in Single Room Occupancy (SRO) hotels did not initially receive Distance Learning supplies because they were not on SFUSD's distribution list and also were the last to have school-site food pantry programs stood up; now, therefore, be it', Line 17, by adding 'Matt', Lines 19-20, by adding 'Bayview Hunter's Point, Visitacion Valley, the Mission, the Western Addition,', and Lines 22-23, by adding 'and those living in public housing and SRO residences'; and on Page 3, Line 2, by adding 'including middle and high schools', Lines 3-4, by adding 'with long-term planning in mind for sustaining healthy and complete neighborhoods', and Lines 9-10, by adding 'create a clear transition plan with transfer preference options for teachers and school staff.' The motion carried by the following vote:

Ayes: 8 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton

Excused: 2 - Chan, Stefani

Absent: 1 - Safai

Resolution No. 376-24

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton

Excused: 2 - Chan, Stefani

Absent: 1 - Safai

President Peskin requested that File No. 240733 be severed so that it may be considered separately.

240733 [Intention to Appropriate Cost Savings - \$58,855,862]

Sponsors: Chan; Peskin, Mandelman, Melgar, Dorsey, Engardio, Ronen and Preston
Motion stating the Board of Supervisors' intention to appropriate \$48,140,000 of cost savings to restore critical programs serving children, youth, seniors, families, and the most vulnerable.

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

Supervisor Melgar, seconded by Supervisor Preston, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 1 and 4, by changing '48,140,000' to '\$58,855,862'; on Page 2, Line 4, by adding 'Healthy Communities Grants for', changing 'food security' to 'chronic disease prevention', Lines 5-10, by changing 'school nutrition programs, student led access, food access for healthy food, oral health, school-based education and case management, water access at school and public spaces, physical activity and wellness, including Peace Parks and equity in outreach and scholarship, lactation support for families, and capacity building and evaluation' to 'urban farming, chronic disease prevention and healthy lifestyle promotion, and oral health support', Line 12, by striking 'to support operations', changing 'Dream Keeper Initiative and other' to 'Adolescent', Lines 13-15, by changing 'programs in the Department of Public Health have' to 'programs providing unique behavioral and physical health prevention, early intervention, and treatment options and services for youth has', Line 16 by changing '\$1,000,000' to '\$500,000' and adding 'to the Department of Children, Youth, and Their Families', Line 21, by striking 'Grants for the Arts' and 'Arts Commission', and Line 23, by changing '\$3,760,000' to '\$1,756,000'; on Page 2, Line 24, through Page 3, Line 54, by adding 'WHEREAS, Funding that will sustain historical cultural anchors and culturally affirming spaces in certain neighborhoods for a total of \$1,375,156 through the Office of the City Administrator through Grants for the Arts and the Arts Commission for annual cultural and public arts events, support the revitalization of commercial corridors and alleyways, support local artists, offer capacity-building and job placement services, and target underserved populations, including undocumented individuals and transitional youth; and'; on Page 3, Lines 9-10, by striking 'including Bayview, Visitacion Valley, Mission, Sunset, Mid-Market, Tenderloin, Sunset, and Chinatown', Line 13, by adding 'and the', Lines 13-15, by changing 'Mayor's Office of Housing and Community Development' to 'in the areas of sector training and unhoused employment opportunities', Line 16, by adding 'unhoused people', Line 18, by changing '\$6,600,000' to '\$7,400,00', Lines 21-22, by adding ', low-wage workers, and immigrants as well as women and people impacted by domestic violence and human trafficking', and Lines 22-24, by changing 'women and victim services, and transgender housing subsidies' to 'and reductions to programs previously funded by the department'; on Page 4, Lines 3-4, by changing 'Mission and Bayview Hunters Point' to 'low-income, high need', Lines 4-5, by striking 'and community based grants for homeless employment services in', Line 6, by changing '\$360,000' to '\$720,000', Lines 8-14, by changing 'such as SF CASA, Sunset Youth Services, Richmond District YMCA, Buchanan YMCA, Chinatown YMCA, United Playaz/West Bay, and YouthSF, and other organizations who have been previously funded, including violence prevention, were high scoring proposals and have been significantly reduced by the Administration and' to 'and unique populations and neighborhoods in San Francisco, including recently arrived youth/TAY, LGBTQI, linguistically isolated, unhoused and system impacted/involved youth that depend on programs previously funded by the department', Line 15, by changing '\$20,000,000' to '\$14,600,000 in funding to sustain such programs', Lines 16-18, by adding 'WHEREAS, The Administration has reduced funding for violence intervention programs for adults and youth and the Board seeks to restore \$5,400,000 to the Department of Children, Youth, and Their Families; and', Line 22, by changing '\$480,000' to '\$680,000', Line 23, by adding 'a flexible pool of', Line 24, by adding 'for homeless Transitional-Aged Youth', and Line 25, by adding 'has been'; and on Page 5, Line 1, by adding '\$1,000,000', Lines 2-8, by adding 'WHEREAS, Funding for a Cost of Doing Business increase for Ryan White and other federal funding sources for HIV and AIDS treatment and prevention services was reduced by the Administration through the Department of Public Health and the Board seeks to restore \$1,000,000; and WHEREAS, Funding for the Pit Stop public restroom program for 24-hour operations for certain locations has been reduced by the Administration through the Department of Public Works and the Board seeks to restore \$800,000; and', Line 11, by adding 'restore \$8,067,000 in', Line 15, by adding 'of \$94,980,405', Lines 16-17, by adding 'of \$44,187,162 were', and Line 22, by changing '\$48,140,000' to '\$58,855,862'. The motion carried by the following vote:

