

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 30, 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 Safai, Walton, Peskin

Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, July 30, 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, and Stefani were noted present.

Supervisor Walton was noted not present.

A quorum of the Board was present.

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

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

Supervisor Walton Excused from Attendance

Supervisor Mandelman, seconded by Supervisor Ronen, moved that Supervisor Walton be excused from attending today's meeting. The motion carried by the following vote:

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

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 25, 2024, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Preston, seconded by Supervisor Dorsey, moved to approve the June 25, 2024, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations 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.

FINALLY PASSED

240670 [Settlement of Lawsuit - Dora Barnes - \$27,500]

Ordinance authorizing settlement of the lawsuit filed by Dora Barnes against the City and County of San Francisco for \$27,500; the lawsuit was filed on February 2, 2021, in San Francisco Superior Court, Case No. CGC-21-589587; entitled Dora Barnes v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED, ON FIRST READING

240714 [Settlement of Lawsuit - Sarah Perata - \$575,000]

Ordinance authorizing settlement of the lawsuit filed by Sarah Perata against the City and County of San Francisco for \$575,000; the lawsuit was filed on April 19, 2021, in the U.S. District Court, Northern District of California, Case No. 4:21-cv-02819; entitled Sarah Perata v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

PASSED, ON FIRST READING

240715 [Settlement of Lawsuit - Robert Lasky - City to Receive \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Robert Lasky against City and County of San Francisco for a payment to the City of \$100,000; the lawsuit was filed on August 13, 2021, in San Francisco County Superior Court Case No. CGC-21-594463; entitled Robert Lasky v. City and County of San Francisco, et al.; the lawsuit involves personal injuries sustained on a utility vault owned by Defendant/Cross-Defendant Pacific Bell Telephone Company and embedded in a City sidewalk; other material terms of the settlement are a payment to Plaintiff by Defendant/Cross-Defendant Pacific Bell Telephone Company. (City Attorney)

PASSED, ON FIRST READING

240716 [Settlement of Lawsuit - RES System 3, LLC - \$2,600,000]

Ordinance authorizing settlement of the lawsuit filed by RES System 3, LLC against the City and County of San Francisco for \$2,600,000; the lawsuit was filed on September 26, 2022, in San Francisco Superior Court, case number CGC-22-601949, and later transferred to Alameda County Superior Court, case number 23-CV-037877; entitled RES System 3, LLC v. City and County of San Francisco Public Utilities Commission; the lawsuit involves alleged breach of contract and related cost impacts arising from the design and construction of the Warnerville electrical substation in Oakdale, California; other material terms of the settlement are a mutual release of claims between the parties with limited exceptions for latent defects and warranty items. (City Attorney)

PASSED, ON FIRST READING

240628 [Settlement of Unlitigated Claims against The Kroger Co. - City to Receive Approximately \$1,300,000 to \$3,400,000 Over 11 Years]

Resolution authorizing settlement of unlitigated claims on behalf of the City and County of San Francisco and the People of the State of California against The Kroger Co. for abatement funds in the range of \$1,300,000 to \$3,400,000 to be paid over 11 years; the claims relate to The Kroger Co.'s allegedly improper and unlawful dispensing of prescription opioids at its pharmacies, which contributed to the epidemic of opioid abuse and misuse and caused a public nuisance. (City Attorney)

ADOPTED

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.

FINALLY PASSED**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.

FINALLY PASSED**The foregoing items were acted upon by the following vote:**

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

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)

FINALLY PASSED by the following vote:

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

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)

FINALLY PASSED by the following vote:

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

Recommendation of the Budget and Appropriations Committee

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)

FINALLY PASSED by the following vote:

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

Excused: 1 - Walton

Recommendation 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.

