

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 5, 2023 - 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Chan, Mandelman, Safai, Ronen, Walton

Budget and Finance Committee

Supervisors Chan, Mandelman, Safai

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Homelessness and Behavioral Health Select Committee

Supervisors Ronen, Mandelman, Walton

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Dorsey, Walton, Safai

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session, in-person with remote access and public comment also available via telephone, on Tuesday, September 5, 2023, with President Aaron Peskin presiding.

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

Remote Access to Information and Participation

The Board of Supervisors (www.sfbos.org) and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access (watch: www.sfgovtv.org), and remote public comment via teleconference (<https://sfbos.org/remote-meeting-call>).

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

All Members were present.

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

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments in-person or by dialing the telephone number published on the agenda and scrolling across the screen. In-person public comment will be taken before remote public comment is called.

*(Those who are providing public comment remotely must dial *3 to be added to the remote queue to speak. Written comments may be submitted through email (bos@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.)*

APPROVAL OF MEETING MINUTES

President Peskin inquired whether a Member of the Board had any corrections to the June 27, 2023, and July 11, 2023, Regular Board Meeting Minutes, and the June 26, 2023, and June 28, 2023, Special Meeting Minutes at the Budget and Appropriations Committee Meeting, which constituted a quorum of the Board of Supervisors, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Preston, moved to approve the June 27, 2023, and July 11, 2023, Regular Board Meeting Minutes, and the June 26, 2023, and June 28, 2023, Special Meeting Minutes at the Budget and Appropriations Committee Meeting, which constituted a quorum of the Board of Supervisors, 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

Recommendation of the Budget and Finance Committee

230557 [Contract Amendments - Western Area Power Administration - Power and Scheduling Coordinator Services - Term Extension and Increasing Maximum Contract Amount to \$41,500,000; Waiver of Certain Municipal Code Requirements]

Ordinance approving the fourth amendments to two contracts between the San Francisco Public Utilities Commission (SFPUC) and the United States Department of Energy Western Area Power Administration for delivery of low-cost power and scheduling coordinator services to Treasure Island and Yerba Buena Island to extend the term by five years and three months from October 1, 2024, for a total term of September 1, 2005, through December 31, 2029, and increasing the maximum amount of the agreements to \$41,500,000; approving the City indemnifying and holding harmless the United States against claims arising from the City's activities under the contract; waiving Administrative Code requirements that a City contract contain a statement of guaranteed maximum costs and a statement regarding liability of claimants for submitting false claims; and waiving certain other Administrative Code and Environment Code requirements upon findings made by the SFPUC General Manager. (Public Utilities Commission)
(Fiscal Impact)

Ordinance No. 188-23

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

230629 [Settlement of Unlitigated Claims - The Wiseman Group Interior Design, Inc. - \$40,000]

Resolution approving the settlement of the unlitigated claims filed by The Wiseman Group Interior Design, Inc. against the City and County of San Francisco for \$40,000; the claims were filed on January 30, 2023 and March 8, 2023; the claims involve a refund of gross receipts tax; an additional material term of the settlement is that The Wiseman Group Interior Design, Inc. shall take certain filing positions with respect to its gross receipts taxes for tax year 2023 and subsequent tax years. (City Attorney)

Resolution No. 410-23

ADOPTED

230695 [Settlement of Unlitigated Claims - AppLovin Corporation - \$4,197,820.54 Plus Statutory Interest]

Resolution approving the settlement of the unlitigated claims filed by AppLovin Corporation against the City and County of San Francisco for \$4,197,820.54 plus statutory interest; the claims were filed on February 15, 2023; the claims involve a refund of gross receipts taxes and homelessness gross receipts taxes; additional material terms of the settlement are: 1) the resolution of all claims and potential claims for refund of gross receipts taxes and homelessness gross receipts taxes for tax years 2019 and 2020, and 2) the agreement that AppLovin Corporation and its related entities shall take certain filing positions with respect to their gross receipts taxes, homelessness gross receipts taxes, and overpaid executive taxes for tax years 2021 and subsequent tax years, and with respect to their business registration fees for registration years ending June 30, 2022, and subsequent years. (City Attorney)

Resolution No. 411-23

ADOPTED

Recommendations of the Land Use and Transportation Committee

230026 [Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District]

Sponsors: Melgar; Engardio

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots in the RH (Residential, House) District, excluding lots located in the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, and exempt eligible projects that do not propose the demolition of any units subject to the rent increase limitations of the Rent Ordinance from conditional use authorizations and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and 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 Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Ordinance No. 195-23

FINALLY PASSED

230559 [Planning, Building, Fire Codes - Small Business Month Fee Waivers Including for Awning Installation and Business Signs]

Sponsors: Engardio; Stefani

Ordinance amending the Planning, Building, and Fire Codes to codify the annual waiver of awning replacement fees and awning sign fees applied for during the month of May, to annually waive fees for Business Signs and new awning installations applied for during the months of May 2023 and May 2024, and to indicate that the Planning Code, Building, and Fire Code waivers pertaining to pedestrian street lighting as well as awning replacement, awning installation, and awning sign fees are keyed to permit application in May rather than permit issuance in May; 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.

Ordinance No. 189-23

FINALLY PASSED

Recommendation of the Rules Committee

230809 [Park Code - PROSAC Membership]

Sponsors: Peskin; Walton, Safai and Chan

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

Ordinance No. 194-23

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Transportation Committee

President Peskin requested File Nos. 230764 and 230769 be called together.

