

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, September 26, 2023 - 2:00 PM**

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

**Regular Meeting**

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AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

### BOARD COMMITTEES

#### **Committee Membership**

**Budget and Appropriations Committee**

Supervisors Chan, Mandelman, Safai, Ronen, Walton

**Budget and Finance Committee**

Supervisors Chan, Mandelman, Safai

**Government Audit and Oversight Committee**

Supervisors Preston, Stefani, Chan

**Homelessness and Behavioral Health Select Committee**

Supervisors Ronen, Mandelman, Walton

**Land Use and Transportation Committee**

Supervisors Melgar, Preston, Peskin

**Public Safety and Neighborhood Services Committee**

Supervisors Stefani, Engardio, Dorsey

**Rules Committee**

Supervisors Dorsey, Walton, Safai

#### **Meeting Days**

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session, in-person with remote access and public comment also available via telephone, on Tuesday, September 26, 2023, with President Aaron Peskin presiding.*

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

## **Remote Access to Information and Participation**

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

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

*All Members were present.*

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

## **COMMUNICATIONS**

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

*(Those who are providing public comment remotely must dial \*3 to be added to the remote queue to speak. Written comments may be submitted through email ([bos@sfgov.org](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.)*

## **AGENDA CHANGES**

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendations of the Land Use and Transportation Committee

#### **230767 [Administrative Code - Treatment of Seating Area at Taraval Street and 46th Avenue as Sidewalk for Shared Spaces Program]**

**Sponsor: Engardio**

Ordinance waiving specified requirements in the Administrative Code to allow seating area designated as a curbside traffic island on Taraval Street at 46th Avenue to be defined as two sidewalk shared spaces, subject to certain requirements; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Ordinance No. 199-23**

**FINALLY PASSED**

#### **230858 [Treasure Island/Yerba Buena Island - The Rocks Park Acceptance]**

**Sponsors: Mayor; Dorsey**

Ordinance acknowledging the Treasure Island Development Authority's acceptance of certain improvements on a portion of the Yerba Buena Island Hilltop Parks known as The Rocks (Assessor's Parcel Block No. 8958, Lot No. 003), adjacent to Macalla Road, and the Authority's acceptance of the park improvements for maintenance and liability purposes; dedicating The Rocks to public use; designating the property for public open space and park purposes; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting a Public Works Order that recommends acceptance of The Rocks park improvements and related actions, as defined herein. (Treasure Island Development Authority)

**Ordinance No. 198-23**

**FINALLY PASSED**

### Recommendation of the Rules Committee

#### **230923 [Administrative Code - Firefighters Cancer Prevention Foundation]**

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

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

**Ordinance No. 200-23**

**FINALLY PASSED**

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

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

## REGULAR AGENDA

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **230812 [Authorizing Expenditures - SoMa Community Stabilization Fund - Up to \$114,800]**

##### **Sponsors: Mayor; Safai and Dorsey**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of up to \$114,800 to address various impacts of destabilization on residents and businesses in SoMa for a term to commence effective upon approval this Resolution through June 30, 2024.

(Fiscal Impact)

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

**Resolution No. 447-23**

**ADOPTED by the following vote:**

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

*President Peskin requested File Nos. 230905, 230906, and 230907 be called together.*

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

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

(Fiscal Impact)

**Resolution No. 449-23**

**ADOPTED by the following vote:**

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

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

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

**Resolution No. 450-23**

**ADOPTED by the following vote:**

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

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

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

**Resolution No. 451-23**

**ADOPTED by the following vote:**

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

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

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

**Resolution No. 452-23**

**ADOPTED by the following vote:**

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

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

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

(Public Health Department)

(Fiscal Impact)

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

**Resolution No. 453-23****ADOPTED by the following vote:**

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

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

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

(Fiscal Impact)

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

**Resolution No. 446-23****ADOPTED by the following vote:**

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

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

**Sponsors: Mayor; Mandelman and Safai**

Resolution authorizing the Director of Public Works to execute a professional services agreement with RossDrulisCusenbery Architecture, Inc. for the design of the new San Francisco Fire Department (SFFD) Fire Training Facility under the Earthquake Safety and Emergency Response bond program, not to exceed \$14,085,186 with a term of five years with options to extend the term for another two years, upon the full execution of the contract and once funding has been certified.

