

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, June 27, 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

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

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, June 27, 2023, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 2:01 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>).

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 May 16, 2023, or May 23, 2023, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Walton, moved to approve the May 16, 2023, and May 23, 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

Recommendations of the Government Audit and Oversight Committee

230400 [Settlement of Lawsuit - New Cingular Wireless PCS LLC - \$463,593]

Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless PCS LLC against the City and County of San Francisco for \$463,593; the lawsuit was filed on December 12, 2022, in San Francisco Superior Court, Case No. CGC-22-603406; entitled New Cingular Wireless PCS LLC. v. City and County of San Francisco et al.; the lawsuit involves a claim for refund of penalties and interest related to the access line tax for tax periods February 1, 2021, through and including August 31, 2021. (City Attorney)

FINALLY PASSED

230494 [Settlement of Lawsuit - Esquivel Grading & Paving, Inc. and Con-Quest Contractors, Inc. - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Esquivel Grading & Paving, Inc. against the City and County of San Francisco by the payment of \$250,000; the action against the City was filed on April 12, 2022, in the Superior Court of California, County of San Francisco, Case No. CGC-20-587321; entitled Con-Quest Contractors, Inc. v. Esquivel Grading & Paving, Inc., et al.; the lawsuit involves alleged breach of contract; material terms of the settlement are that the City will pay Con-Quest Contractors, Inc. \$250,000 and Esquivel will pay Con-Quest \$150,000. (City Attorney)

FINALLY PASSED

230495 [Settlement of Lawsuit - Richard F. Bettencourt, et al. - City to Receive \$300,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco for payment to San Francisco for \$300,000; the lawsuit was filed on November 15, 2019, in Stanislaus County Superior Court, Case No. CV-19-006916; entitled City and County of San Francisco v. Richard F. Bettencourt, et al.; the lawsuit involves damage to approximately 500 feet of San Joaquin Pipeline ("SJPL No. 1"); other material terms of the settlement are the City shall receive \$300,000. (City Attorney)

FINALLY PASSED

230496 [Settlement of Lawsuit - Cheryl Thornton - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Cheryl Thornton against the City and County of San Francisco for \$100,000; the lawsuit was filed on April 20, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02938-SI; entitled Cheryl Thornton v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

230497 [Settlement of Lawsuit - Darlene Daevu - \$90,000]

Ordinance authorizing settlement of the lawsuit filed by Darlene Daevu against the City and County of San Francisco for \$90,000; the lawsuit was filed on April 20, 2021, in United States District Court, Northern District of California, Case No. 4:21-cv-02936-JST; entitled Darlene Daevu v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

230498 [Settlement of Lawsuit - Dellfinia Hardy - \$116,250]

Ordinance authorizing settlement of the lawsuit filed by Dellfinia Hardy against the City and County of San Francisco for \$116,250; the lawsuit was filed on April 20, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02934-SI; entitled Dellfinia Hardy v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

230530 [Settlement of Lawsuit - Jane Doe 1, Jane Doe 4, Jane Doe 5, Jane Doe 6, Jane Doe 9, John Doe 1, John Doe 2, John Doe 3, John Doe 4, John Doe 6, John Doe 7 - \$2,223,500]

Ordinance authorizing settlement of the lawsuit, subject to the approval of the Probate Court, filed by Jane Doe 1, Jane Doe 4, Jane Doe 5, Jane Doe 6, Jane Doe 9, John Doe 1, John Doe 2, John Doe 3, John Doe 4, John Doe 6, John Doe 7 against the City and County of San Francisco for \$2,223,500; the lawsuit was filed on May 28, 2021, in San Francisco Superior Court, Case No. CGC-21-592296; entitled Jane Doe 1, et al. v. City and County of San Francisco, et al.; the lawsuit involves allegations of abuse and privacy violations brought by current and former residents of Laguna Honda Hospital and Rehabilitation Center. (City Attorney)

FINALLY PASSED

230531 [Settlement of Lawsuit - Jonathan Valladares - \$45,000]

Ordinance authorizing settlement of the lawsuit filed by Jonathan Valladares against the City and County of San Francisco for \$45,000; the lawsuit was filed on October 3, 2019, in San Francisco Superior Court, Case No. CGC-19-579765; entitled Jonathan Valladares v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)

FINALLY PASSED

230532 [Settlement of Lawsuit - Ricky Williams - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Ricky Williams against the City and County of San Francisco for \$75,000; the lawsuit was filed on October 1, 2020, in San Francisco Superior Court, Case No. CGC-20-587073; entitled Ricky Williams v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

230533 [Settlement of Lawsuit - Patrick Jackson - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Patrick Jackson against the City and County of San Francisco et al. for \$50,000; the lawsuit was filed on February 23, 2022, in San Francisco Superior Court, Case No. CGC-22-598303; entitled Patrick Jackson v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

230534 [Settlement of Lawsuit - Abdul Nevarez and Priscilla Nevarez - \$227,500]

