

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, October 8, 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.

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**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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, October 8, 2024, with President Aaron Peskin presiding.*

*President Peskin called the meeting to order at 2:03 p.m.*

## ROLL CALL AND PLEDGE OF ALLEGIANCE

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

*All Members were present.*

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

*President Peskin led the Members of the Board and the audience in the Pledge of Allegiance to the Flag of the United States of America, pursuant to Board Rule 4.9.*

## COMMUNICATIONS

*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](http://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](mailto:bos@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.)*

*President Peskin informed the Board that he submitted a memorandum to the Clerk of the Board calling for a Special Meeting of the Board of Supervisors on Tuesday, October 15, 2024, at 2:00 p.m. Certain matters passed on First Reading on today's agenda may be sent to the Special Meeting for Final Passage.*

## APPROVAL OF MEETING MINUTES

*President Peskin inquired whether a Member of the Board had any corrections to the September 3, 2024, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.*

**Supervisor Ronen, seconded by Supervisor Melgar, moved to approve the September 3, 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.*

## SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

*There were no questions submitted from the eligible Supervisors representing Districts 1, 2, 3, or 4. Mayor London N. Breed addressed the Board of Supervisors regarding the San Francisco Unified School District's (SFUSD) decision to close certain schools to avoid a state takeover, including how the City team is collaborating with SFUSD and the Board of Education to address their fiscal health and how to balance their budget going forward.*

*Following public comment this matter was filed. No further action was taken.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

#### **240842 [Accept and Expend Grant - Retroactive - California Jobs First Catalyst Program - \$14,000,000]**

**Sponsor: Mayor**

Ordinance retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$14,000,000 from the California Economic Development Department for the California Jobs First Catalyst Program, for the grant period of May 1, 2024, through September 30, 2026; and exempting the California Jobs First Catalyst Program subgrants from the grantmaking requirements under Administrative Code, Chapter 21G, and all other provisions in the Administrative, Environment, and Labor and Employment Codes imposing obligations or restrictions on subgrantees related to the program. (Department of Economic and Workforce Development)

**FINALLY PASSED**

### Recommendations of the Land Use and Transportation Committee

#### **240438 [Planning Code, Zoning Map - Establishing the 555 9th Street Special Sign District]**

**Sponsor: Dorsey**

Ordinance amending the Planning Code and Zoning Map to establish the 555 9th Street Special Sign District encompassing the real property consisting of Assessor's Parcel Block No. 3781, Lot No. 003, and to modify sign controls for the existing shopping center; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**FINALLY PASSED**

**240798 [Building Code - Change of Use Designation]****Sponsors: Mayor; Peskin, Melgar and Mandelman**

Ordinance amending the Building Code to excuse the requirement for professionally prepared architectural drawings for building permits to change certain use designations that do not increase occupant load or occupancy class, or include alterations; and affirming the Planning Department's determination under the California Environmental Quality Act.

**FINALLY PASSED****Recommendation of the Rules Committee****240808 [Administrative Code - SFPUC Social Impact Partnership Program]****Sponsor: Walton**

Ordinance amending the Administrative Code to expand the San Francisco Public Utilities Commission's (SFPUC) Social Impact Partnership Program by requiring that all covered contracts that include a Social Impact commitment, including those contracts that were solicited before April 22, 2023, increase such commitment upon amendment or modification of the contract and by removing the minimum threshold for applicable amendments or modifications.

**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****From the Board****240930 [Grant Agreement Amendment - Planned Parenthood Northern California - Security Services - Not to Exceed \$571,000]****Sponsors: Stefani; Mandelman and Preston**

Ordinance authorizing the Department of Public Health to amend an existing grant to Planned Parenthood Northern California by increasing the not to exceed amount by \$171,000 for a total not to exceed amount of \$571,000 to fund security personnel to support access to family planning and other sexual and reproductive healthcare services, with no changes to the grant term of April 1, 2023, through March 31, 2025; and waiving the competitive solicitation requirements in the Administrative Code. (Public Health Department)

**FINALLY PASSED by the following vote:**

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

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## **Recommendation of the Public Safety and Neighborhood Services Committee**