(Public Works)

(Fiscal Impact)

**Resolution No. 444-23**

**ADOPTED by the following vote:**

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

**230949 [Emergency Declaration - Portsmouth Square Elevators Modernization - Cost of Repairs Not to Exceed \$2,200,000]**

**Sponsors: Peskin; Chan, Mandelman and Safai**

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

(Fiscal Impact)

**Resolution No. 455-23**

**ADOPTED by the following vote:**

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

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

**Sponsors: Safai; Mandelman**

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

(Fiscal Impact)

**Resolution No. 456-23**

**ADOPTED by the following vote:**

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

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

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

**Resolution No. 457-23****ADOPTED by the following vote:**

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

**From the Budget and Finance Committee with a Recommendation of "Do Not Pass"****230915 [Amended and Restated Office Lease - Retroactive - The Lighthouse Building LLC - 1155 Market - Not to Exceed \$6,685,260.20 in Initial Year]**

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

**NOT ADOPTED by the following vote:**

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

## **Recommendations of the Land Use and Transportation Committee**

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

**Sponsor: Peskin**

Ordinance amending the Planning Code to designate Colombo Market Arch, situated within Sydney Walton Square, 600 Front Street, a portion of Assessor's Parcel Block No. 0172, Lot No. 010, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

**PASSED ON FIRST READING by the following vote:**

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

### **230880 [Initiating Landmark Designation Amendment - San Francisco Fire Station No. 44]**

**Sponsors: Walton; Peskin, Melgar and Preston**

Resolution initiating an amendment to the landmark designation of the San Francisco Fire Station No. 44, located at 1298 Girard Street, Assessor's Parcel Block No. 6194, Lot No. 010, under Article 10 of the Planning Code.

**Resolution No. 448-23**

**ADOPTED by the following vote:**

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

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

**Sponsors: Mayor; Safai**

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

**Resolution No. 454-23**

**ADOPTED by the following vote:**

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

## **Referred Without Recommendation from the Land Use and Transportation Committee**

### **230855 [Planning, Administrative Codes - Development Impact Fee Reductions]**

#### **Sponsors: Peskin; Safai, Mandelman and Dorsey**

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

(Supervisor Preston voted No on First Reading.)

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

#### **PASSED ON FIRST READING by the following vote:**

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

Noes: 1 - Preston

## **Recommendation of the Rules Committee**

### **230810 [Administrative Code - Tenant Organizing]**

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

Ordinance amending the Administrative Code to provide that tenants may elect to be accompanied by a tenant association representative at meetings with their landlord; to set rules for the duration of and attendance at meetings of the full tenant association; to provide that a tenant association remains in good standing unless it has failed to re-certify or a new tenant association has been certified; and to make clarifying changes regarding the obligation of landlords and tenant associations to confer in good faith.

#### **PASSED ON FIRST READING by the following vote:**

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

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

*There were no commendations recognized.*

## SPECIAL ORDER 3:00 P.M.

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

#### **230035 [Hearing - Committee of the Whole - Laguna Honda Hospital's Strategy for Recertification and the Submission of a Closure and Patient Transfer and Relocation Plan - September 26, 2023, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, September 26, 2023, at 3:00 p.m., to hold a public hearing on Laguna Honda Hospital's Strategy for Recertification and the Submission of a Closure and Patient Transfer and Relocation Plan; and requesting the Department of Public Health to present; scheduled pursuant to Motion No. M23-010 (File No. 230034), approved on January 24, 2023. (Clerk of the Board)