Ordinance authorizing settlement of the lawsuit filed by Abdul Nevarez and Priscilla Nevarez against the City and County of San Francisco for \$227,500; the lawsuit was filed on September 27, 2019, in United States District Court, Northern District of California, Case No. 19-CV-06155-SK; entitled Abdul Nevarez and Priscilla Nevarez v. City of San Francisco, et al.; the lawsuit involves disability access violations in the City's golf courses; other material terms of the settlement are making certain disability access improvements at the Harding Park and Fleming Park golf courses. (City Attorney)

FINALLY PASSED

230555 [Settlement of Lawsuit - David Cordero - \$69,999]

Ordinance authorizing settlement of the lawsuit filed by David Cordero against the City and County of San Francisco for \$69,999; the lawsuit was filed on April 9, 2019, in U.S. District Court for the Northern District of California, Case No. 19-cv-01834; entitled David Cordero v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations arising out of a traffic stop on August 12, 2018. (City Attorney)

FINALLY PASSED

230556 [Settlement of Lawsuit - Xavier Pittman - \$195,000]

Ordinance authorizing settlement of the lawsuit filed by Xavier Pittman against the City and County of San Francisco for \$195,000; the lawsuit was filed on April 19, 2022, in United States District Court for the Northern District of California, Case No. 22-cv-02412-LB; entitled Xavier Pittman v. City and County of San Francisco, et al.; the lawsuit involves an officer involved shooting. (City Attorney)

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee

230371 [Planning and Building Codes - Commercial to Residential Adaptive Reuse and Downtown Economic Revitalization]

Sponsors: Mayor; Peskin, Mandelman and Stefani

Ordinance amending the Planning Code to 1) facilitate residential uses Downtown by authorizing the conversion of non-residential uses to residential use in C (Commercial) zoning districts, and exempting such projects from requirements for rear yard, open space, streetscape improvements, dwelling unit exposure, bike parking, transportation demand management, dwelling unit mix, and Intermediate Length Occupancy controls, permitting live work units in such projects, streamlining administrative approvals for projects in the C-3 zoning district, and modifying the dimensional limits on exemptions to height restrictions for mechanical equipment, elevator, stair, and mechanical penthouses; 2) economically revitalize Downtown by adding Flexible Workspace as a defined use, authorizing large scale retail uses in the C-3 zoning district, allowing window displays in the C-3 zoning district, allowing Flexible Workspace as an active ground floor commercial use along certain street frontages in C-3 zoning districts, allowing accessory storage in any C zoning district, allowing the temporary installation for 60 days of certain signs in the C-3-R district, allowing temporary non-residential uses in vacant spaces for up to one year, including formula retail, reducing density limits for Residential Dwelling Units and Senior Housing in the C-2 zoning districts east of or fronting Franklin Street/13th Street and north of Townsend Street, principally permitting Laboratory, Life Science, Agricultural and Beverage Processing, and Animal Hospitals in C-2 zoning districts, principally permitting Senior Housing, Residential Care Facilities, Outdoor Entertainment, Open Recreation Areas, Animal Hospitals, and Trade Schools in the C-3 zoning district, allowing formula retail as a ground floor use on Market Street, principally permitting office and design professional uses on the second floor and higher in the C-3-R zoning district, and requiring consideration of office vacancy in consideration of granting exceptions in the Transit Center Commercial Special Use District; 3) streamline sign permitting citywide and in the C-3 districts by allowing for the repair and rehabilitation of certain neon signs, and exempting existing business signs in the C-3 zoning district from certain zoning controls; 4) streamline Historic Preservation review of administrative certificates of appropriateness, and minor permits to alter for awnings, and Qualifying Scopes of Work, as may be delegated by the Historic Preservation Commission; 5) increase threshold for large projects subject to commercial to residential ratios in the C-3-O district, and provide alternatives to on-site open space in certain C-3 districts by allowing for payment of an in lieu fee as an alternative to providing open space; 6) facilitate residential adaptive reuse by amending the Building Code to add standards for adaptive reuse of non-residential buildings; and 7) principally permit formula retail and waive size limitations for such uses on a portion of Showplace Square Area (555-9th Street, Assessor's Parcel Block No. 3781, Lot No. 003); affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

FINALLY PASSED

230493 [Planning Code - Landmark Designation - The Church for the Fellowship of All Peoples]**Sponsors: Peskin; Preston and Melgar**

Ordinance amending the Planning Code to designate The Church for the Fellowship of All Peoples, at 2041 Larkin Street, Assessor's Parcel Block No. 0572, Lot No. 003, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

FINALLY PASSED

Recommendation of the Rules Committee**230451 [Administrative Code - Official Animal - Wild Parrot]****Sponsors: Melgar; Peskin and Mandelman**

Ordinance amending the Administrative Code to designate the wild parrot as the official animal of the City and County of San Francisco.

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****Recommendations of the Budget and Appropriations Committee**

President Peskin requested File Nos. 230642 and 230643 be called together.

230642 [Proposed Interim Budget and Appropriation Ordinance for Departments - FYs 2023-2024 and 2024-2025]**Sponsor: Mayor**

Proposed Interim Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of June 1, 2023, for the Fiscal Years (FYs) ending June 30, 2024, and June 30, 2025. (Supervisors Preston and Walton voted No on First Reading.)