### **240844 [Police Code - Vehicle Sideshows]**

#### **Sponsors: Mayor; Dorsey, Stefani, Engardio and Mandelman**

Ordinance amending the Police Code to 1) prohibit persons from promoting a Vehicle Sideshow or preparations for such a sideshow; 2) prohibit persons from assembling together to obstruct the streets, sidewalks, highways, other public right-of-ways, off-street parking facilities, or private property in connection with a Vehicle Sideshow or preparations for such a sideshow; 3) prohibit persons from knowingly being present at a Vehicle Sideshow or preparations for such a sideshow for purposes of participating in the Vehicle Sideshow; 4) prohibit persons present at a Vehicle Sideshow or preparations for such a sideshow from interfering with official performance of law enforcement duties; 5) seize and impound vehicles used in a Vehicle Sideshow or preparations for such a sideshow, and under certain conditions sell the vehicles; and 6) make violations of these provisions a misdemeanor, subject to imprisonment and/or fine.

#### **FINALLY PASSED by the following vote:**

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

## **NEW BUSINESS**

## **Recommendations of the Budget and Finance Committee**

### **240827 [Agreement Amendment - AECOM Technical Services, Inc. - Engineering Services for Dams and Reservoirs - Total Not to Exceed Amount of \$20,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No.1 to Contract No. PRO.0138.C with AECOM Technical Services, Inc., increasing the contract by \$9,000,000 for a total not to exceed amount of \$20,000,000 with no change to the term of April 16, 2020, through April 15, 2031, to continue providing planning, design, and engineering support of improvements to various dam and reservoir facilities, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)  
(Fiscal Impact)

#### **ADOPTED by the following vote:**

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

**240838 [Contract Amendment - W.W. Grainger, Inc. - As-Needed Citywide Contract for Industrial Supplies - Not to Exceed \$32,000,000]**

Resolution approving the Contract Amendment between the City, acting by and through the Office of Contract Administration (OCA), and W.W. Grainger, Inc. for the purchase of Industrial Supplies by City departments, increasing the amount by \$25,000,000 for a total not to exceed amount of \$32,000,000 with no changes to the term of two years, nine months and 27 days from January 12, 2024, through November 8, 2026; and to authorize OCA to enter into amendments or modifications to the Amendment that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of Amendment. (Office of Contract Administration)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**240862 [Agreement Amendment - ARAMARK Correctional Services, Inc. - Jail Food Services - \$24,783,723]**

Resolution authorizing the Sheriff's Office to execute a Third Amendment to the existing Agreement with ARAMARK Correctional Services, LLC (ARAMARK), for jail food services to exercise the final option to extend the contract term for 12 months from November 1, 2024, for a total term of November 1, 2018, through October 31, 2025; and to increase the not to exceed contract amount from \$20,000,000 to \$24,783,723. (Sheriff)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**240863 [Contract Amendment - Recology San Francisco - Refuse Collection Services - Not to Exceed \$45,300,000]**

Resolution approving a sixth amendment to Contract 1000020021 between the City, acting by and through the Office of Contract Administration (OCA), and Sunset Scavenger Company d/b/a Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company d/b/a Recology Golden Gate, and Recology San Francisco (collectively "Contractor") for refuse collection services at City facilities, increasing the contract amount by \$1,500,000 for a total not to exceed amount of \$45,300,000; and extending the duration of the term by two months from November 1, 2024, for a total contract term of December 1, 2020, through December 31, 2024. (Office of Contract Administration)  
(Fiscal Impact)

*Privilege of the floor was granted unanimously to Greg Wagner, City Controller (Office of the City Controller), who responded to questions raised throughout the discussion.*

**ADOPTED by the following vote:**

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

President Peskin requested File Nos. 240864 and 240865 be called together.