230764 [Planning, Building Codes - Development Impact Fee Indexing, Deferral, and Waivers; Adoption of Nexus Study]

Sponsors: Mayor; Peskin, Mandelman, Dorsey, Stefani and Safai

Ordinance amending the Planning Code to 1) modify the annual indexing of certain development impact fees, with the exception of inclusionary housing fees; 2) provide that the type and rates of applicable development impact fees, with the exception of inclusionary housing fees, shall be determined at the time of project approval; 3) exempt eligible development projects in PDR (Production, Distribution, and Repair) Districts, and the C-2 (Community Business) and C-3 (Downtown Commercial) Zoning Districts from all development impact fees for a three-year period; 4) allow payment of development impact fees, with the exception of fees deposited in the Citywide Affordable Housing Fund, to be deferred until issuance of the first certificate of occupancy; and 5) adopt the San Francisco Citywide Nexus Analysis supporting existing development impact fees for recreation and open space, childcare facilities, complete streets, and transit infrastructure and making conforming revisions to Article 4 of the Planning Code; amending the Building Code to allow payment of development impact fees, with the exception of fees deposited in the Citywide Affordable Housing Fund, to be deferred until issuance of the first certificate of occupancy and repealing the fee deferral surcharge; 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 Preston voted No on First Reading.)

Ordinance No. 193-23

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

230769 [Planning, Administrative Codes - Development Impact Fee Reductions]**Sponsors: Peskin; Safai, Mandelman, Dorsey and Stefani**

Ordinance amending the Planning Code to: 1) reduce Inclusionary Housing Program requirements of the Planning Code, for projects exceeding a stated unit size that have been approved prior to November 1, 2023 and that receive a first construction document within a specified period; 2) adopt a process for those projects to request a modification to conditions of approval related to development impact fees, subject to delegation by the Planning Commission; 3) reduce Article 4 development impact fees, including Inclusionary Affordable Housing fees, for projects approved before November 1, 2026 that receive a first construction document within 30 months of entitlement; and, 4) modify the Inclusionary Housing Program Ordinance effective November 1, 2026 to reduce applicable fees, and on-site or off-site unit requirements, for projects that exceed a stated unit size; amending the Administrative Code to update the Inclusionary Housing Technical Advisory Committee member requirements; affirming the Planning Department's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

(Supervisor Preston voted No on First Reading.)

Ordinance No. 187-23

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

NEW BUSINESS

Recommendations of the Government Audit and Oversight Committee

President Peskin requested File Nos. 230686, 230687, and 230688 be called together. During the discussion on these matters, privilege of the floor was granted unanimously to Ben Rosenfield, Controller (Office of the City Controller), who responded to questions raised.

230686 [Settlement of Lawsuit - Walgreen Co. - City to Receive \$229,610,002 Over 15 Years]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the People of the State of California against Walgreen Co. for \$229,610,002 (the City to be paid \$200,000,002 over 15 years, the City's outside counsel to be paid \$29,610,000); the lawsuit was filed on December 18, 2018, in the United States District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC; entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc f/k/a Actavis Plc, Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; the lawsuit involves Walgreen Co.'s improper and unlawful dispensing of prescription opioids at its pharmacies, which contributed to the epidemic of opioid abuse and misuse and caused a public nuisance in San Francisco. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

230687 [Settlement of Lawsuit - Teva Pharmaceuticals USA, Inc. and Related Entities - City to Receive \$24,797,604 Over 13 Years]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the People of the State of California against Cephalon, Inc.; Teva Pharmaceuticals USA, Inc.; Teva Pharmaceutical Industries Ltd; Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc. (f/k/a Watson Pharma, Inc.); Actavis Elizabeth LLC; Actavis Mid Atlantic LLC; Warner Chilcott Company, LLC; Actavis South Atlantic LLC; Actavis Totowa LLC; Actavis Kadian LLC; Actavis Laboratories UT, Inc. (f/k/a/ Watson Laboratories, Inc.-Salt Lake City); Actavis Laboratories FL, Inc. (f/k/a Watson Laboratories, Inc.-Florida); and Anda, Inc. for \$24,797,604 (the City to be paid \$19,499,928 over 13 years, the City's outside counsel to be paid \$3,043,340, and the City Attorney's Office to be paid \$2,254,336) and naloxone valued at \$20,000,000; directing the Controller to allocate funds to the City Attorney's Office as provided in the settlement agreement; the lawsuit was filed on December 18, 2018, in the United States District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC; entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc f/k/a Actavis Plc, Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; the lawsuit involves allegations that the Teva defendants created a public nuisance and violated the Unfair Competition Law by falsely and misleadingly marketing opioids as safer than they actually are and distributing increasingly large volumes of opioids in and around San Francisco despite knowledge of the growing epidemic caused by opioid misuse, and by failing to prevent and report suspicious opioid orders as required by state and federal law. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

230688 [Settlement of Lawsuit - Allergan Finance, LLC and Allergan Limited - City to Receive \$12,916,274 Over 5 Years]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the People of the State of California against Allergan Finance, LLC (f/k/a Actavis, Inc., which, in turn, was f/k/a Watson Pharmaceuticals, Inc.) and Allergan Limited (f/k/a Allergan plc, which, in turn, was f/k/a Actavis plc) for \$12,916,274 (the City to be paid \$10,156,889 over 5 years, the City's outside counsel to be paid \$1,585,179, and the City Attorney's Office to be paid \$1,174,206); directing the Controller to allocate funds to the City Attorney's Office as provided in the settlement agreement; the lawsuit was filed on December 18, 2018, in the United States District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC; entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc f/k/a Actavis Plc, Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; the lawsuit involves allegations that the Allergan defendants created a public nuisance and violated the Unfair Competition Law by falsely and misleadingly marketing opioids as safer than they actually are and distributing increasingly large volumes of opioids in and around San Francisco despite knowledge of the growing epidemic caused by opioid misuse, and by failing to prevent and report suspicious opioid orders as required by state and federal law. (City Attorney)

PASSED ON FIRST READING 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 the San Francisco Asian Firefighters Association - President Stan Lee, Eric Tanaka, Andrew Lim, Evan Mui, Kaeo Nacua, Daniel Murphy, Robert Duat, James Hanley, Chris Oberzeir, Tyler Kelly, Paul Chin, and Robert Loza - in recognition of their thoughtful and heroic efforts volunteering to provide relief at the Lahaina, Hawaii fire.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Speaker; shared various religious concerns.

Grace Rasmussen Aoyama Teresi; expressed concerns regarding the removal of the Farmers Market at the United Nations Plaza.