*President Peskin opened the public hearing and Supervisor Melgar provided opening remarks regarding Laguna Honda Hospital's strategy for recertification and the submission of a closure and patient transfer and relocation plan (File No. 230035). The President then inquired as to whether any individual wished to address the Committee of the Whole on the hearing matter. Roland Pickens and Sandra Simon (Department of Public Health) provided an overview of the hearing matter and responded to questions raised throughout the discussion. Patrick Monette-Shaw; Speaker; Dr. Teresa Palmer; Thierry Fill; spoke on various concerns relating to the hearing matter. The President closed public comment, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**Although it was not required, Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Hearing be declared HEARD AND FILED. The motion carried 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 Safai assumed the chair at 3:30 p.m. The President resumed the chair 3:35 p.m.*

### Committee of the Whole Adjourn and Report

## COMMITTEE REPORTS

### Recommendations of the Homeless and Behavioral Health Select Committee

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

**Sponsor: Mayor**

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

**Resolution No. 445-23**

**ADOPTED by the following vote:**

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

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

**Sponsor: Mayor**

Resolution approving and authorizing a Loan Agreement with 440 Geary LLC in an amount not to exceed \$47,390,000 for a minimum loan term of 55 years ("Loan Agreement") to provide permanent financing for a 122-unit single-room occupancy residential building consisting of 121 units of permanent supportive housing to homeless households, one manager unit, and two ancillary ground floor commercial units (the "Project") located at 440 Geary Street, adopting findings that the Project and proposed transactions are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; authorizing the Mayor and the Director of Mayor's Office of Housing and Community Development ("MOHCD") to execute the Loan Agreement, and make certain modifications to such agreements, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein; and authorizing the Director of MOHCD to enter into any additions, amendments, or other modifications to the Loan Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Loan Agreement or this Resolution.

(Fiscal Impact)

**Resolution No. 442-23**

**ADOPTED by the following vote:**

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

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

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

**Resolution No. 443-23****ADOPTED by the following vote:**

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

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Speaker; shared various religious concerns.*

*John Trismani; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

*Speaker; expressed concerns regarding a traumatic childhood.*

*Christopher Kline; expressed concerns regarding technology, the closure of businesses in San Francisco, and the effect on public health.*

*J.D. Katina; shared concerns regarding street artists and the need to allocate more funding to cultivate the arts.*

*Luke Bornheimer; expressed support of newly introduced legislation urging the Municipal Transportation Agency to prohibit right turns on red.*

*Maya Kashman; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

*Susan Fong Wong; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

*Chanel; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

*Jeff Lucas; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

*Rex Ridgeway; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

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

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

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

*Autumn Blen; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

*Speaker; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

*Kristen Limbaugh; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

*Mr. Wright; shared concerns regarding the allocation of funding and salary increases.*

*Mr. Williams; shared concerns regarding the Reparations Plan.*

*Sala-Haquekyah Chandler; shared concerns regarding the homicide of her son and the lack of action taken for justice.*

*Ellie Smith; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.*

*JConr B. Ortega; shared concerns regarding the state of the City, treatment of tourists who have negative experiences when visiting, and the need to take action to save businesses.*

*Ace Washington; expressed concerns regarding the Reparations Plan.*

*Jordan Davis; expressed opposition to the ballot measure regarding Algebra 1 for eighth grade students and other policies.*

*Speaker; expressed various concerns regarding public transportation. (This member of the public made a comment that violated the City's policy on discriminatory or harassing remarks; therefore, Clerk Calvillo discontinued their time.)*

*Gilbert Crisswell; expressed support of newly introduced legislation urging the Municipal Transportation Agency to prohibit right turns on red.*

*Francisco Da Costa; shared concerns regarding taxi medallion holders, the homicide of children, and the lack of empathy shown.*

