

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, May 7, 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 Ronen, Walton, Safai

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, Catherine Stefani, and Shamann Walton

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, May 7, 2024, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 2:03 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

(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 April 2, 2024, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Safai, seconded by Supervisor Mandelman, moved to approve the April 2, 2024, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

240220 [Settlement of Lawsuit - Aidan Gauper and Cory Maryott - \$800,000]

Ordinance authorizing a partial settlement of the lawsuit filed by Aidan Gauper and Cory Maryott against the City and County of San Francisco for \$800,000; the lawsuit was filed on April 10, 2023, in San Francisco Superior Court, Case No. CGC-23-605730; entitled Ralph Bower, et al. v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City street. (City Attorney)

FINALLY PASSED

240221 [Settlement of Lawsuit - Patrick Marks - \$55,000]

Ordinance authorizing settlement of the lawsuit filed by Patrick Marks against the City and County of San Francisco for \$55,000; the lawsuit was filed on May 19, 2022, in San Francisco Superior Court, Case No. CGC-22-599713; entitled Patrick Marks v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

FINALLY PASSED

240251 [Settlement of Lawsuit - Ralph Harris - \$400,000]

Ordinance authorizing settlement of the lawsuit filed by Ralph Harris against the City and County of San Francisco for \$400,000; the lawsuit was filed on November 4, 2021, in San Francisco Superior Court, Case No. CGC-21-596449; entitled Ralph Harris v. City of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

FINALLY PASSED

240252 [Settlement of Lawsuit - Debra M. Hoisch - \$157,500]

Ordinance authorizing settlement of the lawsuit filed by Debra M. Hoisch against the City and County of San Francisco for \$157,500; the lawsuit was filed on May 3, 2022, in San Francisco Superior Court, Case No. CGC-22-599474; entitled Debra M. Hoisch v. City and County of San Francisco; the lawsuit involves a trip and fall on a City Street. (City Attorney)

FINALLY PASSED

240282 [Settlement of Lawsuit - Elijah Williams - \$37,500]

Ordinance authorizing settlement of the lawsuit filed by Elijah Williams against the City and County of San Francisco for \$37,500; the lawsuit was filed on June 28, 2022, in San Francisco Superior Court, Case No. CGC-22-600440; entitled Elijah Williams, a Minor, By And Through His Guardian Ad Litem Ann Precilla Luyon v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury caused by an alleged dangerous condition of public property. (City Attorney)

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

240089 [Planning Code - Landmark Designation - San Francisco Fire Station No. 44]

Sponsors: Walton; Peskin and Mandelman

Ordinance amending the Planning Code to designate San Francisco Fire Station No. 44, located at 1298 Girard Street, Assessor's Parcel Block No. 6194, Lot No. 010, 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.

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

240299 [Administrative Code - Firefighter Personal Protective Equipment Containing PFAS]

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

Ordinance amending the Administrative Code to prohibit the Fire Department from providing or using personal protective equipment containing intentionally-added PFAS (perfluoroalkyl and polyfluoroalkyl substances) by June 30, 2026; and requiring the Fire Department to conduct regular meetings with labor representatives, and submit regular reports to the Board of Supervisors and Fire Commission, regarding its progress toward meeting the June 30, 2026, deadline.

(Meet and confer obligations met.)

(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

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

President Peskin requested File Nos. 240153 and 240154 be called together.

240153 [Grant Amendment - Westside Community Mental Health Center - Minna Program - Not to Exceed \$18,336,834]

Resolution approving a second amendment to Contract No. 1000025153 for the Minna Program between Westside Community Mental Health Center and the City and County of San Francisco, acting by and through its Adult Probation Department, to increase the grant amount by \$10,776,676 for a total not to exceed amount of \$18,336,834; and to extend the performance period for two years and 10 months from July 1, 2024, for a performance period of May 1, 2022, through April 30, 2027, with Board of Supervisors' approval under Charter, Section 9.118. (Adult Probation) (Fiscal Impact)

ADOPTED by the following vote:

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

240154 [Grant Amendment - Westside Community Mental Health Center - Treatment, Recovery, and Prevention Program - Not to Exceed \$17,308,923]

Sponsor: Dorsey

Resolution approving a third amendment to Contract No. 1000022359 for the Treatment, Recovery, and Prevention (TRP) Program between Westside Community Mental Health Center and the City and County of San Francisco, acting by and through its Adult Probation Department, to increase the grant amount by \$7,803,200 for a total not to exceed amount of \$17,308,923; and to extend the performance period for two years and one month from June 30, 2024, for a performance period of August 1, 2021, through July 31, 2026, with Board of Supervisors' approval under Charter, Section 9.118. (Adult Probation) (Fiscal Impact)

Supervisor Dorsey requested to be added as the primary sponsor.