Lea McGeever; expressed concerns regarding the upcoming Women's Declaration International 2023 National Convention.

Jordan Davis; expressed support for the Resolution recognizing International Overdose Awareness Week (File No. 230875) and spoke on other various concerns.

John Anderson; spoke in support of the Resolution accepting receipt of the Reinvestment Working Group's Final Governance Plan, Business Plan and Viability Study for a Municipal Financial Corporation and San Francisco Public Bank (File No. 230874).

Speaker; shared information on a ballot measure regarding 8th Grade Algebra being proposed for the March 2024 Election.

Rex Ridgeway; shared information on a ballot measure regarding 8th Grade Algebra being proposed for the March 2024 Election.

Sara Benton; shared her personal experiences dealing with homelessness and finding housing.

Thierry Fill; shared various concerns regarding technology and artificial intelligence, and the need for beauty and happiness.

Danisha Carl; expressed concerns regarding professionalism throughout City departments and their responsiveness.

Kimberly Johnson; expressed the need for landmarking a certain building and requested the Board pick up this matter for consideration.

Speaker; expressed concerns regarding the removal of the Farmers Market at the United Nations Plaza.

Regina Snead; expressed the need to update various emergency communication and siren systems.

Michael Petrelis; spoke on concerns regarding the loss of the Castro Theatre.

San Francisco; expressed support of various public commenters and concerns regarding the fentanyl crisis, the resulting overdose deaths, robberies and violent crimes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

230876 [Commemorating the 50th Anniversary of Bruce Lee's Passing]

Sponsors: Safai, Chan, Peskin, Walton, Engardio and Dorsey

Resolution commemorating the 50th Anniversary of Bruce Lee's passing. (Fine Arts Museum)

Supervisors Engardio and Dorsey requested to be added as co-sponsors.

Resolution No. 413-23

ADOPTED by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Preston requested that File No. 230874 be severed so that it may be considered separately.

230874 [Accepting Receipt of the Final Governance Plan, Business Plan and Viability Study for a San Francisco Municipal Financial Corporation and a San Francisco Public Bank]

Resolution accepting receipt of the San Francisco Reinvestment Working Group's Final Governance Plan, Business Plan and Viability Study for a San Francisco Municipal Financial Corporation and Final Governance Plan, Business Plan and Viability Study for a San Francisco Public Bank. (Government Audit and Oversight Committee)

Resolution No. 412-23

ADOPTED by the following vote:

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

Supervisor Dorsey requested that File No. 230875 be severed so that it may be considered separately.

**230875 [International Overdose Awareness Day - August 31, 2023]
Sponsors: Ronen; Preston, Peskin, Walton, Chan and Melgar**

Resolution recognizing August 31, 2023, as an International Overdose Awareness Day in the City and County of San Francisco.

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

Supervisor Dorsey, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of September 12, 2023. The motion carried by the following vote:

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

Supervisor Stefani requested that File No. 230878 be severed so that it may be considered separately.

**230878 [Korean Chuseok Day - September 29, 2023]
Sponsors: Stefani; Walton, Chan, Mandelman, Ronen, Peskin and Safai**

Resolution recognizing September 29, 2023, as Korean Chuseok Day and honoring the Korean Center, Inc. for its contributions to the Korean American community in the City and County of San Francisco.

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

Resolution No. 414-23

ADOPTED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

ORDINANCES

230922 [Planning Code - Landmark Designation - Colombo Market Arch]

Sponsor: Peskin

Ordinance amending the Planning Code to designate Colombo Market Arch, situated within Sydney Walton Square, 600 Front Street, a portion of Assessor's Parcel Block No. 0172, 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. (Historic Preservation Commission)

09/05/23; ASSIGNED to Land Use and Transportation Committee.

230923 [Administrative Code - Firefighters Cancer Prevention Foundation]

Sponsors: Peskin; Chan, Walton, Dorsey, Safai and Mandelman

Ordinance amending the Administrative Code to add the Firefighters Cancer Prevention Foundation to the list of organizations to which City officers and employees may make donations by payroll deduction.

09/05/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/5/2023.

230924 [Planning Code, Zoning Map - Non-Profit Arts Education Special Use District]

Sponsor: Peskin

Ordinance amending the Planning Code to create the Non-Profit Arts Education Special Use District (Assessor's Parcel Block No. 49, Lot No. 1, generally bounded by Francisco Street, Jones Street, Chestnut Street, and Leavenworth Street, and numbered as 800 Chestnut Street); amending the Zoning Map to show the Non-Profit Arts Education Special Use District; 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; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

09/05/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2023.

RESOLUTIONS

230925 [Commercial Ground Lease and First Amendment to Residential Ground Lease - 681 Florida Street Commercial LLC and 681 Florida Housing Associates, L.P. - 681 Florida Street, 683 Florida Street, and 2070 Bryant Street - Annual Base Rent of \$1] Sponsors: Mayor; Ronen

Resolution 1) approving and authorizing the Director of Property and the Mayor's Office of Housing and Community Development ("MOHCD") to enter into a Commercial Ground Lease for Real Property owned by the City and located at 683 Florida Street and 2070 Bryant Street (together, the "Commercial Property") with 681 Florida Street Commercial LLC, for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$1 ("Commercial Ground Lease"), in order to develop two adjoining ground floor commercial spaces for public benefit or community-serving uses ("Commercial Project"); 2) approving and authorizing the Director of Property and the Director of MOHCD to enter into a First Amendment to Residential Ground Lease to remove the Commercial Property from the leased premises under the Residential Ground Lease between the City and 681 Florida Housing Associates, L.P.; 3) adopting findings that the Project and proposed transactions are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; 4) determining that the less than market rent payable under the Commercial Ground Lease will serve a public purpose by providing commercial spaces for community-serving spaces, in accordance with Administrative Code, Section 23.3; and 5) authorizing the Director of Property and/or the Director of MOHCD to execute the Commercial Ground Lease and the First Amendment to Residential Ground Lease and make certain modifications to such agreements, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein.
(Fiscal Impact)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230926 [Apply for Grant - United States Department of Housing and Urban Development - Continuum of Care Program - Not to Exceed \$60,849,039] Sponsor: Mayor

Resolution approving the 2023 grant application for the United States Department of Housing and Urban Development Continuum of Care Program in an amount not to exceed \$60,849,039; and fulfilling the Board of Supervisors review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more.