FINALLY PASSED by the following vote:

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

230643 [Proposed Interim Annual Salary Ordinance - FYs 2023-2024 and 2024-2025]**Sponsor: Mayor**

Proposed Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Years (FYs) ending June 30, 2024, and June 30, 2025, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations.
(Supervisors Preston and Walton voted No on First Reading.)

FINALLY PASSED by the following vote:

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

NEW BUSINESS**Recommendations of the Budget and Finance Committee**

President Peskin requested File Nos. 230204 and 230342 be called together.

230204 [Airline and Airport 2023 Lease and Use Agreement]

Resolution approving the 2023 Lease and Use Agreement between the City and County of San Francisco, acting by and through its Airport Commission, and 29 airlines to conduct flight operations at the San Francisco International Airport, for a term of ten years, from July 1, 2023, through June 30, 2033; affirming the Planning Department's determination under the California Environmental Quality Act; and to authorize the Airport Director to enter into modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Airport Commission)

ADOPTED by the following vote:

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

230342 [Airline and Airport 2023 Lease and Use Agreement - Various Airlines]

Resolution approving the 2023 Lease and Use Agreement between the City and County of San Francisco, acting by and through its Airport Commission, and 11 airlines to conduct flight operations at the San Francisco International Airport, for a term of ten years, from July 1, 2023, through June 30, 2033; affirming the Planning Department's determination under the California Environmental Quality Act; and to authorize the Airport Director to enter into modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

230473 [Airport Commission Bond-Related Authorizations]

Resolution approving the issuance of not to exceed \$6,060,195,000 aggregate principal amount of San Francisco International Airport Second Series Refunding Revenue Bonds to refinance Bonds and Subordinate Bonds; approving the issuance of not to exceed \$60,525,000 aggregate principal amount of San Francisco International Airport Special Facilities Bonds to refund bonds issued to finance fuel storage and delivery facilities; approving the issuance of not to exceed \$262,530,000 aggregate principal amount of San Francisco International Airport Special Facilities Bonds to refund bonds issued to finance the Airport Hotel; approving revolving lines of credit and term loans in an available principal amount, together with the aggregate outstanding principal amount of Subordinate Bonds issued as Commercial Paper Notes, not to exceed \$600,000,000; approving the purchase of Bonds or Subordinate Bonds by the Airport; approving the maximum interest rates, maturity dates and number of issues of such Capital Plan Bonds, Refunding Bonds, Subordinate Bonds and Special Facilities Bonds; approving certain Resolutions of the Airport Commission; and approving certain other related matters, as defined herein. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

230541 [Real Property Lease - YMCA of San Francisco - Building 49 - 701 Illinois Street - Crane Cove Park - Initial Annual Base Rent \$92,809.80]**Sponsors: Mayor; Walton, Mandelman and Safai**

Resolution approving and authorizing the execution, delivery, and performance of Lease No. 16997 for Building 49 located at 701 Illinois Street within Crane Cove Park by the Young Men's Christian Association (YMCA) of San Francisco, for an initial term of 10 years plus options to extend for a total term of up to 34 years, 11 months, with an initial annual base rent of \$92,809.80 and a fee waiver for a companion license agreement, effective upon approval of this Resolution; making findings under the California Environmental Quality Act; and to authorize the Executive Director of the Port to enter into any additions, amendments or other modifications to the Lease that do not materially increase the obligations or liabilities of the City or Port and are necessary or advisable to complete the transactions which this Resolution contemplates and effectuate the purpose and intent of this Resolution. (Port)

ADOPTED by the following vote:

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

230580 [Real Estate Loan Document Amendments - BHC Balboa Builders, LLC - Balboa Reservoir Purchase - \$11,400,000]**Sponsors: Melgar; Mandelman and Safai**

Resolution approving the terms and conditions of the First Amendment to the Secured Carry-Back Promissory Note and the First Amendment to the Deed of Trust securing payment of the Balboa Reservoir purchase price of \$11,400,000.

ADOPTED by the following vote:

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

230602 [Interagency Cooperation Agreement - Transbay Joint Powers Authority - Phase 2 of the Transbay Program - Anticipated Revenue of Over \$1,000,000]**Sponsors: Dorsey; Mandelman and Safai**

Resolution approving an Interagency Cooperation Agreement between the Transbay Joint Powers Authority (TJPA) and the City and County of San Francisco relating to Phase 2 of the Transbay Program to provide for the City's consultation, services, and cooperation with TJPA to facilitate the planning, design, and construction of the Project with an anticipated revenue of over \$1,000,000 over a 10-year term, effective upon approval by the Board of Supervisors and the Mayor.

ADOPTED by the following vote:

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

Recommendations of the Budget and Appropriations Committee**230670 [Proposed Interim Budget - Office of Community Investment and Infrastructure - Operating as Successor Agency to the San Francisco Redevelopment Agency, FY2023-2024 Interim Budget]****Sponsor: Mayor**

Resolution approving the Fiscal Year ("FY") 2023-2024 Interim Budget of the Office of Community Investment and Infrastructure, operating as the Successor Agency to the San Francisco Redevelopment Agency.