ADOPTED by the following vote:

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

240303 [Accept and Expend Grant - Bay Area Young Survivors - Golden Gate Park - Approximately \$800,000]

Sponsors: Mayor; Chan

Resolution authorizing the Recreation and Park Department (RPD) to accept and expend an approximately \$300,000 increase to the grant from the Bay Area Young Survivors (BAYS), with a total funding of approximately \$800,000 so that BAYS can deliver the in-kind grant of a renovated seating area on Conservatory East at Arguello Boulevard for the project term of upon approval of this Resolution until Notice of Substantial Completion; and to authorize the RPD General Manager to enter into amendments or modifications to the grant that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the grant or this Resolution. (Recreation and Park Department)

ADOPTED by the following vote:

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

President Peskin requested File Nos. 240337 and 240338 be called together.

240337 [Grant Agreement Amendment - Compass Family Services - Flexible Housing Subsidy Pool - Not to Exceed \$29,151,597]

Sponsors: Mayor; Mandelman

Resolution approving the second amendment to the grant agreement between the Compass Family Services and the Department of Homelessness and Supportive Housing ("HSH") for supportive services and administration of a Flexible Housing Subsidy Pool program for families; extending the grant term by 24 months from June 30, 2024, for a total term of October 1, 2022, through June 30, 2026; increasing the agreement amount by \$20,183,620 for a total amount not to exceed \$29,151,597; 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)

ADOPTED by the following vote:

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

240338 [Grant Agreement Amendment - Compass Family Services - Family Housing Ladder - Not to Exceed \$13,104,997]

Sponsors: Mayor; Mandelman

Resolution approving the first amendment to the grant agreement between Compass Family Services and the Department of Homelessness and Supportive Housing ("HSH") for services and subsidy administration for the family housing ladder program; extending the grant term by 24 months from June 30, 2024, for a total term of October 1, 2022, through June 30, 2026; increasing the agreement amount by \$7,038,650 for a total amount not to exceed \$13,104,997; 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)

ADOPTED by the following vote:

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

240343 [Emergency Declaration - Repair and Restoration of Pine Lake Park Slope - \$5,000,000]

Sponsor: Engardio

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to contract resources for tree removal, slope repair and restoration, debris removal, and geotechnical engineering services in Pine Lake, which was damaged by flooding caused by a failed air valve on a water transmission pipeline, with a total estimated cost of \$5,000,000. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

President Peskin requested File Nos. 240368, 240369, 240370, and 240371 be called together.

240368 [Apply for, Accept and Expend Grant - U.S. Department of Housing and Urban Development - Community Development Block Grant Program - \$25,638,788 - FY2024-2025]

Sponsors: Mayor; Mandelman

Resolution approving the Fiscal Year (FY) 2024-2025 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept and expend the City's FY2024-2025 CDBG Program entitlement from the United States (U.S.) Department of Housing and Urban Development in the amount of up to \$19,808,788 and to expend estimated program income in the amount of \$5,830,000 for a combined total of approximately \$25,638,788 for a period beginning July 1, 2024, through the date when all funds are expended. (Mayor's Office of Housing and Community Development)

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

ADOPTED by the following vote:

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

240369 [Apply for, Accept, and Expend Grant - U.S. Department of Housing and Urban Development - Housing Opportunities for Persons with AIDS Program - \$13,301,528 - FY2024-2025]

Sponsors: Mayor; Dorsey, Mandelman and Engardio

Resolution approving the Fiscal Year (FY) 2024-2025 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2024-2025 HOPWA Program entitlement from the United States (U.S.) Department of Housing and Urban Development in the amount of \$8,095,766 and to expend program income and reprogrammed funds in the amount of \$5,205,762 for a combined total of \$13,301,528 for the period of July 1, 2024, through June 30, 2027.