**240864 [Contract Amendment - Golden Gate Petroleum - Renewable Diesel - Not to Exceed \$108,589,000]**

Resolution approving Contract Amendment No. 4 to the agreement between the City, acting by and through the Office of Contract Administration, and Golden Gate Petroleum for the provision of renewable diesel, increasing the contract amount by \$15,595,000 for a total not to exceed amount of \$102,345,000 and extending the duration by eight months, for a total term of six years and one month, from June 1, 2019, through June 30, 2025; authorizing the Office of Contract Administration to further amend the agreement, if necessary, increasing the contract amount up to a maximum not to exceed amount of \$108,589,000 and extending the duration up to a maximum total term of six years and five months, from June 1, 2019, through October 31, 2025; and authorizing the Office of Contract Administration to make any modifications to the Fourth Amendment and any Subsequent Amendments that do not materially increase the obligations or liabilities to the City and are necessary or advisable to effectuate the purposes of the contract or this Resolution. (Office of Contract Administration)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**240865 [Contract Amendment - Mansfield Oil Company of Gainesville, Inc. - Gasoline - Not to Exceed \$20,768,000]**

Resolution approving Contract Amendment No. 2 to the agreement between City, acting by and through the Office of Contract Administration, and Mansfield Oil Company of Gainesville, Inc. for the provision of gasoline, increasing the contract amount by \$7,538,000 for a total not to exceed amount of \$17,513,000 and extending the duration by seven months and 14 days, for a total term of one year, seven months, and 14 days, from November 17, 2023, through June 30, 2025; authorizing the Office of Contract Administration to further amend the agreement, if necessary, increasing the contract amount up to a maximum not to exceed amount of \$20,768,000 and extending the duration up to a maximum total term of one year, 11 months, and 14 days, from November 17, 2023, through October 31, 2025; and authorizing the Office of Contract Administration to make any modifications to the Second Amendment and any Subsequent Amendments that do not materially increase the obligations or liabilities to the City and are necessary or advisable to effectuate the purposes of the contract or this Resolution. (Office of Contract Administration)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**240886 [Accept and Expend Grant - California Coastal Conservancy - Climate Ready Program - \$7,800,000]****Sponsors: Mayor; Dorsey and Mandelman**

Resolution authorizing the Port of San Francisco to accept and expend a grant award in the amount of \$7,800,000 from the California Coastal Conservancy Climate Ready Program, for Southern Embarcadero Resilience and Enhancement Project for the period of October 1, 2024, through May 31, 2027. (Port)

**ADOPTED 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****240807 [Housing Code - Operational Elevators]****Sponsors: Stefani; Peskin, Melgar, Preston, Mandelman and Ronen**

Ordinance amending the Housing Code to require R-1 and R-2 occupancy group buildings to maintain at least one existing elevator for residents' use; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

*Supervisor Peskin, seconded by Supervisor Walton, moved that this Ordinance be sent to the Special Meeting of the Board of Supervisors on October 15, 2024, for consideration on Final Passage. The motion carried by the following vote:*

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

**PASSED ON FIRST READING, after approving the motion to send this Ordinance to the Special Meeting of the Board of Supervisors on October 15, 2024, 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 2:25 p.m. so the President could participate in the debate on File No. 240880 from the floor.*

*The President resumed the chair at 2:31 p.m.*

## **240880 [Administrative Code - New Construction Exemption from Rent Control]**

**Sponsors: Peskin; Preston, Chan, Ronen and Walton**

Ordinance amending the Administrative Code to provide that newly constructed dwelling units that first received a certificate of occupancy between June 14, 1979, and November 5, 2024, shall be generally subject to rent control, to the extent authorized by a future modification or repeal of the Costa-Hawkins Rental Housing Act; and making certain changes to clarify existing law regarding rent control exemptions under Costa-Hawkins.

(Supervisor Melgar dissented in committee.)

*Privilege of the floor was granted unanimously to Sarah Crowley (Office of the City Attorney), who responded to questions raised throughout the discussion.*

*Supervisor Peskin, seconded by Supervisor Walton, moved that this Ordinance be AMENDED on Page 1, Line 5, and Page 4, Line 18, by changing 'November 5, 2024' to 'June 13, 1994'.*

*Before the vote to amend was taken, Supervisor Peskin, seconded by Supervisor Chan, moved that the proposed amendment be further revised on Page 2, Line 22, by adding '(d) It shall be the policy of the Board of Supervisors to solicit and consider input from the public, including representatives of organized labor, tenants, and landlords, before amending the new construction date in Section 34.3(g)(1)(E) of the Administrative Code.' The motion carried by the following vote:*

