

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, December 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,
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, Chan

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Engardio, Dorsey

Rules Committee

Supervisors Walton, Safai, Peskin

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, December 3, 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, and Walton were noted present.

Supervisor Safai 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.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board that at 12:41 p.m. yesterday, December 2, 2024, Assemblymember Catherine Stefani was sworn into the California State Assembly, thereby creating a vacancy in the District 2 Office of the Board of the Supervisors. Unless and until the Honorable Mayor London N. Breed makes an appointment to that seat, the basic requirement for approval of an action remains a majority of the entire membership of the Board or six affirmative votes.

Clerk Calvillo further 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.)

AGENDA CHANGES

There were no agenda changes.

Supervisor Safai was noted present at 2:02 p.m.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

240981 [Appropriation - Interest Earnings from Earthquake Safety and Emergency Response General Obligation Bonds - Public Utilities Commission - \$6,181,212.25 - FY2024-2025]

Sponsors: Mayor; Chan and Melgar

Ordinance appropriating \$6,181,212.25 in interest earnings from the 2010 and 2014 Earthquake Safety and Emergency Response (ESER) Bonds to fund planning and design phases of the Emergency Firefighting Water System (EFWS) projects, currently funded by the ESER 2020 Bond, for protecting against the loss of life, homes, and businesses from fires following an earthquake to the Public Utilities Commission in Fiscal Year (FY) 2024-2025.
(Fiscal Impact)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

240952 [Settlement of Lawsuit - Scott Edwards - \$650,000]

Ordinance authorizing settlement of the lawsuit filed by Scott Edwards against the City and County of San Francisco for \$650,000; the lawsuit was filed on October 17, 2023, in San Francisco Superior Court, Case No. CGC-23-609826; entitled Scott Edwards v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED, ON FIRST READING

240953 [Settlement of Lawsuit - Annamarie Faro and Howard Kevin White - \$195,000]

Ordinance authorizing settlement of the lawsuit filed by Annamarie Faro and Howard Kevin White against the City and County of San Francisco for \$195,000; the lawsuit was filed on November 9, 2023, in San Francisco Superior Court, Case No. CGC-23-610311; entitled Annamarie Faro, et al. v. City and County of San Francisco, et al.; the lawsuit alleged property damage arising from flooding. (City Attorney)

PASSED, ON FIRST READING

241014 [Settlement of Lawsuit - Rick Lam - \$350,000]

Ordinance authorizing settlement of the lawsuit filed by Rick Lam against the City and County of San Francisco for \$350,000; the lawsuit was filed on December 27, 2021, in San Francisco Superior Court, Case No. CGC-21-597312; entitled Rick Lam v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED, ON FIRST READING

241015 [Settlement of Lawsuit - Maria Elena Rosales - \$95,000]

Ordinance authorizing settlement of the lawsuit filed by Maria Elena Rosales against the City and County of San Francisco for \$95,000; the lawsuit was filed on August 17, 2022, in San Francisco Superior Court, Case No. CGC-22-601310; entitled Maria Elena Rosales v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City street. (City Attorney)

PASSED, ON FIRST READING

241016 [Settlement of Lawsuit - Steven Benvenuto - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Steven Benvenuto against the City and County of San Francisco for \$70,000; the lawsuit was filed on February 15, 2023, in San Francisco Superior Court, Case No. CGC-23-604629; entitled Steven Benvenuto v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage and personal injury arising from a vehicle collision. (City Attorney)

PASSED, ON FIRST READING

241054 [Settlement of Lawsuit - Michael J. Turon - 2722–2724 Folsom Street]

Ordinance authorizing settlement of the lawsuit filed by Michael J. Turon against the City and County of San Francisco; the lawsuit was filed on October 1, 2021, in the United States District Court, Northern District of California, Case No. 21-cv-07724; entitled Michael J. Turon v. City and County of San Francisco, et al.; the lawsuit involves challenges to suspension of certain building permits for the property at 2722-2724 Folsom Street; material terms of the settlement are plaintiff agrees to seek conditional use authorization to remove an unauthorized dwelling unit through merger and agrees to construct a detached accessory dwelling unit in an existing rear-yard structure at the property, construction of which will be secured by a stipulated injunction requiring plaintiff to pay liquidated damages to the City if the accessory dwelling unit is not completed, and in exchange the City will lift the suspension on the subject permits, issue the pending permit to complete work at the property, and close its pending enforcement actions. (City Attorney)

