

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, July 23, 2024 - 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Chan, Mandelman, Melgar, Walton, Peskin

Budget and Finance Committee

Supervisors Chan, Mandelman, Melgar

Government Audit and Oversight Committee

Supervisors Preston, Stefani, Chan

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Stefani, Engardio, Dorsey

Rules Committee

Supervisors Walton, Safai, Peskin

Meeting Days

Wednesday

1:30 PM

Wednesday

9:00 AM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

Volume 119 Number 27

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, July 23, 2024, with President Aaron Peskin presiding.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

A quorum of the Board was present.

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

President Peskin led the Members of the Board and the audience in the pledge of allegiance to the flag of the United States of America, pursuant to Board Rule 4.9.

COMMUNICATIONS

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

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

APPROVAL OF MEETING MINUTES

President Peskin inquired whether a Member of the Board had any corrections to the June 18, 2024, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Walton, moved to approve the June 18, 2024, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

240406 [Health, Business and Tax Regulations Codes - Annual Retail Food Special Event Permit]

Sponsors: Mayor; Engardio, Mandelman and Melgar

Ordinance amending the Health and Business and Tax Regulations Codes to create a new annual retail food permit for food operators participating in special events and set the fees for the new permit.

Ordinance No. 203-24

FINALLY PASSED

240555 [Authorizing Grant Agreements - Terms of 20 Years after Project Completion - Public Utilities Commission Green Infrastructure Grant Program]

Sponsor: Mandelman

Ordinance extending for an additional two years from July 1, 2024, through July 1, 2026, the delegation of authority under Charter, Section 9.118, to the General Manager of the San Francisco Public Utilities Commission ("SFPUC"), previously authorized by Ordinance No. 26-19 and extended and modified by Ordinance No. 101-20 and Ordinance No. 159-22, to enter into grant agreements under the SFPUC's Green Infrastructure Grant Program with terms of up to 20 years after the Project Completion Date, as defined by the Grant Agreements.

Ordinance No. 207-24

FINALLY PASSED

240633 [Agreement Amendment - Sayana Corporation - Adante Hotel - Waiver of Certain Administrative, Labor and Employment, and Environment Code Requirements - Not to Exceed \$20,870,507]

Sponsor: Mayor

Ordinance authorizing the Department of Homelessness and Supportive Housing ("HSH") to amend the booking agreement with the Sayana Corporation, operator of the Adante Hotel, to increase the not to exceed amount by \$2,371,068 for a total amount not to exceed \$20,870,507; to extend the term of the agreement by seven months from August 31, 2024, for a new term of May 14, 2020, through March 31, 2025; waiving for certain requirements of the Administrative, Labor and Employment, and Environment Codes for said agreement; and authorizing HSH to enter into amendments that do not increase the City's obligations or liabilities and are necessary to effectuate the purposes of the agreement. (Department of Homelessness and Supportive Housing) (Fiscal Impact)

Ordinance No. 184-24

FINALLY PASSED

240634 [Agreement Amendment - Lombard Hotel Group - Monarch Hotel - Waiver of Certain Administrative, Labor and Employment, and Environment Code Requirements - Not to Exceed \$21,661,300]

Sponsor: Mayor

Ordinance authorizing the Department of Homelessness and Supportive Housing ("HSH") to amend the booking agreement with the Lombard Hotel Group, operator of the Monarch Hotel, to increase the not to exceed amount by \$2,533,540 for a total amount not to exceed \$21,661,300; to extend the term of the agreement by seven months from August 31, 2024, for a new term of August 4, 2020, through March 31, 2025; waiving certain requirements of the Administrative, Labor and Employment, and Environment Codes for said agreement; and authorizing HSH to enter into amendments that do not increase the City's obligations or liabilities and are necessary to effectuate the purpose of the agreement. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

Ordinance No. 185-24

FINALLY PASSED

240726 [Administrative Code - Workforce Housing and Affordable Middle-Income Revenue Bonds]

Sponsors: Peskin; Chan and Preston

Ordinance amending the Administrative Code to permit the issuance of bonds to finance the acquisition, development, rehabilitation, or construction of middle-income and workforce housing, and to establish ownership, tenancy, affordability, and program requirements.

Ordinance No. 211-24

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

240635 [Mission Bay South - Parks P22 and P19 Acceptance]

Sponsors: Mayor; Dorsey

Ordinance conditionally accepting a grant deed for property associated with Mission Bay South Park P22; delegating for a three-year period to the San Francisco Port Commission the authority to dedicate Mission Bay South Parks P22 and P19 (bordering Terry François Boulevard) to public use, accept an irrevocable offer for the acquisition facilities that comprise the park improvements, designate said facilities for public park and open space purposes only, and accept these Parks for Port of San Francisco maintenance and liability purposes, subject to specified limitations; delegating for a three-year period to the Public Works Director similar authority for certain Public Utilities Commission assets in Parks P22 and P19; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; adopting a Public Works Order that recommends delegation of Parks P22 and P19 acceptance and related actions; and authorizing official acts, as defined, in connection with this Ordinance.

Ordinance No. 209-24

FINALLY PASSED

Recommendation of the Public Safety and Neighborhood Services Committee

240502 [Health Code - Requiring Retail Pharmacies to Stock Buprenorphine]

Sponsors: Dorsey; Mandelman, Ronen, Preston and Peskin

Ordinance amending the Health Code to require each retail pharmacy in San Francisco that stocks controlled substance prescription drugs to stock sufficient buprenorphine to provide for at least two new prescriptions, provide for an affirmative defense for retail pharmacies that ordered replacement prescriptions, and establish penalties for violating the requirement to stock sufficient buprenorphine.

Ordinance No. 206-24

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 Budget and Finance Committee

240632 [Agreement Amendment - Shin International, Inc. - Cova Hotel - Waiver of Certain Administrative, Labor and Employment, and Environment Code Requirements - Not to Exceed \$16,032,443]

Sponsor: Mayor

Ordinance authorizing the Department of Homelessness and Supportive Housing ("HSH") to amend the booking agreement with Shin International, Inc., the operator of the Cova Hotel, to increase the not to exceed amount by \$1,728,190 for a total amount not to exceed \$16,032,443 and to extend the term of the agreement by seven months from August 31, 2024, for a new term of May 26, 2020, through March 31, 2025; waiving certain requirements of the Administrative, Labor and Employment, and Environment Codes for said agreement; and authorizing HSH to enter into amendments that do not increase the City's obligations or liabilities and are necessary to effectuate the purposes of the agreement. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

(Supervisor Mandelman voted No on First Reading.)