09/05/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230927 [Loan Agreement - 440 Geary LLC - 440 Geary Street - 100% Permanent Supportive Housing - Loan Not to Exceed \$47,390,000]**Sponsor: Mayor**

Resolution approving and authorizing a Loan Agreement with 440 Geary LLC in an amount not to exceed \$47,390,000 for a minimum loan term of 55 years ("Loan Agreement") to provide permanent financing for a 122-unit single-room occupancy residential building consisting of 121 units of permanent supportive housing to homeless households, one manager unit, and two ancillary ground floor commercial units (the "Project") located at 440 Geary Street, 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; authorizing the Mayor and the Director of Mayor's Office of Housing and Community Development ("MOHCD") to execute the Loan Agreement, and make certain modifications to such agreements, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein; and authorizing the Director of MOHCD to enter into any additions, amendments, or other modifications to the Loan Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Loan Agreement or this Resolution.

(Fiscal Impact)

09/05/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230928 [Purchase of Real Property - Costanoan LLC - 42 Otis Street - Homelessness and Supportive Housing - Not to Exceed \$14,240,000]**Sponsors: Mayor; Ronen, Walton and Mandelman**

Resolution 1) approving and authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing, to acquire certain property located at 42 Otis Street ("Property") for \$14,200,000 plus an estimated \$40,000 for typical closing costs, for a total anticipated amount of \$14,240,000; 2) approving and authorizing an Agreement of Purchase and Sale for Real Estate for the acquisition of the Property from Costanoan LLC ("Purchase Agreement"), which includes a liquidated damages clause of up to \$420,000 in case of default by the City; 3) authorizing the Director of Property to execute the Purchase Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Purchase Agreement, as defined herein; effective upon approval of this Resolution; 4) affirming the Planning Department's determination under the California Environmental Quality Act; and 5) adopting the Planning Department's findings that the Purchase Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

09/05/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230929 [Accept and Expend Grant - Retroactive - Purchaser Business Group on Health - CalHIVE Behavioral Health Integration (BHI) Improvement Collaborative - \$100,000]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$100,000 from the Purchaser Business Group on Health for participation in a program, entitled "CalHIVE Behavioral Health Integration (BHI) Improvement Collaborative," for the period of July 1, 2023, through January 31, 2027. (Public Health Department)

09/05/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

230930 [Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$1,066,724]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$1,066,724 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period of July 1, 2023, through June 30, 2024. (District Attorney)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230931 [Accept and Expend Grant - Retroactive - National Institutes of Health - Oregon Health & Science University - Western States Node of the National Drug Abuse Treatment Clinical Trials Network - \$109,937]

Sponsors: Mayor; Dorsey and Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase from the National Institutes of Health through Oregon Health & Science University for participation in a program, entitled "Western States Node of the National Drug Abuse Treatment Clinical Trials Network," in the amount of \$28,327 for the period of March 1, 2023, through February 29, 2024, for a total grant award amount of \$109,937 for the total period of June 1, 2020, through February 29, 2024. (Public Health Department)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230932 [Revolving Fund Agreement - Retroactive - California Victim Compensation Board - Emergency Expense of Crime Victims - \$75,000]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Office of the District Attorney of the City and County of San Francisco to renew its current agreement with the California Victim Compensation Board, an agent of the State of California, for a revolving fund in the amount of \$75,000 to establish a process to pay expenses on an emergency basis when the claimant would suffer substantial hardship if the payment was not made, and when the payment would help the claimant with an immediate need for the period of July 1, 2023, through June 30, 2026. (District Attorney)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230933 [Accept and Expend Grant - Retroactive - California Victim Compensation Board - Criminal Restitution Compact - Not to Exceed \$275,391]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$91,797 for the period of July 1, 2023, through June 30, 2024; \$91,797 for the period of July 1, 2024, through June 30, 2025; and \$91,797 for the period of July 1, 2025, through June 30, 2026, for a total not to exceed amount of \$275,391 from the California Victim Compensation Board for the grant period July 1, 2023, through June 30, 2026, to continue the Criminal Restitution Compact should the parties agree to an amendment as allowed under the provisions of the grant agreement. (District Attorney)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230934 [Grant of Easements - Pacific Gas and Electric Company - 593 Total Square Feet for Electrical and Gas Utilities to Serve 100% Affordable Housing at 4840 Mission - At No Cost]

Sponsors: Mayor; Safai

Resolution approving and authorizing a grant of two easements on the City's property located at 4840 Mission Street (Assessor's Parcel Block No. 6959, Lot No. 35), consisting of an easement of 198 square feet of land at the northwest edge of the parcel for electrical equipment and an easement of 395 square feet of land at the northern edge of parcel for gas equipment, between the City and County of San Francisco and Pacific Gas and Electric Company ("PG&E"), for the purpose of providing electrical and gas utilities to 100% affordable housing located on the City's property, at no cost for a term effective upon approval of this Resolution and until PG&E surrenders or abandons the easement areas or the agreement is terminated; determination that the grant of the easements at no cost will serve a public purpose by providing affordable housing for extremely low, very low, low, and moderate income households in need and facilitate electric service by the San Francisco Public Utilities Commission, in accordance with Administrative Code, Section 23.3; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230935 [Accept and Expend In-Kind Grant - San Francisco Parks Alliance - Dahlia Dell Hillside Garden - \$250,000]

