

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, April 25, 2023 - 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, Safai, Ronen, Walton

Budget and Finance Committee

Supervisors Chan, Mandelman, Safai

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Homelessness and Behavioral Health Select Committee

Supervisors Ronen, Mandelman, Walton

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Dorsey, Walton, Safai

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Engardio

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

2nd Friday

10:00 AM

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

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, in-person with remote access and public comment also available via telephone, on Tuesday, April 25, 2023, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 2:02 p.m.

Remote Access to Information and Participation

The Board of Supervisors (www.sfbos.org) and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access (watch: www.sfgovtv.org), and remote public comment via teleconference (<https://sfbos.org/remote-meeting-call>). Members of the public may also submit their comments by email to bos@sfgov.org; all comments received will be made a part of the official record.

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.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments in-person or by dialing the telephone number published on the agenda and scrolling across the screen. In-person public comment will be taken before remote public comment is called.

*(Those who are providing public comment remotely must dial *3 to be added to the remote queue to speak. 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 any Member of the Board had any corrections to the March 21, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Walton, seconded by Supervisor Dorsey, moved to approve the March 21, 2023, 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

230258 [Accept and Expend Grant and Annual Salary Ordinance Amendment - Retroactive - United States Department of Justice - STOP School Violence Program - \$1,000,000]

Sponsors: Mayor; Safai and Mandelman

Ordinance retroactively authorizing the Department of Children Youth and Their Families to accept and expend a grant in the amount of \$1,000,000 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for participation in a program, entitled "STOP School Violence Program," for the period of October 1, 2022, through September 30, 2024; and amending Ordinance No. 162-22 (Annual Salary Ordinance for Fiscal Years (FY) 2022-2023 and 2023-2024) to provide for the addition of one grant-funded full-time position in Class 1824 Principal Administrative Analyst (0.25 FTE in FY2022-2023, 1.0 FTE in FY2023-2024). (Department of Children, Youth & Their Families)

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee

220340 [Planning Code - Neighborhood Commercial and Mixed Use Zoning Districts]

Sponsor: Dorsey

Ordinance amending the Planning Code to update and reorganize Neighborhood Commercial and Mixed Use Zoning District controls, including, among other things, to 1) permit Accessory Arts Activities, and production, wholesaling, and processing of goods and commodities, to occupy more than one-third of total space in Commercial (C), Downtown Residential (DTR), Eastern Neighborhoods Mixed Use, Mission Bay, and Residential-Commercial (RC) Districts; 2) principally permit Arts Activities, Job Training, Public Facility, and Social Service and Philanthropic Facility uses in the Folsom Street Neighborhood Commercial Transit (NCT), SoMa NCT, Regional Commercial, and certain Eastern Neighborhoods Mixed Use Districts, and in historic and nonconforming commercial buildings in Residential Enclave Districts; 3) principally permit General Entertainment in the Folsom Street NCT District; 4) principally permit Bar uses on the second floor in the Folsom Street NCT and Regional Commercial Districts; 5) principally permit Nighttime Entertainment on properties fronting Folsom Street between 7th Street and Division Street and properties fronting 11th Street between Howard Street and Division Street unless they are zoned Residential Enclave District (RED) or Residential Enclave District - Mixed (RED-MX); 6) principally permit Job Training, Public Facility, and Social Service and Philanthropic Facility Uses in the SoMa NCT District and certain Eastern Neighborhoods Districts; 7) require that large developments in South of Market Mixed Use Districts which contain commercial spaces provide a mix of commercial space sizes; 8) require that all Nighttime Entertainment uses comply with the Entertainment Commission's good neighbor policies; and 9) remove certain limitations on location for Nighttime Entertainment and Animal Services uses in the Western SoMa Special Use District; and adopting environmental findings, findings of public necessity, convenience, and welfare 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

220971 [Planning Code - Gates, Railings, and Grillwork Exceptions for Cannabis Retail Uses and Existing Non-Residential Uses and Change in 75% Gate Transparency Requirement to 20%]