ORDERED SUBMITTED by the following vote:

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

Excused: 1 - Walton

NEW BUSINESS

Recommendations of the Budget and Finance Committee

240665 [Transportation Code - Fee Waivers for Qualifying Neighborhood Outdoor Events - Certain Sunset District Streets]

Sponsors: Mayor; Mandelman, Melgar, Engardio, Dorsey and Chan

Ordinance amending the Transportation Code to waive fees related to the temporary closure of streets for events on Irving, Noriega, and Taraval Streets, from 19th Avenue to the Great Highway, that are organized by community-serving nonprofit arts and culture organizations, small businesses, merchant associations, neighborhood resident associations, and property and business improvement districts, and to set a sunset date of June 30, 2027, for the program waiving fees related to such street closures throughout the City.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Walton

240576 [Contract Amendment - San Francisco Pretrial Diversion Project - Pretrial Services - Not to Exceed \$34,668,237]

Resolution authorizing the Sheriff's Office to enter into a Fifth Amendment to a contract with the San Francisco Pretrial Diversion Project for Pretrial Services, increasing the contract amount by \$14,905,123 for a total not to exceed amount of \$34,668,237 and to extend the contract term for two years from July 1, 2024, for a total term of July 1, 2021, through June 30, 2026, with no more options to extend. (Sheriff)

(Fiscal Impact)

ADOPTED by the following vote:

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

Noes: 1 - Stefani

Excused: 1 - Walton

President Peskin requested File Nos. 240643 and 240644 be called together.

240643 [Accept and Expend Grant - Retroactive - CARESTAR Foundation - Community Paramedicine and Triage to Alternate Destination Grant - \$125,000]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Emergency Management to accept and expend a grant in the amount of \$125,000 from the CARESTAR Foundation, for enhancement of the Emergency Medical Services System through support to Community Paramedicine and Triage to Alternate Destination programs, from March 1, 2024, through September 30, 2025. (Department of Emergency Management)

ADOPTED by the following vote:

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

Excused: 1 - Walton

240644 [Accept and Expend Funds - Retroactive - Emergency Management Performance Grant - \$350,321]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Emergency Management to accept and expend an Emergency Management Performance Grant in the amount of \$350,321 for the period of July 1, 2022, through June 30, 2024, from the California Office of Emergency Services. (Department of Emergency Management)

ADOPTED by the following vote:

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

President Peskin requested File Nos. 240646 and 240694 be called together.

240646 [Grant Agreement - Boys & Girls Clubs of San Francisco - George Washington Carver Beacon Community School; Malcolm X Academy Beacon Community School; and Comprehensive Year-Round Learning - Not to Exceed \$30,222,500]**Sponsors: Mayor; Walton**

Resolution approving the grant agreement for Contract No. 1000032526 for three Boys & Girls Clubs of San Francisco programs: the George Washington Carver Beacon Community School; the Malcolm X Academy Beacon Community School; and Comprehensive Year-Round Learning, between the Boys & Girls Clubs of San Francisco and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families, for a total term of July 1, 2024, through June 30, 2029, and for a total not to exceed amount of \$30,222,500. (Department of Children, Youth & Their Families)
(Fiscal Impact)

ADOPTED by the following vote:

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

240694 [Grant Agreement - Centers for Equity and Success, Inc. - Early Morning Study Academy; Credible Messengers; Inside/Out Pathways; and TAY/A Workforce Development - Not to Exceed \$10,804,000]

Resolution approving the grant agreement for Contract No. 1000032537 for Centers for Equity and Success, Inc. programs: the Early Morning Study Academy; Credible Messengers; Inside/Out Pathways; and TAY/A Workforce Development, between Centers for Equity and Success, Inc. and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families, for a total term of July 1, 2024, through June 30, 2029, and for a total not to exceed amount of \$10,804,000 upon Board of Supervisor's approval under Charter, Section 9.118. (Department of Children, Youth & Their Families)
(Fiscal Impact)

ADOPTED by the following vote:

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

240671 [Grant Agreement - Retroactive - Eviction Defense Collaborative Inc. - Housing Subsidies - Not to Exceed \$11,062,913]

Resolution retroactively approving the grant agreement between the City and County of San Francisco, by and through its Department of Disability and Aging Services, and the non-profit, Eviction Defense Collaborative Inc., to provide housing subsidies to seniors and adults with disabilities for the period of July 1, 2024, through June 30, 2028, for a total not to exceed amount of \$11,062,913. (Human Services Agency)
(Fiscal Impact)