Ordinance No. 183-24

FINALLY PASSED by the following vote:

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

President Peskin requested File Nos. 240410, 240638, 240575, and 240409 be called together.

Supervisor Engardio Excused from Voting

Supervisor Engardio requested to be excused from voting on File Nos. 240410, 240638, 240575, and 240409, due to a possible conflict of interest.

Supervisor Melgar, seconded by Supervisor Preston, moved that Supervisor Engardio be excused from voting on File Nos. 240410, 240638, 240575, and 240409. The motion carried by the following vote:

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

240410 [Development Agreement - Stonestown NW Parcel LLC, Stonestown Shopping Center, L.P., and Stonestown Anchor Acquisition, L.P - Stonestown Development Project - Waiver of Various Municipal Code Provisions]

Sponsors: Mayor; Melgar and Mandelman

Ordinance approving a Development Agreement between the City and County of San Francisco and Stonestown NW Parcel LLC, a Delaware limited liability company, Stonestown Shopping Center, L.P., a Delaware limited partnership, and Stonestown Anchor Acquisition, L.P, a Delaware limited partnership, for the Stonestown Development Project at the approximately 30-acre site generally bounded by 19th Avenue to the east, Buckingham Way to the south and west, and Rolph Nicol Jr. Playground and Eucalyptus Drive to the north, in the southwest part of San Francisco, including affordable and market rate housing and approximately six acres of open space; making findings under the California Environmental Quality Act; and making findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b), and findings of public convenience, necessity, and welfare under Planning Code, Section 302; and confirming compliance with or waiving certain provisions of the Planning Code, Administrative Code, Subdivision Code, Campaign and Governmental Conduct Code, and Public Works Code, and ratifying actions taken and authorizing future actions to be taken in connection with the Development Agreement, as defined herein.

(Economic Impact)

(Fiscal Impact)

Ordinance No. 205-24

FINALLY PASSED by the following vote:

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

240638 [Administrative Code - Enhanced Infrastructure Financing District Public Financing Authority No. 1]

Sponsors: Melgar; Peskin and Mandelman

Ordinance amending the Administrative Code to provide for Enhanced Infrastructure Financing District Public Financing Authority No. 1 to act as the governing body of multiple enhanced infrastructure financing districts.

Ordinance No. 210-24

FINALLY PASSED by the following vote:

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

Recommendations of the Land Use and Transportation Committee

240575 [General Plan - Stonestown Development Project]

Ordinance amending the General Plan to revise the Urban Design Element, the Commerce and Industry Element, and the Land Use Index to reflect the Stonestown Development Project; adopting findings 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 welfare under Planning Code, Section 340. (Planning Commission)

(Pursuant to Charter, Section 4.105, the Planning Commission recommends General Plan amendments to the Board of Supervisors for approval or rejection. If the Board fails to act within 90 days of receipt, the proposed General Plan amendment shall be deemed approved. Transmittal Date: May 22, 2024)

Ordinance No. 208-24

FINALLY PASSED by the following vote:

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

Excused: 1 - Engardio

240409 [Planning Code, Zoning Map - Stonestown Mixed Use District, Special Use District, Height and Bulk District, Special Sign District]

Sponsors: Mayor; Melgar

Ordinance amending the Planning Code and the Zoning Map to establish the Stonestown Mixed-Use District (SMD), Stonestown Special Use District (SUD), Stonestown Mixed-Use Height and Bulk District (HBD), and Stonestown Special Sign District (SSD), all generally bounded by Eucalyptus Drive and Buckingham Way to the north, 19th Avenue to the east, Buckingham Way to the south, and Buckingham Way to the west, with the SSD including the Stonestown Galleria Mall and the SMD, SUD, and HBD excluding the mall; abolishing an approximately 15-foot legislated setback on the west side of 19th Avenue between Eucalyptus Drive and Buckingham Way; making findings 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 under Planning Code, Section 302. (Economic Impact)

Ordinance No. 204-24

FINALLY PASSED by the following vote:

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

Excused: 1 - Engardio

Recommendations of the Budget and Appropriations Committee

President Peskin requested File Nos. 240595, 240596, 240597, 240598, 240599, 240600, 240601, 240602, 240604, 240605, 240606, 240607, 240608, and 240569 (the Annual Budget) be called together.

240595 [Budget and Appropriation Ordinance for Departments - FYs 2024-2025 and 2025-2026]

Sponsor: Mayor

Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of June 1, 2024, for the Fiscal Years (FYs) ending June 30, 2025, and June 30, 2026.

(Fiscal Impact)

(Supervisor Preston voted No on First Reading.)

Ordinance No. 190-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

240596 [Annual Salary Ordinance - FYs 2024-2025 and 2025-2026]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Years (FYs) ending June 30, 2025, and June 30, 2026, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

(Fiscal Impact)

(Supervisor Preston voted No on First Reading.)

Ordinance No. 191-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

240597 [Administrative Code - County Clerk's Fees]**Sponsor: Mayor**

Ordinance amending the Administrative Code to adjust the fees imposed by the County Clerk, and authorizing the Controller to make future adjustments to the County Clerk's fees to ensure that costs of the County Clerk's services are recovered without producing revenue that is significantly more than such costs.

(Supervisor Preston voted No on First Reading.)

Ordinance No. 192-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

240598 [Police Code - Entertainment License Fee Updates]**Sponsor: Mayor**

Ordinance amending the Police Code to adjust to current amounts the license fees for Billiard Parlor, Dance Hall Keeper, Extended Hours Premises, Fixed Place Outdoor Amplified Sound, Limited Live Performance, Mechanical Amusement Device, and Place of Entertainment permits.

(Supervisor Preston voted No on First Reading.)

Ordinance No. 193-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

240599 [Business and Tax Regulations Code - DPH Cannabis Business Inspection Fees]**Sponsors: Mayor; Mandelman**

Ordinance amending the Business and Tax Regulations Code to eliminate fees charged to permitted cannabis businesses to cover the cost of inspections of those businesses by the Department of Public Health (DPH).