ADOPTED by the following vote:

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

240370 [Apply for, Accept and Expend Grant - U.S. Department of Housing and Urban Development - HOME Investment Partnership Program - \$7,761,293 - FY2024-2025]

Sponsors: Mayor; Mandelman

Resolution approving the Fiscal Year (FY) 2024-2025 HOME Investment Partnership Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept and expend the City's FY2024-2025 HOME Program entitlement from the United States (U.S.) Department of Housing and Urban Development in the amount of \$5,761,293 and to expend program income in the amount of \$2,000,000 for a combined total of \$7,761,293 for the term of July 1, 2024, through June 30, 2029. (Mayor's Office of Housing and Community Development)

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

ADOPTED by the following vote:

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

240371 [Apply for, Accept, and Expend Grant - U.S. Department of Housing and Urban Development Emergency Solutions Grants Program - \$1,802,414 - FY2024-2025]**Sponsors: Mayor; Mandelman**

Resolution approving the Fiscal Year (FY) 2024-2025 Emergency Solutions Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2024-2025 ESG Program entitlement from the United States (U.S.) Department of Housing and Urban Development, in the amount of \$1,802,414 for an unspecified period starting July 1, 2024.

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

ADOPTED by the following vote:

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

240373 [Accept and Expend Grant - California Department of Housing and Community Development - Affordable Housing and Sustainable Communities Program - Transbay Block 2 East Family - \$41,011,377]**Sponsors: Mayor; Dorsey and Mandelman**

Resolution authorizing the Mayor's Office of Housing and Community Development ("MOHCD") to execute the Standard Agreements with the California Department of Housing and Community Development ("HCD" or "Department") under the Affordable Housing and Sustainable Communities Program for a total award of \$41,011,377 including \$28,000,000 disbursed by HCD as a loan to the Transbay 2 Family, L.P. a California limited partnership ("Developer") for a 100% affordable housing project at 200 Folsom (commonly known as Transbay Block 2 East), \$7,711,377 to be disbursed as a grant to the Developer for regional transit and infrastructure and programmatic funding near Transbay Block 2 East, and \$5,300,000 to be disbursed as a grant to the City for public transportation improvements near Transbay Block 2 East, for the period starting on the execution date of the Standard Agreements through November 30, 2043; and authorizing MOHCD to accept and expend the grant of up to \$5,300,000 for transportation, streetscape and pedestrian improvements and other transit oriented programming and improvement as approved by HCD. (Mayor's Office of Housing and Community Development)

ADOPTED by the following vote:

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

240374 [100% Permanent Supportive Housing - 1633 Valencia Street - Mercy Housing California 108, L.P. - Loan Not to Exceed \$41,036,048 - Grant Not to Exceed \$80,785,406]

Sponsors: Mayor; Ronen

Resolution approving and authorizing the Mayor and the Director of the Mayor's Office of Housing and Community Development ("MOHCD") to execute agreements with Mercy Housing California 108, L.P. relating to 1) a loan in an amount not to exceed \$41,036,048 for a minimum term of 55 years to provide permanent financing for a 146-unit (including one manager's unit) permanent supportive housing development, plus resident common areas and supportive services space, on real property located at 1633 Valencia Street (the "Project"), and 2) a grant in an amount not to exceed \$80,785,406 for a 19-year term to provide Local Operating Subsidy Program funds to subsidize operations and debt service for the Project; 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; and 4) authorizing the Director of MOHCD and/or the Director of Property, or their designees, to make certain modifications to the loan and grant documents and take certain actions in furtherance of this Resolution, as defined herein. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

ADOPTED by the following vote:

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

240380 [Accept and Expend Grant - Retroactive - Crankstart Foundation - San Francisco Public Defender's Pretrial Release Unit - \$150,000]

Sponsors: Ronen; Mandelman

Resolution retroactively authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of \$150,000 from the Crankstart Foundation to provide representation in Pretrial Release and Pre-Arrestment proceedings ensuring the rights of vulnerable detained people accused of crimes through Public Defender Pretrial Legal Representation for the period of January 1, 2024, through September 30, 2024. (Public Defender)

ADOPTED by the following vote:

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

Referred Without Recommendation From the Budget and Finance Committee

240152 [Grant Amendment - Tenderloin Housing Clinic, Inc. - Justice-Involved Transitional Housing and Supportive Services Program - Not to Exceed \$11,143,960]