Sponsors: Mayor; Mandelman and Safai

Resolution authorizing the Recreation and Park Department to accept and expend an in-kind grant from the San Francisco Parks Alliance (SFPA) valued at up to \$250,000 for the design and construction for maintenance and upgrades to the Dahlia Dell Hillside Garden for the project term of upon approval of Board of Supervisors until Notice of Substantial Completion; and to authorize the Recreation and Park 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 contract or this Resolution. (Recreation and Park Department)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230936 [Accept and Expend Grant - Retroactive - United States Environmental Protection Agency - San Francisco Bay Water Quality Improvement Fund - India Basin Shoreline Park Project - \$3,768,558]

Sponsors: Mayor; Walton, Mandelman and Safai

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a San Francisco Bay Water Quality Improvement Fund Grant in the amount of \$3,768,558 from the United States Environmental Protection Agency for the India Basin Shoreline Park Project for a term of June 1, 2023, through December 31, 2026; to enter into the associated Grant agreement; and to enter into modifications and amendments to the Grant 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. (Recreation and Park Department)
(Fiscal Impact)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230937 [Accept and Expend In-Kind Grant - Stern Grove Festival Association - Stern Grove - Up to \$300,000]**Sponsors: Mayor; Engardio, Mandelman and Safai**

Resolution authorizing the Recreation and Park Department to accept and expend an in-kind grant from the Stern Grove Festival Association valued at up to \$300,000 for the design and construction of a donor recognition installation for the project term effective upon approval of this Resolution until Notice of Substantial Completion; and authorizing the Recreation and Park General Manager to enter into any modifications to the Grant do not materially increase the obligations or liabilities of the City to effectuate the purposes of the Grant or this Resolution. (Recreation and Park Department)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230938 [Accept and Expend Grant - California Emergency Management Agency - Probation Specialized Supervision Program - \$100,000]**Sponsors: Mayor; Safai**

Resolution authorizing the Department of Adult Probation to accept and expend a grant in the amount of \$100,000 from the California Emergency Management Agency for Probation Specialized Supervision Program federally funded through the Violence Against Women Act, for the period of October 1, 2023, through September 30, 2024. (Adult Probation)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230939 [Executive Architectural and Engineering Design Services Agreement - RossDrulisCusenbery Architecture, Inc. - Earthquake Safety and Emergency Response Program - SFFD Fire Training Facility - Not to Exceed \$14,085,186]**Sponsors: Mayor; Mandelman and Safai**

Resolution authorizing the Director of Public Works to execute a professional services agreement with RossDrulisCusenbery Architecture, Inc. for the design of the new San Francisco Fire Department (SFFD) Fire Training Facility under the Earthquake Safety and Emergency Response bond program, not to exceed \$14,100,000 with a term of five years with options to extend the term for another two years, upon the full execution of the contract and once funding has been certified.

(Public Works)

(Fiscal Impact)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230940 [Approval of a Retroactive 90-Day Extension for Planning Commission Review of Parcel Delivery Services Definition (File No. 230704)]**Sponsor: Chan**

Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 230704) amending the Planning Code to revise the definition of Parcel Delivery Services to include Fleet Charging for freight or Autonomous Vehicles, as defined, that are primarily engaged in or preparing to deliver parcels or goods, and Parking Garages for use by employees of a Parcel Delivery Service use; 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.

09/05/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230957 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2023-2024]**Sponsor: Chan**

Resolution levying property taxes at a combined rate of \$1.17769382 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco County Office of Education, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District; and establishing a pass-through rate of \$0.0726 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the Fiscal Year (FY) ending June 30, 2024.
(Fiscal Impact)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230941 [Commemorative Street Plaques - Lodginghouse District Historical Markers]**Sponsors: Dorsey; Preston**

Resolution authorizing the placement of the Lodginghouse District of San Francisco's Cultural Heritage District plaques, to be installed on the sidewalks at various historic location markers along the 6th Street corridor between Market Street and Howard Street, and initiating the process set forth in Public Works Code, Sections 789 et seq., to provide for the creation of a program for and installation of commemorative plaques in the Lodginghouse District.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230942 [Commemorative Street Plaques - SoMa Pilipinas Filipino Cultural Heritage District Historical Markers]**Sponsors: Dorsey; Preston, Mandelman, Peskin, Chan, Ronen and Safai**

Resolution authorizing the placement of the SoMa Pilipinas Filipino Cultural Heritage District plaques, to be installed on the sidewalk at various historic location markers along the 6th Street corridor between Market Street and Howard Street, and initiating the process set forth in Public Works Code, Sections 789 et seq., to provide for the creation of a program for and installation of commemorative plaques in the SoMa Pilipinas Cultural District.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230943 [Commemorative Street Plaques - Compton's Transgender Cultural District Historical Markers]**Sponsors: Dorsey; Preston, Mandelman, Ronen and Safai**

Resolution authorizing the placement of the Compton's Transgender Cultural District of San Francisco's Cultural Heritage District plaques, to be installed on the sidewalks at various historic location markers along the 6th Street corridor between Market Street and Howard Street, and initiating the process set forth in Public Works Code, Sections 789 et seq., to provide for the creation of a program for and installation of commemorative plaques in Compton's Transgender Cultural District.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230944 [Resolution of Intent to Establish a Street Plaza at Eagle Plaza 383-12th Street]**Sponsors: Dorsey; Mandelman**

Resolution of Intent to establish a Street Plaza at Eagle Plaza 383-12th Street, under Administrative Code, Chapter 94, and urging Public Works to initiate the process to solicit a Plaza Steward at this location.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230945 [Approval of a Retroactive 90-Day Extension for Planning Commission Review of Planning Code - Eliminating Public Art Requirement for 100% Affordable Housing Projects (File No. 230706)]**Sponsor: Dorsey**

Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 230706) amending the Planning Code to eliminate the public art requirement for 100% affordable housing projects and provide for the relocation or removal of existing artwork at such projects subject to certain conditions, and affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/05/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230946 [Urging Plan Approval - Interdepartmental Staff Committee on Traffic and Transportation - How Weird Street Faire Admission Fee for 2023]**Sponsor: Dorsey**

Resolution urging the Interdepartmental Staff Committee on Traffic and Transportation to approve a proposed plan to allow the How Weird Street Faire for 2023 to charge an admission fee.

