

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 3, 2024 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT

CONNIE CHAN, MATT DORSEY, JOEL ENGARDIO, RAFAEL MANDELMAN,
MYRNA MELGAR, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI,
CATHERINE STEFANI, SHAMANN WALTON

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Chan, Mandelman, Melgar, Walton, Peskin

Budget and Finance Committee

Supervisors Chan, Mandelman, Melgar

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Walton, Safai

Meeting Days

Wednesday

1:30 PM

Wednesday

9:00 AM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, September 3, 2024, with President Aaron Peskin presiding.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

All Members were present.

President Peskin presented the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula, pursuant to Board Rule 4.7.1.

President Peskin led the Members of the Board and the audience in the Pledge of Allegiance to the Flag of the United States of America, pursuant to Board Rule 4.9.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, welcomed members of the public to attend Board meetings and provide comment in-person or view the meeting live on SFGovTV's award winning Cable Channel 26 or at www.sfgovtv.org. Those requiring interpretation services should contact the Office of the Clerk of the Board at least two business days in advance of the meeting, pursuant to Administrative Code, Section 91.7.

(Written comments may be submitted through email (bos@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.)

APPROVAL OF MEETING MINUTES

President Peskin inquired whether a Member of the Board had any corrections to the July 2, 2024, July 9, 2024, July 16, 2024, July 23, 2024, Regular Board Meeting Minutes, and the July 23, 2024 (9:00 a.m.), and July 23, 2024 (9:05 a.m.), Special Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Dorsey, moved to approve the July 2, 2024, July 9, 2024, July 16, 2024, July 23, 2024, Regular Board Meeting Minutes, and the July 23, 2024 (9:00 a.m.), and July 23, 2024 (9:05 a.m.), Special 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

240670 [Settlement of Lawsuit - Dora Barnes - \$27,500]

Ordinance authorizing settlement of the lawsuit filed by Dora Barnes against the City and County of San Francisco for \$27,500; the lawsuit was filed on February 2, 2021, in San Francisco Superior Court, Case No. CGC-21-589587; entitled Dora Barnes v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

Ordinance No. 218-24

FINALLY PASSED

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

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

Ordinance No. 219-24

FINALLY PASSED

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

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

Ordinance No. 220-24

FINALLY PASSED

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

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

Ordinance No. 221-24

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

240665 [Transportation Code - Fee Waivers for Qualifying Neighborhood Outdoor Events - Certain Sunset District Streets]

Sponsors: Mayor; Mandelman, Melgar, Engardio, Dorsey and Chan

Ordinance amending the Transportation Code to waive fees related to the temporary closure of streets for events on Irving, Noriega, and Taraval Streets, from 19th Avenue to the Great Highway, that are organized by community-serving nonprofit arts and culture organizations, small businesses, merchant associations, neighborhood resident associations, and property and business improvement districts, and to set a sunset date of June 30, 2027, for the program waiving fees related to such street closures throughout the City.

(Fiscal Impact)

Ordinance No. 222-24

FINALLY PASSED by the following vote:

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

Recommendations of the Land Use and Transportation Committee**240725 [Planning Code - Landmark Designation - Rainbow Flag at Harvey Milk Plaza]****Sponsors: Mandelman; Engardio, Dorsey, Peskin, Chan, Melgar, Preston, Safai, Ronen, Stefani and Walton**

Ordinance amending the Planning Code to designate the Rainbow Flag Installation at Harvey Milk Plaza, by Gilbert Baker, located at the southwest corner of the intersection of Market Street and Castro Street, 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.

Ordinance No. 223-24**FINALLY PASSED by the following vote:**

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

240766 [Administrative Code - Ban on Automated Rent-Setting]**Sponsors: Peskin; Chan, Preston, Melgar, Ronen and Dorsey**

Ordinance amending the Administrative Code to prohibit the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units located in San Francisco.