Sponsors: Safai, Preston, Melgar, Mandelman and Dorsey

Ordinance amending the Planning Code to exempt certain existing gates, railings, and grillwork at Non-Residential uses from transparency requirements, subject to the provisions for noncomplying structures, and exempt Cannabis Retail uses from transparency requirements for gates, railings, and grillwork for a three-year period, provided the Cannabis use installs artwork on any new exempt gates, and require removal of gates, railings, and grillwork installed pursuant to that exemption when a Cannabis Retail use's business permit becomes invalid or the business ceases to operate, and change the transparency requirement for gates, railings, and grillwork in Neighborhood Commercial Districts, Commercial Districts, Residential-Commercial Districts, and Mixed Use Districts from 75% to 20% open to perpendicular view with additional requirements for fire safety; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

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

FINALLY PASSED

230311 [Administrative Code - COVID-19 Tenant Protections]**Sponsors: Preston; Walton, Peskin, Ronen, Chan and Dorsey**

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency; and including within those restrictions units where the rent is controlled or regulated by the City.

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

FINALLY PASSED**Recommendations of the Rules Committee****230135 [Administrative Code - Small Business Commission Duties]****Sponsor: Peskin**

Ordinance amending the Administrative Code to revise the duties of the Small Business Commission by replacing the duty to coordinate an application and selection process to recognize outstanding contributions by small businesses during Small Business Month with a duty to coordinate activities to encourage the general public to support San Francisco small businesses during Small Business Month.

FINALLY PASSED**230408 [Administrative Code - Public Works Contracting]****Sponsor: Mandelman**

Ordinance amending the Administrative Code to remove the minimum cost criterion weighting for Design-Build and Construction Manager/General Contractor best value procurements.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

230259 [Memorandum of Understanding - San Francisco Police Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association, to be effective July 1, 2023, through June 30, 2026.

(Supervisor Preston voted No on First Reading.)

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

NEW BUSINESS

Recommendations of the Budget and Finance Committee

230169 [Accept and Expend Grant - Bay Area Young Survivors - Golden Gate Park - \$500,000]

Sponsors: Mayor; Chan, Mandelman and Safai

Resolution authorizing the Recreation and Park Department to accept and expend cash and/or in-kind grants from the Bay Area Young Survivors valued at up to \$500,000 for the design and construction of the renovated seating area with memorial elements in Golden Gate Park for the project term of upon approval of this Resolution until notice of substantial completion; and authorizes the Recreation and Park General Manager to enter into amendments or modifications to the grant that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the grant or this Resolution. (Recreation and Park Department)

ADOPTED by the following vote:

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

President Peskin requested File Nos. 230170 and 230171 be called together.

230170 [Accept and Expend Grant - Retroactive - California State Parks Department Specified Grant - Portsmouth Square Renovation Project - \$6,000,000]

Sponsors: Mayor; Peskin, Chan, Mandelman and Safai

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant from the California Department of Parks and Recreation in the amount of \$6,000,000 for the Portsmouth Square Renovation Project; approving the associated grant agreement for a term from July 1, 2022, through June 30, 2026; and authorizing the Recreation and Park Department to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the project or this Resolution.

ADOPTED by the following vote:

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

230171 [Accept and Expend Grant - Retroactive - South Sunset Clubhouse and Playground Renovation Project - \$2,300,000]

Sponsors: Mayor; Engardio, Chan, Mandelman and Safai

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant from the California Department of Parks and Recreation in the amount of \$2,300,000 for the South Sunset Clubhouse and Playground Renovation Project; approving the associated grant agreement for a term from July 1, 2022, through June 30, 2026; and authorizing the Recreation and Park Department 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 purposes of the project or this Resolution. (Recreation and Park Department)

ADOPTED by the following vote:

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

230207 [Contract Agreement - Retroactive - Michelin North America, Inc. - SFMTA Tire Lease and Associated Services - Not to Exceed \$18,900,000]

