

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 15, 2024 - 2:00 PM

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

Special 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, Peskin

Meeting Days

Wednesday

1:30 PM

Wednesday

9:00 AM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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

The Board of Supervisors of the City and County of San Francisco met in special session on Tuesday, October 15, 2024, with President Aaron Peskin presiding.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisor Stefani was noted not present.

A quorum of the Board was present.

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

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

Supervisor Stefani Excused from Attendance

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

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

COMMUNICATIONS

Alisa Somera, Legislative Deputy Director, 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.)

Deputy Director Somera further informed the public that, pursuant to Administrative Code, Section 67.15(b), every item on this Special Meeting Agenda will have public comment taken. There will be no opportunity for general public comment today.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Transportation Committee

240807 [Housing Code - Operational Elevators]

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

Ordinance amending the Housing Code to require R-1 and R-2 occupancy group buildings to maintain at least one existing elevator for residents' use; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

President Peskin opened public comment and inquired as to whether any member of the public wished to address the Board relating to File No. 240807. Amina Rubio; spoke on various concerns relating to the proposed legislation. The President declared public comment closed.

FINALLY PASSED by the following vote:

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

240843 [Administrative Code - Entertainment Zones]

Sponsors: Mayor; Dorsey and Mandelman

Ordinance amending the Administrative Code to establish two Entertainment Zones: the Mid-Market Entertainment Zone, 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 the Arena Entertainment Zone, 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.

President Peskin opened public comment and inquired as to whether any member of the public wished to address the Board relating to File No. 240843. Andrew Bennett; spoke in support of the proposed legislation. Lea McGeever; spoke in opposition to the proposed legislation. The President declared public comment closed.

FINALLY PASSED by the following vote:

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

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.

President Peskin opened public comment and inquired as to whether any member of the public wished to address the Board relating to File No. 240845. Amina Rubio; spoke in support of the proposed legislation. Lea McGeever; spoke on various concerns relating to the proposed legislation. The President declared public comment closed.

FINALLY PASSED by the following vote:

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

240880 [Administrative Code - New Construction Exemption from Rent Control]**Sponsors: Peskin; Preston, Chan, Ronen and Walton**

Ordinance amending the Administrative Code to provide that newly constructed dwelling units that first received a certificate of occupancy between June 14, 1979, and June 13, 1994, shall be generally subject to rent control, to the extent authorized by a future modification or repeal of the Costa-Hawkins Rental Housing Act; and making certain changes to clarify existing law regarding rent control exemptions under Costa-Hawkins.

President Peskin opened public comment and inquired as to whether any member of the public wished to address the Board relating to File No. 240880. Sarah "Fred" Sherburn-Zimmer; Keane Chukwuneta; Theresa Imperial; Amina Rubio; Lea McGeever; PJ Eugenio; Ramon Bonifacio; Mitchell Omerberg; spoke in support of the proposed legislation. Richard Peterson; spoke in opposition to the proposed legislation. The President declared public comment closed.

FINALLY PASSED by the following vote:

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

Recommendation of the Public Safety and Neighborhood Services Committee

240700 [Administrative Code - Clarifying Duties of Office of Victim and Witness Rights (OVWR); Moving Office of Sexual Harassment and Assault Response and Prevention to OVWR]

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

Ordinance amending the Administrative Code to provide for the confidentiality of client information received by the Office of Victim and Witness Rights ("OVWR"); establish and clarify the responsibilities of OVWR; move the Office of Sexual Harassment and Assault Response and Prevention ("SHARP") from the Human Rights Commission to OVWR, and require SHARP to offer trauma-informed assistance to victims in navigating City processes, including by supporting victims in non-custodial law enforcement interviews, provided a SHARP employee's presence does not obstruct a police investigation or interfere with the District Attorney's investigative or prosecutorial function.

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

President Peskin opened public comment and inquired as to whether any member of the public wished to address the Board relating to File No. 240700. Joy Zhan; spoke in support of the proposed legislation. Lea McGeever; spoke in opposition to the proposed legislation. The President declared public comment closed.

FINALLY PASSED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

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

Introduced at the Request of a Department

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

PROPOSED ORDINANCE

241005 [Existing Building Code - Adoption of Chapters 6 through 11]

Ordinance adopting Chapters 6 through 11 of the 2022 California Existing Building Code; 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. (Building Inspection Commission)

10/07/24; RECEIVED FROM DEPARTMENT.

10/15/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/14/2024.

PROPOSED RESOLUTIONS

241006 [Grant Amendment - Retroactive - Wu Yee Children's Services - Early Care and Education Integrated Services - Not to Exceed \$216,467,950]

Resolution retroactively approving the first amendment to Contract No. 1000027035 between City, acting by and through the Department of Early Childhood ("DEC"), and Wu Yee Children's Services for the City's implementation of the San Francisco Citywide plan for Early Care and Education, to extend the term for one year from July 1, 2024, for a total term of July 1, 2022, through June 30, 2025, and to increase the grant amount by \$71,971,278 for a total not to exceed amount of \$216,467,950; and to authorize DEC to enter into amendments or modifications to the Contract that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Contract or this Resolution. (Department of Early Childhood)

10/01/24; RECEIVED FROM DEPARTMENT.