PASSED, ON FIRST READING

240959 [Settlement of Unlitigated Claim - 24th and Mission Partners - \$90,201]

Resolution approving the settlement of the unlitigated claim filed by 24th and Mission Partners against the City and County of San Francisco for \$90,201; the claim was filed on May 7, 2024; the claim involves property damage arising from flooding alleged to be caused by a sewer main obstruction. (City Attorney)

ADOPTED

240960 [Settlement of Unlitigated Claim - Awad Faddoul - \$108,681.38]

Resolution approving the settlement of the unlitigated claim filed by Awad Faddoul against the City and County of San Francisco for \$108,681.38; the claim was filed on May 7, 2024; the claim involves property damage arising from flooding alleged to be caused by a sewer main obstruction. (City Attorney)

ADOPTED

240961 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - \$250,000]

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for \$250,000; the claim was filed on January 11, 2024; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

ADOPTED

240962 [Settlement of Unlitigated Claim - 150 Post Street LLC - \$272,566.05]

Resolution approving the settlement of the unlitigated claim filed by 150 Post Street LLC against the City and County of San Francisco for \$272,566.05; the claim was filed on March 21, 2024; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

ADOPTED

241017 [Settlement of Unlitigated Claims - Constellation New Energy - Gas Division, LLC - \$51,902.60; Energy Center San Francisco, LLC - \$566,384.44]

Resolution approving the settlement of the unlitigated claims filed by Constellation New Energy - Gas Division, LLC and Energy Center San Francisco, LLC against the City and County of San Francisco for \$51,902.60 and \$566,384.44, respectively; the claims were respectively filed on April 29, 2024, and April 30, 2024; the claims involve a refund of utility user taxes. (City Attorney)

ADOPTED

Recommendations of the Public Safety and Neighborhood Services Committee**240966 [Police Code - Public Bath Houses]**

Sponsors: Mandelman; Dorsey and Engardio

Ordinance repealing Article 26 of the Police Code to delete in its entirety the City's regulations governing public bath houses, including but not limited to fee requirements, operating requirements, and permitting requirements.

FINALLY PASSED

241039 [Administrative Code - Firearms and Ammunition Procurement Policy]

Sponsor: Stefani

Ordinance amending the Administrative Code to set an end date of June 24, 2025, to the time period within which, without complying with the firearms and ammunition procurement requirements of Administrative Code, Section 21H.4, the City may purchase firearms and ammunition from a supplier from whom it had, within the 24 months prior to June 24, 2024, purchased such goods.

FINALLY PASSED

241040 [Police, Administrative Codes - Protecting Access to Reproductive Health Facilities]**Sponsors: Stefani; Ronen, Dorsey, Mandelman, Peskin, Engardio, Safai and Preston**

Ordinance amending the Police Code to extend the zone in which shouting and using amplified sound is prohibited outside a reproductive health care facility from 50 feet from the property line to 100 feet from the facility entrance or driveway, extend the zone in which following or harassing a person is prohibited from 25 feet from the facility entrance to 100 feet from the facility entrance, and specify that approaching within eight feet of a person inside the 100-foot perimeter of the facility entrance while impersonating a facility worker with the effect of intimidating the person is unlawful harassment; and amending the Administrative Code to direct that Police Department officers be trained annually on enforcement of local and state laws protecting access to reproductive health care facilities, and that the Police Department meet with representatives of a reproductive health care facility every two years, on request, to develop a plan to prevent and respond to incidents that interfere with access to the facility, the facility's operations, and/or the lawful exercise of First Amendment rights by the public.

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

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA**NEW BUSINESS****Recommendations of the Budget and Finance Committee****240926 [Various Codes - Fee Elimination and Administrative Provisions]****Sponsors: Mayor; Peskin, Mandelman, Engardio, Safai and Melgar**

Ordinance amending the Business and Tax Regulations Code, Administrative Code, Health Code, Police Code, and Public Works Code to make the following changes if the voters approve Proposition M in the November 5, 2024, election: 1) eliminate certain fees beginning in 2026, and 2) increase the gross receipts threshold from \$2,500,000 to \$5,000,000 for reductions to annual curbside shared spaces fees beginning in 2026; and to make the following additional changes regardless of whether the voters approve Proposition M: 3) extend indefinitely the waiver of business location and device fees for businesses with taximeter devices; 4) extend indefinitely the suspension of the registration certificate and fee requirements for taxi drivers and drivers for transportation network companies; 5) authorize the Tax Collector to collect certain additional license fees on the unified license bill; and 6) amend the delinquency date and penalty provisions and add interest provisions relating to license fees collected on the unified license bill.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

President Peskin requested File Nos. 240980 and 240995 be called together.