ADOPTED by the following vote:

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

230711 [Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - National Human Immunodeficiency Virus Behavioral Surveillance (NHBS) - San Francisco - \$2,223,299]**Sponsors: Mayor; Dorsey and Mandelman**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of up to \$1,254,056 from the Centers for Disease Control and Prevention for a total amount of \$2,223,299 for participation in a program, entitled "National Human Immunodeficiency Virus Behavioral Surveillance (NHBS) - San Francisco," for the period of January 1, 2023, through December 31, 2023. (Public Health Department)

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

230447 [Building, Planning Codes - Existing Awning Amnesty Program]

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

Ordinance amending the Building and Planning Codes to create a temporary amnesty program for unpermitted awnings that streamlines the application process to legalize awnings, waives applicable fees, and confers legal nonconforming status for awnings and signs that do not comply with the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code Section 302.

Supervisors Ronen, Mandelman, Safai, and Engardio 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

Recommendations of the Public Safety and Neighborhood Services Committee

230070 [Urging the Department of Human Resources to Enhance the Competitiveness of Police and Sheriff's Department Recruitment Bonuses and the Police Commission and Sheriff's Department Oversight Board to Develop Full-Duty Staffing Plans]

Sponsors: Dorsey; Stefani, Mandelman, Engardio and Safai

Resolution urging the San Francisco Department of Human Resources to explore ways to adopt policies to match top recruitment bonuses offered by law enforcement agencies in Northern California that compete for new and laterally hired police officers and sheriff deputies; urging the Police Commission and Sheriff's Department Oversight Board to develop sworn staffing plans to achieve recommended full-duty police and sheriff staffing levels; and urging continued improved efficiencies in the recruitment and hiring of prospective San Francisco Police Department officers and San Francisco Sheriff's Department Deputies.

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

ADOPTED by the following vote:

Ayes: 7 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Safai, Stefani

Noes: 4 - Chan, Preston, Ronen, Walton

President Peskin requested File Nos. 230469 and 230527 be called together.

230469 [Liquor License Issuance - 2565 Mission Street - Arena SF]

Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to Qualia Entertainment Inc., to do business as Arena SF located at 2565 Mission Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

230527 [Liquor License Transfer - 2240 Market Street - The Epicurean Trader]

Resolution determining that the person-to-person, premises-to-premises transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to The Epicurean Trader, Inc., doing business as The Epicurean Trader, located at 2240 Market Street (District 8), 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

230165 [Administrative Code - Reporting Requirements for City-Funded Nonprofit Organizations]

Sponsor: Safai

Ordinance amending the Administrative Code to limit the application of nonprofit reporting requirements to organizations receiving more than \$100,000 annually, require submission of tax and governance documents to confirm nonprofit status, centralize reporting by restoring the City Administrator as the sole collector of information, and require the City Administrator to make reported information publicly available.

PASSED ON FIRST READING by the following vote:

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

230482 [Park Code - PROSAC Membership]**Sponsors: Peskin; Walton, Safai and Chan**

Ordinance amending the Park Code to 1) reduce the number of seats on the Parks, Recreation, and Open Space Advisory Committee (PROSAC), 2) provide for alternate members, 3) allow members to serve for more than four consecutive terms, 4) provide for the appointment of members having experience with environmental justice, racial equity, and disability issues; and 5) provide that meetings shall occur at City Hall.

PASSED ON FIRST READING by the following vote:

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

230467 [Appointments, Commission of Animal Control and Welfare - Michael Reed, Mikaila Garfinkel, Lisa Irene Fagundes, Jane Tobin, and Michael Angelo Torres]

Motion appointing, Michael Reed, term ending April 30, 2024, and Mikaila Garfinkel, Lisa Irene Fagundes, Jane Tobin, and Michael Angelo Torres, terms ending April 30, 2025, to the Commission of Animal Control and Welfare. (Rules Committee)

Motion No. M23-093**APPROVED by the following vote:**

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

230639 [Appointment, Sheriff's Department Oversight Board - William Monroe Palmer II]

Motion appointing William Monroe Palmer II, term ending March 1, 2027, to the Sheriff's Department Oversight Board. (Rules Committee)

Motion No. M23-094**APPROVED by the following vote:**

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

President Peskin requested File Nos. 230698, 230700, and 230699 be called together.