Ordinance No. 224-24**FINALLY PASSED by the following vote:**

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

240723 [Authorizing Certificates of Participation - Concourse Garage Project - Not to Exceed \$29,000,000]

Sponsors: Mayor; Mandelman and Melgar

Ordinance authorizing the execution and delivery of Certificates of Participation on a tax-exempt or taxable basis evidencing and representing an aggregate principal amount of not to exceed \$29,000,000 to fund all or a portion of the acquisition of the Concourse Garage; authorizing the issuance of commercial paper notes in advance of the delivery of the Certificates; approving the form of Trust Agreement between the City and County of San Francisco and the Trustee (including certain indemnities contained therein); authorizing the selection of the Trustee by the Director of Public Finance; approving respective forms of a Property Lease and a Lease Agreement, each between the City and County of San Francisco and the Trustee for the lease and lease back of certain property and facilities of the City; approving the forms of Purchase Contract, Official Notice of Sale, and Notice of Intention to Sell Certificates; directing the publication of the Notice of Intention to Sell Certificates; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of the Certificates; approving the form of the Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, execution, sale and delivery of the Certificates, including termination of the Ground Lease and transfer of the Concourse Garage property and related property to the City and County of San Francisco under the jurisdiction of the Recreation and Park Commission; approving modifications to documents and agreements; declaring the City's intent to reimburse certain expenditures; and ratifying previous actions taken in connection therewith, as defined herein. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

240728 [Business and Tax Regulations Code - Transfer Tax Reduction for Union Labor-Built and Union Pension Fund-Financed Housing]

Sponsors: Safai; Chan and Melgar

Ordinance amending the Business and Tax Regulations Code to reduce the real property transfer tax rates from 5.5% to 3% when the consideration or value of the interest or property conveyed is at least \$10,000,000 but less than \$25,000,000; and from 6% to 3% when the consideration or value of the interest or property conveyed equals or exceeds \$25,000,000 for transfers of certain properties with at least 12% rent-restricted affordable units, that were constructed using union labor, and had a debt or equity investment of at least \$25,000,000 from a union pension fund at the time of the transfer; and affirming the Planning Department's determination under the California Environmental Quality Act. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

President Peskin requested File Nos. 240642 and 240679 be called together.

240642 [Accept and Expend Grant - Retroactive - National Park Service through the California Department of Parks and Recreation - Buchanan Street Mall Project - \$8,124,800]

Sponsors: Mayor; Preston and Mandelman

Resolution retroactively authorizing the Recreation and Park Department to accept and expend up to \$8,124,800 in grant funding from the National Park Service through the California Department of Parks and Recreation for the Buchanan Street Mall Project for the period of July 1, 2022, through January 31, 2027; to enter into a grant contract with the California Department of Parks and Recreation; and to authorize the General Manager of the Recreation and Park Department to enter into any modifications and amendments to the Grant Contract that do not materially increase the obligations or liabilities of the City. (Recreation and Park Department)
(Fiscal Impact)

Resolution No. 448-24

ADOPTED by the following vote:

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

240679 [Accept and Expend Grant - California State Coastal Conservancy - India Basin Shoreline Park Redevelopment Project - \$5,500,000]

Sponsors: Mayor; Walton and Mandelman

Resolution authorizing the Recreation and Park Department to accept and expend a grant from the California State Coastal Conservancy in the amount of \$5,500,000 for the India Basin Shoreline Park Redevelopment Project; approving the associated grant agreement for a term limit that is effective upon approval of this Resolution through December 31, 2027; 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. (Recreation and Park Department)

Resolution No. 449-24

ADOPTED by the following vote:

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

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

Sponsor: Mayor

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

Resolution No. 450-24

ADOPTED by the following vote:

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

240767 [Accept and Expend Grant - Retroactive - California Department of Public Health - Fentanyl Overdose Prevention Grant - \$1,281,000]

Sponsors: Mayor; Ronen and Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,281,000 from the California Department of Public Health for participation in a program, entitled "Fentanyl Overdose Prevention Grant," for the period of March 1, 2024, through February 28, 2027. (Public Health Department)

Resolution No. 447-24

ADOPTED by the following vote:

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

240768 [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - County Victim Services Program - \$364,146]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$364,146 and the City providing matching funds in the amount of \$91,037 for the grant period of January 1, 2024, through December 31, 2024, from the California Governor's Office of Emergency Services for the County Victim Services Program. (District Attorney)

Resolution No. 451-24

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

240758 [Updating Infill Opportunity Zone for Congestion Management Planning]

Sponsor: Mandelman

Resolution updating the area designated as an Infill Opportunity Zone for Congestion Management Planning in the City and County of San Francisco under California Government Code, Section 65088 et seq.

Resolution No. 452-24

ADOPTED 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

President Peskin requested File Nos. 240749 and 240751 be called together.