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

*After approving the revision to the amendment, consideration of the amendment was taken as a whole.*

**Supervisor Safai, seconded by Supervisor Stefani, moved that this Ordinance be CONTINUED ON FIRST READING to the Special Meeting of the Board of Supervisors on October 15, 2024. The motion FAILED by the following vote:**

**Ayes: 4 - Dorsey, Engardio, Safai, Stefani**

**Noes: 7 - Chan, Mandelman, Melgar, Peskin, Preston, Ronen, Walton**

**Supervisor Peskin, seconded by Supervisor Walton, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 5, and Page 4, Line 18, by changing 'November 5, 2024' to 'June 13, 1994'; and amended on Page 2, Line 22, by adding '(d) It shall be the policy of the Board of Supervisors to solicit and consider input from the public, including representatives of organized labor, tenants, and landlords, before amending the new construction date in Section 34.3(g)(1)(E) of the Administrative Code.' The motion carried by the following vote:**

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

Ordinance amending the Administrative Code to provide that newly constructed dwelling units that first received a certificate of occupancy between June 14, 1979, and June 13, 1994, shall be generally subject to rent control, to the extent authorized by a future modification or repeal of the Costa-Hawkins Rental Housing Act; and making certain changes to clarify existing law regarding rent control exemptions under Costa-Hawkins.

*Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Ordinance, as amended, be sent to the Special Meeting of the Board of Supervisors on October 15, 2024, for consideration on Final Passage. The motion carried by the following vote:*

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

**PASSED ON FIRST READING AS AMENDED, after approving the motion to send this Ordinance to the Special Meeting of the Board of Supervisors on October 15, 2024, 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**

### **240700 [Administrative Code - Clarifying Duties of Office of Victim and Witness Rights (OVWR); Moving Office of Sexual Harassment and Assault Response and Prevention to OVWR]**

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

Ordinance amending the Administrative Code to provide for the confidentiality of client information received by the Office of Victim and Witness Rights ("OVWR"); establish and clarify the responsibilities of OVWR; move the Office of Sexual Harassment and Assault Response and Prevention ("SHARP") from the Human Rights Commission to OVWR, and require SHARP to offer trauma-informed assistance to victims in navigating City processes, including by supporting victims in non-custodial law enforcement interviews, provided a SHARP employee's presence does not obstruct a police investigation or interfere with the District Attorney's investigative or prosecutorial function.

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

*Supervisor Peskin, seconded by Supervisor Preston, moved that this Ordinance be sent to the Special Meeting of the Board of Supervisors on October 15, 2024, for consideration on Final Passage. The motion carried by the following vote:*

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

**PASSED ON FIRST READING, after approving the motion to send this Ordinance to the Special Meeting of the Board of Supervisors on October 15, 2024, by the following vote:**

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

President Peskin requested File Nos. 240785 and 240822 be called together.

**240785 [Liquor License Transfer - 1210 Union Street - Union & Hyde]**

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Union & Hyde LLC., doing business as Union & Hyde, located at 1210 Union Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose a condition on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

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

**240822 [Liquor License Issuance - 3089-16th Street - Skylark]**

Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to 3089 16th Street LLC, to do business as Skylark located at 3089-16th Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

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

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

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

*Supervisor Engardio introduced, welcomed, and presented a Certificate of Honor to the Lincoln High School Dragon Boat Team, accepted by Yuqing Qiu, in recognition of the multiple 1st, 2nd and 3rd place wins in various events at the World Championship in Italy this year.*

*Supervisor Ronen introduced and presented a Certificate of Honor to Joel St. Julien, Program Manager (New Door Ventures), in recognition of his accomplishments preparing youth for work and life by providing jobs, training, education and support to help them achieve their potential.*

## SPECIAL ORDER 3:00 P.M.

*The Motion scheduling the Board to sit as a Committee of the Whole (File No. 240972) was approved prior to the Special Order.*

## Board of Supervisors Sitting as a Committee of the Whole

### Appointment of President Pro Tempore

*At the request of President Peskin, Supervisor Melgar assumed the chair at 3:51 p.m. The President resumed the chair 3:54 p.m.*

### 240973 [Hearing - Committee of the Whole - State of the Hotel Industry in San Francisco and Conditions for Guests and Workers within the Industry - October 8, 2024, at 3:00 p.m.]