240980 [Appropriation - GO Bond - \$571,000,000 - Embarcadero Seawall 2024A - PRT - \$124,000,000 - Earthquake Safety 2024D - DPW, PUC - \$225,000,000 - Affordable Housing 2024C - MOHCD - \$70,000,000 - Affordable Housing 2024D - MOHCD - \$152,000,000 - FY2024-2025]

Sponsor: Mayor

Ordinance appropriating a total \$571,000,000 of General Obligation (GO) Bond proceeds, including: \$124,000,000 of proceeds from Series 2024A Embarcadero Seawall GO Bonds to the Port of San Francisco (PRT) for planning, engagement, program management, pilot projects, Embarcadero early project pre-design, detailed design, construction, and a flood study with the United States Army Corps of Engineers; \$225,000,000 from Series 2024B Earthquake Safety and Emergency Response GO Bonds to Department of Public Works (DPW) and the Public Utilities Commission (PUC) for Fire Department and Police facilities, and emergency firefighting water system improvements; \$70,000,000 from Series 2024C Affordable Housing to the Mayor's Office of Housing and Community Development (MOHCD) for low-income, preservation and middle income, senior, and educator housing projects; \$152,000,000 from Series 2024D Affordable Housing to the Mayor's Office of Housing and Community Development (MOHCD) for low-income, preservation, and victims and survivor housing projects in Fiscal Year (FY) 2024-2025; and placing these funds on Controller's Reserve pending receipt of bond proceeds.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

240995 [Sale of General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018), Series 2024A - Not to Exceed \$124,000,000]

Sponsor: Mayor

Resolution authorizing the issuance and sale of not to exceed \$124,000,000 aggregate principal amount in one or more series of bonds on a tax-exempt or taxable basis of City and County of San Francisco General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018) Series 2024A; prescribing the form and terms of such bonds; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.
(Fiscal Impact)

ADOPTED by the following vote:

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

240969 [Accept and Expend Grant - Retroactive - California Department of Parks and Recreation - India Basin Shoreline Park - \$756,728]**Sponsors: Mayor; Walton and Mandelman**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant from the California Department of Parks and Recreation in the amount of \$756,728 for the India Basin Shoreline Park Project for a term of July 1, 2023, through June 30, 2028; approving the associated grant agreement; 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)

ADOPTED by the following vote:

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

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

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)

Supervisor Dorsey requested to assume sponsorship of this legislation from the Treasure Island Development Authority.

ADOPTED by the following vote:

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

President Peskin requested File Nos. 241023 and 241024 be called together.

241023 [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - Paul Coverdell Forensic Science Improvement Program - \$72,275]**Sponsor: Mayor**

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$72,275 from the California Governor's Office of Emergency Services for the Paul Coverdell Forensic Science Improvement Program to train and procure equipment for the Criminology Laboratory with the project period beginning on April 1, 2024, through June 30, 2025. (Police Department)

ADOPTED by the following vote:

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

241024 [Accept and Expend In-Kind Gift - Retroactive - Substance Abuse and Mental Health Services Administration - Naloxone Distribution Project - Valued at \$81,300]**Sponsors: Mayor; Dorsey**

Resolution retroactively authorizing the Police Department to accept and expend an in-kind gift of 1,800 units of Naloxone valued at \$81,300 through the Naloxone Distribution Project, funded by the Substance Abuse and Mental Health Services Administration, and administered by the Department of Health Care Services. (Police Department)

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

ADOPTED by the following vote:

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

241037 [Modification to the Airport Professional Services Agreement - South San Francisco Scavenger Co., Inc. - Solid Waste Management Collection, Sorting, and Related Services - Not to Exceed \$22,408,062]

Resolution approving Modification No. 1 to Contract No. 50245, between South San Francisco Scavenger Co., Inc. and the City and County of San Francisco, acting by and through its Airport Commission, for the solid waste management collection, sorting, and related services, to increase the contract amount by \$13,108,062 for a new total not to exceed amount of \$22,408,062 and to extend the term for three years, to commence on March 1, 2025, for a total term of March 1, 2022, through February 28, 2028; and to authorize the Airport Commission 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. (Airport Commission) (Fiscal Impact)