(Supervisor Preston voted No on First Reading.)

Ordinance No. 194-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

240600 [Health Code - Patient Rates for Fiscal Years 2024-2025 and 2025-2026]**Sponsor: Mayor**

Ordinance amending the Health Code to set patient rates and rates for other healthcare services provided by the Department of Public Health, for Fiscal Years 2024-2025 and 2025-2026.

(Supervisor Preston voted No on First Reading.)

Ordinance No. 195-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

240601 [Public Works Code - Fee Modification]**Sponsor: Mayor**

Ordinance amending the Public Works Code to modify certain permit fees and other charges and affirming the Planning Department's determination under the California Environmental Quality Act. (Supervisor Preston voted No on First Reading.)

Ordinance No. 196-24

FINALLY PASSED by the following vote:

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

240602 [Park Code - Recreation Program Fees]**Sponsor: Mayor**

Ordinance amending the Park Code to impose an additional \$5 charge for recreation programs. (Supervisor Preston voted No on First Reading.)

Ordinance No. 197-24

FINALLY PASSED by the following vote:

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

240604 [Business and Tax Regulations Code - Early Care and Education Commercial Rents Tax Baseline - FYs 2024-2025 and 2025-2026]**Sponsor: Mayor**

Ordinance modifying the baseline funding requirements for early care and education programs in Fiscal Years (FYs) 2024-2025 and 2025-2026, to enable the City to use the interest earned from the Early Care and Education Commercial Rents Tax for those baseline programs. (Fiscal Impact)

(Supervisor Preston voted No on First Reading.)

Ordinance No. 198-24

FINALLY PASSED by the following vote:

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

240605 [Grant Agreement - Planned Parenthood Northern California - Security Services - Not to Exceed \$456,000 - Waiver of Competitive Solicitation Requirement]**Sponsors: Mayor; Mandelman, Stefani, Safai and Ronen**

Ordinance authorizing the Department of Public Health ("Department") to award a one-time grant to Planned Parenthood Northern California ("Planned Parenthood NC") by waiving the competitive solicitation requirements of Administrative Code, Chapter 21G, for the purpose of funding security personnel to support access to family planning and other sexual and reproductive healthcare services in an amount not to exceed \$456,000 for a term not to exceed two years to commence on April 1, 2025, through March 31, 2027; and requiring the Department to provide an annual report to the Board of Supervisors on the security personnel selected by Planned Parenthood NC and security incidents experienced by Planned Parenthood NC.

(Fiscal Impact)

(Supervisor Preston voted No on First Reading.)

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

Ordinance No. 199-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

240606 [Administrative Code - Repealing Maddy Emergency Medical Services Fund]**Sponsor: Mayor**

Ordinance amending the Administrative Code to repeal Sections 8.42 and 10.100-195, known as the Maddy Emergency Services Fund, and thereby repealing certain reimbursement payments to physicians who provide emergency medical services to indigent patients.

(Supervisor Preston voted No on First Reading.)

Ordinance No. 200-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

240607 [Funding Reallocation - Homelessness Gross Receipts Tax - Our City, Our Home Fund - Services to Address Homelessness - Approximately \$13,676,000]**Sponsor: Mayor**

Ordinance reallocating approximately \$13,676,000 in unappropriated earned interest revenues from the Our City, Our Home Fund to allow the City to use such revenues from the Homelessness Gross Receipts Tax for certain types of services to address homelessness; temporarily suspending the limit on funding for short-term rental subsidies; directing the City to provide additional notice regarding eligibility for short-term rental subsidies; and finding that these changes are necessary to achieve the purposes of the Our City, Our Home Fund pursuant to Business and Tax Regulations Code, Section 2811.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Preston

240608 [Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling]

Sponsor: Mayor

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2024.

(Supervisor Preston voted No on First Reading.)

Ordinance No. 201-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

240569 [Appropriation - Assessment Appeals Fee Revenue - \$400,000 - Board of Supervisors - FY2023-2024]

Sponsor: Peskin

Ordinance appropriating \$400,000 of assessment appeals fee revenue from filing fees, hearing fees, and finding of fact fees collected in Fiscal Year (FY) 2023-2024 to support the Assessment Appeals Boards' costs of operation, including the development of an online assessment appeals application filing system.

(Fiscal Impact)

(Supervisor Preston voted No on First Reading.)

Ordinance No. 189-24

FINALLY PASSED by the following vote:

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

Noes: 1 - Preston

Recommendations of the Rules Committee

240545 [Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the School District; Clarifying Uses of the Student Success Fund]

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

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to 1) create an Our Children, Our Families Initiative (“Initiative”) to coordinate efforts by City departments and the San Francisco Unified School District (“School District”) to deliver outcomes-based services for children, youth, and families; 2) require the Initiative to use an objective and measurable outcomes framework (“Outcomes Framework”) to evaluate the budget and spending of each City department with expenditures that are eligible to be included in the Children and Youth Fund baseline, the Public Education Enrichment Fund (“PEEF”), the PEEF baseline, or any discretionary funding allocated from the General Fund for children, youth, and families; 3) require the Mayor and Board of Supervisors to consider the Initiative’s findings during their consideration of the City budget each year, including by the Board of Supervisors holding a public hearing and adopting findings about the expenditures; 4) require the School District to submit a proposal once every five years describing how it will spend the City’s general fund contribution to the PEEF consistent with the San Francisco Children and Families Plan and the Outcomes Framework, and prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and Mayor have approved the School District’s proposal; 5) require the School District to submit annual reports describing how it has spent the City’s general fund contribution and the PEEF funding for arts, music, sports, and library programs; 6) authorize the Board of Supervisors and Mayor to place PEEF funding to the School District on reserve if the School District’s expenditures are inconsistent with the Charter, the Outcomes Framework, or the School District’s spending plan or its internal guidelines regarding student educational outcomes; 7) provide that money set aside for the School District in the Student Success Fund cannot replace, supplant, count as, or substitute for other City funding for the School District or children and youth required under the Children and Youth Fund, the PEEF, or other provisions in the Charter; and 8) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; at an election to be held on November 5, 2024.

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

ORDERED SUBMITTED by the following vote:

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

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 2:15 p.m. The President resumed the chair 2:23 p.m.