230698 [Presidential Appointment, Enhanced Infrastructure Financing District Public Financing Authority No. 1 - Katherine Doumani]

Motion approving President Aaron Peskin's nomination for the appointment of Katherine Doumani, term ending June 6, 2025, to the Enhanced Infrastructure Financing District Public Financing Authority No. 1. (Clerk of the Board)

Motion No. M23-095**APPROVED by the following vote:**

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

230700 [Presidential Appointment, Enhanced Infrastructure Financing District Public Financing Authority No. 1 - Keith Goldstein]

Motion approving President Aaron Peskin's nomination for the appointment of Keith Goldstein, term ending June 6, 2027, to the Enhanced Infrastructure Financing District Public Financing Authority No. 1. (Clerk of the Board)

Motion No. M23-096

APPROVED by the following vote:

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

230699 [Presidential Appointment, Enhanced Infrastructure Financing District Public Financing Authority No. 1 - Supervisor Aaron Peskin]

Motion approving the appointment of Supervisor Aaron Peskin as an alternate to seats 1, 2, and 3, term ending June 6, 2027, to the Enhanced Infrastructure Financing District Public Financing Authority No. 1. (Clerk of the Board)

Motion No. M23-097

APPROVED by the following vote:

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

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

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

Supervisor Stefani introduced, welcomed, and presented a Certificate of Honor to Steve Adami and Destiny Pletsch (Adult Probation Department) in recognition of their accomplishments serving the recovery community and establishing programs within the Reentry Division. Supervisors Safai, Dorsey, and Mandelman shared in this commendation.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to the First Responders - including Jason Mishler, Ryan Towner, Alexandro Calvillo, Bryan Hilliard, David Murray, Liam Casserly, Deryk Lee, Timothy Murphy, Erika Hoo, Andy Zanooff, Matthew Estrada, Danielle Rosenthal, Robert Recendez, David Quinonez, Ryan Roberts, Isabella Vaessen, Daniel Carrillo, Daniel Hernandez, Lin-Yi Kung, Evan Meehan, Benjamin Allen, Deion Printers, Graham Forsher, David Van Osdel, Christopher Hermosillo, Anthony Olgiun, Patrick Rabbitt, and Gregor Bovo (Fire Department); Nicholas Nagai, Josey Russell, Dennis Buckner, Tom Hoang, Ricardo Rosales, Captain Christopher Schaffer, and Jordan Coverson (Police Department); and Michael Texada, Vanessa Jackson, Felicia Cantu, Rafael Albert Losno, and Gaynorann Siataga (San Francisco General Hospital, UC San Francisco, Wrap Around Project) - who responded to the Mission neighborhood shooting that occurred on the evening of June 9, 2023, in recognition of their heroic efforts and immediate action running in to the chaotic situation. Chief Jeanine Nicholson (Fire Department), and Assistant Chief David Lazar and Captain Thomas Harvey (Police Department), provided additional commending remarks.

Supervisor Dorsey introduced, welcomed, and presented a Certificate of Honor to Lori Thoemmes on the occasion of her retirement after 28 years of service at U.C. San Francisco's Alliance Health Project, supporting the mental health and wellness of the lesbian, gay, bisexual, transgender, and queer (LBGTQ) and HIV-affected communities.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Chief Jeanine Nicholson (Fire Department) on the occasion of PRIDE Month and in recognition of her many accomplishments and continued community support. Supervisors Melgar, Walton, Engardio, Stefani, Ronen, Dorsey, Preston, Safai, and Chan shared in this commendation.

President Peskin introduced, welcomed, and presented a Certificate of Honor to Susan Goldstein, City Archivist (San Francisco Public Library), on the occasion of her retirement after 28 years of public service and in recognition of her many accomplishments archiving and preserving San Francisco's diverse heritage and organizing its extensive historic collections. Supervisor Chan shared in this commendation.

Supervisor Melgar introduced, welcomed, and presented a Certificate of Honor to Jessica Lehman (Senior & Disability Action) in recognition of her accomplishments mobilizing and educating seniors and people with disabilities to fight for individual rights and social justice. Supervisors Walton, Preston, and Ronen shared in this commendation.

SPECIAL ORDER 3:00 P.M.

President Peskin requested File Nos. 230592, 230593, 230594, and 230595 be called together.

230592 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 1151 Washington Street Project]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on April 7, 2023, for the proposed project at 1151 Washington Street, Assessor's Parcel Block No. 0213, Lot No. 025, to allow the demolition of a single-family dwelling and the construction of a four-story, 40-foot tall building containing 10 dwelling units (one three-bedroom unit and nine two-bedroom units), one unbundled off-street parking space and 10 Class one bicycle parking spaces, within a RM-3 (Residential-Mixed, Moderate-Density) Zoning District and a 65-A Height and Bulk District; the seeking waivers from Development Standards including front setback (Section 132), rear yard (Section 134), dwelling unit exposure (Section 140), and bicycle parking (Section 155), pursuant to State Density Bonus Law. (District 3) (Appellant: Richard Drury of Lozeau Drury LLP, on behalf of Clayton Timbrell and the Upper Chinatown Neighborhood Association) (Filed May 17, 2023) (Clerk of the Board)

President Peskin opened the public hearing and inquired as to whether any individual wished to address the Board. Scott Emblidge, Richard Drury, and Hanmin Liu (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Otto Duffy; Chen Wong; Raymond Ning; Speaker; spoke in support of the appeal and in opposition to the project. Lisa Gibson (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Bill Chien (Department of Public Health) presented additional information and responded to questions raised throughout the discussion. Ryan Patterson and Brian O'Neill (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Jane Natoli; Kent Raconi; Mike Chien; Adam Pavlacka; Hoya Badiva; John Gunaman; Alan Burradell; Robert Fruchtmann; Brian Quan; Charles Ayers; Jonathan Randolph; spoke in support of the project and in opposition to the appeal. Scott Emblidge and Richard Drury (Appellants) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Peskin closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