ADOPTED by the following vote:

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

241045 [Accept and Expend Grant - 2023 State Earmark - Havelock Pedestrian Bridge Safety Improvement Project - \$500,000]**Sponsors: Mayor; Melgar**

Resolution authorizing the San Francisco Public Works to accept and expend an earmark grant of \$500,000 from the 2023 California State Budget to fund the construction of the Havelock Pedestrian Bridge Safety Improvement Project; authorizing Public Works to execute all required documents for the project; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works Department)

ADOPTED by the following vote:

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

241057 [Contract Approval - United States Department of Energy - Lawrence Livermore National Laboratory - Estimated Revenue of \$66,436,590]

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute, on behalf of the City and County of San Francisco, a new 10-year water service contract with the United States Department of Energy for continued water service to Lawrence Livermore National Laboratory from January 1, 2025, through December 31, 2034, with an estimated revenue of \$66,436,590 pursuant to Charter, Section 9.118. (Public Utilities Commission)

ADOPTED by the following vote:

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

241059 [Greenhouse Gas Energy Sale - Pacific Gas and Electric Company - CleanPowerSF Greenhouse Gas-Free Energy Supplies - Not to Exceed \$8,955,000]

Resolution approving a Greenhouse Gas-Free Contract for CleanPowerSF with the Pacific Gas and Electric Company to acquire the renewable electricity supplies needed to meet and maintain the City and County of San Francisco's clean energy targets, in an amount not to exceed \$8,955,000 with a term of one year from January 1, 2025, through December 31, 2025, with binding arbitration. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

President Peskin requested File Nos. 241061 and 241101 be called together.

241061 [Grant Agreement - Retroactive - Mission Graduates - All Children And Youth Are Ready to Learn And Succeed In School Result Area - Not to Exceed \$10,717,300]

Resolution retroactively approving the Agreement between the City, acting by and through the Department of Children, Youth and Their Families ("DCYF"), and Mission Graduates, under the All Children And Youth Are Ready To Learn And Succeed In School Result Area for the following five school programs: Bessie Carmichael Beacon, Everett Middle School Beacon, Flynn Elementary School Beacon, Sanchez Elementary School Beacon, and Mission HS/O'Connell HS/June Jordan SE Summer Program, for a term of five years from July 1, 2024, through June 30, 2029, and for a total not to exceed amount of \$10,717,300; and to authorize DCYF 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 Children, Youth & Their Families)
(Fiscal Impact)

ADOPTED by the following vote:

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

241101 [Agreement - Retroactive - Bay Area Community Resources - A Home Away From Homelessness; A.P. Giannini Beacon; Bret Harte Beacon; Hoover Beacon; Paul Revere Beacon; Summer Learning; and Latino Task Force After School - Not to Exceed \$16,806,000]**Sponsor: Mayor**

Resolution retroactively approving an Agreement between City, acting by and through the Department of Children, Youth and Their Families, and Bay Area Community Resources for the following programs: A Home Away From Homelessness; A.P. Giannini Beacon; Bret Harte Beacon; Hoover Beacon; Paul Revere Beacon; Summer Learning; and Latino Task Force After School, for a total term of five years from July 1, 2024, through June 30, 2029, and for a total not to exceed amount of \$16,806,000; and to authorize the Department of Children, Youth and Their Families' Acting Director 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 Children, Youth & Their Families)
(Fiscal Impact)

ADOPTED by the following vote:

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

241094 [Contract Modification - Hitachi Rail GTS USA Inc. - Advanced Train Control System for Central Subway - Not to Exceed \$29,825,385.22]**Sponsor: Mayor**

Resolution approving Modification No. 4 to the Agreement for Design Review, Software, Implementation and Testing Services for an Advanced Train Control System (ATCS) for the Central Subway to: 1) acknowledge the contractor's name change from Thales Transport & Security Inc. to Hitachi Rail GTS USA Inc. (Hitachi); 2) compensate Hitachi \$392,992.43 for additional work it performed due to San Francisco Municipal Transportation Agency (SFMTA) changes to ATCS designs and specifications; 3) compensate Contractor \$996,684.59 for 136 days that Contractor's work was delayed due to lack of access to Central Subway sites; 4) add \$705,407.80 to the contract amount to replenish funds SFMTA paid to Hitachi as retention release from Contract 1300, together increasing the contract by \$2,095,084.82 for a not to exceed contract amount of \$29,825,385.22; and 5) modify the Substantial Completion date to August 30, 2022, and extend the warranty period to August 30, 2025. (Municipal Transportation Agency)
(Fiscal Impact)