240547 [Charter Amendment - Commission Reform]**Sponsors: Peskin; Ronen, Preston and Mandelman**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to establish the Commission Streamlining Task Force charged with making recommendations to the Mayor and the Board of Supervisors about ways to modify, eliminate, or combine the City's appointive boards and commissions to improve the administration of City government; require the City Attorney to prepare a Charter Amendment to implement the Task Force's recommendations relating to Charter commissions, for consideration by the Board of Supervisors; and authorize the Task Force to introduce an ordinance to effectuate its recommendations relating to appointive boards and commissions codified in the Municipal Code, which ordinance shall go into effect within 90 days unless rejected by a two-thirds vote of the Board of Supervisors; at an election to be held on November 5, 2024.

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

ORDERED SUBMITTED by the following vote:

Ayes: 7 - Chan, Mandelman, Peskin, Preston, Ronen, Safai, Walton

Noes: 4 - Dorsey, Engardio, Melgar, Stefani

240549 [Charter Amendment - Inspector General in Controller's Office; Expanding Controller's Investigative Powers]**Sponsors: Peskin; Safai, Ronen, Preston, Chan and Dorsey**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to establish the position of Inspector General in the Controller's Office; to provide that the Inspector General be nominated by the Controller subject to approval by the Board of Supervisors and the Mayor; to authorize the Inspector General to initiate and lead investigations regarding potential violations of laws or policies involving fraud, waste, or abuse; to expand the authority of the Controller's Office to issue subpoenas; and to authorize the Controller's Office to execute search warrants to the extent permitted by State law; at an election to be held on November 5, 2024.

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

ORDERED SUBMITTED by the following vote:

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

240550 [Charter Amendment - Affordable Housing Opportunity Fund for Seniors, Families, and Persons with Disabilities]**Sponsors: Peskin; Safai, Ronen, Walton, Preston, Chan, Dorsey, Mandelman, Melgar, Engardio and Stefani**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to establish the Affordable Housing Opportunity Fund for Seniors, Families, and People with Disabilities to fund project-based rental subsidies for extremely low-income households consisting of seniors, families, and persons with disabilities, and to require the City to appropriate at least \$8.25 million to the Fund annually starting in Fiscal Year 2026-2027; at an election to be held on November 5, 2024.

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

ORDERED SUBMITTED by the following vote:

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

240551 [Charter Amendment - Per Diem Nurse Retirement Credit and Public Safety Communications Personnel Retirement Plan]**Sponsors: Safai; Melgar, Preston, Walton, Chan and Dorsey**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to allow registered nurses, who are or become members of the San Francisco Employees' Retirement System and have worked an average of 32 hours or more per week for at least one year, to purchase up to three years of service credit for time previously worked as per diem nurses; and to move public safety communications personnel (911 dispatchers, supervisors, and coordinators) from the miscellaneous retirement plans to the miscellaneous safety retirement plan, for compensation earned on and after January 4, 2025; at an election to be held on November 5, 2024.

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

ORDERED SUBMITTED 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**

Supervisors Mandelman and Safai were noted absent at 2:55 p.m.

240698 [Business and Tax Regulations Code - Gross Receipts Tax Rates for NAICS Code 721 (Accommodation)]**Sponsors: Mayor; Peskin and Mandelman**

Ordinance amending the Business and Tax Regulations Code to lower the gross receipts tax rates for business activities described in North American Industry Classification System (NAICS), Code 721 (Accommodation), the classification generally applicable (with some exceptions) to providing lodging or short-term accommodations for travelers, vacationers, and others, applicable to taxable gross receipts between \$2,500,000.01 and \$25,000,000 in tax years 2025 and 2026, from 0.253% to 0.201%; in tax year 2027, from 0.264% to 0.209%; and in tax year 2028 and subsequent tax years, from 0.271% to 0.215%, all conditioned on the passage of the ballot measure, entitled the "Local Small Business Tax Cut Ordinance," at the November 5, 2024, General Election.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Chan, Dorsey, Engardio, Melgar, Peskin, Preston, Ronen, Stefani, Walton
Absent: 2 - Mandelman, Safai

Supervisors Mandelman and Safai were noted present at 2:58 p.m.

240724 [Health Service System Plans and Contribution Rates - Calendar Year 2025]**Sponsors: Dorsey; Chan**

Ordinance approving Health Service System plans and contribution rates for calendar year 2025. (Pursuant to Charter, Section A8.422, this matter shall require a vote of three-fourths (9 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)
(Fiscal Impact)

Privilege of the floor was granted unanimously to Abbie Yant, Executive Director (San Francisco Health Service System), who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

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

240471 [Real Property Lease Amendment - RACHRIS, LLC - 2 Gough Street - Human Services Agency - Initial Base Rent of \$260,090]

Resolution approving and authorizing the Director of Property on behalf of the Human Services Agency, to amend the lease of real property at 2 Gough Street, with RACHRIS, LLC, a California limited liability corporation, adding 7,938 square feet for a total of 21,876 square feet for the remainder of the term expiring on June 30, 2025, at an initial base rent of \$260,090 per year, with one option to extend for three years, effective upon approval of this Resolution; and authorizing the Director of Property to enter into any additions, amendments or other modifications to the lease that do not materially increase the obligation or liabilities of the City to effectuate the purposes of the Lease or this Resolution. (Real Estate Department)
(Fiscal Impact)

Resolution No. 410-24**ADOPTED by the following vote:**

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

President Peskin requested File Nos. 240577 and 240578 be called together.