09/05/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230947 [Transit Month - September 2023]**Sponsors: Mandelman; Peskin, Preston, Engardio, Dorsey, Chan, Ronen, Stefani, Walton, Safai and Melgar**

Resolution proclaiming the month of September 2023 as the Eighth Annual San Francisco Transit Month in the City and County of San Francisco.

09/05/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230948 [Commemorative Street Name Designation - "Panos Place" - 100-200 Block of Corbett Avenue]**Sponsor: Mandelman**

Resolution adding the commemorative street name "Panos Place" to Corbin Place between the 100 and 200 block of Corbett Avenue in recognition of San Francisco resident Panagiotis Koutsoyannis.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230949 [Emergency Declaration - Portsmouth Square Elevators Modernization - Cost of Repairs Not to Exceed \$2,200,000]**Sponsors: Peskin; Chan, Mandelman and Safai**

Resolution approving the Recreation and Park Department General Manager's declaration of emergency under Administrative Code, Section 6.60, for the repair and replacement of the elevators at Portsmouth Square Parking Garage, with an estimated not to exceed amount of \$2,200,000.
(Recreation and Park Department)
(Fiscal Impact)

09/05/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230950 [Urging HSH to Fill Vacant Permanent Supportive Housing Units]**Sponsors: Preston; Peskin, Walton, Chan, Safai, Stefani, Melgar and Ronen**

Resolution urging the Department of Homelessness and Supportive Housing (HSH) to fill at least half of the vacant Permanent Supportive Housing units within 90 days and to maintain a vacancy rate no greater than 5% thereafter.

09/05/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

230951 [Urging the Recreation and Park Department to Publicly Share Information Regarding Pilot Activation of UN Plaza and Take Steps to Mitigate Any Impact on the Farmers' Market]**Sponsors: Preston; Peskin and Chan**

Resolution expressing the Board of Supervisors' concern regarding the development of the United Nations (UN) Activation Plan and displacement of the Heart of the City Farmers' Market from the UN Plaza, urging the Recreation and Park Department to adopt mitigations requested by the Farmers' Market, and urging the Recreation and Park Department to provide information to the public and the Board of Supervisors regarding the pilot activation plan.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

230952 [Lease Amendment - Volunteers in Medicine - Increasing City Allowance Provided for Tenant Improvements - 35 Onondaga Avenue - Reimbursement of Up to \$2,970,594]**Sponsors: Safai; Mandelman**

Resolution authorizing the Director of Property to execute a third amendment to a restated 10-year commercial lease, with two five-year extension options, between the City and County of San Francisco, as Landlord, and Volunteers in Medicine, DBA Clinic By the Bay, as Tenant, for the City-owned property located at 35 Onondaga Avenue; enabling reimbursement of up to a total of \$2,970,594 for Tenant's improvement costs.
(Fiscal Impact)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230953 [Childhood Cancer Awareness Month - September 2023]**Sponsors: Safai; Walton, Stefani, Mandelman, Engardio, Ronen, Preston and Chan**

Resolution recognizing the month of September 2023 as Childhood Cancer Awareness Month in the City and County of San Francisco.

09/05/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

230954 [Appointment, Treasury Oversight Committee - Brenda Kwee McNulty]

Motion approving/rejecting the Treasurer's nomination of Brenda Kwee McNulty, for a term ending September 30, 2027, to the Treasury Oversight Committee. (Clerk of the Board)

08/31/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Rules Committee.

230955 [Appointment, Treasury Oversight Committee - Aimee Brown]

Motion approving/rejecting the Treasurer's nomination of Aimee Brown, for a term ending September 30, 2027, to the Treasury Oversight Committee. (Clerk of the Board)

09/05/23; RECEIVED AND ASSIGNED to Rules Committee.

REQUEST FOR HEARING

230916 [Hearing - Citywide Project Labor Agreement and Annual Reports]

Sponsor: Safai

Hearing to consider the citywide Project Labor Agreement (PLA) that was executed; the annual reports for fiscal years 2020-2021, 2021-2022, and 2022-2023 that highlight the efforts, accomplishments, and challenges encountered; and the preliminary, high-level methodology developed to evaluate whether the PLA has promoted the efficient, economical, and timely completion of PLA-covered projects, the costs of covered projects, and the PLA's impact on Local Business Enterprises and the local workforce; and requesting the Controller's Office, City Administrator's Office, Public Works, Recreation and Park Department, and Office of Economic and Workforce Development to report. (Clerk of the Board)

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

230893 [Settlement of Lawsuit - Duk Soon Lee - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Duk Soon Lee against the City and County of San Francisco for \$225,000; the lawsuit was filed on October 12, 2021, in San Francisco Superior Court, Case No. CGC-21-595854; entitled Duk Soon Lee v. Jamie Austin Miller, et al.; the lawsuit involves alleged personal injury arising out of City vehicle collision. (City Attorney)

07/18/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230894 [Settlement of Lawsuit - Breon Johnson - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Breon Johnson against the City and County of San Francisco for \$100,000; the lawsuit was filed on September 26, 2022, in San Francisco Superior Court, Case No. CGC-22-601937; entitled Breon Johnson v. The Regents of The University of California, et al.; the lawsuit involves alleged medical negligence. (City Attorney)

07/25/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230895 [Administrative Code - Approval of Airport Surveillance Technology Policies]

Ordinance approving Airport Surveillance Technology Policies governing the use of 1) application-based commercial transport technology, 2) electronic toll readers, and 3) detection systems for gunshots and other noises. (Airport Commission)

08/11/23; RECEIVED FROM DEPARTMENT.

09/05/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/5/2023.