230593 [Affirming the Categorical Exemption Determination - 1151 Washington Street]

Motion affirming the determination by the Planning Department that the proposed project at 1151 Washington Street is categorically exempt from environmental review. (Clerk of the Board)

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

Ayes: 7 - Chan, Mandelman, Melgar, Peskin, Preston, Ronen, Walton

Noes: 4 - Dorsey, Engardio, Safai, Stefani

230594 [Conditionally Reversing the Exemption Determination - 1151 Washington Street]

Motion conditionally reversing the determination by the Planning Department that the proposed project at 1151 Washington Street is exempt from environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Motion No. M23-098

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

Ayes: 7 - Chan, Mandelman, Melgar, Peskin, Preston, Ronen, Walton

Noes: 4 - Dorsey, Engardio, Safai, Stefani

230595 [Preparation of Findings to Reverse the Exemption Determination - 1151 Washington Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 1151 Washington Street is exempt from environmental review. (Clerk of the Board)

Motion No. M23-099

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

Ayes: 7 - Chan, Mandelman, Melgar, Peskin, Preston, Ronen, Walton

Noes: 4 - Dorsey, Engardio, Safai, Stefani

SPECIAL ORDER 3:00 P.M.

Due to the prior approval of File Nos. 230594 and 230595 during the previous Special Order (reversing the Planning Department's environmental review determination for this project), President Peskin reported that File Nos. 230630, 230631, 230632, and 230633 were no longer before the Board for consideration. Clerk Calvillo confirmed that the entirety of this Special Order regarding the Conditional Use authorization shall be Tabled by Operation of Law.

230630 [Hearing - Appeal of Conditional Use Authorization Approval - 1151 Washington Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 206.6, 209.2, 303, and 317 of the Planning Code, for a proposed project at 1151 Washington Street, Assessor's Parcel Block No. 0213, Lot No. 025, identified in Planning Case No. 2022-010833CUA, issued by the Planning Commission by Motion No. 21310, dated April 20, 2023, to permit the demolition of a single-family dwelling and construct a four-story, 40-foot tall building containing 10 dwelling units (one three-bedroom unit and nine two-bedroom units), one off-street parking space and 10 Class one bicycle parking spaces, under the individually requested state density bonus program; and seeking waivers from Development Standards including front setback (Section 132), rear yard (Section 134), dwelling unit exposure (Section 140), and bicycle parking (Section 155), pursuant to Planning Code, Section 206.6, and California Government Code, Section 65915, within the RM-3 (Residential-Mixed, Medium-Density) Zoning District and a 65-A Height and Bulk District. (District 3) (Appellant: Deborah Holley of Holley Consulting, on behalf of 1155 Washington Street LLC) (Filed May 19, 2023) (Clerk of the Board)

TABLED BY OPERATION OF LAW

230631 [Approving Conditional Use Authorization - 1151 Washington Street]

Motion approving the decision of the Planning Commission by its Motion No. 21310, approving a Conditional Use Authorization, identified as Planning Case No. 2022-010833CUA, for a proposed project located at 1151 Washington Street; 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)

TABLED BY OPERATION OF LAW

230632 [Disapproving the Conditional Use Authorization - 1151 Washington Street]

Motion disapproving the decision of the Planning Commission by its Motion No. 21310, approving a Conditional Use Authorization, identified as Planning Case No. 2022-010833CUA, for a proposed project at 1151 Washington Street. (Clerk of the Board)
(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

TABLED BY OPERATION OF LAW

230633 [Preparation of Findings Related to Conditional Use Authorization - 1151 Washington Street]

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2022-010833CUA for a proposed project at 1151 Washington Street. (Clerk of the Board)

TABLED BY OPERATION OF LAW

SPECIAL ORDER 3:00 P.M.

President Peskin requested File Nos. 230634, 230635, 230636, and 230637 be called together.

Supervisor Safai Excused from Voting

Out of an abundance of caution, Supervisor Safai requested to be excused from voting on File Nos. 230634, 230635, 230636, and 230637, due to a possible conflict of interest.

Supervisor Mandelman, seconded by Supervisor Dorsey, moved that Supervisor Safai be excused from voting on File Nos. 230634, 230635, 230636, and 230637. The motion carried by the following vote:

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

230634 [Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 209.2, 253, and 303 of the Planning Code, for a proposed project at 3832-18th Street, Assessor's Parcel Block No. 3580, Lot No. 018, identified in Planning Case No. 2020-001610CUA-02, issued by the Planning Commission by Motion No. 21312, dated April 20, 2023, to allow approval of an individually requested state density bonus project pursuant to Planning Code, Section 206.6 (using the state density bonus law (California Government Code, Sections 65915-65918)), for the project; and invoking waivers from the Development Standards for rear yard (Section 134), dwelling unit exposure (Section 140), and maximum height limit (Section 260) that would construct a new six-story, 60-foot tall, residential building of 11,147 gross square foot with 19 group housing units within the RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height and Bulk District. (District 8) (Appellant: Athanassios Diacakis) (Filed May 19, 2023) (Clerk of the Board)