240577 [Real Property Lease - Five Keys Schools and Programs - 1099 Sunnydale Avenue - \$10,870.08 Initial Yearly Base Rent]

Resolution approving and authorizing the Director of Property to enter into a real property lease with Five Keys Schools and Programs, a California nonprofit public benefit corporation, for approximately 676 square feet of The Village Community Facility located at 1099 Sunnydale Avenue, effective upon approval of this Resolution for an initial term of five years with two five-year options to extend, at an initial rent of \$10,870.08 per year (\$905.84 per month) with 3% annual increases thereafter; a finding that competitive bidding procedures required under Administrative Code, Chapter 23, Section 23.33, are impractical or impossible; a finding that the Lease furthers a proper public purpose sufficient to meet Section 23.30 market value requirements; and 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 this Resolution. (Real Estate Department)
(Fiscal Impact)

Resolution No. 411-24**ADOPTED by the following vote:**

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

240578 [Real Property Lease - Retroactive - APA Family Support Services - 1099 Sunnydale Avenue - \$52,533.36 Initial Yearly Base Rent]

Resolution retroactively approving and authorizing the Director of Property to enter into a real property lease with APA Family Support Services, a California nonprofit public benefit corporation for approximately 3,267 square feet of The Village Community Facility located at 1099 Sunnydale Avenue, for an initial term of five years with two five-year options to extend, from December 1, 2023, through November 30, 2028, at an initial rent of \$52,533.36 per year (\$4,377.78 per month) with 3% annual increases thereafter; a finding that competitive bidding procedures required under San Francisco Administrative Code, Chapter 23, Section 23.33, are impractical or impossible; a finding that the Lease furthers a proper public purpose sufficient to meet Section 23.30 market value requirements; and 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 this Resolution. (Real Estate Department)
(Fiscal Impact)

Resolution No. 412-24

ADOPTED by the following vote:

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

President Peskin requested File Nos. 240582 and 240626 be called together.

240582 [Professional Services Agreement Amendment - Calpine Energy Solutions LLC - Community Choice Aggregation Program - Not to Exceed \$34,745,425]

Sponsor: Mandelman

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to Agreement No. CS-247[R], Customer and Administrative Services for Community Choice Aggregation Program with Calpine Energy Solutions LLC, for continued meter data management, billing, and customer care support for the CleanPowerSF Program, increasing the agreement amount by \$2,100,000 for a total not to exceed agreement amount of \$34,745,425 and extending the agreement duration by six months from November 1, 2024, for a total agreement duration from November 20, 2015, through April 30, 2025. (Public Utilities Commission)
(Fiscal Impact)

Resolution No. 413-24

ADOPTED by the following vote:

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

240626 [Power Purchase Agreement - IP Easley II, LLC - CleanPowerSF 2022 Renewable Energy Supplies - Not to Exceed \$75,000,000]**Sponsor: Mandelman**

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Renewable Power Purchase Agreement, Contract No. PRO.0263 CleanPowerSF 2022 Renewable Energy Supplies (Agreement) with IP Easley II, LLC, for an amount not to exceed \$75,000,000 with a term of 10 years, beginning by January 1, 2027, pursuant to Charter, Section 9.118. (Public Utilities Commission)

Resolution No. 414-24**ADOPTED by the following vote:**

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

President Peskin requested File Nos. 240627, 240672, and 240673 be called together.

240627 [Airline and Airport 2023 Lease and Use Agreement - Air Premia, Inc.]

Resolution approving the 2023 Lease and Use Agreement between the City and County of San Francisco, acting by and through its Airport Commission, and Air Premia, Inc. to conduct flight operations at the San Francisco International Airport, for a term commencing on the first day of the calendar month immediately following the receipt of full City approvals of the Lease through June 30, 2033; affirming the Planning Department's determination under the California Environmental Quality Act; and authorizing the Airport Director to enter into 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. (Airport Commission)

Resolution No. 415-24**ADOPTED by the following vote:**

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

240672 [Section 559 Reimbursable Services Agreement - Retroactive - United States Customs and Border Protection at San Francisco International Airport]

Resolution retroactively approving the Section 559 Reimbursable Services Agreement, Contract No. 50020, between United States Customs and Border Protection and the City and County of San Francisco, acting by and through its Airport Commission, with a commencement date of November 25, 2014, for an indefinite term, terminable upon either party by 90 days' written notice. (Airport Commission)
(Fiscal Impact)

Resolution No. 417-24**ADOPTED by the following vote:**

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

240673 [Lease Amendment - DFS Group, L.P. - The International Terminal Duty Free and Luxury Lease - Modify Reduced Rent Structure]

Resolution approving Amendment No. 5 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, modifying the reduced rent structure from May 1, 2023, through December 31, 2023, contingent upon Tenant's construction of its location in Harvey Milk Terminal 1 by December 31, 2024, and its other location in Terminal 2 by March 31, 2025, with no change to the 14-year term of April 1, 2020, through March 31, 2034, to be effective upon approval of this Resolution by the Board of Supervisors. (Airport Commission)
(Fiscal Impact)

Resolution No. 418-24

ADOPTED by the following vote:

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

240674 [Contract Agreement - Rexel USA, Inc. - Electrical Supplies - Not to Exceed \$26,200,000]

Resolution authorizing the Office of Contract Administration to execute Contract 1000032452 between the City and County of San Francisco and Rexel USA, Inc. for the purchase of citywide electrical supplies for a total contract amount not to exceed \$26,200,000 and an initial term of three years commencing on August 1, 2024, through July 31, 2027, with an option to extend the term for four additional years. (Office of Contract Administration)
(Fiscal Impact)

Resolution No. 419-24

ADOPTED by the following vote:

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

President Peskin requested File Nos. 240702 and 240703 be called together.

240702 [Accept and Expend Grant - Retroactive - San Francisco Health Plan - Specialty Services Access Grant - \$250,000]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$250,000 from the San Francisco Health Plan for participation in a program, entitled "Specialty Services Access Grant," for the period of February 28, 2024, through December 31, 2024. (Public Health Department)

Resolution No. 420-24

ADOPTED by the following vote:

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

240703 [Accept and Expend Grant - Retroactive - San Francisco General Hospital Foundation - Geriatric Emergency Department Planning Grant, Pilot Project 2020 - \$376,000]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$376,000 from the San Francisco General Hospital Foundation for participation in a program, entitled "Geriatric Emergency Department Planning Grant, Pilot Project 2020," for the period of January 1, 2020, through June 30, 2025. (Public Health Department)

Resolution No. 421-24

ADOPTED by the following vote:

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

240704 [Ground Lease - Casa Adelante SVN Housing, L.P. - 1515 South Van Ness Avenue, 3251-3255 26th Street, and 1214 Shotwell Street - 100% Affordable Housing - \$15,000 Annual Base Rent]

