

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, November 14, 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 on Tuesday, November 14, 2023, with President Aaron Peskin presiding.

President Peskin called the meeting to order at 2:02 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.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, welcomed members of the public to attend Board meetings and provide comment in-person or view the meeting live on SFGovTV's award winning Cable Channel 26 or at www.sfgovtv.org. Those requiring interpretation services should contact the Office of the Clerk of the Board at least 48 hours in advance of the meeting, pursuant to Administrative Code, Section 91.7.

Clerk Calvillo further informed the Members of the Board that she was in receipt of a communication from President Peskin, dated November 14, 2023, calling for a Special Meeting of the Board of Supervisors on Monday, November 20, 2023, at 9:00 a.m. to consider File No. 230986 (Charter Amendment - Mayoral Authority to Disapprove Certain SFMTA Budget Proposals).

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

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

230962 [Waiver of Municipal Code Provisions - City of Phoenix - Phoenix Sky Harbor International Airport - Used Compressed Natural Gas Transit Buses - Not to Exceed \$350,000]

Ordinance waiving competitive bidding requirements in the Administrative Code, and all other requirements in the Administrative Code, Environment Code, or other parts of the Municipal Code as applied to a commodities purchase, to authorize the Airport Commission to procure up to 14 used compressed natural gas transit buses from the City of Phoenix, which owns and operates Phoenix Sky Harbor International Airport, for an amount not to exceed \$350,000; and authorizing the Airport Director to negotiate the terms of the agreement consistent with the not to exceed amount. (Airport Commission)

(Fiscal Impact)

FINALLY PASSED by the following vote:

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

230971 [General Obligation Bond Election - Affordable Housing - Not to Exceed \$300,000,000]**Sponsors: Mayor; Peskin, Chan, Safai, Mandelman, Ronen, Walton, Preston, Stefani, Melgar and Engardio**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, March 5, 2024, for the purpose of submitting to San Francisco voters a proposition to incur bonded indebtedness of not-to-exceed \$300,000,000, subject to independent citizen oversight and regular audits, to finance the construction, development, acquisition, and/or rehabilitation of rental affordable housing, including workforce housing and senior housing, for households ranging from extremely low-income to moderate-income households; and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase, if any, to residential tenants under Administrative Code Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such Bonds; incorporating the provisions of the Administrative Code relating to the Citizens' General Obligation Bond Oversight Committee's review of Affordable Housing Bond expenditures; setting certain procedures and requirements for the election; affirming a determination under the California Environmental Quality Act; and finding that the proposed Bond is consistent with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

(Pursuant to California Government Code, Sections 43607 and 43608, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)

(Fiscal Impact)

FINALLY PASSED by the following vote:

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

230980 [Administrative Code - Reproduction and Notary Fees - Department of Administrative Services]

Ordinance amending the Administrative Code to increase the fees imposed by the Department of Administrative Services for reproduction and notary services provided to the public, and authorizing the Controller to make future adjustments to ensure that costs of providing the services are recovered without producing revenue which is significantly more than such costs. (City Administrator)

FINALLY PASSED by the following vote:

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

231078 [De-Appropriation and Appropriation - District 7 General City Responsibility - Municipal Transportation Agency - District 7 Vision Zero Project - District 7 Projects and Services - Various Departments - \$527,000 - FY2023-2024]

Sponsor: Melgar

Ordinance de-appropriating \$377,000 from General City Responsibility and \$150,000 from Municipal Transportation Agency (MTA); and re-appropriating \$100,000 to the Arts Commission (ART) for mural artwork, \$98,000 to Children, Youth and Their Families (CHF) for playground upgrades, youth nutrition education, and food security; \$25,000 to the Department of Emergency Services (DEM) for emergency preparedness training and capacity building; \$49,000 to the Department of Public Works (DPW) for irrigation system, outdoor seating area, and trees and plants in three locations; \$50,000 to the Department of Economic and Community Development (ECN) for small business rainy day funds; \$25,000 to the Recreation and Park Department (REC) for removal of storm damage and hazardous trees from Mount Sutro; \$30,000 to the Police Department (POL) for cameras in the Inner Sunset; and \$150,000 to the Municipal Transportation Agency (MTA) for community space design, traffic calming, and traffic safety at three locations in Fiscal Year (FY) FY2023-24.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Public Safety and Neighborhood Services Committee