240749 [Liquor License Issuance - 65 Post Street - 7 Social]

Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to SR Visions, LLC, to do business as 7 Social located at 65 Post Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 453-24

ADOPTED by the following vote:

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

240751 [Liquor License Issuance - 2801 Leavenworth Street - Reverb]

Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to Talldoor Entertainment LLC, to do business as Reverb located at 2801 Leavenworth Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 454-24

ADOPTED 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

There were no commendations recognized.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Mark; shared concerns regarding vaccines and their religious views.

Glenn Rogers; expressed concerns regarding the Library Commission and the Oceanview Branch Library.

Chris Ward Kline; expressed concerns regarding technology and its affect on government policies.

Jordan Davis; expressed concerns regarding sexual assaults.

Lia McGeever; expressed concerns regarding sexual assaults.

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

Rory Gamble; expressed concerns regarding a personal incident.

Ian Low; expressed concerns and suggestions regarding fentanyl testing strips.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

240819 [Appointment, Commission on Disability and Aging Advisory Council - Beverly Karnatz]

Motion appointing Beverly Karnatz, term ending March 31, 2026, to the Commission on Disability and Aging Advisory Council. (Clerk of the Board)

Motion No. M24-080

APPROVED

240834 [Appointment, Child Care Planning and Advisory Council - Delia Fitzpatrick]

Motion appointing Delia Fitzpatrick, term ending September 14, 2026, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Motion No. M24-081

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 Dorsey requested that File No. 240818 be severed so that it may be considered separately.

240818 [Intent to Expand Local Rent Control Protections]

Sponsors: Peskin; Chan, Preston and Walton

Resolution declaring the Board of Supervisors intent to expand local rent control protections to go into effect if the Costa-Hawkins Act is repealed via ballot measure on November 5, 2024.

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

Resolution No. 455-24

ADOPTED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

ORDINANCES

240840 [Appropriation - \$30,500,000 of Certificates of Participation Refunding Proceeds and Operating Revenue - FY2024-2025]

Sponsors: Mayor; Mandelman and Melgar

Ordinance appropriating \$30,500,000 consisting of \$29,000,000 of one or more series of Certificates of Participation Series 2024A proceeds and \$1,500,000 of projected parking revenues from operation of the Music Concourse Garage in the Recreation and Park Department (REC), and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation and acquisition of the Music Concourse Garage in Fiscal Year (FY) 2024-2025.

(Fiscal Impact)

09/03/24; ASSIGNED to Budget and Finance Committee.

240841 [Delegation of Approval Authority for Contracts with OCII for Transbay Project]**Sponsors: Mayor; Mandelman, Melgar and Dorsey**

Ordinance delegating Board of Supervisors approval authority under Charter, Section 9.118(a), to the Department of Public Works to enter into and amend contracts with the Office of Community Investment and Infrastructure ("OCII") for the Transbay Project; and authorizing the Department of Public Works to execute certain access agreements necessary to further the development of the Transbay Project.

09/03/24; ASSIGNED to Budget and Finance Committee.

240842 [Accept and Expend Grant - Retroactive - California Jobs First Catalyst Program - \$14,000,000]**Sponsor: Mayor**

Ordinance retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$14,000,000 from the California Economic Development Department for the California Jobs First Catalyst Program, for the grant period of May 1, 2024, through September 30, 2026; and exempting the California Jobs First Catalyst Program subgrants from the grantmaking requirements under Administrative Code, Chapter 21G, and all other provisions in the Administrative, Environment, and Labor and Employment Codes imposing obligations or restrictions on subgrantees related to the program. (Department of Economic and Workforce Development)

09/03/24; ASSIGNED to Budget and Finance Committee.

240843 [Administrative Code - Entertainment Zones]**Sponsors: Mayor; Dorsey**

Ordinance amending the Administrative Code to establish four Entertainment Zones: 1) on Maiden Lane between Kearny Street and Grant Avenue; 2) on Mark Lane and on Harlan Place between Grant Avenue and Mark Lane; 3) on Market Street between 5th Street and 6th Street, with eastern boundaries at Mason Street on the north side of Market Street and at 5th Street on the south side of Market Street, and western boundaries at the intersection of Golden Gate Avenue and Taylor Street on the north side of Market Street and at 6th Street on the south side of Market Street; and 4) the area bounded by Warriors Way on the north, Terry A. Francois Boulevard on the east, 16th Street on the south, and 3rd Street on the west; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/03/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/3/2024.

