

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, March 5, 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.

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, March 5, 2024, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 2:03 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 30, 2024, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Safai, seconded by Supervisor Mandelman, moved to approve the January 30, 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

Recommendation 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)

FINALLY PASSED

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.

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee**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.

FINALLY PASSED

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.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

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.)

FINALLY PASSED by the following vote:

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

Noes: 4 - Chan, Dorsey, Peskin, Safai

Recommendation of the Government Audit and Oversight Committee

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)

FINALLY PASSED 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

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 First Reading.)

FINALLY PASSED by the following vote:

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

Noes: 3 - Dorsey, Engardio, Melgar

231080 [Planning Code - Fleet Charging]

Sponsors: Peskin; Chan, Preston, Melgar, Safai, Mandelman and Stefani

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.

Supervisors Mandelman and Stefani requested to be added as co-sponsors.

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

240036 [Business and Tax Regulations Code - Transient Occupancy Tax Returns]

Ordinance amending the Business and Tax Regulations Code for tax periods beginning on or after January 1, 2024, to require short-term rental hosts that do not operate through a qualified website company to file transient occupancy tax returns annually, waive the requirement for those hosts to obtain a certificate of authority from the Tax Collector, change the period for filing transient occupancy tax returns from annually to monthly for all hotel small operators other than short-term rental hosts, codify the Tax Collector's qualified website company program and the return and payment requirements for Tourism Improvement District and Moscone Expansion District assessments, and require qualified website companies to collect and remit Tourism Improvement District assessments. (Treasurer-Tax Collector)

PASSED ON FIRST READING by the following vote:

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

President Peskin requested File Nos. 231073, 231060, and 231061 be called together.

231073 [Lease Agreement - Tastes on the Fly San Francisco, LLC - Harvey Milk Terminal 1 Food and Beverage Food Hall - \$1,250,000 Minimum Annual Guarantee]

Resolution approving the Harvey Milk Terminal 1 Food and Beverage Food Hall Lease No. 23-0234 between Tastes on the Fly San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 14 years with one two-year option to extend at the sole discretion of the Airport Commission, and a minimum annual guarantee of \$1,250,000 for the first year of the Lease, effective upon approval of this Resolution. (Airport Commission)

ADOPTED by the following vote:

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

231060 [Lease Agreement - Tastes on the Fly San Francisco, LLC - Harvey Milk Terminal 1 Food and Beverage Historic Restaurant - \$550,000 Minimum Annual Guarantee]

Resolution approving the Harvey Milk Terminal 1 Food and Beverage Historic Restaurant Lease No. 23-0235 between Tastes on the Fly San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 14 years with one two-year option to extend at the sole discretion of the Airport Commission, and a minimum annual guarantee of \$550,000 for the first year of the Lease, effective upon approval of this Resolution. (Airport Commission)

ADOPTED by the following vote:

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

231061 [Lease Agreement - Amoura International, Inc. - Harvey Milk Terminal 1 Food and Beverage Casual Sit-Down Restaurant - \$450,000 Minimum Annual Guarantee]

Resolution approving the Harvey Milk Terminal 1 Food and Beverage Casual Sit-down Restaurant Lease No. 23-0236, between Amoura International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 14 years with one two-year option to extend at the sole discretion of the Airport Commission, and a minimum annual guarantee of \$450,000 for the first year of the Lease, effective upon approval of this Resolution. (Airport Commission)

ADOPTED by the following vote:

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

231282 [Agreement - Retroactive - Fidelity National Information Services, Inc. - Wireless Payment Processing Services and Authorizing Acceptance of Debit Cards and Electronic Funds Transfers - No Cost]**Sponsor: Ronen**

Resolution retroactively authorizing an agreement with Fidelity National Information Services, Inc. to facilitate the use of state-issued Electronic Benefits Transfer (EBT) debit cards and acceptance of debit cards and electronic funds transfers at the Alemany Farmers' Market, for a term period of January 22, 2018, through until the State of California selects a new EBT wireless payment processing service vendor; and to authorize the Director of Property to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Real Estate Department)

ADOPTED by the following vote:

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

240083 [Increasing Administrative Code, Section 21.43, Power Sales Revenue Limit - Anticipated Revenue in Excess of \$1,000,000 or More - Annual Revenue Limit of \$20,000,000]**Sponsor: Mandelman**