ADOPTED by the following vote:

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

241097 [Grant Applications and Agreements - Advocates for Human Potential, Inc. - Bond Round 1 Launch Ready Program - Anticipated Revenue to the City in Excess of \$70,000,000]**Sponsors: Mayor; Mandelman, Ronen, Peskin, Walton and Chan**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit applications for Grant funds to the California Department of Health Care Services, through its contractor Advocates for Human Potential, Inc., under the Behavioral Health Continuum Infrastructure Bond Round 1 Launch Ready Program, pursuant to the Behavioral Health Infrastructure Bond Act of 2024, for a term not to exceed 10 years, with anticipated revenue to the City in excess of \$70,000,000; to enter into Grant Agreements, if one or more is awarded, including binding arbitration and/or a waiver of claims against the State or its third-party Grant Administrator; and authorizing SFDPH to enter into amendments or modifications to the Grant Agreements that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purpose of the Grant. (Public Health Department)

ADOPTED by the following vote:

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

Referred Without Recommendation From the Government Audit and Oversight Committee

241053 [Settlement of Lawsuit - Paul Wildes and Reed Sandberg]

Ordinance authorizing settlement of a lawsuit filed by Paul Wildes and Reed Sandberg against London Breed, José Cisneros, and Carmen Chu, each sued in their official capacities as employees of the City and County of San Francisco; the lawsuit was filed on January 29, 2024, in San Francisco Superior Court, Case No. CGC-24-611915; entitled Michael Phillips, et al., v. London Breed, et al.; the lawsuit involves alleged violations of California Constitution, article I, Section 7 - Transgender Status Discrimination; California Constitution, article I, Section 7 - Sex Discrimination; California Constitution, article I, Section 7 - Race/Ethnicity Discrimination; the proposed terms of settlement are a payment of \$3,250 in attorney's fees and costs and injunctive relief. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Chan, Dorsey, Engardio, Mandelman, Melgar, Ronen, Safai

Noes: 3 - Peskin, Preston, Walton

Recommendations of the Land Use and Transportation Committee

240879 [Planning Code - 524 and 530 Howard Street - Transit Center District Open Space Impact Fee Waiver for 524 Howard Street, LLC]

Sponsor: Dorsey

Ordinance amending the Planning Code to waive the Transit Center District Open Space Impact Fee for 524 Howard Street, LLC's development project at 524 and 530 Howard Street in recognition of the project's proposed construction of a pedestrian bridge connecting to the Transbay Transit Center's rooftop park; affirming the Planning Commission'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 general welfare findings under Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

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

240928 [Summary Street Vacation - Portion of Airspace over Natoma Street between First and Second Streets]

Sponsor: Dorsey

Ordinance ordering the summary street vacation of a portion of the airspace above Natoma Street between First and Second Streets and adjacent to the Transbay Transit Center; waiving application of Administrative Code, Chapter 23, to the conveyance of the street vacation area; finding the street vacation area is not necessary for City's use and is exempt surplus property under the California Surplus Land Act, California Government Code, Sections 54220 et seq.; quitclaiming the City's interest in the street vacation area to the Transbay Joint Powers Authority; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee

President Peskin requested File Nos. 240948 and 240978 be called together.

240948 [Liquor License Transfer - 1250 Market Street - AJ's Bar]

Resolution determining that the transfer of a Type-48 on-sale general public premises liquor license to Club Allure, Inc., doing business as AJ's Bar, located at 1250 Market Street (District 6), 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: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton

240978 [Liquor License Issuance- 1779 Folsom Street - Nihon Whisky Lounge]

Resolution determining that the issuance of a Type-48 on-sale general public premises liquor license to Nihon SF Inc., to do business as Nihon Whisky Lounge, located at 1779 Folsom 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: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton

Recommendations of the Rules Committee

240871 [Administrative Code - Shelter Monitoring Committee and Shelter Standards of Care]

Sponsors: Mayor; Walton and Ronen

Ordinance amending the Administrative Code to reduce the frequency of Shelter Monitoring Committee ("Committee") site visits; require the Committee to establish in its bylaws the threshold number of complaints or out-of-compliance findings during a year that would trigger additional site visits; revise eligibility criteria for Seat 1 on the Committee; revise the Standards of Care for City Shelters by establishing requirements for shower stalls with working hot and cold water controls, minimum passing space for sleeping units that are not up against a wall or partition, and signage posting regarding availability of translation services; eliminate the minimum shelter stay requirement for single adult reservations; revise the complaint process and investigation procedure; and update several programmatic terms.