240844 [Police Code - Vehicle Sideshows]**Sponsors: Mayor; Dorsey and Stefani**

Ordinance amending the Police Code to 1) prohibit persons from promoting a Vehicle Sideshow or preparations for such a sideshow; 2) prohibit persons from assembling together to obstruct the streets, sidewalks, highways, other public right-of-ways, off-street parking facilities, or private property in connection with a Vehicle Sideshow or preparations for such a sideshow; 3) prohibit persons from knowingly being present at a Vehicle Sideshow or preparations for such a sideshow for purposes of participating in the Vehicle Sideshow; 4) prohibit persons present at a Vehicle Sideshow or preparations for such a sideshow from interfering with official performance of law enforcement duties; 5) seize and impound vehicles used in a Vehicle Sideshow or preparations for such a sideshow, and under certain conditions sell the vehicles; and 6) make violations of these provisions a misdemeanor, subject to imprisonment and/or fine.

09/03/24; ASSIGNED to Public Safety and Neighborhood Services Committee.

240845 [Building Code - Gas Infrastructure for EPCA Appliances in New Construction]**Sponsors: Mandelman; Melgar**

Ordinance amending the Building Code to allow new construction that complies with the Design Guidelines for Electric-Ready Buildings to install gas infrastructure to serve appliances covered by the Energy Policy and Conservation Act (EPCA); adopting findings of local conditions under the California Health and Safety Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

09/03/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/3/2024.

RESOLUTIONS**240846 [Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$1,154,519]****Sponsors: Mayor; Mandelman**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$1,154,519 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period of July 1, 2024, through June 30, 2025. (District Attorney)

09/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240847 [Ground Lease - Abode Property Management - 1174-1178 Folsom Street and 663 Clementina Street - 100% Permanent Supportive Housing - Rent Not to Exceed \$1]**Sponsor: Mayor**

Resolution 1) approving and authorizing the Director of Property and the Executive Director of the Department of Homelessness and Supportive Housing ("HSH") to enter into a Ground Lease with Abode Property Management for the real property owned by the City, located at 1174-1178 Folsom Street and 663 Clementina Street (collectively, the "Property"), for an initial lease term of five years with ten automatic extensions of the lease term for an additional period of five years each and a total rent not to exceed \$1 in order to operate the Property as permanent supportive housing; 2) determining in accordance with Administrative Code, Section 23.33, that the below market rent payable under the Ground Lease will serve a public purpose by providing permanent supportive housing for formerly homeless and low-income households; 3) adopting findings declaring that the Property is "exempt surplus land" under the California Surplus Land Act; 4) affirming the Planning Department's determination under the California Environmental Quality Act, and adopting the Planning Department's findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1; and 5) authorizing the Director of Property and/or the HSH Executive Director to execute and make certain modifications to the Ground Lease, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein. (Fiscal Impact)

09/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240848 [Grant Agreement - Abode Property Management - Property Management Services for Permanent Supportive Housing - Not to Exceed \$14,177,264]**Sponsor: Mayor**

Resolution approving the grant agreement between Abode Property Management and the Department of Homelessness and Supportive Housing ("HSH") for property management services for permanent supportive housing at 1174-1178 Folsom Street; approving a term of November 1, 2024, through June 30, 2029, and a total not to exceed amount of \$14,177,264; and authorizing HSH to enter into any amendments or other modifications to the agreement that do not materially increase the obligations or liabilities, or materially decrease the benefits to the City and are necessary or advisable to effectuate the purposes of the agreement. (Department of Homelessness and Supportive Housing) (Fiscal Impact)

09/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240849 [Commercial Ground Lease - Broadway Davis Retail Associates LLC - 725 Davis Street - First Amendment to Residential Ground Lease - 735 Davis Senior, L.P. - 735 Davis - Annual Base Rent of \$1]**Sponsor: Mayor**

Resolution 1) approving and authorizing the Director of Property and the Mayor's Office of Housing and Community Development ("MOHCD") to enter into a Commercial Ground Lease for Real Property owned by the City and located at 725 Davis Street (the "Commercial Property") with Broadway Davis Retail Associates LLC, for a lease term of 70 years and one 24-year option to extend and an annual base rent of \$1 ("Commercial Ground Lease"), in order to develop ground floor commercial space for community-serving uses ("Commercial Project"); 2) approving and authorizing the Director of Property and the Director of MOHCD to enter into a First Amendment to the Residential Ground Lease to remove the Commercial Property from the leased premises under the Ground Lease between the City and 735 Davis Senior, L.P., related to a 52-unit affordable housing development for low-income seniors, including 15 units for homeless seniors; 3) adopting findings that the Project and proposed transactions are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; 4) determining that the less than market rent payable under the Commercial Ground Lease will serve a public purpose by providing commercial spaces for community-serving spaces, in accordance with Administrative Code, Section 23.3; and 5) authorizing the Director of Property and/or the Director of MOHCD to execute the Commercial Ground Lease and the First Amendment to the Residential Ground Lease and make certain modifications to such agreements, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein.