Resolution approving a fifth amendment to Contract No. 1000020198 for the Justice-Involved Housing and Supporting Services Program between Tenderloin Housing Clinic, Inc. and the City and County of San Francisco, acting by and through its Adult Probation Department, to increase the grant amount by \$1,214,651 for a total not to exceed amount of \$11,143,960 with Board of Supervisors' approval under Charter, Section 9.118, and with no change to the grant term of March 1, 2020, through June 30, 2024. (Adult Probation)
(Fiscal Impact)

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

231075 [Park Code - Great Highway Extension - Road Closure]

Sponsors: Mayor; Engardio, Mandelman and Melgar

Ordinance amending the Park Code to close the Great Highway Extension, beginning at Sloat Boulevard and extending south for a distance of approximately 3,317 feet, to vehicles to allow for a multi-use trail and to improve shoreline resilience as part of the Ocean Beach Climate Change Adaptation Project; making an associated finding under the California Vehicle Code; making environmental findings, including adopting a statement of overriding considerations under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee

240175 [Administrative Code - Firearm and Ammunition Procurement]

Sponsors: Stefani; Preston, Safai and Melgar

Ordinance amending the Administrative Code to set minimum qualifications for suppliers from which the City procures firearms and ammunition.

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

PASSED ON FIRST READING by the following vote:

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

240302 [Administrative Code - Family Violence Council]

Sponsors: Stefani; Mandelman

Ordinance amending the Administrative Code to extend the sunset date of the Family Violence Council to May 1, 2027, and allow the Mayor to select a City department to provide administrative support to the Council; and update the text to reflect prior changes in membership of the Council.

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

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. 240250, 240261, and 240327 be called together.

240250 [Liquor License Issuance - 2965 Mission Street - Endgames Improv]

Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to Endgames Improv, LLC, to do business as Endgames Improv located at 2965 Mission Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

240261 [Liquor License Issuance - 523 Broadway Street - Paname SF]

Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to Le Petit Paris 75 LLC, to do business as Paname SF located at 523 Broadway 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)

ADOPTED by the following vote:

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

240327 [Liquor License Transfer - 2134-2140 Polk Street - Bi-Rite]

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to BR Polk LLC, doing business as Bi-Rite, located at 2134-2140 Polk 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)

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

231145 [Administrative Code - Surveillance Technology Policy - Driver-Safety Video Analytics]

Sponsor: Mandelman

Ordinance approving a Surveillance Technology Policy for San Francisco Municipal Transportation Agency (SFMTA) use of Driver-Safety Video Analytics. (Municipal Transportation Agency)

Supervisor Mandelman requested to be added as the primary sponsor.

PASSED ON FIRST READING by the following vote:

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

240301 [Administrative Code - Agreements with Government Entities]

Sponsors: Peskin; Ronen and Mandelman

Ordinance amending the Administrative Code to allow City departments to enter into and amend agreements for construction, goods, and services, and real property leases with government entities without complying with solicitation requirements that would otherwise apply, and without adhering to provisions in the Municipal Code that impose obligations on contracting parties as a condition to agreement with the City.

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

PASSED ON FIRST READING by the following vote:

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

240300 [Mayoral Appointment, Planning Commission - Lydia So]

Motion approving the Mayoral nomination for the appointment of Lydia So, term ending June 30, 2026, to the Planning Commission. (Clerk of the Board)

(Charter, Section 4.105, provides that this nomination is subject to approval 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 from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: March 26, 2024.)

Motion No. M24-046

APPROVED by the following vote:

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

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

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

President Peskin introduced, welcomed, and presented a Certificate of Honor to Margaret Thrupp, Director of TelHi Co-Operative, on the occasion of her retirement and in recognition of her many accomplishments providing healthy, safe, and stimulating environments in which the children of San Francisco can develop socially, physically, emotionally, and intellectually.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Chief William Scott (San Francisco Police Department) in recognition of his accomplishments during the many challenging periods over the last several years and his consistent efforts working with residents, community leaders, stakeholders, department heads and the Board of Supervisors on reform and solutions.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to The Jelly Donut, accepted by sibling owners Kaddyka and Victor Nhul, in recognition of their efforts and accomplishments running a beloved small business.