ADOPTED by the following vote:

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

240680 [Accept and Expend In-Kind Gift - Retroactive - San Francisco Public Health Foundation - Supplies for Primary Care Division - \$57,264.40]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend an in-kind gift of supplies valued in the amount of \$57,264.40 from the San Francisco Public Health Foundation, in support of the Primary Care Division of the Department of Public Health, for the period of July 1, 2022, to June 30, 2023. (Public Health Department)

ADOPTED by the following vote:

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

240717 [Real Property Lease Amendment - Golden Gate National Parks Conservancy - Portion of Pier 31 and 33 - Establish the Amount of Unpaid Base Rent to be Paid to the Port - \$289,765.05 - Increase Original Construction Rent Credit to \$800,000]

Resolution approving the Second Amendment to Port Commission Lease No. L-16274 with Golden Gate National Parks Conservancy to build and operate a public serving café and retail space within the bulkheads and portions of the sheds of Piers 31 and 33 for a 30-year term, with two options to extend the Lease for 10 additional years, effective upon approval of this Resolution and Port's execution of this Amendment; and to (i) establish the amount of unpaid base rent Conservancy will pay to Port at \$289,765.05; (ii) extend the Phase I Improvements completion date to December 31, 2025; (iii) increase the original construction rent credit from \$554,000 to \$800,000; (iv) provide a three year extension of the Lease term to June 30, 2052; and (v) establish a 50% share of any excess rents from food and beverage subtenants. (Port)
(Fiscal Impact)

ADOPTED by the following vote:

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

240718 [Agreement Amendments - AECOM Technical Services Inc.; Applied Technology & Science A-T-S; Avila & Associates Consulting Engineers, Inc. - Natural Resources Specialized and Technical Services - Not to Exceed \$21,000,000 Each]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 1 to Contract Nos. PRO.0066 A to C, Natural Resources Specialized and Technical Services, with: AECOM Technical Services, Inc. (PRO.0066.A); Applied Technology and Science A-T-S (PRO.0066.B); and Avila and Associates Consulting Engineers Inc. (PRO.0066.C), increasing each contract by \$7,000,000 each for a new total not to exceed amount of \$21,000,000 for a total not to exceed amount of \$63,000,000 across all three contracts, with no change to the terms or duration for the period of January 1, 2019, through January 1, 2029, pursuant to Charter, Section 9.118. (Public Utilities Commission)

(Fiscal Impact)

ADOPTED by the following vote:

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

Excused: 1 - Walton

240731 [Real Property Lease - Twin Peaks Petroleum, Inc. - 598 Portola Drive - \$156,600 Initial Annual Base Rent]

Sponsor: Melgar

Resolution approving and authorizing the Director of Property to enter into a real property lease with Twin Peaks Petroleum, Inc., a California corporation, doing business as Twin Peaks Auto Care, successor-in-interest to Michael Gharib, for approximately 14,499 square feet located at 598 Portola Drive, for an initial term of twenty years with one five-year option to extend, at an initial base rent of \$156,600 with annual adjustments of three percent thereafter; effective upon approval of this Resolution by the Board of Supervisors and Mayor, and full execution of the Lease; to require the Tenant to complete certain improvements by December 31, 2025, with a waiver of rent up to three months; finding that competitive bidding procedures required under San Francisco Administrative Code, Chapter 23, Section 23.33, are impractical; finding that the Premises is exempt surplus land under California Code, Section 54421(f)(1)(B); 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.