*Speaker; expressed support of the ballot measure regarding Algebra 1 for eighth grade students and*

spoke on other policies. (This member of the public made a comment that violated the City's policy on discriminatory or harassing remarks; therefore, Clerk Calvillo discontinued their time.)  
Brandy; expressed support of a newly introduced ballot measure urging the San Francisco Unified School District to offer Algebra 1 to eighth grade students.  
San Francisco; shared concerns regarding drug overdose, crime statistics, and grandstanding.  
Barry Taranto; shared concerns regarding outdoor fencing and criminal activities being done out in the open with no repercussions and affecting tourism.  
Speaker; shared concerns regarding the Reparations Plan. (This member of the public made a comment that violated the City's policy on discriminatory or harassing remarks; therefore, Clerk Calvillo discontinued their time.)  
Speaker; spoke on various concerns. (This member of the public made a comment that violated the City's policy on discriminatory or harassing remarks; therefore, Clerk Calvillo discontinued their time.)

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **230994** [Firearm Suicide Prevention Day - September 12, 2023]

**Sponsors:** Stefani; Mandelman

Resolution retroactively recognizing September 12, 2023, to be Firearm Suicide Prevention Day in remembrance of the lives lost to firearm suicide, acknowledgement of the individuals, families, and communities who have been impacted, and to spread awareness about the growing firearm suicide crisis.

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

**Resolution No.** 459-23

**ADOPTED by the following vote:**

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

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

*Supervisor Walton requested that File No. 230995 be severed so that it may be considered separately.*

### **230995** [Accepting the Final San Francisco Reparations Plan]

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

Resolution accepting the Final San Francisco Reparations Plan of the African American Reparations Advisory Committee.

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

**Resolution No.** 460-23

**ADOPTED by the following vote:**

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

## IMPERATIVE AGENDA

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

## ORDINANCES

### 231004 [Administrative Code - Establishing Graffiti Advisory Board]

**Sponsor: Chan**

Ordinance amending the Administrative Code to establish the Graffiti Advisory Board to advise the Board of Supervisors and the Mayor on issues relating to graffiti prevention and abatement; and setting forth the membership and duties of the Advisory Board.

09/26/23; RECEIVED AND ASSIGNED to Rules Committee.

### 231005 [Building Code - Deadlines for Disability Access Improvements for Places of Public Accommodation]

**Sponsors: Mandelman; Engardio, Chan and Safai**

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.

09/26/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/26/2023.

**230834 [Planning Code - Permits to Install Business Signs to Historic Buildings or Buildings in Conservation Districts in the C-3 (Downtown) Area]****Sponsor: Peskin**

Ordinance amending the Planning Code to require compliance with the procedures of Planning Code, Article 10, for certain work involving a business sign on a designated landmark site or in a designated historic district, and to require a hearing before the Historic Preservation Commission rather than an administrative review by Planning Department staff of applications for a permit to install business signs to a Significant or Contributory building or a building in a Conservation District in the C-3 (Downtown) area, provided that the permit is for a Major Alteration; 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.

07/18/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/17/2023.

07/26/23; REFERRED TO DEPARTMENT.

08/03/23; RESPONSE RECEIVED.

09/26/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**231006 [Planning Code, Zoning Map - 900 Kearny Street Special Use District]****Sponsor: Peskin**

Ordinance amending the Planning Code and Zoning Map to create the 900 Kearny Street Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

09/26/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/26/2023.

**231007 [Business and Tax Regulations Code - Transfer Tax Exemption for Affordable Housing]****Sponsors: Preston; Chan, Mandelman, Safai and Ronen**

Ordinance amending the Business and Tax Regulations Code to broaden the exemption from the increased transfer tax rates when the consideration or value of the interest or property conveyed equals or exceeds \$5,000,000 for transfers of certain rent-restricted affordable housing; applying the exemption retroactively to transfers occurring on or after January 1, 2017; extending the exemption through December 31, 2030; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

09/26/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/26/2023.