Supervisor Stefani introduced, welcomed, and presented a Certificate of Honor to Brian Lau, a Special Education Teacher at Roosevelt Middle School, in honor of Teacher's Appreciation Week and in recognition of his exceptional efforts and creativity educating the children of San Francisco.

President Peskin requested both Special Orders (comprised of File Nos. 240292, 240293, 240295, and 240296) be called together.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

240292 [Hearing - Committee of the Whole - Report of Assessment Costs for Sidewalk Inspection and Repair Program - May 7, 2024, at 4:00 p.m.]

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the cost thereof having been paid for by the City and County out of a revolving fund; scheduled pursuant to Motion No. M24-037, contained in File No. 240291, approved on April 16, 2024. (Clerk of the Board)

President Peskin opened the public hearings (File Nos. 240292 and 240295) and inquired as to whether any member of the public wished to address the Board relating to the assessments as referenced in File Nos. 240293 and 240296. Michael Lennon (Public Works) provided an overview of the assessments. Eric Kimberly; Kristalyn Ramos; Cheryl Williams; spoke in objection to certain proposed assessment(s). There were no other speakers. The President closed public comment, declared the matter heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

From the Board

240293 [Report of Assessment Costs - Sidewalk Inspection and Repair Program]

Resolution approving a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to the provisions of Public Works Code, Section 706.9, and Administrative Code, Chapter 80, the costs thereof having been paid for out of a revolving fund. (Public Works)

No addresses were requested to be removed from the accompanying report.

ADOPTED by the following vote:

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

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

240295 [Hearing - Committee of the Whole - Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program - May 7, 2024, at 4:00 p.m.]

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for by the City and County out of a blight abatement fund; scheduled pursuant to Motion No. M24-038, contained in File No. 240294, approved on April 16, 2024. (Clerk of the Board)

President Peskin opened the public hearings (File Nos. 240292 and 240295) and inquired as to whether any member of the public wished to address the Board relating to the assessments as referenced in File Nos. 240293 and 240296. Michael Lennon (Public Works) provided an overview of the assessments. Eric Kimberly; Kristalyn Ramos; Cheryl Williams; spoke in objection to certain proposed assessment(s). There were no other speakers. The President closed public comment, declared the matter heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

From the Board**240296 [Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**

Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, ordered to be performed by said Director pursuant to the provisions of Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

Michael Lennon (Public Works) indicated that the following addresses be removed from the accompanying report due to recent resolution or receipt of payment:

*480 Geary Street;
278 Mangels Avenue; and
196 Amber Drive.*

Supervisor Mandelman, seconded by Supervisor Dosey, moved to accept the amendments to the accompanying report, as provided by the Department of Public Works, included in File No. 240295. The motion carried by the following vote:

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

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

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

COMMITTEE REPORTS

Recommendation of the Land Use and Transportation Committee

240260 [Planning Code - 900 Kearny Street Special Use District]

Sponsors: Peskin; Chan

Ordinance amending the Planning Code to modify the 900 Kearny Street Special Use District to allow an enclosed rooftop building addition with a restricted arts activities use; amending the Planning Code to clarify the Use Size maximums applicable in the Chinatown Community Business District; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by striking 'Use Sizes in Chinatown Community Business District', and Lines 5-6, by striking 'amending the Planning Code to clarify the Use Size maximums applicable in the Chinatown Community Business District'; and on Page 4, Line 18, through Page 5, Line 6, by striking the entirety of 'Section 4' that proposed revisions to 'Section 810. Chinatown Community Business District.' The motion carried by the following vote:

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

Ordinance amending the Planning Code to modify the 900 Kearny Street Special Use District to allow an enclosed rooftop building addition with a restricted arts activities use; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendation of the Rules Committee

Supervisor Ronen Excused from Voting

Supervisor Walton, seconded by Supervisor Mandelman, moved that Supervisor Ronen be excused from voting on File No. 240432. The motion carried by the following vote:

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

240432 [Appointment, Local Agency Formation Commission - Supervisor Hillary Ronen]

Motion appointing Supervisor Hillary Ronen, term ending February 4, 2027, to the Local Agency Formation Commission. (Clerk of the Board)