230896 [Settlement of Lawsuit - Tatiana Umnov and Anatoly Umnov - \$450,000]

Ordinance authorizing settlement of the lawsuit filed by Tatiana Umnov and Anatoly Umnov against the City and County of San Francisco for \$450,000; the lawsuit was filed on September 20, 2021, in San Francisco Superior Court, Case No. CGC-21-595303; entitled Tatiana Umnov, Anatoly Umnov v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

08/17/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230897 [Administrative Code - Cash Revolving Funds]

Ordinance amending the Administrative Code to remove the authorization for cash revolving funds for certain City departments (Fire, Medical Examiner, Public Works, Recreation and Park, Sheriff, San Francisco Employees' Retirement System, and War Memorial) and reduce the maximum amount of the cash revolving fund for the Port of San Francisco. (Treasurer-Tax Collector)

08/28/23; RECEIVED FROM DEPARTMENT.

09/05/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/5/2023.

230898 [Business and Tax Regulations Code - Administration of Empty Homes Tax]

Sponsor: Preston

Ordinance amending the Business and Tax Regulations Code to add provisions to administer the Empty Homes Tax; and to make conforming non-substantive changes. (Treasurer-Tax Collector)

08/28/23; RECEIVED FROM DEPARTMENT.

09/05/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/5/2023.

PROPOSED RESOLUTIONS

230899 [Settlement of Unlitigated Claims - Niantic, Inc. - \$599,398.66]

Resolution approving the settlement of the unlitigated claims filed by Niantic, Inc. against the City and County of San Francisco for \$599,398.66; the claims were filed on February 28, 2023; the claims involve a refund of Payroll Expense Tax, Gross Receipts Tax, and Homelessness Gross Receipts Tax. (City Attorney)

07/31/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230900 [Settlement of Unlitigated Claim - Bing Situ - \$64,483.41]

Resolution approving the settlement of the unlitigated claim filed by Bing Situ against the City and County of San Francisco for \$64,483.41; the claim was filed on April 27, 2023; the claim involves alleged property damage arising from flooding caused by a water main rupture. (City Attorney)

08/17/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230901 [Settlement of Unlitigated Claim - Yaol Oenn Wong - \$50,000]

Resolution approving the settlement of the unlitigated claim filed by Yaol Oenn Wong against the City and County of San Francisco for \$50,000; the claim was filed on April 24, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

08/17/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230902 [Settlement of Unlitigated Claim - Jessica Middleton - \$32,439.60]

Resolution approving the settlement of the unlitigated claim filed by Jessica Middleton against the City and County of San Francisco for \$32,439.60; the claim was filed on March 24, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

08/17/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

230903 [Sheriff's Department Oversight Board First and Second Quarter Report - CY 2023]

Resolution accepting the Sheriff's Department Oversight Board's First and Second Quarter Reports for the calendar year (CY) 2023. (Sheriff's Department Oversight Board)

07/25/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**230904 [Reauthorizing Participation Costs for CleanPowerSF Membership in a Joint Powers Authority - Not to Exceed \$4,772,710]
Sponsor: Mandelman**

Resolution reauthorizing the Public Utilities Commission's cost for CleanPowerSF's participation in a Joint Powers Authority consisting of Community Choice Aggregators with a not to exceed amount of \$4,772,710 for a duration of twenty-five years from January 1, 2024, through December 31, 2048. (Public Utilities Commission)
(Fiscal Impact)

08/04/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230905 [Contract Amendment - CCT Technologies, Inc. dba Computerland of Silicon Valley Technology Marketplace - Not to Exceed \$66,500,000]

Resolution authorizing the Office of Contract Administration to execute Amendment No. 5 to the Contract with CCT Technologies, Inc. dba Computerland of Silicon Valley for the purchase of technology products and specialized services on an as-needed basis; increasing the contract not to exceed amount of \$62,900,000 by \$3,600,000 for a total not to exceed amount of \$66,500,000 effective upon approval of this Resolution, with no changes to the five year contract term from January 1, 2019, through December 31, 2023. (Office of Contract Administration)
(Fiscal Impact)

08/14/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230906 [Contract Amendment - Insight Public Sector, Inc. - Technology Marketplace - Not to Exceed \$43,800,000]

Resolution authorizing the Office of Contract Administration to execute Amendment No. 5 to the Contract 1000018903 with Insight Public Sector, Inc. for the purchase of technology products and specialized services on an as-needed basis; increasing the contract not to exceed amount of \$40,200,000 by \$3,600,000 for a total not to exceed amount of \$43,800,000 effective upon approval of this Resolution, with no changes to the five year contract term from January 1, 2019, through December 31, 2023. (Office of Contract Administration)
(Fiscal Impact)

08/14/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230907 [Contract Amendment - Zones, LLC Technology Marketplace - Not to Exceed \$26,300,000]

Resolution authorizing the Office of Contract Administration to execute Amendment No. 4 to the Contract with Zones, LLC for the purchase of technology products and specialized services on an as-needed basis; increasing the contract not to exceed amount of \$24,100,000 by \$2,200,000 for a total not to exceed amount of \$26,300,000 effective upon approval of this Resolution, with no changes to the five year contract term from January 1, 2019, through December 31, 2023. (Office of Contract Administration)
(Fiscal Impact)

08/14/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230908 [Airport Professional Services Contract Modification - Dignity Health dba St. Mary's Medical Center - Management and Operation of the SFO Medical Clinic - Not to Exceed \$12,700,000]

Resolution approving Modification No. 4 to Contract No. 50118.02 with Dignity Health dba St. Mary's Medical Center for Management and Operation of the SFO Medical Clinic to increase the contract amount by \$1,700,000 for a new contract amount not to exceed \$12,700,000 pursuant to Charter, Section 9.118(b), with no change to the contract term of July 1, 2019, through June 30, 2024, effective upon approval of this Resolution. (Airport Commission)
(Fiscal Impact)

08/18/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230909 [Maintenance Agreement - State of California, Department of Transportation, Caltrans - Southern Skyline Boulevard Ridge Trail Extension Project]

Resolution approving the terms and conditions and authorizing the execution of the no-cost Project Specific Maintenance Agreement with the State of California, Department of Transportation, for San Francisco Public Utilities Commission's ongoing maintenance of its proposed improvements at 18 locations within Caltrans' right-of-way along a six-mile section of State Route 35, south of State Route 92, in San Mateo County, California, for the Southern Skyline Boulevard Ridge Trail Extension Project, subject to Board of Supervisors' approval under Charter, Section 9.118. (Public Utilities Commission)