Ayes: 8 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton

Excused: 2 - Chan, Stefani

Absent: 1 - Safai

Motion stating the Board of Supervisors' intention to appropriate \$58,855,862 of cost savings to restore critical programs serving children, youth, seniors, families, and the most vulnerable.

Motion No. M24-068

APPROVED AS AMENDED by the following vote:

Ayes: 8 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Walton

Excused: 2 - Chan, Stefani

Absent: 1 - Safai

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.

RESOLUTIONS

240739 [Grant Agreement Amendment - Retroactive - Bay Area Community Resources, Inc. - COVID-Response Resource Hub Coordinator - Not to Exceed \$14,779,999]

Sponsor: Mayor

Resolution approving Amendment No. 2 to a grant agreement between the Office of Economic and Workforce Development and Bay Area Community Resources, Inc., for management of the COVID-Response Resource Hub Coordinator grant; to increase the contract amount by \$4,780,000 for a total not to exceed amount of \$14,779,999 for the period of July 1, 2022, through June 30, 2025; effective upon approval of this Resolution; and to authorize the Executive Director of the Office of Economic and Workforce Development to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract. (Department of Economic and Workforce Development)

(Fiscal Impact)

07/02/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240741 [Multifamily Housing Revenue Bonds - Amendment of Indenture of Trust - SFHA Scattered Sites - Not to Exceed \$47,833,736]**Sponsor: Mayor**

Resolution approving the form and authorizing the execution and delivery of an amendment to the Indenture of Trust securing the City's \$40,776,000 maximum principal amount of Multifamily Housing Revenue Bonds (SFHA Scattered Sites), Series 2022A-1 and its \$7,057,736 maximum principal amount of Multifamily Housing Revenue Bonds (SFHA Scattered Sites), Series 2022A-2 (Taxable), which provide financing for the acquisition and rehabilitation of a 69-unit, affordable multifamily rental housing project, consisting of five sites located at 4101 Noriega Street, 363 Noe Street, 200 Randolph Street/409 Head Street, 2206-2268 Great Highway and 2215-2263 48th Avenue, and 1357-1371 Eddy Street (also known as 1353-1367 Eddy Street) known as "SFHA Scattered Sites" within the City; approving modifications, changes and additions to such amendment; ratifying and approving any action heretofore taken in connection with such amendment; granting general authority to City officials to execute and deliver documents and take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