09/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240850 [Accept and Expend Grant - Retroactive - National Institutes of Health - Heluna Health - The Bridge Clinic: Optimizing Injectable PrEP Delivery for Transgender and Non-Binary People - \$160,074]**Sponsors: Mayor; Mandelman, Dorsey, Engardio and Ronen**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase from the National Institutes of Health through Heluna Health for participation in a program, entitled "The Bridge Clinic: Optimizing Injectable PrEP Delivery for Transgender and Non-Binary People," in the amount of \$88,930 for the period of February 22, 2024, through January 31, 2025, for a total amount of \$160,074 for the total period of April 1, 2023, through January 31, 2025. (Public Health Department)

09/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240851 [Setting Property Tax Rate and Establishing Pass-Through Rates for Residential Tenants - FY2024-2025]**Sponsor: Chan**

Resolution levying property taxes at a combined rate of \$1.17143563 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco County Office of Education, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District; and establishing pass-through rates per \$100 of assessed value for residential tenants and based on tenancy commencement dates pursuant to Administrative Code, Chapter 37, for the Fiscal Year (FY) ending June 30, 2025. (Fiscal Impact)

09/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240852 [Transit Month - September 2024]**Sponsors: Mandelman; Dorsey, Ronen, Melgar, Safai, Engardio, Stefani, Walton, Preston and Peskin**

Resolution proclaiming September 2024 as the Ninth Annual San Francisco Transit Month in the City and County of San Francisco.

09/03/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240853 [Use Agreement - Retroactive - CSUITEMUSIC, LLC - Documentary "SFPD Journey to Justice"]**Sponsors: Melgar; Safai**

Resolution retroactively authorizing the San Francisco Police Department ("SFPD") to enter into a Use Agreement with CSUITEMUSIC, LLC ("Producer") to develop and produce a documentary, entitled "SFPD Journey to Justice," about Sojourn to the Past, a retracing of the Civil Rights Movement and its connection to the modern policing profession, granting all necessary trademark licenses and rights to traditional and digital networks. (Police Department)

09/03/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240854 [Consolidation of Elections Scheduled for November 5, 2024]**Sponsor: Peskin**

Resolution consolidating the following elections, all of which will be held on November 5, 2024, the State of California General Election; the City and County of San Francisco Municipal Election; City and County of San Francisco's Special Bond Election; the Bay Area Rapid Transit District Election; the San Francisco Unified School District Board of Education (School Board) Election; the School Board Special Election for General Obligation Bonds; and the San Francisco Community College Board of Trustees Election; and providing that the election precincts, voting places, and officers for these elections shall be the same as for the State General Election.

09/03/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240855 [Approval of a 180-Day Extension for Planning Commission Review of New Rooftop Floor Area or Building Volume on Noncomplying Structure at 1896 Pacific Avenue (File No. 240729)]

Sponsor: Stefani

Resolution extending by 180 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 240729) amending the Planning Code to permit new floor area or building volume on the rooftop of a noncomplying structure located at 1896 Pacific Avenue, on Assessor's Parcel Block No. 0576, Lot Nos. 27-44; affirming the Planning Department's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/03/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240856 [National Service Dog Awareness Month - September 2024]

Sponsors: Stefani; Ronen and Mandelman

Resolution recognizing September 2024 as National Service Dog Awareness Month in the City and County of San Francisco.

MOTIONS

240835 [Appointment, Child Care Planning and Advisory Council - Claudia Quinonez]

Motion appointing Claudia Quinonez (residency requirement waived), term ending March 19, 2027, to the Child Care Planning and Advisory Council (District 4). (Clerk of the Board)

09/03/24; RECEIVED AND ASSIGNED to Rules Committee.