08/17/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230910 [Lease Termination Agreement - Airport Concession Lease - Spa BR SFO, LLC dba Be Relax]

Resolution approving the Lease Termination Agreement for the Terminal 3 Boarding Area E and International Terminal Boarding Area G Wellness Concession Lease No. 18-0234, between Spa BR SFO, LLC dba Be Relax, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, effective upon approval of this Resolution. (Airport Commission)

08/21/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230911 [Grant Agreement Amendment - Retroactive - San Francisco-Marin Food Bank - Citywide Grocery Access - Not to Exceed \$17,828,328]

Resolution retroactively approving the second amendment to the grant agreement between the City and County of San Francisco and the non-profit San Francisco-Marin Food Bank, for the administration of the Citywide Grocery Access program, to increase the grant amount by \$6,600,000 for a total not to exceed amount of \$17,828,328 and to extend the grant period from July 1, 2023, for a total period of July 1, 2022, through June 30, 2024. (Human Services Agency)
(Fiscal Impact)

08/21/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230912 [Contract Amendment - Maitri AIDS Hospice - Hospice Services - Not to Exceed \$14,130,444]**Sponsors: Mandelman; Dorsey**

Resolution approving Amendment No. 3 to the agreement between Maitri AIDS Hospice and the Department of Public Health (DPH), to provide hospice services for chronically impaired residents of San Francisco, to increase the agreement by \$4,594,103 for an amount not to exceed \$14,130,444; to extend the term by four years from March 31, 2024, for a total agreement term of July 1, 2017, through March 31, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department)
(Fiscal Impact)

08/22/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230913 [Lease Agreement - Lenlyn LTD. dba ICE Currency Services USA - Foreign Currency Exchange Services Lease - \$1,000,000 Minimum Annual Guarantee]

Resolution approving the Foreign Currency Exchange Services Lease, Lease No. 23-0198 with Lenlyn LTD. dba ICE Currency Services USA, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of four years with two one-year options to extend at the sole discretion of the Airport Commission, and a minimum annual guarantee of \$1,000,000 for the first year of the Lease, effective upon approval of this Resolution. (Airport Commission)

08/23/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230914 [Lease of City Property - Our Planet Recycling SF, LLC - Assessor's Parcel Block No. 5695, Lot No. 23 at Alemany Boulevard - Annual Base Rent of \$23,397.96]

Resolution authorizing and approving the Lease of City-owned real property located at Assessor's Parcel Block No. 5695, Lot No. 23, adjacent to Alemany Boulevard in San Francisco, with Our Planet Recycling SF, LLC, a California corporation, doing business as Our Planet Recycling, for an initial five-year term at an annual base rent of \$23,397.96 (or the monthly amount of \$1,949.83); plus 3% annual increases to base rent; plus one additional five-year extension option to further extend the term of the Lease, subject to satisfaction of certain conditions and to be readjusted to then-fair market base rent; effective upon approval of this Resolution; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting California Environmental Quality Act (CEQA) findings; 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)

08/25/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

230915 [Amended and Restated Office Lease - Retroactive - The Lighthouse Building LLC - 1155 Market - Not to Exceed \$6,685,260.20 in Initial Year]

Resolution retroactively approving and authorizing the Director of Property to amend and restate the current lease with The Lighthouse Building LLC, as Landlord, for the City's lease of approximately 103,487 square feet of rentable square feet comprised of floors one through eight at 1155 Market Street for use by approximately nine City Departments, to enter into an amended and restated office lease for a lease term of five years, commencing February 1, 2023, through January 31, 2028, with one five-year option to extend to January 31, 2033, at an initial annual rent of \$6,685,260.20 (or \$557,105.02 per month) with 3% annual increases thereafter for the remainder of the initial term; and authorizing the Director of Property to enter into any additions, amendments, or other modifications to the Restated Lease that do not materially increase the obligations or liabilities of the City to effectuate the purposes of this Resolution. (Real Estate Department)
(Fiscal Impact)

08/28/23; RECEIVED FROM DEPARTMENT.

09/05/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Connie Chan

To: The Department of Emergency Management (DEM)

Requests: Requesting a detailed plan for the immediate restoration of the Outdoor Public Warning System.

From: Supervisor Connie Chan

To: The Recreation and Parks Department (REC) and the San Francisco Municipal Transportation Agency (SFMTA)

Requests: Requesting that REC and SFMTA provide a map showing road closures in District 1, including slow streets and road closures during special permitted annual events.

From: Supervisor Ahsha Safai

To: The City Attorney

Requests: Requesting the City Attorney to draft legislation that encourages universities and colleges to create downtown campuses by creating a Student Village Special Use District in the SOMA and Financial District Neighborhoods.

From: Supervisor Ahsha Safai

To: The San Francisco Police Department (SFPD), The District Attorney's Office (DAT), Mayor London Breed, and the Mayor's Budget Office

Requests: Requesting data on arrests for commercial retail theft, staff levels of SFPD officers working with the DA, and the number of cases filed, prosecuted and convicted for commercial retail theft for calendar years 2020, 2021, 2022, and 2023.

From: Supervisor Matt Dorsey

To: The San Francisco Police Department (SFPD), the San Francisco Sheriff's Office (SHF), the Office of the Chief Medical Examiner (OCME), the Office of the City Attorney (CAT), and the Department of Technology (DT)

Requests: Requesting information on methodologies currently employed to determine the residential status or known address histories (if any) of individuals implicated in San Francisco's ongoing drug crisis; and guidance on best practices, areas for improvement, and legal obstacles (if any) to standardize research and reporting on known address histories of selected populations.

In Memoriams

R. Sherman Lehman - Board President Aaron Peskin

Nancy Wuerfel - Board President Aaron Peskin

Joan Joaquin Wood - Board President Aaron Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:26 p.m.

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

Approved by the Board of Supervisors on October 17, 2023.

Angela Calvillo, Clerk of the Board