Resolution retroactively authorizing the Office of Contract Administration to enter into Contract 1000028080 between the City and County of San Francisco and Michelin North America, Inc., for the lease of tires and associated services for San Francisco Municipal Transportation Agency (SFMTA) buses and trolleys with an initial contract not to exceed amount of \$13,500,000 for five years and \$5,400,000 for an optional additional two years, for a total not to exceed amount of \$18,900,000 and total contract duration of seven years commencing on April 1, 2023, and ending on March 31, 2030. (Office of Contract Administration)
(Fiscal Impact)

ADOPTED by the following vote:

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

230221 [Accept and Expend Grant - Retroactive - California Coastal Conservancy - Islais Creek Interpretive Program - \$70,000]

Sponsors: Mayor; Walton and Mandelman

Resolution retroactively authorizing the Port of San Francisco to accept and expend grant funds in the amount of \$70,000 from the California Coastal Conservancy to fund the Islais Creek Interpretive Program from February 1, 2023, through February 29, 2024.

ADOPTED by the following vote:

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

230337 [Contract Amendment - Bay Cities Produce Co, Inc. - Purchase of Fresh and Frozen Produce for ZSFGH and LHH - Not to Exceed \$11,100,000]

Resolution authorizing the Office of Contract Administration to execute a second modification (Modification 2) to Contract 1000015904 with Bay Cities Produce Co, Inc. for the purchase of fresh and frozen produce for Zuckerberg San Francisco General Hospital (ZSFGH) and Laguna Honda Hospital (LHH) by Department of Public Health, increasing the contract amount by \$5,082,284.57 for a total not to exceed amount of \$11,100,000 and extending the term by two years from September 30, 2024, for a total contract duration of seven years from October 1, 2019, through September 30, 2026. (Office of Contract Administration)
(Fiscal Impact)

ADOPTED by the following vote:

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

230344 [Authorization to Gift Debenham Comedy Recording Collection to Emerson College]

Sponsor: Dorsey

Resolution authorizing the San Francisco Public Library to gift the Debenham Comedy Recording Collection to Emerson College. (Public Library)

Supervisor Dorsey requested to be added as the primary sponsor.

ADOPTED by the following vote:

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

President Peskin requested File Nos. 230376, 230377, and 230378 be called together.

230376 [Multifamily Housing Revenue Notes - Sunnydale HOPE SF Block 3A - Not to Exceed \$68,761,006]

Sponsors: Mayor; Walton, Mandelman, Safai and Preston

Resolution authorizing the execution and delivery of a multifamily housing revenue note (tax-exempt) in a principal amount not to exceed \$43,761,006 and a multifamily housing revenue note (taxable) in an aggregate principal amount not to exceed \$25,000,000 for the purpose of providing financing for the construction of a 80-unit multifamily rental housing project known as "Sunnydale HOPE SF Block 3A," for a total amount not to exceed \$68,761,006; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the loan from the funding lender identified therein to the City and for the execution and delivery of the notes; approving the form of and authorizing the execution of a borrower loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of an assignment of deed of trust and loan documents; authorizing the collection of certain fees; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance, execution and delivery of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$53,000,000 (tax-exempt); approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the notes and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

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

ADOPTED by the following vote:

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

230377 [Loan Agreement - Sunnydale Block 3A Housing Partners, L.P. - Sunnydale HOPE SF Block 3A - 100% Affordable Housing - Loan Amount Not to Exceed \$27,272,065]

Sponsors: Mayor; Walton, Mandelman, Safai and Preston

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to (1) execute an Amended and Restated Loan Agreement with Sunnydale Block 3A Housing Partners, L.P., a California limited partnership, for a total loan amount not to exceed \$14,862,818 to finance the construction of a 80-unit multifamily rental housing development for low-income households, which will be known as Sunnydale HOPE SF Block 3A (the "Project"), and (2) to execute a Loan Agreement with Sunnydale Commercial LLC, a California limited liability company, for a total loan amount not to exceed \$12,409,247 to finance the community-serving commercial parcel connected to the 100% affordable housing Project (the "Commercial Project") for a total amount not to exceed \$27,272,065; and adopting findings that the loan agreements are consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

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

ADOPTED by the following vote:

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

230378 [Accept and Expend Grant - California Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Sunnydale Block 3A - \$21,205,299]