230866 [Health Code - Regulating Medical Specimen Test Collection Sites]

Sponsors: Preston; Ronen and Dorsey

Ordinance amending the Health Code to require that sites that collect medical specimens on behalf of clinical laboratories partner with either a governmental entity, a licensed health care provider located in the City, or an educational or academic institution, establish hygiene, sanitation, and privacy standards, and adhere to the Health Insurance Portability and Accountability Act; and providing that a violation of the specimen collection standards is a public health nuisance subject to an administrative penalty that may be imposed by the Department of Public Health.

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Peskin requested File Nos. 230999, 231000, and 231035 be called together.

230999 [Real Property Lease Amendment - Retroactive - 716 Sacramento LLC and DLS Sacramento LLC - 716-720 Sacramento Street - \$370,000 Annual Base Rent]

Resolution retroactively approving and authorizing the Director of Property, on behalf of the Department of Public Health, to execute a Fourth Amendment to a Lease of real property located at 716-720 Sacramento Street, with 716 Sacramento LLC (73.4%) and DLS Sacramento LLC (26.6%), at a base rent of \$370,000 per year with 3% annual increases, for an initial term commencing July 1, 2023, with a total term of December 1, 1996, through June 30, 2026, with two one-year options to extend; and to authorize the Director or Property to enter into any extensions, 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. (Public Health Department) (Fiscal Impact)

ADOPTED by the following vote:

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

231000 [Lease of Property - J.D. Harney, Inc., et al. - 2205 Jennings Street - Annual Base Rent of \$264,000]

Resolution authorizing and approving the lease of a portion of the real property located at 2205 Jennings Street with J.D. Harney, Inc., a California corporation, John Daniel Harney and Bernadette Patricia Harney, Co-Trustees or Successor Trustee of the John Daniel Harney and Bernadette Patricia Harney Revocable Living Trust Under Agreement dated August 13, 1987, as Community Property, and MM1495Wall LP, a California Limited partnership, for an initial three-year term at an annual base rent of \$264,000 (or the monthly amount of \$22,000); plus 3% annual increases to base rent; plus one five-year extension option to further extend the term of the Lease; the Lease will be 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) (Fiscal Impact)

ADOPTED by the following vote:

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

231035 [Real Property Lease - Gough Club, LLC - 42 Gough Street - \$44,472 Initial Base Rent]

Resolution authorizing and approving the lease of real property located at 42 Gough Street, with Gough Club, LLC, a California limited liability corporation, for a three year term at an initial base rent of \$44,472 per year with annual rent increases based on the Consumer Price Index of 3% to 5%, with one option to extend for one-year, effective upon approval of this Resolution; authorizing the Director of Property to enter into any additions, amendments, or other modifications to the Lease that do not materially increase the obligations or liabilities of the City to effectuate the purposes of the Lease or this Resolution. (Human Services Agency)

ADOPTED by the following vote:

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

231012 [Accept and Expend Grant - Retroactive - U.S. Department of Housing and Urban Development - Housing Opportunities for Persons with AIDS Permanent Supportive Housing Renewal - FY2023-2026 - \$1,510,695]**Sponsors: Mayor; Engardio, Dorsey, Mandelman and Preston**

Resolution retroactively approving the Fiscal Year (FY) 2022 Housing Opportunities for Persons with AIDS (HOPWA) Permanent Supportive Housing Renewal Grant; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's FY 2022 HOPWA Permanent Supportive Housing Renewal Grant from the U.S. Department of Housing and Urban Development in the amount of \$1,510,695 for the period of June 1, 2023, through May 31, 2026. (Mayor's Office of Housing and Community Development)