**231008 [Administrative Code - Community Policing and Foot and Bike Patrols]****Sponsors: Safai; Engardio, Peskin, Ronen, Chan, Walton and Dorsey**

Ordinance amending the Administrative Code to require the Chief of Police to adopt a foot and bike patrol strategy for the Police Department, and to require the Police Commission to hold annual hearings regarding community policing and foot and bike patrols.

09/26/23; ASSIGNED to Rules Committee.

## RESOLUTIONS

### **231009 [Accept and Expend Grant - California Department of Parks and Recreation - Buchanan Mall Project - \$3,900,000]**

**Sponsors: Mayor; Preston, Mandelman and Safai**

Resolution authorizing the Recreation and Park Department (RPD) to accept and expend up to \$3,900,000 in grant funding from the California Department of Parks and Recreation for the Buchanan Mall Project; to enter into a grant contract with the California Department of Parks and Recreation that require, among other things, that RPD maintain the park as public open space in perpetuity; to record a Declaration of Restrictions on the Buchanan Mall property designated as Assessor's Parcel Block No. 0748, Lot No. 033, Assessor's Parcel Block No. 0757, Lot No. 026, Assessor's Parcel Block No. 0772, Lot No. 023, Assessor's Parcel Block No. 0781, Lot No. 035, and Assessor's Parcel Block No. 0795, Lot No. 028, providing notice of these restrictions; and to authorize the General Manager of RPD to enter into modifications or amendments to the Grant Contract that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Recreation and Park Department)  
(Fiscal Impact)

09/26/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **231010 [Temporary Shelter and Homeless Services - Behested Payment Waiver]**

**Sponsors: Mayor; Ronen, Mandelman and Engardio**

Resolution authorizing the Office of the Mayor and the Department of Homelessness and Supportive Housing to solicit donations from various private entities and organizations to support the expansion of temporary shelter and other homeless services to support people experiencing homelessness, notwithstanding the Behested Payment Ordinance.

09/26/23; RECEIVED AND ASSIGNED to Homelessness and Behavioral Health Select Committee.

### **231011 [Gift Acceptance - Friends of Harvey Milk - Redesign of Harvey Milk Plaza - Estimated Value at \$1,275,000]**

**Sponsors: Mayor; Mandelman, Engardio and Chan**

Resolution accepting a gift of design documents with an estimated value at \$1,275,000 from the Friends of Harvey Milk Plaza to assist Public Works in the redesign of Harvey Milk Plaza; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/26/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **231012 [Accept and Expend Grant - Retroactive - U.S. Department of Housing and Urban Development - Housing Opportunities for Persons with AIDS Permanent Supportive Housing Renewal - FY2023-2026 - \$1,510,695]**

**Sponsors: Mayor; Engardio, Dorsey, Mandelman and Preston**

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

09/26/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**231013 [Approval of a 90-Day Extension for Historic Preservation Commission to Respond to Landmark Designation Initiation of Alexandria Theater (File No. 230266)]****Sponsor: Chan**

Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission to respond to landmark designation initiation from the Board of Supervisors (File No. 230266).

09/26/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**231014 [Filipino American History Month - October 2023]****Sponsors: Dorsey; Safai, Engardio, Peskin, Mandelman, Preston, Chan, Stefani, Ronen, Walton and Melgar**

Resolution recognizing October 2023 as "Filipino American History Month" and celebrating the history and culture of Filipino Americans and their immense contributions to the City and County of San Francisco.

09/26/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**231015 [Supporting Mayor's Letters of Support to Coalitions Applying for the Greenhouse Gas Reduction Fund and Urging City Departments to Prepare for the Creation of a Green Bank]****Sponsor: Preston**

Resolution supporting Mayor London N. Breed's letters of support to coalitions applying for the Environmental Protection Agency's Greenhouse Gas Reduction Fund and urging City departments to prepare for the creation and implementation of a green bank to finance local projects using Greenhouse Gas Reduction funds.

09/26/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**231016 [Urging the MTA to Prohibit Right Turns on Red]****Sponsor: Preston**

Resolution urging the Municipal Transportation Agency (MTA) to develop and implement a plan for No Turn On Red (NTOR) at every signalized intersection in San Francisco and approve a citywide NTOR policy.