Sponsors: Mayor; Walton, Mandelman, Safai and Preston

Resolution authorizing the Mayor's Office of Housing and Community Development ("MOHCD") to execute the Standard Agreements with the California Department of Housing and Community Development ("HCD" or "Department") under the Affordable Housing and Sustainable Communities Program for a total award of \$21,205,299 including \$10,850,000 disbursed by HCD as a loan to the Sunnydale Block 3A Housing Partners, L.P. ("Developer") for a 100% affordable housing project at 1545 Sunnydale Avenue and \$10,355,299 to be disbursed as a grant to the City for public transportation improvements near 1545 Sunnydale Avenue, for the period starting on the execution date of the Standard Agreements to November 30, 2042; and authorizing MOHCD to accept and expend the grant of up to \$10,355,299 for transportation, streetscape and pedestrian improvements and other transit oriented programming and improvement as approved by HCD. (Mayor's Office of Housing and Community Development)

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

ADOPTED by the following vote:

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

President Peskin requested File Nos. 230379 and 230380 be called together.

230379 [Multifamily Housing Revenue Note - Hunters View Phase 3 - Vertical - Not to Exceed \$76,000,000]

Sponsors: Mayor; Walton, Mandelman, Safai and Preston

Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$76,000,000 for the purpose of providing financing for the construction of a 118-unit multifamily rental housing project known as "Hunters View Phase 3 - Vertical"; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the construction loan from the construction funding lender to the City, and the execution and delivery of the construction note; approving the form of and authorizing the execution of a project loan agreement providing the terms and conditions of the construction loan from the City to the borrower; approving the form of and authorizing the execution of an amended and restated funding loan agreement providing the terms and conditions of the permanent loan from the permanent funding lender to the City, and the execution and delivery of the permanent note; approving the form of and authorizing the execution of an amended and restated project loan agreement providing the terms and conditions of the permanent loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants for each site of the subject project; authorizing the collection of certain fees; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$76,000,000; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the notes and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

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

ADOPTED by the following vote:

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

230380 [Loan Agreement - HV Partners 3, LP - Hunters View HOPE SF Vertical Phase III - 100% Affordable Housing - Not to Exceed \$50,495,000]**Sponsors: Mayor; Walton, Mandelman, Safai and Preston**

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development ("MOHCD") to execute an Amended and Restated Loan Agreement with HV Partners 3, LP, a California limited partnership, for a total loan amount not to exceed \$50,495,000 to finance the construction of a 118-unit multifamily rental housing development for low-income households, which will be known as Hunters View HOPE SF Vertical Phase III (the "Project"); adopting findings that the loan agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of MOHCD or his or her designee to enter into any amendments or modifications to the loan agreement and any other documents or instruments necessary in connection therewith that the Director determines are in the best interest of the City, do not materially increase the obligations or liabilities for the City or materially diminish the benefits of the City, and are necessary or advisable to effectuate the purposes and intent of this Resolution. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

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

ADOPTED by the following vote:

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

Referred Without Recommendation From the Budget and Finance Committee

President Peskin requested File Nos. 230318 and 230319 be called together.

230318 [Loan Amendment - 4840 Mission Associates, L.P. - 100% Affordable Housing - 4840 Mission Street - Not to Exceed \$37,728,757]**Sponsors: Mayor; Safai, Mandelman and Preston**

Resolution approving and authorizing the execution of a First Amendment to the Loan Agreement with 4840 Mission Associates, L.P., a California limited partnership, to increase the loan amount by \$8,977,307 for a new total loan amount not to exceed \$37,728,757 to finance additional construction costs related to the 100% affordable, 137-unit multifamily rental housing development (plus two staff unit) for low and moderate income households located at 4840 Mission Street; authorizing the Mayor and the Director of Mayor's Office of Housing and Community Development, to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein; and to authorize the Mayor and the Director of Mayor's Office of Housing and Community Development to enter into amendments or modifications to the First Amendment 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. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

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

ADOPTED by the following vote:

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

230319 [Loan Amendment - TURK 500 ASSOCIATES, L.P. - 100% Affordable Housing - 555 Larkin Street - Not to Exceed \$23,805,311]**Sponsors: Mayor; Preston and Mandelman**