(Fiscal Impact)

ADOPTED by the following vote:

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

Noes: 1 - Preston

Excused: 1 - Walton

240738 [Contract Amendment - Positive Resource Center - Emergency Financial Services - Not to Exceed \$15,359,513]**Sponsors: Mandelman; Dorsey and Engardio**

Resolution approving Amendment No. 3 to the agreement between Positive Resource Center and the Department of Public Health (DPH), for emergency financial services; to increase the agreement by \$5,365,891 for an amount not to exceed \$15,359,513; to extend the term by two years, from February 28, 2026, for a total agreement term of March 1, 2018, through February 29, 2028; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department) (Fiscal Impact)

ADOPTED by the following vote:

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

240741 [Multifamily Housing Revenue Bonds - Amendment of Indenture of Trust - SFHA Scattered Sites - Not to Exceed \$47,833,736]**Sponsor: Mayor**

Resolution approving the form and authorizing the execution and delivery of an amendment to the Indenture of Trust securing the City's \$40,776,000 maximum principal amount of Multifamily Housing Revenue Bonds (SFHA Scattered Sites), Series 2022A-1 and its \$7,057,736 maximum principal amount of Multifamily Housing Revenue Bonds (SFHA Scattered Sites), Series 2022A-2 (Taxable), which provide financing for the acquisition and rehabilitation of a 69-unit, affordable multifamily rental housing project, consisting of five sites located at 4101 Noriega Street, 363 Noe Street, 200 Randolph Street/409 Head Street, 2206-2268 Great Highway and 2215-2263 48th Avenue, and 1357-1371 Eddy Street (also known as 1353-1367 Eddy Street) known as "SFHA Scattered Sites" within the City; approving modifications, changes and additions to such amendment; ratifying and approving any action heretofore taken in connection with such amendment; granting general authority to City officials to execute and deliver documents and take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

ADOPTED by the following vote:

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

240742 [Accept and Expend Grant - Retroactive - Federal Emergency Management Agency - Hazard Mitigation Grant Program - Amended Downtown San Francisco Resilience Plan - \$189,558]**Sponsor: Mayor**

Resolution retroactively authorizing the Office of the City Administrator to accept and expend Hazard Mitigation Grant Program funds in the amount of \$189,558 from the Federal Emergency Management Agency through the California Office of Emergency Services to develop a guidance document that will address financing strategies for earthquake risk reduction through the Concrete Building Safety Program for the project period of July 14, 2022, through November 14, 2024. (City Administrator)

ADOPTED by the following vote:

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

240746 [Assignment Street Flower Market Permit - Market Street Flower Market]**Sponsors: Dorsey; Chan**

Resolution approving the assignment of the Market Street Flower Market permit from Byron Yoanidis, dba Trolley-Car Flowers, to Andrew Poulos, dba Trolley-Bus Flowers.

ADOPTED by the following vote:

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

240755 [Loan Agreement - MEDA Small Properties, LLC - 2901-16th Street - Small Sites Program - Not to Exceed \$30,000,000]**Sponsors: Mayor; Ronen, Melgar and Safai**

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development ("MOHCD") to execute loan documents for the permanent financing of 2901-16th Street pursuant to the Small Sites Program, for a total loan amount not to exceed \$30,000,000; confirming the Planning Department's determination under the California Environmental Quality Act; finding that the loan is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of MOHCD or their designee to make certain modifications to the loan documents, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

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

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**240692 [Initiative Ordinance - Administrative Code - First Responder Student Loan Forgiveness Fund]****Sponsors: Safai; Walton and Dorsey**

Motion ordering submitted to the voters at an election to be held on November 5, 2024, an Ordinance amending the Administrative Code to establish a First Responder Student Loan Forgiveness Fund for the purpose of paying outstanding student loans, and job-related educational and training expenses incurred while employed by the City, for employees who are sworn members of the Police Department, Fire Department, or Sheriff's Department; paramedics; registered nurses; or 911 dispatchers, supervisors, or coordinators.

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

Motion No. M24-073**APPROVED by the following vote:**

Ayes: 6 - Chan, Dorsey, Engardio, Preston, Safai, Stefani
Noes: 4 - Mandelman, Melgar, Peskin, Ronen
Excused: 1 - Walton

240669 [Appointments, Reentry Council - Billey Hoang Le, Anthony Partee, Joanna Pulido, Lorenzo Juan Castaneda, and David Mauroff]

Motion appointing Billey Hoang Le, Anthony Partee, Joanna Pulido, Lorenzo Juan Castaneda, and David Mauroff, terms ending June 1, 2026, to the Reentry Council. (Rules Committee)

Motion No. M24-074

APPROVED by the following vote:

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

President Peskin requested File Nos. 240712 and 240713 be called together.