PASSED ON FIRST READING by the following vote:

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

240983 [Administrative Code - Surveillance Technology Ordinance Amendments]**Sponsor: Peskin**

Ordinance amending the Administrative Code to revise the Surveillance Technology Ordinance by, among other things, reducing administrative burdens associated with reporting requirements; clarifying certain exceptions to the definition of "Surveillance Technology;" transferring the responsibility of creating or amending a Surveillance Technology Policy from the Committee on Information Technology (COIT) to the departments using such technology; and adding a reporting requirement for COIT regarding existing Surveillance Technology still awaiting approval of a Surveillance Technology Policy.

PASSED ON FIRST READING by the following vote:

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

241022 [Administrative Code - Artificial Intelligence Inventory]**Sponsors: Ronen; Peskin, Chan, Preston and Walton**

Ordinance amending the Administrative Code to establish a process for creating a publicly available inventory of Artificial Intelligence ("AI") the City uses, reporting requirements, and enforcement measures.

PASSED ON FIRST READING by the following vote:

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

241038 [Administrative Code - Rapid Rehousing Policy]**Sponsors: Ronen; Walton, Peskin, Preston and Melgar**

Ordinance amending the Administrative Code to declare that it is City policy to provide up to five years of rapid rehousing assistance to an eligible household where the City has assessed the household's circumstances and concluded that a shorter-term subsidy will create a risk of returning to homelessness; and requiring the Homelessness Oversight Commission to hold an annual hearing and issue an annual report analyzing the City's implementation of this rapid rehousing policy.

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

PASSED ON FIRST READING by the following vote:

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

230892 [Appointments, Citizen's Committee on Community Development - Clinton Loftman and Lenelle Suliguin]

Motion appointing Clinton Loftman, term ending February 23, 2025, and Lenelle Suliguin, term ending February 23, 2026, to the Citizen's Committee on Community Development. (Rules Committee)

Motion No. M24-115**APPROVED by the following vote:**

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

241034 [Appointments, SOMA Community Stabilization Fund Community Advisory Committee - Henry Karnilowicz, Misha Olivas, Raquel Redondiez, Norman Lynde, Tanya Reyes, Christian Martin, and Janetta Johnson]

Motion appointing Henry Karnilowicz, Misha Olivas, Raquel Redondiez, Norman Lynde, Tanya Reyes, Christian Martin (residency requirement waived), and Janetta Johnson, terms ending December 1, 2027, to the SOMA Community Stabilization Fund Community Advisory Committee. (Rules Committee)

Motion No. M24-116

APPROVED by the following vote:

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

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

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

President Peskin introduced, welcomed, and presented a Certificate of Honor to Jesse Capin Smith (Office of the City Attorney) on the occasion of his retirement after 32 years of public service and in recognition of his outstanding accomplishments and contributions to the City and County of San Francisco using his legal acumen and extraordinary talents. Louise Renne and Dennis Herrera (former City Attorneys), David Chiu (City Attorney), and Presiding Justice Therese Stewart (California Courts, Courts of Appeal) provided additional commending remarks. Supervisors Dorsey, Ronen, and Mandelman shared in this commendation.

Supervisor Preston introduced, welcomed, and presented a Certificate of Honor to Steve Pulliam, Executive Director (Heart of the City Farmers' Market), in recognition of his accomplishments managing and growing the Farmers' Market.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to the Mental Health San Francisco Implementation Work Group, accepted by Valerie Kirby (Department of Public Health) and Chair Andrea Salinas, in recognition of their accomplishments and efforts advising the City on the design and implementation of Mental Health SF.

Supervisor Safai introduced, welcomed, and presented a Certificate of Honor to DiJaida Durden, Deputy Director (Public Works), in recognition of her accomplishments as a public servant for the City and County of San Francisco. Carla Short, Director (Public Works), provided additional commending remarks. Supervisors Mandelman and Preston shared in this commendation.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Thierry Fill; expressed concerns regarding food contamination and the need to eat healthy.