07/02/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240742 [Accept and Expend Grant - Retroactive - Federal Emergency Management Agency - Hazard Mitigation Grant Program - Amended Downtown San Francisco Resilience Plan - \$189,558]**Sponsor: Mayor**

Resolution retroactively authorizing the Office of the City Administrator to accept and expend Hazard Mitigation Grant Program funds in the amount of \$189,558 from the Federal Emergency Management Agency through the California Office of Emergency Services to develop a guidance document that will address financing strategies for earthquake risk reduction through the Concrete Building Safety Program for the project period of July 14, 2022, through November 14, 2024. (City Administrator)

07/02/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240743 [Accept and Expend Grant - Retroactive - Larkin Street Youth Services - Rising Up - Office of Financial Empowerment - \$181,368]**Sponsor: Mayor**

Resolution retroactively authorizing the Office of the Treasurer and Tax Collector to accept and expend a grant increase in amount of \$65,000 for a total amount of \$181,368 from Larkin Street Youth Services for the purpose of providing one-on-one financial coaching to Transitional Age Youth through the Rising Up campaign from July 1, 2023, through October 31, 2024. (Treasurer-Tax Collector)

07/02/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240744 [Linda Maria Ronstadt Day - July 15, 2024]**Sponsors: Chan; Mandelman**

Resolution declaring July 15, 2024, as Linda Maria Ronstadt Day in the City and County of San Francisco in recognition of her iconic catalog of work, her commitment to social justice, and her 78th birthday.

240745 [Black Women's Equal Pay Day - July 9, 2024]**Sponsors: Chan; Walton, Mandelman and Preston**

Resolution declaring July 9, 2024, as Black Women's Equal Pay Day in the City and County of San Francisco, to raise public awareness about the impact of pay inequity for women, particularly women of color and LGBTQIA+ people.

07/02/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240746 [Assignment Street Flower Market Permit - Market Street Flower Market]**Sponsors: Dorsey; Chan**

Resolution approving the assignment of the Market Street Flower Market permit from Byron Yoanidis, dba Trolley-Car Flowers, to Andrew Poulos, dba Trolley-Bus Flowers.

07/02/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240747 [Real Property Lease - THE KELSEY CIVIC CENTER, LLC - 240 Van Ness Avenue - Disability Community Cultural Center - Annual Base Rent \$60,353 - Tenant Improvements City Contribution Not to Exceed \$1,167,500]**Sponsors: Peskin; Mandelman and Preston**

Resolution approving and authorizing the Director of Property, on behalf of the Human Services Agency, Department of Disability and Aging Services, to execute a Lease agreement with THE KELSEY CIVIC CENTER, LLC, for use of the ground floor commercial space at 240 Van Ness Avenue as a Disability Community Cultural Center for the term of 15 years with three five-year options to extend and an annual base rent of \$60,353 with 2% annual increases beginning January 1, 2026, effective upon approval of this Resolution; authorizing the City's contribution of up to \$1,167,500 towards the cost of tenant improvements; and authorizing the Director of Property to execute any amendments, options to extend the agreement term, 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 lease agreement or this Resolution.

(Fiscal Impact)

07/02/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

MOTION

240748 [Appointment, Treasury Oversight Committee - Jackie Chen]

Motion approving/rejecting the Treasurer's nomination of Jackie Chen to the Treasury Oversight Committee, for a four-year term ending June 17, 2026. (Clerk of the Board)

07/02/24; RECEIVED AND ASSIGNED to Rules 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

240714 [Settlement of Lawsuit - Sarah Perata - \$575,000]

Ordinance authorizing settlement of the lawsuit filed by Sarah Perata against the City and County of San Francisco for \$575,000; the lawsuit was filed on April 19, 2021, in the U.S. District Court, Northern District of California, Case No. 4:21-cv-02819; entitled Sarah Perata v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

06/18/24; RECEIVED FROM DEPARTMENT.