#### **Sponsors: Peskin; Mandelman**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, October 8, 2024, at 3:00 p.m., to hold a public hearing on the state of the hotel industry in San Francisco and the conditions for guests and workers within the industry, and the "Status of the San Francisco Economy" Report; and requesting the City Controller to report; scheduled pending approval the Motion contained in File No. 240972, to be considered on October 8, 2024.

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

*President Peskin opened the public hearing and inquired as to whether any individual wished to address the Committee of the Whole regarding the state of the hotel industry and conditions for guests and workers (File No. 240973). Anand Sing and Elizabeth Tapia (Unite Here Local 2); provided an overview of the hearing matter and responded to questions raised throughout the discussion. Speaker; Esther; Chris Ward Kline; Thierry Fill; Alex Trujillo; Speaker; Sasha Ito; April Lin; Eric Vamos; Jeannette; Elvin; Diego; Geraldine Valdez; Sergio Fernandez; Victoria; Jennifer Wok; Anna; Johannes Malco; Brian Drapper; Jesus; Benjiman Chan; Hannah Lee; Denise Chen; Lau Sun; Nicholas Javier; John Elrod; Steven Portos; Elias Jose; Matthew Sutter; Speaker; spoke on various concerns relating to the hotel industry. 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

## COMMITTEE REPORTS

### Recommendations of the Land Use and Transportation Committee

#### **240843 [Administrative Code - Entertainment Zones]**

**Sponsors: Mayor; Dorsey and Mandelman**

Ordinance amending the Administrative Code to establish two Entertainment Zones: the Mid-Market Entertainment Zone, on Market Street between 5th Street and 6th Street, with eastern boundaries at Mason Street on the north side of Market Street and at 5th Street on the south side of Market Street, and western boundaries at the intersection of Golden Gate Avenue and Taylor Street on the north side of Market Street and at 6th Street on the south side of Market Street; and the Arena Entertainment Zone, bounded by Warriors Way on the north, Terry A. Francois Boulevard on the east, 16th Street on the south, and 3rd Street on the west; and affirming the Planning Department's determination under the California Environmental Quality Act.

*Supervisor Peskin, seconded by Supervisor Preston, moved that this Ordinance be sent to the Special Meeting of the Board of Supervisors on October 15, 2024, for consideration on Final Passage. The motion carried by the following vote:*

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

**PASSED ON FIRST READING, after approving the motion to send this Ordinance to the Special Meeting of the Board of Supervisors on October 15, 2024, by the following vote:**

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

#### **240845 [Building Code - Gas Infrastructure for EPCA Appliances in New Construction]**

**Sponsors: Mandelman; Melgar**

Ordinance amending the Building Code to allow new construction that complies with the Design Guidelines for Electric-Ready Buildings to install gas infrastructure to serve appliances covered by the Energy Policy and Conservation Act (EPCA); adopting findings of local conditions under the California Health and Safety Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

*Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Ordinance be sent to the Special Meeting of the Board of Supervisors on October 15, 2024, for consideration on Final Passage. The motion carried by the following vote:*

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

**PASSED ON FIRST READING, after approving the motion to send this Ordinance to the Special Meeting of the Board of Supervisors on October 15, 2024, by the following vote:**

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

*Supervisor Stefani was noted absent at 5:52 p.m.*

*Supervisor Safai was noted absent at 5:53 p.m. and for the remainder of the meeting.*

**240940 [Urging to Resolve a San Francisco Public Utilities Commission Lawsuit with the United States Environmental Protection Agency]****Sponsors: Melgar; Peskin, Ronen and Preston**

Resolution urging the City Attorney and the San Francisco Public Utilities Commission to immediately resolve its lawsuit regarding the Clean Water Act with the United States Environmental Protection Agency.