Resolution approving an increase to the Administrative Code, Section 21.43 Power Sales Revenue Limit and authorizing the Public Utilities Commission (PUC) General Manager to execute power sales contracts, with anticipated revenue in excess of \$1,000,000 or more subject to an annual revenue limit of \$20,000,000 per fiscal year, through July 1, 2025. (Public Utilities Commission)

ADOPTED by the following vote:

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

240084 [Memorandum of Agreement - United States Department of the Interior, National Park Service - Yosemite National Park Comprehensive Management of Watersheds within Yosemite National Park - Not to Exceed \$40,958,727]

Sponsor: Mandelman

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Contract No. CS-1413, a Memorandum of Agreement with the United States Department of the Interior, National Park Service, Yosemite National Park, for the Comprehensive Management of Watersheds within Yosemite National Park that supply the San Francisco Regional Water System, for an amount not to exceed \$40,958,727 with a total term of four years from July 1, 2024, through June 30, 2028, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

240085 [Authorization for SFDPH to Continue to Participate in CalMHSA Programs Under a JPA; and Authorizing SFDPH to Execute JPA Participation Agreements Without Further Board Approval]

Resolution authorizing the San Francisco Department of Public Health ("SFDPH") to continue to participate in California Mental Health Services Authority ("CalMHSA") programs under the terms of a Joint Exercise of Powers Agreement ("JPA"); authorizing SFDPH to execute JPA participation agreements, approved as to form by the San Francisco City Attorney, without further Board of Supervisor's approval, unless otherwise directed by the City Attorney; and to authorize the Director of Health to enter into amendments or modifications to the JPA that the Department determines that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the JPA or this Resolution. (Public Health Department)

ADOPTED by the following vote:

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

240113 [Grant Agreement - Retroactive - Advocates for Human Potential, Inc. - Round 4 - 1001 Potrero Avenue - Anticipated Revenue to the City \$33,736,105]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Department of Public Health to enter into a Grant Agreement, for a term commencing on execution of the Grant Agreement through June 30, 2027, between the City and County of San Francisco ("City"), acting by and through its Department of Public Health ("DPH"), and Advocates for Human Potential, Inc., having anticipated revenue to the City of \$33,736,105 for construction at 1001 Potrero Avenue, Building 5, Wards 6B and 7A; including a Permitted and Restricted Use; authorizing the Grantor to apply for a Receiver in the event of the City's default; and authorizing DPH to enter into amendments or modifications to the Grant Agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purpose of the Grant. (Public Health Department)

ADOPTED by the following vote:

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

240115 [Accept and Expend In-Kind Gift - Consulting Services - Various Providers - Valued at \$302,208]**Sponsors: Mayor; Mandelman**

Resolution authorizing the Mayor's Office, through the Mayor's Office of Innovation, to accept an in-kind gift of consulting services valued at \$302,208 from various providers from March 6, 2024, through June 21, 2024, in connection with the Civic Bridge Program; and to authorize the Mayor's Office of Innovation to enter into amendments or modifications to the donor agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the donor agreement or this Resolution.

ADOPTED by the following vote:

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

President Peskin requested File Nos. 240136, 240047, and 231256 be called together.

240136 [Approval of Potrero Bus Yard Predevelopment Agreement with a \$4,350,000 Continuation Payment and a Potential Termination Payment of up to \$9,990,000 - Potrero Neighborhood Collective LLC - 2500 Mariposa]**Sponsors: Ronen; Walton**

Resolution approving a Predevelopment Agreement between Potrero Neighborhood Collective LLC and the City and County of San Francisco, acting by and through the San Francisco Municipal Transportation Agency, dated as of November 2, 2022, including a \$4,350,000 continuation payment and a potential termination payment of up to \$9,990,000; and making environmental findings under the California Environmental Quality Act. (Municipal Transportation Agency)
(Fiscal Impact)

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

230808 [Planning Code, Zoning Map - Family and Senior Housing Opportunity Special Use District]