240712 [Mayoral Appointment, Planning Commission - Amy Campbell]

Motion approving the Mayoral nomination for the appointment of Amy Campbell to the Planning Commission, for a four-year term ending July 1, 2028. (Clerk of the Board)
(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 21, 2024.)

Motion No. M24-075

APPROVED by the following vote:

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

240713 [Mayoral Appointment, Planning Commission - Sean McGarry]

Motion approving the Mayoral nomination for the appointment of Sean McGarry to the Planning Commission, for a four-year term ending July 1, 2028. (Clerk of the Board)
(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 21, 2024.)

Motion No. M24-076

APPROVED by the following vote:

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

240735 [Presidential Reappointment, Building Inspection Commission - Kavin Williams]

Motion approving President Aaron Peskin's nomination for the reappointment of Kavin Williams to the Building Inspection Commission, for a two-year term ending July 1, 2026. (Clerk of the Board) (Charter, Section 4.121, 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: June 25, 2024.)

Motion No. M24-077

APPROVED by the following vote:

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

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

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

President Peskin introduced, welcomed, and presented a Certificate of Honor to Chief Jeanine Nicholson (Fire Department) on the occasion of her retirement after more than 30 years with the Fire Department - with the last five years as the Fire Chief - and in recognition of her distinguished record of public service. Supervisors Ronen, Safai, Melgar, Dorsey, Mandelman, Stefani, Preston, Chan, and Engardio shared in this commendation.

President Peskin introduced, welcomed, and presented a Certificate of Honor to Anne Pearson (Office of the City Attorney) on the occasion of her departure as legal counsel to the Board of Supervisors, as she takes on a new role as Chief Attorney for the Department of Health and Human Services, and in recognition of her efforts providing sound advice and guidance to the Board with patience and grace. Supervisors Chan, Melgar, Safai, Preston, Dorsey, Stefani, Mandelman, Ronen, and Engardio shared in this commendation.

Supervisor Melgar introduced, welcomed, and presented a Certificate of Honor to the Sutro Stewards, accepted by Ildiko Polony, in recognition of their work conserving and expanding the wildlife habitat on Mount Sutro, while providing recreational opportunities for the community.

Supervisor Safai introduced, welcomed, and presented a Certificate of Honor to Kevin Reed, Founder and President of The Green Cross - accepted by Erick Alfaro - in recognition of his accomplishments as a successful business owner and continued community support.

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

240725 [Planning Code - Landmark Designation - Rainbow Flag at Harvey Milk Plaza]
Sponsors: Mandelman; Engardio, Dorsey, Peskin, Chan, Melgar, Preston, Safai, Ronen, Stefani and Walton

Ordinance amending the Planning Code to designate the Rainbow Flag Installation at Harvey Milk Plaza, by Gilbert Baker, located at the southwest corner of the intersection of Market Street and Castro Street, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

PASSED ON FIRST READING by the following vote:

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

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Mandelman assumed the chair at 3:39 p.m. so the President could participate in the debate on File No. 240766 from the floor.

The President resumed the chair at 3:41 p.m.

240766 [Administrative Code - Ban on Automated Rent-Setting]
Sponsors: Peskin; Chan, Preston, Melgar, Ronen and Dorsey

Ordinance amending the Administrative Code to prohibit the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units located in San Francisco.

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

PASSED ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Thierry Fill; expressed the need to find happiness by undoing your bad habits.

Speaker; expressed concerns regarding the City's mismanagement of funds and a certain non-profit organization.

Chris Ward Kline; expressed concerns regarding a Health Commission presentation and the information disclosed.

Mr. McAfee; expressed concerns regarding Laguna Honda Hospital and their recertification.

JConr B. Ortega; expressed concerns regarding corruption amongst non-profits and how the City deals with the drug crisis.