07/02/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240715 [Settlement of Lawsuit - Robert Lasky - City to Receive \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Robert Lasky against City and County of San Francisco for a payment to the City of \$100,000; the lawsuit was filed on August 13, 2021, in San Francisco County Superior Court Case No. CGC-21-594463; entitled Robert Lasky v. City and County of San Francisco, et al.; the lawsuit involves personal injuries sustained on a utility vault owned by Defendant/Cross-Defendant Pacific Bell Telephone Company and embedded in a City sidewalk; other material terms of the settlement are a payment to Plaintiff by Defendant/Cross-Defendant Pacific Bell Telephone Company. (City Attorney)

06/21/24; RECEIVED FROM DEPARTMENT.

07/02/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240716 [Settlement of Lawsuit - RES System 3, LLC - \$2,600,000]

Ordinance authorizing settlement of the lawsuit filed by RES System 3, LLC against the City and County of San Francisco for \$2,600,000; the lawsuit was filed on September 26, 2022, in San Francisco Superior Court, case number CGC-22-601949, and later transferred to Alameda County Superior Court, case number 23-CV-037877; entitled RES System 3, LLC v. City and County of San Francisco Public Utilities Commission; the lawsuit involves alleged breach of contract and related cost impacts arising from the design and construction of the Warnerville electrical substation in Oakdale, California; other material terms of the settlement are a mutual release of claims between the parties with limited exceptions for latent defects and warranty items. (City Attorney)

06/21/24; RECEIVED FROM DEPARTMENT.

07/02/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

240717 [Real Property Lease Amendment - Golden Gate National Parks Conservancy - Portion of Pier 31 and 33 - Establish the Amount of Unpaid Base Rent to be Paid to the Port - \$289,765.05 - Increase Original Construction Rent Credit to \$800,000]

Resolution approving the Second Amendment to Port Commission Lease No. L-16274 with Golden Gate National Parks Conservancy to build and operate a public serving café and retail space within the bulkheads and portions of the sheds of Piers 31 and 33 for a 30-year term, with two options to extend the Lease for 10 additional years, effective upon approval of this Resolution and Port's execution of this Amendment; and to (i) establish the amount of unpaid base rent Conservancy will pay to Port at \$289,765.05; (ii) extend the Phase I Improvements completion date to December 31, 2025; (iii) increase the original construction rent credit from \$554,000 to \$800,000; (iv) provide a three year extension of the Lease term to June 30, 2052; and (v) establish a 50% share of any excess rents from food and beverage subtenants. (Port)
(Fiscal Impact)

06/17/24; RECEIVED FROM DEPARTMENT.

07/02/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240718 [Agreement Amendments - AECOM Technical Services Inc.; Applied Technology & Science A-T-S; Avila & Associates Consulting Engineers, Inc. - Natural Resources Specialized and Technical Services - Not to Exceed \$21,000,000 Each]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 1 to Contract Nos. PRO.0066 A to C, Natural Resources Specialized and Technical Services, with: AECOM Technical Services, Inc. (PRO.0066.A); Applied Technology and Science A-T-S (PRO.0066.B); and Avila and Associates Consulting Engineers Inc. (PRO.0066.C), increasing each contract by \$7,000,000 each for a new total not to exceed amount of \$21,000,000 for a total not to exceed amount of \$63,000,000 across all three contracts, with no change to the terms or duration for the period of January 1, 2019, through January 1, 2029, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

06/21/24; RECEIVED FROM DEPARTMENT.

07/02/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Ahsha Safai

To: The Office of the City Attorney

Requests: Requesting draft legislation to amend the Health Code, Article 11B: Healthy Buildings, to require office buildings to keep air running past 6:00 p.m., while workers perform janitorial duties; require building owners to provide and publicly post their air quality policies; require building owners to adhere to indoor standards set by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE), and the California Occupational Safety and Health Administration (Cal/OSHA) Air Ventilation, Filtration, and Air Quality guidelines; and require the production rate during any shift to not exceed 30,000 square feet per shift, per janitor.

In Memoriams

*Kim Marie Thompson Cromb - Board President Aaron Peskin and the Entire Board of Supervisors
Robert Higgs (Ortega) - Supervisor Shamann Walton*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:22 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 September 3, 2024.

Angela Calvillo, Clerk of the Board