Sponsors: Melgar; Engardio

Ordinance amending the Planning Code to change the title of the Family Housing Opportunity Special Use District to the Family and Senior Housing Opportunity Special Use District ("SUD"); authorize within the SUD the greater of up to six units per lot or one unit per 1,000 square feet of lot area on individual Corner Lots in RH (Residential House) Districts, the greater of up to 18 units per lot or one unit per 1,000 square feet of lot area on Corner Lots resulting from three lot mergers in RH-1 districts, and the greater of up to 12 units per lot or one unit per 1,000 square feet of lot area on Corner Lots resulting from two lot mergers in RH-1 districts; extend various development and streamlining benefits, including lot merger benefits, to RM-1 (Residential, Mixed), RH-2, and RH-3 Districts within the area of the SUD bounded by the Great Highway, Lincoln Way, 19th Avenue, and Sloat Boulevard; and refine project eligibility criteria in the SUD; amending the Zoning Map to reflect the renamed Family and Senior Housing Special Use District; 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 Engardio, seconded by Supervisor Melgar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 17, Line 23, by changing 'third' to 'fourth'; and on Page 18, Line 2, by changing 'this' to 'the', adding 'and fourth', and changing 'version' to 'versions', and on Line 7, by changing 'This' to 'The', adding 'and fourth', changing 'version' to 'versions', and changing 'includes' to 'include'. The motion carried by the following vote:

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

Supervisor Chan requested this Ordinance be DUPLICATED AS AMENDED.

See duplicated File No. 240196.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

240196 [Planning Code, Zoning Map - Family and Senior Housing Opportunity Special Use District]**Sponsor: Melgar**

Ordinance amending the Planning Code to change the title of the Family Housing Opportunity Special Use District to the Family and Senior Housing Opportunity Special Use District ("SUD"); authorize within the SUD the greater of up to six units per lot or one unit per 1,000 square feet of lot area on individual Corner Lots in RH (Residential House) Districts, the greater of up to 18 units per lot or one unit per 1,000 square feet of lot area on Corner Lots resulting from three lot mergers in RH-1 districts, and the greater of up to 12 units per lot or one unit per 1,000 square feet of lot area on Corner Lots resulting from two lot mergers in RH-1 districts; extend various development and streamlining benefits, including lot merger benefits, to RM-1 (Residential, Mixed), RH-2, and RH-3 Districts within the area of the SUD bounded by the Great Highway, Lincoln Way, 19th Avenue, and Sloat Boulevard; and refine project eligibility criteria in the SUD; amending the Zoning Map to reflect the renamed Family and Senior Housing Special Use District; 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.

Duplicated from File No. 230808.

Supervisor Chan, seconded by Supervisor Melgar, moved that this Ordinance be 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

230864 [Administrative Code - Forgivable Loan for First-Time Homebuyers Fund and Program]**Sponsors: Melgar; Walton and Engardio**

Ordinance amending the Administrative Code to establish the Forgivable Loan for First-Time Homebuyers Program and the Forgivable Loan for First-Time Homebuyers Fund to assist low, moderate, and middle-income first-time homebuyers who would otherwise not be able to purchase a primary residence in San Francisco; and to require the Human Rights Commission to establish policies and procedures to issue and possibly forgive loans from the Fund, and to provide oversight, monitoring, and forgiveness of such loans.

(Supervisor Peskin Dissented in Committee.)

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

Supervisor Melgar, seconded by Supervisor Engardio, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 8-9, by adding ‘in consultation with the Mayor’s Office of Housing and Community Development’; on Page 3, Lines 13-14, by adding “‘MOHCD Director” means the Director of the Mayor’s Office of Housing and Community Development, or the MOHCD Director’s designee’, and Line 20, by adding ‘in consultation with MOHCD’; on Page 4, Line 9, by adding ‘Subject to the budgetary and fiscal provisions of the Charter’; on Page 6, Lines 13-23, by adding ‘and shall consult with MOHCD regarding those responsibilities. The HRC Director may delegate to MOHCD functions and responsibilities set forth in this Chapter 110, including but not limited to, the establishment of Program Regulations described in subsection (b), the administration of loans described in Section 110.7, and annual reporting described in the Administrative Code Chapter 10, Article XIII, Section 10.100-13(d), and MOHCD may agree to assume such functions and responsibilities. Any delegation pursuant to this subsection (a) shall be memorialized in a memorandum of understanding between the HRC Director and the MOHCD Director. The memorandum of understanding shall identify the scope and extent of the delegation and shall state the degree to which, if at all, MOHCD shall consult with HRC as to matters that have been delegated to MOHCD.’, Line 3, by striking ‘in implementing this Program’, and Lines 24-25, by adding ‘in consultation with MOHCD’; on Page 10, Line 8, by adding ‘in consultation with MOHCD’. The motion carried by the following vote:

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

Ordinance amending the Administrative Code to establish the Forgivable Loan for First-Time Homebuyers Program and the Forgivable Loan for First-Time Homebuyers Fund to assist low, moderate, and middle-income first-time homebuyers who would otherwise not be able to purchase a primary residence in San Francisco; and to require the Human Rights Commission, in consultation with the Mayor’s Office of Housing and Community Development, to establish policies and procedures to issue and possibly forgive loans from the Fund, and to provide oversight, monitoring, and forgiveness of such loans.

Supervisor Melgar requested this Ordinance be DUPLICATED AS AMENDED.

See duplicated File No. 240197.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

240197 [Administrative Code - Forgivable Loan for First-Time Homebuyers Fund and Program]**Sponsors: Melgar; Walton and Engardio**

Ordinance amending the Administrative Code to establish the Forgivable Loan for First-Time Homebuyers Program and the Forgivable Loan for First-Time Homebuyers Fund to assist low, moderate, and middle-income first-time homebuyers who would otherwise not be able to purchase a primary residence in San Francisco; and to require the Human Rights Commission, in consultation with the Mayor's Office of Housing and Community Development, to establish policies and procedures to issue and possibly forgive loans from the Fund, and to provide oversight, monitoring, and forgiveness of such loans.

Duplicated from File No. 230864.

Supervisor Melgar, seconded by Supervisor Engardio, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 14 and 18, by changing 'may' to 'shall'. The motion carried by the following vote:

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

Supervisor Melgar, seconded by Supervisor Ronen, moved that this Ordinance be 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

230867 [Public Works Code - Excavation by Microtrenching for Fiber]**Sponsors: Safai; Engardio**

Ordinance amending the Public Works Code to allow the use of microtrenching to install fiber-optic facilities; 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

240047 [General Plan - Potrero Bus Yard Project]

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

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

PASSED ON FIRST READING by the following vote:

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

231256 [Planning Code, Zoning Map - Potrero Yard Special Use District]**Sponsors: Ronen; Walton**

Ordinance amending the Planning Code and Zoning Map to create the Potrero Yard Special Use District and change the height and bulk limits at 2500 Mariposa Street, Assessor's Parcel Block No. 3971, Lot No. 001, to facilitate development of the Potrero Yard Modernization Project; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

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

231258 [Planning Code - Housing Production]**Sponsors: Mayor; Melgar**

Ordinance amending the Planning Code to encourage housing production by exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations; and removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District; 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**240103 [Liquor License Transfer - 555 Fulton Street, Suite C - Trader Joe's Company]**

Resolution determining that the person-to-person, premise-to-premise transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to the Trader Joe's Company, doing business as Trader Joe's Store 226, located at 555 Fulton Street, Suite C (District 5), 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 a condition on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

230973 [Administrative Code - Monitoring of Nonprofits that Contract with the City]

Sponsors: Stefani; Safai, Ronen, Engardio and Mandelman

Ordinance amending the Administrative Code to clarify the Controller's audit and monitoring responsibilities with respect to nonprofit organizations contracting with the City; directing the Controller to establish measurable performance goals for contracts with nonprofit organizations; directing the Controller to periodically review and, as necessary, revise policies regarding contractors' compliance with City requirements; and requiring the Controller to perform an annual review of departments' compliance with policies for auditing and monitoring nonprofit organizations.