Resolution approving and authorizing the execution of a First Amendment to the Amended and Restated Loan Agreement with TURK 500 ASSOCIATES, L.P., a California limited partnership, to increase the loan amount by \$4,266,311 for a new total loan amount not to exceed \$23,805,311 to finance additional construction costs and loss of permanent financing related to the 100% affordable, 108-unit multifamily rental housing development (plus one staff unit) for low and moderate income households located at 555 Larkin Street in the Tenderloin neighborhood ("Project"); adopting findings that the First Amendment to the Amended and Restated Loan Agreement is consistent with the General Plan, and the priority policies of Planning Code, Section 101.1; and to authorize the Mayor and the Director of Mayor's Office of Housing and Community Development to enter into amendments or modifications to the First Amendment 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.
(Fiscal Impact)

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**230213 [Administrative Code - Repealing Prohibitions on City Travel and Contracting Related to States with Certain Types of Discriminatory Laws]****Sponsors: Mandelman; Stefani, Peskin, Ronen, Safai, Dorsey and Engardio**

Ordinance amending the Administrative Code to repeal Chapter 12X, and thereby repeal the prohibitions on City-funded travel to a state, and the City's entering into a contract with a contractor that has its United States headquarters in a state or where any or all of the contract would be performed in a state, that allows discrimination against LGBT individuals, has restrictive abortion laws, or has voter suppression laws.
(Supervisor Walton dissented in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Dorsey, Engardio, Mandelman, Peskin, Ronen, Safai, Stefani
Noes: 4 - Chan, Melgar, Preston, Walton

Supervisors Engardio and Mandelman were noted absent at 3:16 p.m.

230193 [Annual Surveillance Report Regarding Surveillance Technology]

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

ADOPTED by the following vote:

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

Supervisor Engardio was noted present at 3:20 p.m.

230346 [Appointment, African American Reparations Advisory Committee - Frederick Martin]

Motion appointing Frederick Martin, for an indefinite term, to the African American Reparations Advisory Committee. (Rules Committee)

Motion No. M23-064

APPROVED by the following vote:

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

Supervisor Mandelman was noted present at 3:21 p.m.

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 Certificates of Honor to Max Repka, Dispatcher Supervisor of the Year (2022), and Katie Torres, Dispatcher of the Year (2022), in recognition of their tremendous dedication, professionalism and competency under pressure providing critical services to the general public and City agencies. Director Mary Ellen Carroll (Department of Emergency Management) provided additional commending remarks.

Supervisor Walton introduced, welcomed, and presented a Certificate of Honor to the Latino Task Force, accepted by Gaynor Siataga, Rosine Garcia, and William Ortiz Cartegena, in recognition of their accomplishments and community support during the health emergency. Supervisors Ronen and Safai shared in this commendation.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Captain Gavin McEachern (Police Department, Mission Station) on the occasion of his retirement and in recognition of his many accomplishments. Supervisors Ronen and Dorsey shared in this commendation. Chief William Scott (Police Department) provided additional commending remarks.

Supervisor Engardio introduced, welcomed, and presented a Certificate of Honor to the Lincoln Mustangs' Boys Varsity Basketball Team, the San Francisco Section Champions, in recognition of their sport victories and triumphs. Coach Carl Jacobs (Lincoln High School) provided additional commending remarks.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

230463 [Hearing - Committee of the Whole - Labor Disputes at the Felton Institute and the Operational Impact on Employment and Public Services - April 25, 2023, at 3:00 p.m.]