**Supervisor Preston, seconded by Supervisor Melgar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 10-14, by adding ‘; and, be it FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the Environmental Protection Agency and the San Francisco City Attorney to immediately schedule and participate in a mediation in an effort to promptly resolve this litigation through a settlement that would make a Supreme Court decision moot.’ The motion carried by the following vote:**

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

**ADOPTED AS AMENDED by the following vote:**

Ayes: 8 - Chan, Engardio, Melgar, Peskin, Preston, Ronen, Stefani, Walton  
Noes: 2 - Dorsey, Mandelman  
Absent: 1 - Safai

*Supervisor Stefani was noted present at 6:01 p.m.*

**Recommendations of the Rules Committee**

*President Peskin requested File Nos. 240867, 240868, and 240869 be called together.*

**240867 [Mayoral Appointment, Public Utilities Commission - Avni Jamdar]**

Motion approving the Mayor's nomination for the appointment of Avni Jamdar to the Public Utilities Commission, for a term ending August 1, 2028. (Clerk of the Board)  
(Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: September 9, 2024.)

**Motion No. M24-096**

**APPROVED by the following vote:**

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

**240868 [Mayoral Appointment, Public Utilities Commission - Joshua Arce]**

Motion approving the Mayor's nomination for the appointment of Joshua Arce to the Public Utilities Commission, for a term ending August 1, 2026. (Clerk of the Board)  
(Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: September 9, 2024.)

**Motion No. M24-097**

**APPROVED by the following vote:**

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

**240869 [Mayoral Appointment, Public Utilities Commission - Stephen Leveroni]**

Motion approving the Mayor's nomination for the appointment of Stephen Leveroni to the Public Utilities Commission, for a term ending August 1, 2028. (Clerk of the Board)  
(Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: September 9, 2024.)

**Motion No.** M24-098

**APPROVED** by the following vote:

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## Appointment of President Pro Tempore

*At the request of President Peskin, Supervisor Walton assumed the chair at 6:19 p.m. The President resumed the chair 6:24 p.m.*

## PUBLIC COMMENT

*Thierry Fill; expressed the need to think differently, the rules of existence, and self-control.*

*Marcel Monsey; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Speaker; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Speaker; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Speaker; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Lea McGeever; expressed concerns regarding the treatment of trans people.*

*Mark; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Speaker; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Dave Dolchon; expressed concerns regarding the discrimination of those in polyamorous relationships.*

*Rando Marquez; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Edna Wayful; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Matthew Sutter; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Mark; shared his personal religious views.*

*Ian Marquez; shared the plight of taxi medallion holders and expressed concerns about the Municipal Transportation Agency.*

*Otto Duffy; expressed concerns regarding the economy and environmental issues.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **240979 [Honoring the Chinese Consolidated Benevolent Association - 175th Anniversary]**

**Sponsors: Peskin; Chan, Mandelman, Engardio and Melgar**

Resolution recognizing and honoring the Chinese Consolidated Benevolent Association's 175th Anniversary; and declaring October 5, 2024, as "Chinese Consolidated Benevolent Association Day," in the City and County of San Francisco.

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

**ADOPTED**

### **240971 [Waiver Authorizing City Employees to Assist the Department of Elections with the November 5, 2024, Consolidated General Election]**

**Sponsor: Peskin**

Motion authorizing City Employees to assist the Department of Elections with the November 5, 2024, Consolidated General Election.

**Motion No. M24-099**

**APPROVED**

### **240975 [Committee of the Whole - Reporting on SFUSD's Whole School Lesson Study Math Pilot - Impact on Student Math Scores - Student Success Fund Dollars - October 29, 2024, at 4:00 p.m.]**

**Sponsors: Ronen; Melgar**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on October 29, 2024, at 4:00 p.m. to examine the results of the Whole School Lesson Study Math Pilot Program that is funded by the City, to hear from the school sites that participated in the study who will share data from the first two years of the pilot, clarify the San Francisco Unified School District's (SFUSD) and the Department of Children, Youth and Their Family's (DCYF) commitment to continuing the program with funding from the Student Success Fund given its demonstrated, data-driven progress, and understand how Student Success Fund dollars are being spent as directed by the law creating the fund; and requesting the representatives of the pilot school sites, SFUSD Superintendent, members of the Board of Education and DCYF to report.