Supervisors Engardio and Mandelman 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

230399 [Appointments, Veterans Affairs Commission - Jenny Perez, Deborah Dacumos, John Reissenweber, Jason Chittavong, Hanley Chan, Prince Kelly Jordan, James Boatman, and Darya Kutovaya]

Motion appointing Jenny Perez, Deborah Dacumos, John Reissenweber, Jason Chittavong, Hanley Chan, Prince Kelly Jordan, James Boatman, and Darya Kutovaya, terms ending March 17, 2027, to the Veteran Affairs Commission. (Rules Committee)

Motion No. M24-018

APPROVED by the following vote:

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

240124 [Appointments, Market and Octavia Community Advisory Committee - Jesus Guillen, Natalie Burdick, Madeline Howie, Nicholas Parker, Sacha Ortega, and Andrew Seigner]

Motion appointing Jesus Guillen, Natalie Burdick, Madeline Howie, Nicholas Parker, Sacha Ortega, and Andrew Seigner, terms ending December 16, 2024, to the Market and Octavia Community Advisory Committee. (Rules Committee)

Motion No. M24-019

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 Lord Mayor of Cork, Ireland, Clir. Kieran McCarthy and Micheál Smith, Consulate General of Ireland, San Francisco, in recognition of San Francisco's friendship with Cork, Ireland to mutually expand municipal, business, trade, educational, and cultural ties between the Sister Cities, a relationship established in May 1984. Supervisor Safai shared in this commendation.

Supervisor Preston introduced, welcomed, and presented a Certificate of Honor to Hugo Ramirez (Mayor's Office of Housing and Community Development) on the occasion of his departure from the City and County of San Francisco after more than a decade and in recognition of his dedicated public service. Brian Cheu, Director of Community Development (Mayor's Office of Housing and Community Development), provided additional commending remarks.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to the Castro Community on Patrol, accepted by Greg "Greggy" Carey, Chief of Patrol, in recognition of their accomplishments as an all-volunteer LGBTQ community safety organization.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Gloria Esteva (Causa Justa Just Cause) in recognition of her accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

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

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

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

President Peskin opened the public hearing, Clerk Calvillo informed the Board that the Appellant has withdrawn their appeal of this project, and Supervisor Ronen provided brief remarks. The President then inquired as to whether any individual wished to address the Board. There were no speakers. President Peskin closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

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

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

Motion No. M24-020

Supervisor Ronen, seconded by Supervisor Mandelman, moved that this Motion be APPROVED. The motion carried by the following vote:

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

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

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

Supervisor Ronen, seconded by Supervisor Mandelman, moved that this Motion be TABLED. The motion carried by the following vote:

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

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

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

Supervisor Ronen, seconded by Supervisor Mandelman, moved that this Motion 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

230310 [Various Codes - State-Mandated Accessory Dwelling Unit Controls]

Sponsor: Mayor

Ordinance amending the Administrative Code, Building Code, Business and Tax Regulations Code, and Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

(This item was not sent as a committee report.)

240169 [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.

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

PASSED ON FIRST READING 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

Thierry Fill; expressed concerns regarding artists, the process of learning, technology, and honesty.

Speaker; shared his personal religious views.

Jim McAfee; shared concerns regarding Laguna Honda Hospital and their policies.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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).

ADOPTED

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.

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

ADOPTED

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.

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

ADOPTED

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)

Motion No. M24-021

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chan requested that File No. 240176 be severed so that it may be considered separately.

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.

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

Supervisor Chan, seconded by Supervisor Melgar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 10, by changing 'Nancy Skinner' to 'Senator Scott Wiener', and Line 11, by changing 'Maria Elena Durazo' to 'Aisha Wahab'. The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

240161 [Administrative Code - Low-Value Property Tax Exemptions]

Ordinance amending the Administrative Code to permit the Assessor to either not enroll on the assessment roll certain property exempt from property taxation due to its low value, or to enroll such property and apply the exemption. (Treasurer-Tax Collector)

02/23/24; RECEIVED FROM DEPARTMENT.

03/05/24; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/4/2024.

PROPOSED RESOLUTION

240166 [Sharing Agreement - Emergency Radio Communications Site - Department of Veterans Affairs, Medical Center, 4150 Clement Street - \$117,648 Initial Base Rent]

Resolution approving and authorizing the Director of Property, on behalf of the City's Department of Emergency Management and the Department of Technology, to execute a Sharing Agreement for the continued use of emergency radio telecommunications and associated equipment, with the Department of Veterans Affairs - Medical Center San Francisco at a base rent of \$117,648 per year with 3% annual rent increases commencing June 1, 2024, through March 31, 2029 for an initial term of five years with three five-year options to extend; and authorizing the Director of Property to execute any amendments, options to extend to 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 Sharing Agreement or this Resolution. (Department of Technology)

02/26/24; RECEIVED FROM DEPARTMENT.

03/05/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:01 p.m.