Hearing of the Board of Supervisors to sit as a Committee of the Whole on Tuesday, April 25, 2023, at 3:00 p.m., to hold a public hearing on the operational impact of labor disputes at the Felton Institute on the employees, patient services, compliance with written agreements, and workplace harmony; and requesting the Felton Institute administrators, representatives from SEIU 1021, and unaffiliated workers to attend; to be scheduled pending approval of the Motion contained in File No. 230462, to be considered on April 25, 2023. (Clerk of the Board)

President Peskin opened the public hearing and Supervisor Melgar provided opening remarks relating to the operational impact of labor disputes at the Felton Institute, as referenced in File No. 230463. The President then inquired as to whether any member of the public wished to address the Committee of the Whole. Sarah Richardson-Baker and Yohana Quiroz (Felton Institute), and Theresa Rutherford, Ayla Lorraine, and Brandon Dawkins (SEIU Local 1021), and Michelle Ruggels (Department of Public Health) provided an overview of the hearing matter and responded to questions raised throughout the discussion. Steven Shevanti; Hector Jimenez Calderon; Nicole Christian; Sam Meredith; Nick; Lee Hahn; Nina Asay; Shuman Lee; Barbara Zhang; Speaker; Adriano Leonelli-Enriquez; Garcia Rojas; Josie Mooney; Speaker; Eva Cisneros; spoke on various concerns relating to the hearing matter. The President closed public comment, declared the matter heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 4:25 p.m. The President resumed the chair 4:37 p.m.

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

Recommendation of the Land Use and Transportation Committee

Supervisor Melgar was noted absent at 4:48 p.m.

230426 [LAFCo Study - Future Management Options for the Midtown Park Apartments]

Sponsor: Preston

Resolution requesting the San Francisco Local Agency Formation Commission (LAFCo) to study future management options for the Midtown Park Apartments and conduct a request for proposals for a facilitator to conduct a resident engagement process to inform this study.

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Melgar was noted present at 4:52 p.m.

PUBLIC COMMENT

Speaker; spoke on various concerns relating to housing.

Savannah Panosian; spoke in support of the Resolution for Armenian Genocide Commemoration Day (File No. 230458).

Thierry Fill; expressed concerns regarding the need to self-reflect.

Gilbert Crisswell; expressed concerns regarding public transportation and the Municipal Transportation Agency.

Mina Young; expressed concerns regarding funding for landlords who lost money during the health emergency.

Peter Warfield; expressed concerns regarding the Public Library and the need for equitable access to books and services.

Darren Bryor; expressed concerns regarding in-person access to public meetings for users of skateboards or mobility devices.

Maya Chupkov; expressed support of the Resolution supporting Stuttering Awareness Week (File No. 230459).

San Francisco; expressed concerns regarding Brown Act, empathy, respect, the need to make the City a better town.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

230456 [Supporting Julie Su for United States Labor Secretary]

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

Resolution supporting Julie Su and urging her timely confirmation as United States Secretary of Labor.

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

ADOPTED

230458 [Armenian Genocide Commemoration Day - April 24, 2023]

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

Resolution marking the 108th anniversary of the Armenian Genocide and declaring April 24, 2023, as "Armenian Genocide Commemoration Day" in the City and County of San Francisco.

Supervisors Mandelman, Walton, Preston, Stefani, and Dorsey requested to be added as co-sponsors.

ADOPTED

230362 [Committee of the Whole - Report of Assessment Costs for Blighted Properties - May 16, 2023, at 4:00 p.m.]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 16, 2023, at 4:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

Motion No. M23-066

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 Preston requested that File No. 230459 be severed so that it may be considered separately.

230459 [Supporting California State Assembly Resolution No. 59 (Rivas) - Stuttering Awareness Week]

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

Resolution supporting California State Assembly Resolution No. 59, introduced by Assembly Member Robert Rivas, to designate the week of May 8 through May 13, 2023, as 2023 Stuttering Awareness Week.

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

ADOPTED by the following vote:

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

Supervisor Ronen requested that File Nos. 230460 and 230461 be severed so that they may be considered separately.

230460 [Daniel Ellsberg Week - April 24 through April 30, 2023]

Sponsors: Ronen; Peskin, Melgar and Preston

Resolution declaring the week of April 24 through April 30, 2023, to be Daniel Ellsberg Week in the City and County of San Francisco, in honor of Daniel Ellsberg's lifelong advocacy to achieve peace, prevent nuclear war and address pressing issues facing the globe, as a scholar, speaker, writer and activist for more than 50 years.