*Supervisor Melgar requested to be added as a co-sponsor.*

**Motion No. M24-100**

**APPROVED**

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

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

Absent: 1 - Safai



## **Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Chan was noted absent at 3:14 p.m.*

*Supervisor Safai was noted absent at 3:15 p.m.*

*President Peskin requested File No. 240972 be severed and considered separately, before the Special Order regarding the state of the hotel industry (File No. 240973).*

### **240972 [Committee of the Whole - State of the Hotel Industry in San Francisco and Conditions for Guests and Workers Within the Industry - October 8, 2024, at 3:00 p.m.]**

#### **Sponsors: Peskin; Mandelman**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on October 8, 2024, at 3:00 p.m., to hold a public hearing on the state of the hotel industry in San Francisco and the conditions for guests and workers within the industry, and the "Status of the San Francisco Economy" report; and requesting the City Controller to report.

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

#### **Motion No. M24-095**

#### **APPROVED by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Stefani, Walton

Absent: 2 - Chan, Safai

*Supervisor Chan was noted present at 3:19 p.m.*

*Supervisor Safai was noted present at 3:21 p.m.*

*Supervisor Stefani requested that File No. 240970 be severed so that it may be considered separately.*

### **240970 [Domestic Violence Awareness Month - October 2024]**

#### **Sponsors: Stefani; Chan, Ronen, Mandelman, Preston, Melgar and Walton**

Resolution recognizing October 2024 as "Domestic Violence Awareness Month" in the City and County of San Francisco, and reaffirming its commitment to supporting initiatives that raise awareness, prevent domestic violence, and provide resources and services to survivors.

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

#### **ADOPTED by the following vote:**

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

Absent: 1 - Safai

President Peskin requested that File No. 240974 be severed so that it may be considered separately.

**240974 [Issuance of Subpoena Duces Tecum - Daniel Lawson, Former President of the Board of SF SAFE, and Tom Yeh, Former Chief Financial Officer of SF SAFE]**

**Sponsor: Peskin**

Motion directing the Clerk of the Board of Supervisors to issue subpoenas duces tecum to Daniel Lawson and Tom Yeh to appear at a future Government Audit and Oversight Committee (GAO) hearing, date to be determined, should they fail to attend and answer questions, as requested, in their roles as former Board members SF SAFE at a special GAO hearing.

**Supervisor Peskin, seconded by Supervisor Ronen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 4-5, by adding 'appear at a future Government Audit and Oversight Committee (GAO) hearing, date to be determined, should they fail to', Line 6, by adding ', as requested,' on Line 7, by changing 'hearing of the Government Audit and Oversight Committee' to 'GAO hearing', Lines 21-22, by changing 'the' to 'a future', and Lines 22-23, by adding 'hearing, date to be determined, should they fail to attend and answer questions at'. The motion carried by the following vote:**

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

**Motion No. M24-101**

**APPROVED AS AMENDED by the following vote:**

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

## 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](http://www.sfbos.org/legislation_introduced).

## **Introduced at the Request of a Department**

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

## **PROPOSED ORDINANCES**

### **240952 [Settlement of Lawsuit - Scott Edwards - \$650,000]**

Ordinance authorizing settlement of the lawsuit filed by Scott Edwards against the City and County of San Francisco for \$650,000; the lawsuit was filed on October 17, 2023, in San Francisco Superior Court, Case No. CGC-23-609826; entitled Scott Edwards v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

09/30/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **240953 [Settlement of Lawsuit - Annamarie Faro and Howard Kevin White - \$195,000]**

Ordinance authorizing settlement of the lawsuit filed by Annamarie Faro and Howard Kevin White against the City and County of San Francisco for \$195,000; the lawsuit was filed on November 9, 2023, in San Francisco Superior Court, Case No. CGC-23-610311; entitled Annamarie Faro, et al. v. City and County of San Francisco, et al.; the lawsuit alleged property damage arising from flooding. (City Attorney)

09/30/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

### **240954 [Professional Services Agreement - Consor PMCM, Inc. - Construction Management Staff Augmentation Services for New City Distribution Division Campus at 2000 Marin Street - Not to Exceed \$10,720,500]**