President Peskin opened the public hearing and inquired as to whether any individual wished to address the Board. Amy Silverstein (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Gary Peddler; Bruce Fernandez; Otto Duffy; Speaker; Ken; Jonathan Gabrioli; Louis Goarder; Anastasia Yovanopoulos; spoke in support of the appeal and in opposition to the project. Elizabeth Gordon-Jonckheer and Kate Conner (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Brian O'Neill (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Jane Natoli; Kent Raconi; Adam Hilaga; Robert Fuchtman; Speaker; Charles Ayers; Jonathan Randolph; John Gunaman; spoke in support of the project and in opposition to the appeal. Amy Silverstein (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Peskin closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

230635 [Approving Conditional Use Authorization - 3832-18th Street]

Motion approving the decision of the Planning Commission by its Motion No. 21312, approving a Conditional Use Authorization, identified as Planning Case No. 2020-001610CUA-02, for a proposed project located at 3832-18th Street; 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. M23-100

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

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

230636 [Disapproving the Conditional Use Authorization - 3832-18th Street]

Motion disapproving the decision of the Planning Commission by its Motion No. 21312, approving a Conditional Use Authorization, identified as Planning Case No. 22020-001610CUA-02, for a proposed project at 3832-18th Street. (Clerk of the Board)
(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

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

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

230637 [Preparation of Findings Related to Conditional Use Authorization - 3832-18th Street]

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2020-001610CUA-02 for a proposed project at 3832-18th Street. (Clerk of the Board)

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

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Thierry Fill; wished the Board a Happy Fourth of July and shared the need to slow down, think more, and focus.

Megan Cowdell; shared an update on the parrots of Telegraph Hill and a health issue that is currently afflicting the flock.

Speaker; expressed concerns regarding artificial intelligence and how it affects the job market.

Ken; expressed concerns regarding substance abuse and death rates.

Gilbert Crisswell; expressed concerns regarding the budget process and thanked the Budget and Appropriations Committee members for their leadership and efforts.

Joe Kunzler; expressed concerns regarding gun violence issues and in support of legislation on the same subject.

(Speaker provided harassing remarks not under the jurisdiction of the Board; the speaker's time was discontinued pursuant to federal, state and local regulations.)

Speaker; expressed concerns regarding spending of tax dollars and the need to expend funds responsibly.

Speaker; thanked the Board and Police Departments for their efforts reducing gun and violent incidents.

San Francisco; expressed support of the Police Department and their efforts reducing drug issues and concerns regarding the elected officials' actions.

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 7:00 p.m. The President resumed the chair 7:04 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Engardio was noted absent at 7:16 p.m. and for the remainder of the meeting.

230742 [Approval of a 180-Day Extension for Planning Commission Review of State-Mandated Accessory Dwelling Unit Controls (File No. 230310)]

Sponsor: Mayor

Resolution extending by 180 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 230310) amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings and to permit certain ADUs in the rear yard under the City's local, discretionary approval program; making findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

ADOPTED

230743 [Approval of a 90-Day Extension for Planning Commission Review of Mission and 9th Street Special Use District (File No. 230540)]**Sponsor: Dorsey**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (Board File No. 230540) amending the Planning Code by re-adopting the former Planning Code section and Zoning Map designation creating the Mission and 9th Street Special Use District (SUD) at 1270 Mission Street, located at Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, in the area generally bounded by Mission Street on the south, Laskie Street on the east, Assessor's Parcel Block No. 3701, Lot Nos. 22, 23, and 24 on the west, and Assessor's Parcel Block No. 3701, Lot No. 66 to the north; changing the height limit on Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, within the SUD, from 120-X to 200-X; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

ADOPTED**230746 [Supporting the Proposed 28th Amendment to the United States Constitution by California Governor Newsom]****Sponsors: Stefani; Mandelman, Ronen, Walton, Preston and Safai**

Resolution supporting California Governor Gavin Newsom's proposed 28th Amendment to the United States Constitution to enshrine fundamental, broadly supported gun safety measures into law.

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

ADOPTED**230757 [Reappointment, Child Care Planning and Advisory Council - Heather Cassandra Morado]**

Motion reappointing Heather Cassandra Morado (residency requirement waived), term ending March 19, 2026, to the Child Care Planning and Advisory Council (District 8). (Clerk of the Board)
Heather Cassandra Morado (residency requirement waived), seat 8, succeeding herself, term expired, must be a nominee of the District 8 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for the unexpired portion of a three-year term ending March 19, 2026.

Motion No. M23-101**APPROVED****The foregoing items were acted upon by the following vote:**

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

Absent: 1 - Engardio

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

230733 [Lease Termination Agreement - Airport Concession Lease - XpresSpa S.F. International, LLC]

Resolution approving the Lease Termination Agreement for the Terminal 2 Specialty Retail Concession Lease No. 5, Lease No. 18-0156, between XpresSpa S.F. International, LLC, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

06/08/23; RECEIVED FROM DEPARTMENT.