Motion No. M24-047

APPROVED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

*Thierry Fill; expressed concerns regarding cell phone usage and its effect on intelligence.
Chris Ward Kline; shared concerns regarding an accident he witnessed and the use of surveillance technology.
John Avalos (former Member of the Board); expressed support for the Resolution recognizing Affordable Housing Month (File No. 240447).
Jim McAfee; shared concerns regarding Laguna Honda Hospital and their treatment of patients.
Speaker; expressed concerns regarding Vision Zero and what tomorrow may bring.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

240446 [Supporting California State Senate Bill No. 997 (Portantino) - Drug Test Strips and Naloxone Access in Schools]

Sponsors: Ronen; Preston and Mandelman

Resolution supporting California State Senate Bill No. 997 (SB 997), introduced by Senate Member Anthony Portantino (SD-25), on January 31, 2024, that would allow students to carry federally approved naloxone hydro-chloride nasal spray (Narcan) and for schools to provide fentanyl test strips to students.

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

ADOPTED

240448 [Urging OEWD, Film SF, and the Film Commission to Coordinate a Plan to Attract a Major International Film Festival to Come to San Francisco]**Sponsors: Peskin; Dorsey, Chan and Safai**

Resolution urging the Office of Economic and Workforce Development (OEWD), Film SF, and the Film Commission to coordinate a comprehensive plan to attract a major international film festival to come to San Francisco, including submitting a bid to the Sundance Institute to relocate the Sundance Film Festival in advance of the 2026 expiration of the Institute's contract with Park City, Utah.

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

ADOPTED**240431 [Reappointment, Child Care Planning and Advisory Council - Jerry Yang]**

Motion reappointing Jerry Yang (residency requirement waived), term ending March 19, 2027, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Motion No. M24-048**APPROVED****240437 [Reappointment, Commission on the Aging Advisory Council - Morningstar Vancil]**

Motion reappointing Morningstar Vancil, term ending March 31, 2026, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Motion No. M24-049**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

President Peskin requested that File No. 240447 be severed so that it may be considered separately.

240447 [Affordable Housing Month - May 2024]**Sponsors: Peskin; Preston, Chan, Ronen and Safai**

Resolution recognizing and commemorating the month of May 2024 as Affordable Housing Month in San Francisco; and affirming the City's commitment to scaling up investments and strategies to produce, preserve, and protect affordable housing.

Supervisors Chan, Ronen, and Safai requested to be added as co-sponsors.

ADOPTED by the following vote:

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

President Peskin recessed the meeting at 3:34 p.m. and reconvened at 4:00 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 ORDINANCE

240434 [Municipal Elections Code - Supporters and Opponents in Ballot Questions for Local Measures]

Ordinance amending the Municipal Elections Code to provide that the names of supporters and opponents of a local ballot measure submitted to the voters be listed in the ballot statement or question for each local measure except when including such names will cause there to be more than six ballot cards for that election. (Elections Department)

04/29/24; RECEIVED FROM DEPARTMENT.

05/07/24; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/6/2024.

PROPOSED RESOLUTIONS

240435 [Settlement of Unlitigated Claims - U.S. Department of Health and Human Services - City to Receive \$441,521.39]

Resolution approving the settlement of unlitigated claims in favor of the City and County of San Francisco against the U.S. Department of Health and Human Services by payment of \$441,521.39 to the City; the administrative claims were filed on December 29, 2016, and August 16, 2016; the claims involve underpayment of Medicare costs by the U.S. Department of Health and Human Services for outlier payments under the Medicare Inpatient Prospective Payer System for Federal Fiscal Years 2005-2006. (City Attorney)

04/24/24; RECEIVED FROM DEPARTMENT.

05/07/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

240436 [Lease of City Property - Friends and Foundation of the San Francisco Public Library - Portion of the Main Public Library - Initial Annual Base Rent of \$15,555.84 - Subject to Rent Abatement With Supplemental Funding]

Resolution authorizing and approving the lease of 387 square feet of space at the Main Library located at 100 Larkin Street, with The Friends and Foundation of the San Francisco Public Library, a non-profit 501(c)(3), for an initial five-year term at an annual base rent of \$15,555.84 (or the monthly amount of \$1,296.32), with annual CPI increases to base rent and three additional five-year extension options, effective upon approval of this Resolution; and to authorize the Director of Property to enter into amendments or modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Real Estate Department)

04/29/24; RECEIVED FROM DEPARTMENT.

05/07/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:32 p.m.