Supervisor Preston 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

231059 [Contract Amendment - Retroactive - Bar None Auction - Auction Services - \$2,900,000 Anticipated Revenue]

Resolution retroactively authorizing the Office of Contract Administration to execute a third amendment (Modification 3) to Contract 1000024326 with Bar None Auction for as-needed auction services; extending the duration by one year from October 1, 2023, for a total contract duration of five years from October 1, 2019, through September 30, 2024, with an increase in anticipated revenue of \$800,000 for a total anticipated revenue amount of \$2,900,000. (Office of Contract Administration)

ADOPTED by the following vote:

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

231062 [Participation Agreement - Retroactive - California Department of Health Care Services - County-Based Medi-Cal Administrative Activities - Anticipated Revenue to the City of \$1,000,000 or More]

Resolution retroactively authorizing the Department of Public Health to enter into a Participation Agreement for County-based Medi-Cal Administrative Activities effective July 1, 2019, that will remain in full force and effect until terminated by either the Department of Public Health or the California Department of Health Care Services, with anticipated revenue to the City of \$1,000,000 or more; and to authorize the Department of Public Health to enter into amendments or modifications to the agreement prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Public Health Department)

ADOPTED by the following vote:

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

231084 [Accept and Expend Grant - Retroactive - United States Department of Energy - Decarbonizing Deliveries in San Francisco - \$605,620]

Sponsors: Mayor; Mandelman and Preston

Resolution retroactively authorizing the Department of the Environment ("Environment Department") to accept and expend a grant of \$605,620 for a term of three years from September 12, 2023, through September 11, 2026, from the United States Department of Energy's Vehicle Technologies Office to expand an electric bicycle pilot for delivery workers; and to authorize the Director of the Environment Department to enter into and execute the Grant Agreement and amendments thereto, and to execute the contracts between the City and various agencies consistent with the aforementioned proposal and necessary to carry out the purpose of the grant or this Resolution. (Fiscal Impact)

Supervisor Preston 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

231085 [Affirming Compliance with State Housing Laws]

Sponsor: Mayor

Resolution affirming San Francisco's compliance with certain state housing laws in support of the Municipal Transportation Agency's application for funding by the Metropolitan Transportation Commission's One Bay Area Grant Program (OBAG 3).

Supervisor Preston, seconded by Supervisor Chan, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Lines 10-12, by changing 'will unlikely underproduce' to 'absent the commitment of additional funding from local, regional, state and/or federal sources, the Bay Area is at risk of underproducing'. The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:

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

231117 [Authorizing Expenditures - SoMa Community Stabilization Fund - \$99,000]**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of \$99,000 to engage a consultant team in developing a new five-year strategic plan to address various impacts of destabilization on residents and businesses in SoMa for a term to commence effective upon approval of this Resolution through November 30, 2025. (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

Recommendation of the Government Audit and Oversight Committee**230873 [Memorandum of Understanding - Friends and Foundation of the San Francisco Public Library]****Sponsor: Mayor**

Resolution approving the Memorandum of Understanding (MOU) between the Friends and Foundation of the San Francisco Public Library and the San Francisco Public Library to establish roles and responsibilities of each party for purposes of fundraising, enhancing operations, and capital projects for a term of 10 years effective upon approval of this Resolution; and to authorize the San Francisco Public Library to enter into amendments or modifications of the MOU 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 MOU or this Resolution. (Public Library)

ADOPTED by the following vote:

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

Recommendations of the Rules 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)

PASSED ON FIRST READING by the following vote:

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

231040 [Mayoral Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Kent Lim]

Motion approving the Mayor's nomination for appointment of Kent Lim, term ending November 3, 2026, to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure). (Clerk of the Board)

(Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: October 10, 2023)

Motion No. M23-135

APPROVED by the following vote:

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

Referred Without Recommendation From the Rules Committee**230985 [Charter Amendment - Minimum Police Department Staffing and Five-Year Annual Funding Requirement]**