Sponsors: Mayor; Ronen, Melgar and Mandelman

Resolution 1) approving and authorizing the Director of Property and Director of the Mayor's Office of Housing and Community Development ("MOHCD") to enter into a Ground Lease for real property owned by the City located at 1515 South Van Ness Avenue, 3251-3255 26th Street, and 1214 Shotwell Street ("Property") with Casa Adelante SVN Housing, L.P. for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 ("Ground Lease") in order to construct a 168-unit (including one manager's unit) multifamily rental housing development affordable to low-income households and including community-serving commercial space (the "Project"); 2) 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; 3) determining that the less than market rent payable under the Ground Lease will serve a public purpose by providing affordable housing for low-income households in need, in accordance with Administrative Code, Section 23.30; and 4) authorizing the Director of Property and the Director of MOHCD to execute the Ground Lease, and make certain modifications and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

Resolution No. 422-24

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

240386 [Street Encroachment Permit - Public Stair and Scenic Overlook on 22nd Street]

Sponsor: Walton

Resolution granting revocable permission to RP Pennsylvania, LLC to occupy and maintain a portion of 22nd Street, between Missouri and Texas Streets, fronting 1395 22nd Street and 790 Pennsylvania Avenue (Assessor's Parcel Block No. 4167, Lot No. 013), with a public stair and scenic overlook; adopting environmental findings 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 to authorize the Director or Public Works to enter into amendments or modifications to the Permit with respect to the encroachments that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Permit or this Resolution.

Resolution No. 408-24

ADOPTED by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee

President Peskin requested File Nos. 240467 and 240631 be called together.

240467 [Liquor License Transfer - 3250 Mission Street - Evergreen Market]

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Ayob's Community Market Corp., doing business as Evergreen Market, located at 3250 Mission Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 409-24

ADOPTED by the following vote:

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

240631 [Liquor License Transfer - 340 Balboa Street - Tomorrows Wine]

Resolution determining that the person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Tofino Wines Inc., to do business as Tomorrows Wine located at 340 Balboa Street (District 1), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 416-24

ADOPTED 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 Walton introduced, welcomed, and presented a Certificate of Honor to Victor Williams and the Adult Probation Department in recognition of their accomplishments protecting and serving the community, furthering justice, and inspiring change. Cristel Tullock, Chief Adult Probation Officer (Adult Probation Department), provided additional commending remarks.

Supervisor Melgar introduced, welcomed, and presented a Certificate of Honor to San Francisco Fire Station No. 19, accepted by Lieutenant David Filkins, in recognition of their life-saving cliff rescues for both humans and dogs that often go astray.

Supervisor Dorsey introduced, welcomed, and presented a Certificate of Honor to Shelley Costantini, lead volunteer at the Rincon Hill Dog Park, in recognition of her efforts maintaining, supporting and fostering a leash-free clean and protected dog park.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to the Transgender District, accepted by Co-Executive Director Carlo Gomez Arteaga, in recognition of their efforts on the Entrepreneurship Accelerator Program and recognizing the 2024 graduating class.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

240776 [Hearing - Committee of the Whole - General Obligation Bond Election - Healthy, Safe, and Vibrant San Francisco - Not to Exceed \$390,000,000 - July 23, 2024, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on July 23, 2024, at 3:00 p.m., during the regular Board of Supervisors meeting, to hold a public hearing to consider the Ordinance (File No. 240497) calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2024, for the purpose of submitting to San Francisco voters a proposition to incur bonded indebtedness of not to exceed \$390,000,000 to finance the acquisition or improvement of real property, including: facilities to deliver primary healthcare services, emergency medical services, skilled nursing services, and services for persons experiencing mental health challenges or persons with substance use disorders; acquire, improve, and seismically upgrade critical medical care and mental health facilities and emergency shelter facilities; and improvements for certain transportation, pedestrian, and street safety related capital improvements, streetscape enhancements and other public space improvements, and related costs necessary or convenient for each of 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 review of Bond expenditures under the provisions of the Administrative Code by the Citizens' General Obligation Bond Oversight Committee; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed Bonds are in conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); scheduled pursuant to the approval of a motion made, as part of the action taken for File No. 240497, at the Board of Supervisors meeting of July 16, 2024. (Clerk of the Board)

President Peskin inquired as to whether any member of the public wished to address the Board relating to the Health, Safe, and Vibrant San Francisco General Obligation Bond Election (File Nos. 240776 and 240497). Thierry Fill; spoke on various concerns relating to the General Obligation Bond. Anne Pearson (Office of the City Attorney) answered questions raised during the discussion. 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

Recommendation of the Budget and Finance Committee

240497 [General Obligation Bond Election - Healthy, Safe, and Vibrant San Francisco - Not to Exceed \$390,000,000]

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

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2024, for the purpose of submitting to San Francisco voters a proposition to incur bonded indebtedness of not to exceed \$390,000,000 to finance the acquisition or improvement of real property, including: facilities to deliver primary healthcare services, emergency medical services, skilled nursing services, and services for persons experiencing mental health challenges or persons with substance use disorders; acquire, improve, and seismically upgrade critical medical care and mental health facilities and emergency shelter facilities; and improvements for certain transportation, pedestrian, and street safety related capital improvements, streetscape enhancements and other public space improvements, and related costs necessary or convenient for each of 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 review of Bond expenditures under the provisions of the Administrative Code by the Citizens' General Obligation Bond Oversight Committee; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed Bonds are in conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b).

(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)

Ordinance No. 186-24

FINALLY PASSED by the following vote:

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

COMMITTEE REPORTS

Referred from the Board of Supervisors

240544 [Charter Amendment - Police Staffing and Voluntary Deferred Retirement Option Program for the Police Department]

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

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to define the term "Full-Duty Sworn Officer"; modify the criteria for establishing recommended staffing levels for sworn officers; change the requirement for the Chief of Police to submit a staffing report from every two years to every three years; and establish a new voluntary Deferred Retirement Option Program ("DROP") for the period from July 2025 - July 2030, for eligible members of the Police Department (in the rank of officer, sergeant, or inspector) that allows those members to earn additional deferred compensation in the Retirement System for up to 60 months in exchange for agreeing to perform neighborhood patrol or investigative work; at an election to be held on November 5, 2024.