240839 [Mayoral Appointment, Public Works Commission - Eleanor Blume]

Motion approving/rejecting the Mayor's nomination for the appointment of Eleanor Blume to the Public Works Commission, for a term ending July 2, 2026. (Clerk of the Board)

(Charter, Section 4.141, provides that this nomination is subject to confirmation by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: September 3, 2024.)

09/03/24; RECEIVED AND ASSIGNED to Rules Committee.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

240823 [Settlement of Lawsuit - San Francisco Apartment Association, San Francisco Association of Realtors, Coalition for Better Housing, and Small Property Owners of San Francisco Institute - \$93,000]

Ordinance authorizing settlement of the lawsuit filed by San Francisco Apartment Association, San Francisco Association of Realtors, Coalition for Better Housing, and Small Property Owners of San Francisco Institute against the City and County of San Francisco for \$93,000; the lawsuit was filed on May 12, 2020, in San Francisco County Superior Court, Case No. CPF 20-517087; entitled San Francisco Apartment Association, et al. v. City and County of San Francisco; the lawsuit involves a Petition for Writ of Mandate challenging Ordinance No. 36-20, which amended San Francisco Administrative Code § 37.9E to revise the requirements that landlord must follow when engaging in buyout negotiations with tenants. (City Attorney)

08/14/24; RECEIVED FROM DEPARTMENT.

09/03/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240824 [Settlement of Lawsuits - Park Hotels & Resorts Inc. - Stipulated Assessed Value of \$140,700,000 and Refund of \$943,740 Plus Statutory Interest]

Ordinance authorizing settlement of two related lawsuits filed by Park Hotels & Resorts Inc. et al. against the City and County of San Francisco concerning the real property located at 555 North Point, San Francisco, CA (Assessor's Parcel Block No. 0029, Lot No. 007) (the "Subject Property") for a stipulated assessed value of the Subject Property of \$140,700,000 as of September 17, 2019, contingent upon the Assessment Appeals Board's approval, and a refund of \$943,740 plus statutory interest; the first lawsuit was filed on August 7, 2023, in San Francisco Superior Court, Case No. CGC-23-608156; entitled Park Hotels & Resorts Inc., et al. v. City and County of San Francisco; the second lawsuit was filed on June 27, 2023, in San Francisco Superior Court, Case No. CGC-23-607311; entitled Park Hotels & Resorts Inc. v. City and County of San Francisco, et al.; the lawsuits involve the assessed value of the Subject Property for property tax purposes as of the September 17, 2019 change in ownership date and a transfer tax refund. (City Attorney)

08/14/24; RECEIVED FROM DEPARTMENT.

09/03/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240825 [Settlement of Lawsuits - Park Hotels & Resorts Inc. - Stipulated Assessed Value of \$93,237,202 and Refund of \$785,531 Plus Statutory Interest]

Ordinance authorizing settlement of two related lawsuits filed by Park Hotels & Resorts Inc. et al. against the City and County of San Francisco concerning the real property located at 542-550 Geary Street, San Francisco, CA (Assessor's Parcel Block No. 0305, Lot No. 008 and Assessor's Parcel Block No. 0305, Lot No. 009) (the "Subject Property") for a stipulated assessed value of \$93,237,202 as of September 18, 2019, contingent upon the Assessment Appeals Board's approval, and a refund of \$785,531 plus statutory interest; the first lawsuit was filed on August 18, 2023, in San Francisco Superior Court, Case No. CGC-23-608476; entitled Park Hotels & Resorts Inc., et al. v. City and County of San Francisco; the second lawsuit was filed on June 27, 2023, in San Francisco Superior Court, Case No. CGC-23-607309; entitled Park Hotels & Resorts Inc. v. City and County of San Francisco, et al.; the lawsuits involve the assessed value of the Subject Property for property tax purposes as of the September 18, 2019 change in ownership date and a transfer tax refund. (City Attorney)

08/14/24; RECEIVED FROM DEPARTMENT.