Sponsor: Safai

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to define "Full-Duty Sworn Officers" for purposes of establishing minimum staffing levels for sworn officers of the Police Department; and, contingent upon the Controller's certification that a future tax measure passed by the voters will generate sufficient additional revenue to fund the cost of employing Full-Duty Sworn Officers at specified minimum staffing levels and the minimum amount necessary to implement a police staffing fund: 1) set the Minimum Staffing Number for five fiscal years beginning with 1,700 full-duty sworn officers in year one, with increases each year such that by the fifth fiscal year, the Minimum Staffing Number shall be 2,074; 2) require for a period of five years that the Mayor and Board of Supervisors appropriate funds to pay for at least the number of sworn officers as of February 1 of the prior fiscal year; 3) establish a Police Full Staffing Fund ("Fund") for a period of five fiscal years to facilitate minimum police staffing; 4) require that \$16.8 million be appropriated into the Fund in the first year, and varying amounts in years two through five, calculated based on staffing shortages, but allowing for a temporary freeze of appropriations to the Fund after the first year in a budgetary or economic emergency; at an election to be held on March 5, 2024. (Supervisor Dorsey dissented in Committee.)

Although it was not required, Supervisor Safai, seconded by Supervisor Walton, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of November 28, 2023. The motion carried 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).

Supervisor Engardio introduced, welcomed, and presented a Certificate of Honor to Isaiah Zazi, owner of Sunset Auto Care, in recognition of his efforts providing catalytic converter etching services free of charge to over 200 San Francisco residents.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to the organizers of Castro Halloween, accepted by Manny Yekutieli on behalf of Caleb Hilladakis (Civic Joy Fund), Terry Asten Bennett (Castro Merchants), Sister Roma (The Sisters of Perpetual Indulgence), Mary Conde and Landes Dixon (Another Planet Entertainment), Tina Aguirre and Stephen Torres (Castro LGBT Cultural District), Billy Lemon (Castro Country Club), and Captain Tom Harvey and the Mission Station, Police Department, in recognition of their efforts bringing back Halloween to the Castro after a 17-year hiatus and creating a safe, family-friendly celebration.

SPECIAL ORDER 3:00 P.M.

President Peskin requested File Nos. 231177, 231178, and 230986 be called together.

Board of Supervisors Sitting as a Committee of the Whole

231177 [Hearing - Committee of the Whole - Charter Amendment - Mayoral Authority to Disapprove Certain SFMTA Budget Proposals - November 14, 2023, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on November 14, 2023, at 3:00 p.m., to consider a Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024 (File No. 230986); and a Motion modifying the amount of time required under Board Rule 2.22.7 between the first appearance on the Board's agenda and the order of submission to the electorate for the subject Charter Amendment; scheduled pursuant to an oral motion made and approved on November 7, 2023, during action at the Board of Supervisors meeting for File No. 230986. (Clerk of the Board)

President Peskin opened the public hearing and Supervisor Safai provided opening remarks. The President then inquired as to whether any individual wished to address the Committee of the Whole relating to the Charter Amendment providing Mayoral authority to disapprove certain Municipal Transportation Agency budget proposals (File Nos. 231177, 231178, and 230986). Amy Cleary; Aldo Abdallah; spoke in support of the proposed Charter Amendment. Audrey Mein; Cyrus Hall; Dylan Favors; Christopher Peterson; spoke in opposition to the proposed Charter Amendment. 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

231178 [Modifying Time for Submission of Charter Amendment - Rules 2.22.7 and 2.22.8]

Sponsor: Safai

Motion modifying the amount of time required under Rule 2.22.7 between the first appearance on the Board's agenda and the order of submission to the electorate for the Charter Amendment to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024 (File No. 230986).