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

ADOPTED by the following vote:

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

230461 [Directing the Clerk of the Board of Supervisors to Purchase the Book "Poverty, by America" for Staff Responsible for the City Budget]

Sponsor: Ronen

Resolution directing the Clerk of the Board of Supervisors to purchase 20 copies of Matthew Desmond's book "Poverty, by America" as necessary educational context for the City's budget process.

Supervisor Ronen, seconded by Supervisor Stefani, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to change the legislation from a 'Resolution' to a 'Motion.' The motion carried by the following vote:

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

Motion directing the Clerk of the Board of Supervisors to purchase 20 copies of Matthew Desmond's book "Poverty, by America" as necessary educational context for the City's budget process.

Motion No. M23-067

APPROVED AS AMENDED by the following vote:

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

President Peskin requested that File No. 230462 be severed so that it may be considered separately and before File No. 230463.

230462 [Committee of the Whole - Labor Disputes at the Felton Institute and the Operational Impact on Employment and Public Services - April 25, 2023, at 3:00 p.m.]

Sponsor: Melgar

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on April 25, 2023, at 3:00 p.m., to hold a public hearing on the operational impact of labor disputes at the Felton Institute on the employees, patient services, compliance with written agreements, and workplace harmony; and requesting the Felton Institute administrators, representatives from SEIU 1021, and unaffiliated workers to attend.

This matter was severed and considered before the For Adoption Without Committee Reference agenda, before General Public Comment was taken. President Peskin inquired whether any individual wished to address the Board regarding this Motion to sit as a Committee of the Whole. There were no speakers. The President closed public comment on this matter.

Motion No. M23-065

APPROVED by the following vote:

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

Supervisor Walton requested that File No. 230443 be severed so that it may be considered separately.

230443 [Appointment, Park, Recreation, and Open Space Advisory Committee - Kurt Grimes]

Motion appointing Kurt Grimes, term ending February 1, 2025, to the Park, Recreation, and Open Space Advisory Committee. (Clerk of the Board)

Motion No. M23-068

APPROVED 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 RESOLUTIONS

230431 [Settlement of Unlitigated Claim - Bonifacio Rei Q Salvador - \$39,223.18]

Resolution approving the settlement of the unlitigated claim filed by Bonifacio Rei Q Salvador against the City and County of San Francisco for \$39,223.18; the claim was filed on December 21, 2021; the claim involves alleged property damage and personal injury from a vehicle collision. (City Attorney)

04/11/23; RECEIVED FROM DEPARTMENT.

04/25/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230432 [Authorization to Expend Funds for Yosemite Slough Sediment Site Studies]

Resolution authorizing the San Francisco Public Utilities Commission to expend funds, subject to appropriation, to perform pre-design technical studies in support of cleanup of the Yosemite Slough Sediment Site as required by the interim settlement of the United States Environmental Protection Agency's unlitigated claim against the City and County of San Francisco approved in Resolution No. 350-16 and Ordinance No. 18-20. (City Attorney)

04/17/23; RECEIVED FROM DEPARTMENT.

04/25/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230433 [Agreement - Retroactive - San Francisco Unified School District - Special Education Services - Anticipated Revenue to the City of \$1,000,000 or More]

Resolution retroactively approving an agreement between the San Francisco Department of Public Health and the San Francisco Unified School District having anticipated revenue to the City of \$1,000,000 or more for students with disabilities to receive special education and educationally related mental health services; and to authorize the Department of Public Health to enter into amendments or modifications to the agreement 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 agreement or this Resolution. (Public Health Department)

04/11/23; RECEIVED FROM DEPARTMENT.

04/25/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230434 [Lease Amendment - Smarte Carte, Inc - Airport Luggage Cart Lease and Operating Agreement - Provision of Free Luggage in the Federal Inspection Service Area of the Airport]

Resolution approving Amendment No. 3 to the Airport Luggage Cart Lease and Operating Agreement No. 19-0069 between Smarte Carte, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, to modify the methodology used for escalating the flat service fee associated with the provision of free luggage cart service in the Federal Inspection Service (FIS) Area. (Airport Commission)

04/11/23; RECEIVED FROM DEPARTMENT.

04/25/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:31 p.m.