Grace; expressed support for bringing back remote public comment to the Board of Supervisors.

Victor Field; expressed support for bringing back remote public comment to the Board of Supervisors.

Melissa Matrose; expressed support for bringing back remote public comment to the Board of Supervisors.

Mia Satya; expressed support for bringing back remote public comment to the Board of Supervisors.

Speaker; expressed support for bringing back remote public comment to the Board of Supervisors.

Speaker; expressed support for bringing back remote public comment to the Board of Supervisors.

Elena Garcia; expressed support for bringing back remote public comment to the Board of Supervisors.

Speaker; expressed support for bringing back remote public comment to the Board of Supervisors.

Speaker; expressed support for bringing back remote public comment to the Board of Supervisors.

Lea McGeever; expressed support for bringing back remote public comment to the Board of Supervisors.

Judy Helgan; shared information on her work with foster children and programs available.

Tom Gilberty; shared his personal experiences and interactions with others.

Mark; shared his personal religious views.

Erik Greenfrost; expressed support for bringing back remote public comment to the Board of Supervisors.

Otto Duffy; expressed concerns regarding democracy.

Speaker; shared her personal experiences at a psychiatric facility and treatment by others.

Richard Esty Peterson; shared his personal experiences and concerns around what is being served to seniors.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

241109 [Reappointment, Park, Recreation, and Open Space Advisory Committee - Deval Patel]

Motion reappointing Deval Patel, term ending February 1, 2025, to the Park, Recreation and Open Space Advisory Committee (District 7). (Clerk of the Board)

Motion No. M24-117

APPROVED

241160 [Reappointment, Commission on Disability and Aging Advisory Council - Juliet Rothman]

Motion reappointing Juliet Rothman, term ending March 31, 2026, to the Commission on Disability and Aging Advisory Council (District 3). (Clerk of the Board)

Motion No. M24-118

APPROVED

241157 [Final Map No. 10537- 603 Tennessee Street]

Motion approving Final Map No. 10537, a 24 residential unit and one commercial unit condominium project, located at 603 Tennessee Street, being a subdivision of Assessor's Parcel Block No. 3995, Lot No. 015; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M24-119

APPROVED

241158 [Final Map No. 11145 - 555 Bryant Street]

Motion approving Final Map No. 11145, a 501 residential unit new condominium project, located at 555 Bryant Street, being a subdivision of Assessor's Parcel Block No. 3776, Lot Nos. 034, 038, 039, 040, 042, 043, and 044; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M24-120

APPROVED

241159 [Final Map No. 11209 - 811 Valencia Street]

Motion approving Final Map No. 11209, an 18 unit residential and one commercial unit, mixed-use condominium project, located at 811 Valencia Street, being a subdivision of Assessor's Parcel Block No. 3596, Lot No. 099; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M24-121

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

President Peskin requested that File No. 241143 be severed so that it may be considered during Recognition of Commendations.

Supervisor Melgar was noted absent at 3:09 p.m.

241143 [Jesse Capin Smith Day - February 28, 2025]

Sponsors: Peskin; Dorsey, Mandelman and Ronen

Resolution declaring February 28, 2025, as Jesse Capin Smith Day in the City and County of San Francisco, in recognition of his many years of outstanding service and dedication to the City and County of San Francisco and his well-deserved retirement.

Supervisors Dorsey, Mandelman, and Ronen requested to be added as co-sponsors.

President Peskin severed this matter during 'Recognition of Commendations' and inquired whether any individual wished to address the Board on this Resolution. Thierry Fill; Chris Ward Kline; spoke in support of the Resolution and Jesse Capin Smith. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai, Walton

Absent: 1 - Melgar

Supervisor Melgar was noted present at 3:11 p.m.

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 ORDINANCES

241149 [Administrative Code - Cash Revolving Funds]

Ordinance amending the Administrative Code to remove the authorization for certain cash revolving funds (Board of Appeals, Clerk of the Board of Supervisors, Controller, Ethics Commission, Department of Police Accountability, Planning Department, Public Defender, Department of Public Health - Community Mental Health Services Vocational Rehabilitation, Department of Public Health - Laguna Honda Hospital, Public Utilities Commission - Hetch Hetchy Project, Public Utilities Commission - Water Department); reduce the maximum amount of cash revolving fund for certain funds (Human Services Agency, Department of Public Health - Zuckerberg San Francisco General Hospital, Treasurer-Tax Collector); increase the maximum amount of cash revolving fund for Public Utilities Commission; and authorize additional revolving funds (Public Utilities Consumer, Recreation and Park Department, and Department of Elections). (Controller)

11/15/24; RECEIVED FROM DEPARTMENT.