Motion No. M23-138

APPROVED by the following vote:

Ayes: 6 - Chan, Peskin, Preston, Ronen, Safai, Walton

Noes: 5 - Dorsey, Engardio, Mandelman, Melgar, Stefani

Recommendation of the Rules Committee

230986 [Charter Amendment - Mayoral Authority to Disapprove Certain SFMTA Budget Proposals]

Sponsors: Safai; Peskin and Ronen

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide that the Mayor may disapprove in writing certain San Francisco Municipal Transportation Agency (SFMTA) proposals that must be part of SFMTA's proposed budget or budget amendment; proposals subject to disapproval are increases in fares and parking meter maximum rates, and net expansion of hours or days of parking meter operation; at an election to be held on March 5, 2024. (Supervisor Dorsey dissented in committee.)

CONTINUED to the Board of Supervisors Special Meeting of November 20, 2023. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

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.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

231019 [Declaration of Policy - Eighth Grade Algebra and SFUSD Math Curriculum Development]

Sponsors: Engardio; Safai, Melgar, Stefani and Dorsey

Motion ordering submitted to the voters at an election to be held on March 5, 2024, a Declaration of Policy urging the San Francisco Unified School District (SFUSD) to offer Algebra 1 to students by the eighth grade, and supporting the SFUSD in its efforts to develop its math curriculum for students at all grade levels.

Motion No. M23-136

APPROVED by the following vote:

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

Supervisor Mandelman was noted absent at 3:04 p.m.

231041 [Appointments, Ballot Simplification Committee - Christine Unruh, Betty Packard, and Ruth Grace Wong]

Motion appointing Christine Unruh, Betty Packard, and Ruth Grace Wong, terms ending November 30, 2024, to the Ballot Simplification Committee. (Rules Committee)

Motion No. M23-137

APPROVED by the following vote:

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

Supervisor Mandelman was noted present at 3:06 p.m.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Thierry Fill; shared concerns regarding the need for a new education system, how to be happy, and the need to retain beauty.

Mr. Wright; expressed concerns regarding corrupt American and International politicians, dignitaries and their families.

Christopher Kline; shared concerns regarding state secret privileges and artificial intelligence. Speaker; spoke in opposition to the 90-day Mission Street vending ban and the harm small businesses and vendors.

Cesar; spoke in opposition to the 90-day Mission Street vending ban and the harm small businesses and vendors.

Speaker; spoke in opposition to the 90-day Mission Street vending ban and the harm small businesses and vendors.

Ron Collin; spoke on various concerns regarding street vendors and their accumulation of stolen goods through food stamps.

Erin Roach; expressed support of a newly introduced Ordinance on the implementation of the Gashouse Cove Project, Marina Yacht Harbor.

Randy; expressed support of a newly introduced Ordinance on the implementation of the Gashouse Cove Project, Marina Yacht Harbor.

Speaker; expressed support of a newly introduced Ordinance on the implementation of the Gashouse Cove Project, Marina Yacht Harbor.

Evelyn Gray; expressed support of a newly introduced Ordinance on the implementation of the Gashouse Cove Project, Marina Yacht Harbor.

Hank Evans; expressed support of a newly introduced Ordinance on the implementation of the Gashouse Cove Project, Marina Yacht Harbor.

JConr B. Ortega; expressed concerns regarding educational systems and the accountability of politicians.

John Trasvania; expressed support of the Resolution reaffirming support for an independent, impartial and qualified judiciary (File No. 231180).

Jill Lender; expressed support of a newly introduced Ordinance on the implementation of the Gashouse Cove Project, Marina Yacht Harbor.

Vic Clocker; expressed support of the Resolution reaffirming support for an independent, impartial and qualified judiciary (File No. 231180).

Sala-Haquekyah Chandler; expressed support for upcoming programs and the need for a consulate for the African-American cultural district.

Speaker; shared personal religious concerns.

Supervisor Walton was noted absent at 4:20 p.m. and for the remainder of the meeting.

Supervisor Stefani was noted absent at 4:29 p.m. and for the remainder of the meeting.