06/27/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230749 [Contract Amendment - Banc of America Merchant Services, LLC and Bank of America N.A. - Merchant Processing Agreement - Not to Exceed \$9,127,020]

Resolution authorizing the Office of the Treasurer & Tax Collector to amend a merchant processing agreement which enables the City and County of San Francisco to accept credit and debit cards with point of sale terminals with Banc of America Merchant Services, LLC and Bank of America N.A, to increase the contract amount by \$1,127,020 for a total amount not to exceed \$9,127,020 and to extend the contract term for an additional one year from August 14, 2023, for the total term of August 15, 2013, through August 14, 2024, effective upon approval of this Resolution. (Treasurer-Tax Collector)

06/15/23; RECEIVED FROM DEPARTMENT.

06/27/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230750 [Professional Services Agreement Modification - Parsons Water & Infrastructure Group, Inc. - Southeast Water Pollution Control Plant Program Construction Management Services - Not to Exceed \$47,000,000]

Resolution approving Modification No. 1 to Contract No. PRO.0104, Southeast Water Pollution Control Plant Program Construction Management Services, with Parsons Water & Infrastructure Group, Inc., to increase the contract amount by \$12,000,000 for a total not to exceed contract amount of \$47,000,000 pursuant to Charter, Section 9.118, with no change to the ten-year term from July 13, 2018, through June 30, 2028. (Public Utilities Commission)

06/16/23; RECEIVED FROM DEPARTMENT.

06/27/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230751 [Software Service Agreement Amendment - Yardi Systems, Inc. - Real Property/Asset Management Program, Data Hosting Services - Not to Exceed \$515,290]

Resolution approving Amendment No. 3 to Contract No. BPUC13000025, Software as a Service Agreement, with Yardi Systems, Inc., to increase the contract amount by \$175,000 for a new total not to exceed contract amount of \$515,290 and increase the contract duration by five years, for a new term of April 23, 2013, through April 24, 2028, for a total contract duration of 15 years, effective upon approval of this Resolution, pursuant to Charter, Section 9.118; and to authorize the General Manager of the San Francisco Public Utilities Commission to enter into amendments or modifications to the Agreement that do not materially increase the obligations or liabilities to the City or materially diminish the benefits to the City and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Utilities Commission)

06/16/23; RECEIVED FROM DEPARTMENT.

06/27/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230752 [Wastewater Enterprise Agreement Modification - McMillen Jacobs Associates/Stantec, Joint Venture - Tunnel Engineering Services, Folsom Area Stormwater Improvement Project - Not to Exceed \$17,200,000]

Resolution approving Modification No. 5 to the Folsom Area Stormwater Improvement Project, Contract No. PRO.0101, Tunnel Engineering Services, with McMillen Jacobs Associates/Stantec, Joint Venture, to increase the contract amount by \$7,500,000 for a new total not to exceed contract amount of \$17,200,000 and increase the contract duration by four years from November 30, 2023, for a total contract duration of nine years and one month with a new term period of November 1, 2018, through November 30, 2027, to provide specialized engineering services for the Folsom Area Stormwater Improvement Project, pursuant to Charter, Section 9.118. (Public Utilities Commission)

06/16/23; RECEIVED FROM DEPARTMENT.

06/27/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230753 [Participation Agreement and Administrative Services Agreement - Retroactive - California Department of Health Care Services - Medi-Cal County Inmate Program - Not to Exceed \$24,443.73]

Resolution retroactively authorizing the City and County of San Francisco (City), acting by and through its Department of Public Health (DPH), to enter into the following two related agreements with the California Department of Health Care Services (State) for reimbursement under the State's Medi-Cal County Inmate Program (MCIP): 1) Participation Agreement 23-MCIPSANFRANCISCO-38; and 2) Administrative Services Agreement No. 23-30045; in the amount not to exceed \$24,443.73 for a term period of July 1, 2023, through and including June 30, 2026, authorizing the City to assume sole financial responsibility for any and all penalties and interest charged as a result of a federal audit disallowance related to the rendering of services by the State under the MCIP; and authorizing DPH to enter into modifications to the agreements that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Agreements or this Resolution. (Public Health Department)

06/16/23; RECEIVED FROM DEPARTMENT.

06/27/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230754 [Contract Amendment - Bank of America N.A. - Banking Services - Not to Exceed \$8,083,000]

Resolution authorizing the Office of the Treasurer & Tax Collector to amend a banking services agreement which enables the City and County of San Francisco to maintain lockbox processing, pay suppliers using Paymode, and maintain several department stand-alone depository bank accounts with Bank of America N.A, to increase the contract amount by \$83,000 for a total amount of \$8,083,000 and extend the contract term for an additional three months from August 31, 2023, for the total period of August 22, 2013, through November 30, 2023, effective upon approval of this Resolution. (Treasurer-Tax Collector)

06/16/23; RECEIVED FROM DEPARTMENT.

06/27/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:19 p.m.