09/03/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240826 [Settlement of Lawsuits - Park Hotels & Resorts Inc. - Stipulated Assessed Value of \$222,145,336 and Refund of \$1,636,749 Plus Statutory Interest]

Ordinance authorizing settlement of two related lawsuits filed by Park Hotels & Resorts Inc. et al. against the City and County of San Francisco concerning the real property located at 375 Battery Street, San Francisco, CA (Assessor's Parcel Block No. 0229, Lot No. 020) (the "Subject Property") for a stipulated assessed value of the Subject Property of \$222,145,336 as of September 18, 2019, contingent upon the Assessment Appeals Board's approval, and a refund of \$1,636,749, plus statutory interest; the first lawsuit was filed on August 18, 2023, in San Francisco Superior Court, Case No. CGC-23-608468; entitled Park Hotels & Resorts Inc., et al. v. City and County of San Francisco; the second lawsuit was filed on June 27, 2023, in San Francisco Superior Court, Case No. CGC-23-607304; entitled Park Hotels & Resorts Inc. v. City and County of San Francisco, et al.; the lawsuits involve the assessed value of the Subject Property for property tax purposes as of the September 18, 2019, change in ownership date and a transfer tax refund. (City Attorney)

08/14/24; RECEIVED FROM DEPARTMENT.

09/03/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

240828 [Participation Agreement - Retroactive - Federal Centers for Medicare & Medicaid Services - Innovative Dementia Care Program - Anticipated Revenue to the City \$3,500,000]

Sponsor: Mandelman

Resolution retroactively authorizing the San Francisco Department of Public Health (“DPH”) to enter into a Participation Agreement with the Federal Centers for Medicare & Medicaid Services to provide federal funding for an innovative dementia care program, for a term of 10 years and 26 days from June 5, 2024, through June 30, 2034, having anticipated revenue of \$3,500,000 and authorizing DPH to make necessary, non-material changes to the agreement that DPH determines, in consultation with the City Attorney, are necessary to correct clerical and/or administrative errors, as long as those changes are consistent with this Resolution. (Public Health Department)

07/23/24; RECEIVED FROM DEPARTMENT.

09/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240829 [Agreement Amendment - Hunters Point Family - Pit Stop Workforce Development Grant Program - Not to Exceed \$16,238,478.52]

Resolution approving Amendment No. 5 to Contract No. 1000029167 between the City, acting by and through the Department of Public Works, and Hunters Point Family, to create employment opportunities, job training and workforce development programs, and ensure the availability of safe and clean public restrooms for the Pit Stop Workforce Development Grant Program, extending the term by 11 months for a total term of July 1, 2023, through June 30, 2025, increasing the contract amount by \$6,972,047.52 for a new total not to exceed amount from of \$16,238,478.52; and to authorize the Director of Public Works to make necessary, non-material changes to the Amendment before its execution. (Public Works Department)
(Fiscal Impact)

07/25/24; RECEIVED FROM DEPARTMENT.

09/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240830 [Settlement of Unlitigated Claims - Maplebear, Inc. - \$8,250,342.21]

Resolution approving the settlement of the unlitigated claims filed by Maplebear, Inc. against the City and County of San Francisco for \$8,250,342.21; the claims were filed on February 28, 2023, and February 9, 2024; the claims involve a refund of payroll expense, gross receipts, and homelessness gross receipts taxes, and business registration fees for the 2019 to 2022 tax years; other material terms of the settlement are that Maplebear, Inc. shall take certain filing positions with respect to its gross receipts, homelessness gross receipts, and overpaid executive gross receipts taxes, as applicable, for the 2023 and subsequent tax years, and the City will not impose penalties arising from those filing positions for the 2023 tax year. (City Attorney)

08/14/24; RECEIVED FROM DEPARTMENT.

09/03/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240831 [Settlement of Unlitigated Claim - Bechtel Group, Inc. - \$43,235.10]

Resolution approving the settlement of the unlitigated claim filed by Bechtel Group, Inc. against the City and County of San Francisco for \$43,235.10; the claim was filed on May 8, 2024; the claim involves a refund of commercial rents taxes. (City Attorney)

08/14/24; RECEIVED FROM DEPARTMENT.

09/03/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240832 [Contract Agreement - Retroactive - Corporation for Network Initiatives in California - Fiber Optic Network Installation, Occupancy, and Maintenance - Anticipated Revenue to the City \$6,970,000]

Resolution retroactively authorizing the Department of Technology to enter into a contract with Corporation for Education Network Initiatives in California ("CENIC") and to provide fiber optic cable strands to establish a fiber optic network in support of CENIC services to provide data connectivity for the University of California, San Francisco ("UCSF") for the period between May 25, 2011, through May 25, 2031, with an expected revenue of \$6,970,000. (Department of Technology)

08/23/24; RECEIVED FROM DEPARTMENT.

09/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriam

Adam A. Banks - Board President Aaron Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 2:52 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 8, 2024.

Angela Calvillo, Clerk of the Board