Supervisors Stefani and Walton Excused from Attendance

Supervisor Safai, seconded by Supervisor Mandelman, moved that Supervisors Walton and Stefani be excused from attending the remainder of the meeting. The motion carried by the following vote:

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

Excused: 2 - Stefani, Walton

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

231156 [Final Map No.11095 - 1776 Green Street]

Motion approving Final Map No. 11095, a five-unit new residential condominium project, located at 1776 Green Street, being a subdivision of Assessor's Parcel Block No. 0544, Lot No. 006; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M23-139

APPROVED by the following vote:

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

Excused: 2 - Stefani, Walton

President Peskin requested File No. 231180 be severed so that it may be considered separately.

231180 [Reaffirming Support For An Independent, Impartial and Qualified Judiciary]

Sponsors: Peskin; Walton and Chan

Resolution reaffirming support for the fundamental role of an independent, impartial, and qualified judiciary in upholding the law in the pursuit of justice and the functional operation of a healthy democracy.

Prior to the meeting, the Office of Supervisor Hillary Ronen requested she be added as a co-sponsor; however, during the meeting, Supervisor Ronen rescinded that request and asked not to be listed as a co-sponsor.

Supervisor Peskin requested this Resolution be REFERRED to the Government Audit and Oversight Committee.

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

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

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

231144 [Planning, Administrative Codes - Code Corrections Ordinance]

Ordinance amending the Planning and Administrative Codes to correct typographical errors, update outdated cross-references, and make non-substantive revisions to clarify or simplify Code language; 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 adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302. (Planning Department)

11/02/23; RECEIVED FROM DEPARTMENT.

11/14/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/14/2023.

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

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

11/02/23; RECEIVED FROM DEPARTMENT.

11/14/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/14/2023.

PROPOSED RESOLUTIONS

231146 [Agreement Amendment - McKesson Corporation - Group Purchasing Organization Purchase of Pharmaceuticals - Not to Exceed \$977,652,155]

Resolution approving Amendment No. 1 to the Group Purchasing Organization pharmaceutical Agreement between McKesson Corporation and the Department of Public Health (DPH), under Administrative Code, Chapter 21A.2, to increase the Agreement sum by \$596,269,164 for a not to exceed amount of \$977,652,155; extend the term by four years and five months from February 1, 2024, for a total term of February 1, 2020, through June 30, 2028; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

10/31/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231147 [Agreement Amendment - McKesson Plasma and Biologics LLC - Group Purchasing Organization Purchase of Pharmaceuticals - Not to Exceed \$1,466,737,824]

Resolution approving Amendment No. 1 to the Group Purchasing Organization (GPO) pharmaceutical Agreement between McKesson Plasma and Biologics LLC and the Department of Public Health (DPH), under Administrative Code, Chapter 21A.2, to increase the Agreement amount by \$1,170,803,034 for a not to exceed amount of \$1,466,737,824; extend the term by four years and five months from February 1, 2024, for a total term of February 1, 2020, through June 30, 2028; and authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

10/31/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231148 [Contract Amendment - A Better Way - Mental Health Outpatient Treatment Services and Optional Specialized Mental Health Treatment Services - Not to Exceed \$13,579,299]

Resolution approving Amendment No. 2 to the Agreement between A Better Way and the Department of Public Health (DPH), for mental health outpatient treatment services and optional specialized mental health treatment services; to increase the agreement by \$3,799,272 for a total amount not to exceed \$13,579,299; to extend the term by three years and six months from December 31, 2023, for a total agreement term of July 1, 2017, through June 30, 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)

11/03/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

231149 [Contract Amendment - The Regents of the University of California - Outpatient/Ambulatory HIV Health Services - Not to Exceed \$26,481,255]

Resolution approving Amendment No. 1 to the Agreement between The Regents of the University of California and the Department of Public Health (DPH), to provide outpatient/ambulatory HIV health services to increase the agreement by \$16,483,383 for an amount not to exceed \$26,481,255; to extend the term by five years and eight months from June 30, 2024, for a total agreement term of March 1, 2020, through February 28, 2030; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

11/02/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

11/14/23; TRANSFERRED to Budget and Finance Committee.