12/03/24; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/2/2025.

241150 [Business and Tax Regulations Code - Voluntary Disclosure Program; Fee for Advance Determinations]

Ordinance amending the Business and Tax Regulations Code to authorize the Tax Collector to waive taxes, penalties, and/or interest under a program ending December 31, 2027, that allows unregistered taxpayers to voluntarily disclose and pay back taxes; and to authorize the Tax Collector to collect fees through December 31, 2027, for reviewing applications for and providing advance determinations to taxpayers. (Treasurer-Tax Collector)

11/25/24; RECEIVED FROM DEPARTMENT.

12/03/24; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/2/2025.

241151 [Administrative Code - Authorizing Property Tax Refunds Without a Claim]

Ordinance amending the Administrative Code to authorize the Tax Collector to refund property taxes to the assessee or latest recorded owner of the property if the amount of the refund is less than \$10,000 and there has been no transfer of the property during or since the fiscal year for which the taxes to be refunded were levied. (Treasurer-Tax Collector)

11/25/24; RECEIVED FROM DEPARTMENT.

12/03/24; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/3/2025.

PROPOSED RESOLUTIONS

241152 [Agreement - Agurto Corporation, dba Pestec - Integrated Pest Management Services - Not to Exceed \$15,500,000]

Resolution approving the Agreement between the City, acting by and through the Office of Contract Administration, and Agurto Corporation, dba Pestec, for integrated pest management services, for a term of five years from February 15, 2025, through February 14, 2030, and for a total not to exceed amount of \$15,500,000; 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)

11/08/24; RECEIVED FROM DEPARTMENT.

12/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241153 [Apply for Grant and Accept Funds Allocation - California Department of Housing and Community Development - Transitional Housing Programs Up to \$4,210,804 - Housing Navigation and Maintenance Program Up to \$629,926]

Resolution authorizing the Human Services Agency, on behalf of the City and County of San Francisco, to apply for and accept the county allocation award under the California Department of Housing and Community Development Transitional Housing Program for an amount up to \$4,210,804 and Housing Navigation and Maintenance Program for an amount up to \$629,926 which provide funding to help young adults secure and maintain housing. (Human Services Agency)

11/13/24; RECEIVED FROM DEPARTMENT.

12/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241154 [Real Property License - Retroactive - U.S. Department of Homeland Security, U.S. Coast Guard - 1-199 Forest Road, Building 278, Yerba Buena Island, San Francisco, CA - Initial Base Rent \$0]

Resolution retroactively approving and authorizing the Director of Property, on behalf of the San Francisco Police Department, to execute a License of a portion of the real property located at 1-199 Forest Road, Building 278 with U.S. Department of Homeland Security - U.S. Coast Guard, federal government, for an initial term of five years at an initial annual base rent of \$0 effective November 1, 2024, through October 31, 2029; and authorizing the Director of Property to enter into amendments or modifications to the License that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the License or this Resolution. (Real Estate Department)

11/15/24; RECEIVED FROM DEPARTMENT.

12/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241155 [Office Lease - Retroactive - State of California, Employment Development Department - 745 Franklin Street - Initial Annual Base Rent \$105,090]

Resolution retroactively authorizing and approving the lease of approximately 3,344 square feet of office space within the building located at 745 Franklin Street with the State of California, Employment Development Department, for the Human Services Agency JobsNow! program, for a term commencing on January 1, 2025, through December 31, 2030, at the annual base rent of \$105,090; and authorizing the Director of Property to enter into any extensions, amendments, or modifications to the Lease that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Real Estate Department)

11/18/24; RECEIVED FROM DEPARTMENT.

12/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241156 [Agreement - Pitney Bowes, Inc. - Mailroom Equipment and Supplies - Not to Exceed \$23,550,000]

Resolution approving the Agreement between the City, acting by and through the Office of Contract Administration, and Pitney Bowes, Inc. for mailroom equipment, supplies and postage, for an initial term of three years from February 1, 2025, through January 31, 2028, with the option to extend the term for two additional years, for a total contract duration of five years, and for a total not to exceed amount of \$23,550,000; 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)

11/22/24; RECEIVED FROM DEPARTMENT.

12/03/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:28 p.m.