Richard Petersen; expressed various concerns.

Peter Warfield; expressed concerns regarding the Public Library and the need to expand access to all programs and services.

Lea McGeever; expressed concerns regarding the homeless encampment sweeps.

Honey Mahagony; expressed support of the Resolution declaring August 2024 as Transgender History Month (File No. 240790).

Speaker; expressed concerns regarding the presence of fentanyl in the parks and schools throughout the City and how it endangers the children.

Speaker; expressed concerns regarding the condition of certain areas and situations experienced.

Paulette Brown; shared concerns regarding the murder of her son and all of the unsolved murders that deserve justice.

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Mandelman assumed the chair at 4:15 p.m. The President resumed the chair 4:18 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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.

ADOPTED

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.

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

ADOPTED

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.

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

ADOPTED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Walton

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mandelman requested that File No. 240790 be severed so that it may be considered separately.

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.

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

ADOPTED by the following vote:

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

Excused: 1 - Walton

Supervisor Stefani requested that File No. 240793 be severed so that it may be considered separately.

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.

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

ADOPTED by the following vote:

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

Excused: 1 - Walton

Supervisor Dorsey requested that File No. 240774 be severed so that it may be considered separately.

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.

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

Motion No. M24-078

APPROVED by the following vote:

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

Excused: 1 - Walton

President Peskin requested that File No. 240795 be severed so that it may be considered separately.

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)

Supervisor Safai, seconded by Supervisor Mandelman, moved that this Motion be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 1, Lines 11-14, and Page 7, Lines 21-24, by striking all references to File No. 240495; on Page 2, Lines 1-2, by striking all other names and designating Supervisor Dorsey; on Page 3, Lines 8-9, by striking all other names and designating Supervisor Melgar; on Page 3, Lines 21-22, by striking all other names and designating Supervisor Peskin; on Page 4, Line 7, by striking all other names and designating Supervisor Peskin; on Page 4, Lines 4-5, by striking all other names and designating Supervisor Peskin; on Page 4, Line 25, by striking all other names and designating Supervisor Safai; on Page 5, Line 8, by striking all other names and designating Supervisor Stefani; on Page 6, Lines 4-5, by striking all other names and designating Mayor Breed; on Page 6, Line 13, by striking all other names and designating Supervisor Safai; on Page 7, Line 7, no changes will be made to designate Mayor Breed; on Page 7, Lines 15-16, by striking all other names and designating Supervisor Engardio; on Page 8, Line 11, by designating Supervisor Ronen; on Page 14, Line 4, by designating Supervisor Peskin; and making other clarifying and conforming changes. The motion carried by the following vote:

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

Excused: 1 - Walton

Motion No. M24-079

APPROVED AS AMENDED by the following vote:

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

Excused: 1 - 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.

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 RESOLUTIONS

240781 [Modification to the Airport Professional Services Agreement - SP Plus Corporation - Curbside Management Program - Two-Year Contract Extension - Not to Exceed \$41,364,800]

Resolution approving Modification No. 3 to Contract No. 50276, between SP Plus Corporation and the City and County of San Francisco, acting by and through its Airport Commission, for the Curbside Management Program, to increase the contract amount by \$21,264,800 for a new total not to exceed amount of \$41,364,800 and to extend the term for two years, to commence on November 1, 2024, through October 31, 2026. (Airport Commission)

07/19/24; RECEIVED FROM DEPARTMENT.

07/30/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

240782 [Authorization of Payment - Payments to Oliver De Silva, Sunol AgPark, and Alameda County Related to UUT Charges Collected on Electric Bills - \$754,141]

Resolution authorizing payments to two San Francisco Public Utilities Commission customers of \$101,825 to Oliver De Silva, and \$340 to Sunol AgPark, and \$651,976 to Alameda County for Utility User Taxes (UUT) collected between June 2018 and January 2024 for electric bills. (Public Utilities Commission)

07/22/24; RECEIVED FROM DEPARTMENT.

07/30/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:50 p.m.