231150 [Contract Amendment - Richmond Area Multi Services, Inc. - Vocational Rehabilitation Employment and Training Programs - Not to Exceed \$40,837,235]

Resolution approving Amendment No. 1 to the Agreement between Richmond Area Multi Services, Inc. and the Department of Public Health (DPH), to provide vocational rehabilitation employment and training programs; to increase the agreement amount by \$31,268,440 for a total not to exceed amount of \$40,837,235; to extend the term by four years and six months from December 31, 2023, for a total agreement term of May 1, 2022, through June 30, 2028; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

11/02/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

231151 [Contract Amendment - Latino Commission - Substance Use Disorder Treatment Services - Not to Exceed \$17,598,422]

Resolution approving Amendment No. 2 to the Agreement between Latino Commission and the Department of Public Health (DPH), for substance use disorder treatment services; to increase the agreement by \$7,934,917 for a total amount not to exceed \$17,598,422; to extend the term by three years and six months from December 31, 2023, for a total agreement term of July 1, 2018, through June 30, 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)

11/03/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

231152 [Contract Agreement - Chinese Hospital Association - Subacute Skilled Nursing and Skilled Nursing Facility Beds - Not to Exceed \$18,851,840]

Resolution approving Amendment No. 1 to the Agreement between Chinese Hospital Association and the Department of Public Health, to provide subacute skilled nursing and skilled nursing facility beds for hospital overflow or emergency needs, to increase the agreement by \$8,960,000 for an amount not to exceed \$18,851,840 effective upon approval of this Resolution; with no changes to the term of December 1, 2022, through November 30, 2024; and to authorize DPH to enter into modifications of the Agreement that do not materially increase the City's obligations or liabilities and are necessary to effectuate the purposes of the Agreement or this Resolution. (Public Health Department)

11/06/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231153 [Lease Amendment - DFS Group, L.P. - The International Terminal Duty Free and Luxury Lease - Modify and Extend a Reduced Percentage Rent Structure to December 31, 2026 - Establish a Temporarily Reduced Minimum Annual Guarantee - \$30,000,000]

Resolution approving Amendment No. 4 to the International Terminal Duty Free and Luxury Store Lease No. 17-0303 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission, which continues the temporary reduced Percentage Rent structure, but increases the percentage amount to 36% of gross revenues, commencing with Lease Year 5 (2024) and continuing through Lease Year 7 (2026), and establishing a temporarily reduced Minimum Annual Guarantee of \$30,000,000 for Lease Year 5, adjusting annually in accordance with the Lease through Lease Year 7, with the original Base Rent structure recommencing in Lease Year 8 (2027), with each such rent accommodation being conditioned upon Tenant's timely completion of the construction of its remaining facilities in Harvey Milk Terminal 1 no later than December 31, 2024, with no change to the 14-year term, to be effective upon approval of this Resolution. (Airport Commission)

11/02/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231154 [Contract Amendment - Golden Gate Petroleum - Renewable Diesel - Not to Exceed \$86,750,000]

Resolution authorizing the Office of Contract Administration to enter into a Third Amendment (Modification 3) to Contract 1000013880 between the City and County of San Francisco and Golden Gate Petroleum for the purchase of renewable diesel for all City departments, increasing the contract amount by \$18,750,000 for a new total not to exceed amount of \$86,750,000 and extending the duration by five months from May 31, 2024, for a total agreement term of June 1, 2019, through October 31, 2024; and to authorize the Office of Contract Administration 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. (Office of Contract Administration)

11/06/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

231155 [Settlement of Unlitigated Claims - John Paul USA, Inc. - \$70,805.11]

Resolution approving the settlement of the unlitigated claims filed by John Paul USA, Inc. against the City and County of San Francisco for \$70,805.11; the claims were filed on January 9, 2023; the claims involve a refund of gross receipts taxes and payroll expense taxes. (City Attorney)

11/06/23; RECEIVED FROM DEPARTMENT.

11/14/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:51 p.m.