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

ORDERED SUBMITTED by the following vote:

Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Safai, Stefani

Noes: 3 - Preston, Ronen, Walton

Recommendation of the Government Audit and Oversight Committee

240722 [Memorandum of Understanding - Service Employees International Union, Local 1021 - Staff and Per Diem Nurses - Amendment No. 1]

Sponsor: Mayor

Ordinance adopting and implementing the First Amendment to the 2024-2027 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, Staff and Per Diem Nurses to address staffing and hiring of 2320 Registered Nurses and 2830 Public Health Nurses.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Land Use and Transportation Committee

240297 [Building Code - Deadlines for Disability Access Improvements for Places of Public Accommodation]

Sponsors: Mandelman; Engardio and Chan

Ordinance amending the Building Code to extend the deadlines for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's Report to the Board of Supervisors regarding the disability access improvement program.

PASSED ON FIRST READING by the following vote:

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

240499 [Building Code - Vacant Storefronts and Infrastructure Construction]

Sponsor: Chan

Ordinance amending the Building Code to exempt storefronts that are vacant due to public infrastructure construction from vacant storefront registration requirements; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

240552 [Charter Amendment - Fire Department Service Retirement Pension]

Sponsors: Stefani; Melgar, Safai, Chan, Peskin, Engardio and Dorsey

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to change the age factor percentage for benefit calculations such that persons who have or will become members of the Fire Department on and after January 7, 2012 reach a higher age factor percentage at earlier ages and lower from 58 to 55 the retirement age at which persons who have or will become members of the Fire Department on and after January 7, 2012 reach the highest age factor percentage; at an election to be held on November 5, 2024.

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

Supervisor Stefani, seconded by Supervisor Dorsey, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 30, 2024. The motion carried by the following vote:

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

240585 [Mayoral Reappointment, Board of Appeals - Jose Lopez]

Motion approving the Mayoral nomination for the reappointment of Jose Lopez to the Board of Appeals, for a four-year term ending July 1, 2028. (Clerk of the Board)
(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: May 28, 2024.)

Motion No. M24-071

APPROVED by the following vote:

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

240761 [Appointment, Ballot Simplification Committee - Pamela Troy]

Motion appointing Pamela Troy, term ending November 30, 2024, to the Ballot Simplification Committee. (Rules Committee)

Motion No. M24-072

APPROVED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Thierry Fill; expressed concerns regarding artificial intelligence, the dangers of technology, and the Olympics.

Lea McGeever; expressed concerns regarding social media posts.

Chris Ward Kline; expressed concerns regarding personal attacks, the use of surveillance equipment at local events, and the Human Rights Commission.

Mariam; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Speaker; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Raul Guadalupe; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Maria Vegas; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Lourdes; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Ana Macha; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Speaker; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Adriana; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Lola; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Kathy Burrick; expressed support of the Resolution urging negotiations for an updated Memorandum of Understanding for the Free City College Program (File No. 240771).

Heather Brandt; expressed support of the Resolution urging negotiations for an updated Memorandum of Understanding for the Free City College Program (File No. 240771).

Angelica Campos; expressed support of the Resolution urging negotiations for an updated Memorandum of Understanding for the Free City College Program (File No. 240771).

Ellen; expressed support of the Resolution urging negotiations for an updated Memorandum of Understanding for the Free City College Program (File No. 240771).

Alisa Messer; expressed support of the Resolution urging negotiations for an updated Memorandum of Understanding for the Free City College Program (File No. 240771).

Susan Solomon; expressed support of the Resolution urging negotiations for an updated Memorandum of Understanding for the Free City College Program (File No. 240771).

Richard Petersen; expressed concerns regarding the Police Department and algorithms.

Eddie; expressed support of the Resolution supporting workers exploited at Subway franchises in San Francisco (File No. 240773).

Mahanaz Ebadi; expressed support of the Resolution declaring August as Afghan American Heritage Month (File No. 240770).

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 3:41 p.m. The President resumed the chair 3:46 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

240771 [Urging the Department of Children, Youth, and Their Families to Expediently Negotiate an Updated MOU for the Free City College Program]

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

Resolution urging the Department of Children, Youth, and Their Families to uphold the principles of the Free City College program by expeditiously negotiating an updated Memorandum of Understanding (MOU) with the San Francisco Community College District.

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

Resolution No. 424-24

ADOPTED

240773 [Supporting Workers Exploited at Subway Franchises in San Francisco]

Sponsors: Ronen; Preston, Walton, Peskin, Safai, Chan, Mandelman, Dorsey and Melgar

Resolution supporting workers at Subway franchises in San Francisco who have been denied minimum wages, overtime wages, and breaks, and urging these Subway franchises to pay all current and former workers the wages stolen from them and to immediately comply with state minimum wage laws mandating payment of at least \$20 per hour to all workers for all hours worked.

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

Resolution No. 425-24

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Dorsey requested that File No. 240770 be severed so that it may be considered separately.

240770 [Afghan American Heritage Month - August 2024]

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

Resolution declaring the month of August 2024 as Afghan American Heritage Month in the City and County of San Francisco to honor the significant contributions of the Afghan American community to the cultural, economic, and social fabric of the city.

Resolution No. 423-24

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

240784 [Authorizing Tax-Exempt and/or Taxable Certificates of Participation - Multiple Capital Improvement Projects - Not to Exceed \$61,395,000]

Sponsors: Mayor; Peskin and Mandelman

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount of not to exceed \$61,395,000 ("Certificates"), to finance and refinance certain capital improvement projects within the City and County of San Francisco's ("City") capital plan and generally consisting of critical repairs, renovations and improvements to City-owned buildings, facilities, streets and works maintained and utilized by various City departments; approving the form of a Supplement to Trust Agreement between the City and U.S. Bank Trust Company, National Association (as successor-in-interest to U.S. Bank National Association), as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee, for the lease to the Trustee and lease back to the City of all or a portion of certain real property and improvements owned by the City and located at 375 Laguna Honda Boulevard within the City, at 1 South Van Ness Avenue within the City and at 1 Moreland Drive, San Bruno, California, together with any other property determined by the City's Director of Public Finance to be made subject to the lease and lease back arrangements; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of an Official Statement in preliminary and final form; approving the form of a purchase contract between the City and one or more initial purchasers of the Certificates; approving the form of a Continuing Disclosure Certificate, as defined herein; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates; approving modifications to documents; ratifying previous actions taken in connection therewith, as defined herein; and repealing and rescinding a portion of the authorization to execute and deliver certificates of participation of the City established through the adoption of Ordinance No. 101-23 of the City on June 2, 2023. (Fiscal Impact)

07/23/24; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/22/2024.