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute Professional Services Agreement, Contract No. PRO.0239, New City Distribution Division Campus at 2000 Marin Construction Management Staff Augmentation Services, with Consor PMCM, Inc., to supplement the SFPUC's Construction Management Bureau staff in overseeing the construction of the new City Distribution Division Campus at 2000 Marin project, for an amount not to exceed \$10,720,500 and with a term duration of four years and three months, from February 2025, through April 2029, pursuant to Charter, Section 9.118. (Public Utilities Commission)

09/27/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**240955 [Agreement Amendment - Kennedy/Jenks Consultants, Inc. and AGS, Inc., Joint Venture - Engineering Services for Transmission Pipeline - Not to Exceed \$17,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No.1 to Contract No. PRO.0168.B, Engineering Services for Transmission Pipelines, with Kennedy/Jenks Consultants, Inc., and AGS, Inc., Joint Venture, increasing the contract by \$10,000,000 for a total not to exceed amount of \$17,000,000 with no changes to the eight year term of September 23, 2021, through September 22, 2029, to provide additional engineering design and support services for five transmission pipeline capital improvement projects funded by the Water Enterprise Capital Improvement Program, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

09/27/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**240956 [Real Property Acquisition - Easement from Sunol Glen Unified School District - Not to Exceed \$50,000]**

Resolution approving the terms and conditions and authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Purchase and Sale Agreement and Easement Deeds with Sunol Glen Unified School District for the acquisition of a 4,008-square-foot easement for an underground water pipeline and associated appurtenances and a 34,834-square-foot temporary construction easement on and across a portion of Alameda County Assessor's Parcel No. 096-0155-004-01, known as 11601 Main Street, Sunol, for \$35,000 plus an administrative fee of \$5,000 and up to \$10,000 in closing costs, for a total amount not to exceed \$50,000 pursuant to Charter, Section 9.118; the Agreement is effective on the date on which the Agreement is executed by both parties. (Public Utilities Commission)

09/27/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**240957 [Mental Health Services Act Annual Update - FY2024-2025]**

Resolution authorizing adoption of the San Francisco Mental Health Services Act Annual Update Fiscal Year (FY) 2024-2025. (Public Health Department)

09/27/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**240958 [Airport Professional Services Agreement - PGH Wong/The Allen Group Joint Venture - Project Management Support Services for West Field Garage 675 Project - Further Modifications Not to Exceed \$17,000,000]**

Resolution approving Modification No. 2 to Airport Contract No. 11917.41, Project Management Support Services for the San Francisco International Airport, West Field Garage 675 Project with PGH Wong/The Allen Group Joint Venture, a joint venture consisting of PGH Wong Engineering, Inc., and The Allen Group, LLC, to increase the Contract amount by \$14,000,000 for a new not to exceed Contract amount of \$17,000,000 and extend the Contract for services for an additional four years of services, from January 26, 2025, with a total term of January 26, 2024, through January 25, 2029, pursuant to Charter, Section 9.118(b); and making findings under the California Environmental Quality Act. (Airport Commission)

09/27/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**240959 [Settlement of Unlitigated Claim - 24th and Mission Partners - \$90,201]**

Resolution approving the settlement of the unlitigated claim filed by 24th and Mission Partners against the City and County of San Francisco for \$90,201; the claim was filed on May 7, 2024; the claim involves property damage arising from flooding alleged to be caused by a sewer main obstruction. (City Attorney)

09/30/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**240960 [Settlement of Unlitigated Claim - Awad Faddoul - \$108,681.38]**

Resolution approving the settlement of the unlitigated claim filed by Awad Faddoul against the City and County of San Francisco for \$108,681.38; the claim was filed on May 7, 2024; the claim involves property damage arising from flooding alleged to be caused by a sewer main obstruction. (City Attorney)

09/30/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**240961 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - \$250,000]**

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for \$250,000; the claim was filed on January 11, 2024; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

09/30/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**240962 [Settlement of Unlitigated Claim - 150 Post Street LLC - \$272,566.05]**

Resolution approving the settlement of the unlitigated claim filed by 150 Post Street LLC against the City and County of San Francisco for \$272,566.05; the claim was filed on March 21, 2024; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

09/30/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 7:00 p.m.*