10/15/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241007 [Grant Amendment - Retroactive - Children's Council of San Francisco - Early Care and Education Integrated Services - Not to Exceed \$508,329,907]

Resolution retroactively approving the first amendment to Contract No. 1000026979 between City, acting by and through the Department of Early Childhood ("DEC"), and Children's Council of San Francisco for the City's implementation of the San Francisco Citywide plan for Early Care and Education, to extend the term for one year from July 1, 2024, for a total term of July 1, 2022, through June 30, 2025, and to increase the grant amount by \$144,238,459 for a total not to exceed amount of \$508,329,907; and to authorize DEC to enter into amendments or modifications to the Contract that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Contract or this Resolution. (Department of Early Childhood)

10/01/24; RECEIVED FROM DEPARTMENT.

10/15/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241008 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures - Term Extension]

Resolution approving Amendment No. 49 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2024, for a total term of November 19, 1998, through November 30, 2025; and to authorize the Treasure Island Director to execute and enter into amendments to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes and intent of this Resolution. (Treasure Island Development Authority)

10/03/24; RECEIVED FROM DEPARTMENT.

10/15/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241009 [Agreement - Underground Republic Water Works, Inc. - Plumbing Supplies - Not to Exceed \$50,400,000]

Resolution approving an Agreement between City, acting by and through the Office of Contract Administration, and Underground Republic Water Works, Inc. for plumbing supplies, for a term of seven years from January 1, 2025, through December 31, 2031, and for a total not to exceed amount of \$50,400,000; and to authorize the Office of Contract Administration to make necessary, non-material changes to the Agreement prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary or advisable to effectuate the purposes of the Agreement. (Office of Contract Administration)

10/04/24; RECEIVED FROM DEPARTMENT.

10/15/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241010 [Radio Usage Agreement - University of California San Francisco - Trunked Radio System - Anticipated Revenue of \$2,406,460]

Resolution authorizing the Department of Technology to enter into a Trunked Radio System Usage Agreement with the University of California, San Francisco to provide radio system usage and maintenance, as well as radio interoperability for authorized personnel to communicate with members of the City, effective upon approval of this Resolution through June 30, 2035, with a minimum revenue commitment of \$2,406,460; and to authorize the Director of Technology to enter into amendments or modifications to the Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Agreement or this Resolution. (Department of Technology)

10/04/24; RECEIVED FROM DEPARTMENT.

10/15/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241011 [Airport Professional Services Agreement Modification - Professional Business Providers, Inc. - Operate, Maintain and Repair Airport-Owned Passenger Boarding Bridges and Baggage Handling Systems - Not to Exceed \$26,464,164]

Resolution approving Modification No. 3 to Professional Services Agreement for Airport Contract No. 50240 between City, acting by and through the Airport Commission, and Professional Business Providers, Inc., to extend the contract term two years from July 31, 2025, for a total contract term of August 1, 2022, through July 31, 2027; to increase the contract amount by \$13,349,549 for a total not to exceed contract amount of \$26,464,164; and authorizing the Airport Commission to enter into modifications to Modification No. 3 that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of Modification No. 3. (Airport Commission)

10/04/24; RECEIVED FROM DEPARTMENT.

10/15/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241012 [Real Property Acquisition - Kaiser Foundation Hospitals - Not to Exceed \$266,100]

Resolution approving the terms and conditions and authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Purchase and Sale Agreement and Easement Deeds with Kaiser Foundation Hospitals for the acquisition of 1) a 441-square-foot easement for an underground water pipeline and associated appurtenances; 2) a 1,273-square-foot easement for electrical utilities and associated appurtenances; 3) an 824-square-foot temporary construction easement; and 4) a 1,886-square-foot temporary construction easement across a portion of San Mateo County Assessor's Parcel No. 010-292-450, known as 1200 El Camino Real, South San Francisco, California 94080 for \$266,100 pursuant to Charter, Section 9.118; the Agreement becomes effective on the date on which the Agreement is executed by both parties. (Public Utilities Commission)

10/07/24; RECEIVED FROM DEPARTMENT.

10/15/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241013 [Settlement of Unlitigated Claims - Chevron U.S.A. Holdings Inc. and Chevron U.S.A. Inc. - Kern County Property]

Resolution approving the settlement of the unlitigated claims between the City and County of San Francisco, and Chevron U.S.A. Holdings Inc. and Chevron U.S.A. Inc., including the conveyance of real property owned by the City in Kern County, California; the claims involve the condition of and liability for the property; affirming the Planning Department's determination under the California Environmental Quality Act; finding that the disposition of property is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property or their designee to make certain modifications to the settlement and conveyance documents, and take certain actions in furtherance of this Resolution. (City Attorney)

10/07/24; RECEIVED FROM DEPARTMENT.

10/15/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 2:43 p.m.