240786 [Accept and Expend Grant and Amend Annual Salary Ordinance - Retroactive - United States Department of Agriculture's Forest Service - \$12,000,000]**Sponsors: Mayor; Mandelman and Peskin**

Ordinance retroactively authorizing the Department of Public Works to accept and expend a grant in the amount of \$12,000,000 from the Urban and Community Forest Program of the United States Department of Agriculture's Forest Service to fund the Department of Public Works' Justice, Jobs, and Trees Program, that will include tree planting, tree establishment, and urban forestry workforce development in disadvantaged communities for the period of July 1, 2024, through June 30, 2029; and retroactively amending Ordinance No. 167-24 (the Interim Annual Salary Ordinance for Fiscal Years 2024-2025 and 2025-2026 (File No. 240594)) and the Annual Salary Ordinance for Fiscal Years 2024-2025 and 2025-2026 (File No. 240596) to provide for the addition of one grant-funded position of Class 1312 Public Information Officer (FTE 1.0), one grant-funded position of Class 1823 Senior Administrative Analyst (FTE 1.0), and one grant-funded position of Class 3435 Urban Forestry Inspector (FTE 1.0) for the period of July 1, 2024, through June 30, 2029. (Public Works Department)

07/23/24; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/22/2024.

240787 [Planning Code, Zoning Map - Central SoMa and Transit Center District Commercial Development Requirements]**Sponsors: Mayor; Dorsey and Peskin**

Ordinance amending the Planning Code and Zoning Map to reduce commercial development requirements in the Central SoMa Special Use District and remove the Transit Center C-3-0(SD) Commercial 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 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

07/23/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/22/2024.

RESOLUTIONS

240788 [Accept and Expend Grant - Retroactive - National Institutes of Health - Florida State University - Adolescent Medicine Trials Network for HIV/AIDS Interventions (ATN) Scientific Leadership Center - \$173,063]**Sponsors: Mayor; Mandelman, Dorsey, Engardio and Ronen**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$138,434 for a total amount of \$173,063 from the National Institutes of Health through Florida State University for participation in a program, entitled "Adolescent Medicine Trials Network for HIV/AIDS Interventions (ATN) Scientific Leadership Center," for the period of December 1, 2023, through November 30, 2024. (Public Health Department)

07/23/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240789 [Accept and Expend Grant - Retroactive - Department of Health and Human Services - MyPrEP Plus: Development and Pilot Testing of Novel Pre-Exposure Prophylaxis Support Tools for Transgender Women - \$177,860]

Sponsors: Mayor; Mandelman, Dorsey, Engardio and Ronen

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$177,860 from the Department of Health and Human Services through Heluna Health for participation in a program, entitled "MyPrEP Plus: Development and Pilot Testing of Novel Pre-Exposure Prophylaxis Support Tools for Transgender Women," for the period of September 7, 2023, through September 6, 2025. (Public Health Department)

07/23/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240790 [Transgender History Month - August 2024]

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

Resolution declaring August 2024 as Transgender History Month in the City and County of San Francisco.

07/23/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240791 [Disability Pride Month - July 2024]

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

Resolution recognizing July 2024 as Disability Pride Month in the City and County of San Francisco.

07/23/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240792 [National Health Center Week - August 4 through August 10, 2024]

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

Resolution proclaiming the week of August 4 through August 10, 2024, as National Health Center Week in the City and County of San Francisco; and recognizing the work of the San Francisco Community Clinic Consortium and its member community health centers.

07/23/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240793 [Korean Chuseok Day - September 17, 2024]

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

Resolution recognizing September 17, 2024, as Korean Chuseok Day and honoring the Korean Center, Inc. for hosting the 6th Annual Bay Area Korean Chuseok Festival in San Francisco on September 14, 2024, and for its contributions to the Korean American community in the City and County of San Francisco.

07/23/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240794 [Declaring the Intent to Waive Fees for Major Encroachment Permit - Vicha Ratanapakdee Mosaic Stairway Project]

Sponsors: Stefani; Mandelman and Safai

Resolution of intent to waive the Major Encroachment Permit fees and the General Plan Referral fee associated with the Vicha Ratanapakdee Mosaic Stairway Project.

07/23/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

**240774 [Appointment, Yerba Buena Conservancy Board of Directors - Raquel Redondiez]
Sponsors: Dorsey; Ronen**

Motion appointing Raquel Redondiez to the Yerba Buena Gardens Conservancy Board of Directors, for a three-year term beginning on the date of Board approval, or for the tenure of the nominating Supervisor, whichever is shorter in duration.

07/23/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

240795 [Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments - November 5, 2024]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters for the November 5, 2024, General Election. (Clerk of the Board)

07/23/24; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced at the Request of a Department

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

PROPOSED ORDINANCE

240762 [Settlement of Lawsuit - Build Group, Inc. - \$350,000]

Ordinance authorizing settlement of the lawsuit filed by David M. Schmitt. against Build Group, Inc., which then filed a cross-complaint against the City and County of San Francisco, for \$350,000; the lawsuit was filed on August 30, 2022, in San Francisco Superior Court, Case No. CGC-22-601503, entitled David M. Schmitt v. Build Group, Inc. et al.; the lawsuit involves allegations of breach of contract arising from cost overruns and delay on the Zuckerberg San Francisco General Hospital Building 5 Rehabilitation Department Relocation Project; other material terms of the settlement are a complete release of claims relating to the project, including any pass through claims from David M. Schmitt or other subcontractors of Build Group, Inc. (City Attorney)

07/15/24; RECEIVED FROM DEPARTMENT.

07/23/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTION

240763 [Settlement of Unlitigated Claim - Lotus Bakeries North America, Inc. - \$160,195]

Resolution approving the settlement of the unlitigated claim filed by Lotus Bakeries North America, Inc. against the City and County of San Francisco for \$160,195; the claim was filed on February 28, 2024; the claim involves a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)

07/09/24; RECEIVED FROM DEPARTMENT.

07/23/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:12 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 September 3, 2024.

Angela Calvillo, Clerk of the Board