09/26/23; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## MOTIONS

**231019 [Declaration of Policy - Eighth Grade Algebra and SFUSD Math Curriculum Development]****Sponsors: Engardio; Safai, Melgar, Stefani and Dorsey**

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

09/26/23; RECEIVED AND ASSIGNED to Rules Committee.

**231020 [Amending the Rules of Order - Limiting Remote Public Comment Opportunities]****Sponsor: Peskin**

Motion amending the Board of Supervisors' Rules of Order by revising Rule 1.3.3 (In-Person and Remote Public Comment) to discontinue remote public comment by members of the public at meetings of the Board and its committees, except as legally required to enable people with disabilities to participate in such meetings.

(Pursuant to Board Rule 3.26.1, an amendment to the Board of Supervisors' Rules of Order shall be adopted by the affirmative vote of two-thirds (8 votes) of the Board of Supervisors.)

09/26/23; RECEIVED AND ASSIGNED to Rules Committee.

**REQUEST FOR HEARING****231017 [Hearing - Declaration of Policy - Eighth Grade Algebra and SFUSD Math Curriculum Development]****Sponsors: Engardio; Safai, Melgar, Stefani and Dorsey**

Hearing to consider the proposed Declaration of Policy submitted by four or more Supervisors to the voters for the March 5, 2024, Election, entitled "Declaration of Policy urging the San Francisco Unified School District (SFUSD) to offer Algebra 1 to students by the eighth grade, and supporting the SFUSD in its efforts to develop its math curriculum for students at all grade levels."

09/26/23; RECEIVED AND ASSIGNED to Rules Committee.

**Introduced at the Request of a Department**

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

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

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

09/18/23; RECEIVED FROM DEPARTMENT.

09/26/23; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/26/2023.

## PROPOSED RESOLUTIONS

### **230981 [Settlement of Unlitigated Claims - The Bank of New York Mellon Trust Company, N.A. - \$1,355,943.09]**

Resolution approving the settlement of the unlitigated claims filed by The Bank of New York Mellon Trust Company, N.A. against the City and County of San Francisco for \$1,355,943.09; the claims were filed on July 13, 2023; the claims involve a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)

09/12/23; RECEIVED FROM DEPARTMENT.

09/26/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **230983 [Accept and Expend Grant - Retroactive - San Francisco Foundation - Affirmative Litigation and Enforcement Outreach and Coordination - \$200,000]**

**Sponsor: Mandelman**

Resolution retroactively authorizing the Office of the City Attorney to accept and expend a grant in the amount of \$200,000 from the San Francisco Foundation to fund engagement, strategic planning, and coordination with a coalition of public law offices to support affirmative litigation and enforcement, for the period from July 1, 2023, through June 30, 2025. (City Attorney)

09/14/23; RECEIVED FROM DEPARTMENT.

09/26/23; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## **Request Granted**

*From: Supervisor Connie Chan*

*To: Planning Department (CPC) and Department of Disability and Aging Services (DAS)*

*Requests: Requesting that the CPC and DAS provide the following information as it pertains to residential care facility trends in the City and County of San Francisco:*

- 1. The number of residential care facilities currently in operation.*
- 2. The number of residential care facilities that have ceased to operate since 2020.*
- 3. The number of residential care facilities that have applied for conditional use authorization, and the type of use.*
- 4. What is the transition requirement for residents when residential care facilities cease to operate.*
- 5. How are your departments notified when residential care facilities cease to operate or seek new operators.*

## **In Memoriams**

*Auden Terraine Schraeder - Board President Aaron Peskin*

*Francis Ho - Supervisor Shamann Walton*

*Raynard Hillis - Supervisor Shamann Walton*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 5:21 p.m.*

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

*Approved by the Board of Supervisors on October 31, 2023.*

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Angela Calvillo, Clerk of the Board