

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 29, 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.

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, October 29, 2024, with President Aaron Peskin presiding.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

All Members were present.

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

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

COMMUNICATIONS

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

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

APPROVAL OF MEETING MINUTES

Supervisor Preston, seconded by Supervisor Mandelman, moved to approve the September 17, 2024, and September 24, 2024, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

240823 [Settlement of Lawsuit - San Francisco Apartment Association, San Francisco Association of Realtors, Coalition for Better Housing, and Small Property Owners of San Francisco Institute - \$93,000]

Ordinance authorizing settlement of the lawsuit filed by San Francisco Apartment Association, San Francisco Association of Realtors, Coalition for Better Housing, and Small Property Owners of San Francisco Institute against the City and County of San Francisco for \$93,000; the lawsuit was filed on May 12, 2020, in San Francisco County Superior Court, Case No. CPF 20-517087; entitled San Francisco Apartment Association, et al. v. City and County of San Francisco; the lawsuit involves a Petition for Writ of Mandate challenging Ordinance No. 36-20, which amended San Francisco Administrative Code § 37.9E to revise the requirements that landlord must follow when engaging in buyout negotiations with tenants. (City Attorney)

PASSED, ON FIRST READING

240824 [Settlement of Lawsuits - Park Hotels & Resorts Inc. - Stipulated Assessed Value of \$140,700,000 and Refund of \$943,740 Plus Statutory Interest]

Ordinance authorizing settlement of two related lawsuits filed by Park Hotels & Resorts Inc. et al. against the City and County of San Francisco concerning the real property located at 555 North Point, San Francisco, CA (Assessor's Parcel Block No. 0029, Lot No. 007) (the "Subject Property") for a stipulated assessed value of the Subject Property of \$140,700,000 as of September 17, 2019, contingent upon the Assessment Appeals Board's approval, and a refund of \$943,740 plus statutory interest; the first lawsuit was filed on August 7, 2023, in San Francisco Superior Court, Case No. CGC-23-608156; entitled Park Hotels & Resorts Inc., et al. v. City and County of San Francisco; the second lawsuit was filed on June 27, 2023, in San Francisco Superior Court, Case No. CGC-23-607311; entitled Park Hotels & Resorts Inc. v. City and County of San Francisco, et al.; the lawsuits involve the assessed value of the Subject Property for property tax purposes as of the September 17, 2019 change in ownership date and a transfer tax refund. (City Attorney)

PASSED, ON FIRST READING

240825 [Settlement of Lawsuits - Park Hotels & Resorts Inc. - Stipulated Assessed Value of \$93,237,202 and Refund of \$785,531 Plus Statutory Interest]

Ordinance authorizing settlement of two related lawsuits filed by Park Hotels & Resorts Inc. et al. against the City and County of San Francisco concerning the real property located at 542-550 Geary Street, San Francisco, CA (Assessor's Parcel Block No. 0305, Lot No. 008 and Assessor's Parcel Block No. 0305, Lot No. 009) (the "Subject Property") for a stipulated assessed value of \$93,237,202 as of September 18, 2019, contingent upon the Assessment Appeals Board's approval, and a refund of \$785,531 plus statutory interest; the first lawsuit was filed on August 18, 2023, in San Francisco Superior Court, Case No. CGC-23-608476; entitled Park Hotels & Resorts Inc., et al. v. City and County of San Francisco; the second lawsuit was filed on June 27, 2023, in San Francisco Superior Court, Case No. CGC-23-607309; entitled Park Hotels & Resorts Inc. v. City and County of San Francisco, et al.; the lawsuits involve the assessed value of the Subject Property for property tax purposes as of the September 18, 2019 change in ownership date and a transfer tax refund. (City Attorney)

PASSED, ON FIRST READING

240826 [Settlement of Lawsuits - Park Hotels & Resorts Inc. - Stipulated Assessed Value of \$222,145,336 and Refund of \$1,636,749 Plus Statutory Interest]

Ordinance authorizing settlement of two related lawsuits filed by Park Hotels & Resorts Inc. et al. against the City and County of San Francisco concerning the real property located at 375 Battery Street, San Francisco, CA (Assessor's Parcel Block No. 0229, Lot No. 020) (the "Subject Property") for a stipulated assessed value of the Subject Property of \$222,145,336 as of September 18, 2019, contingent upon the Assessment Appeals Board's approval, and a refund of \$1,636,749, plus statutory interest; the first lawsuit was filed on August 18, 2023, in San Francisco Superior Court, Case No. CGC-23-608468; entitled Park Hotels & Resorts Inc., et al. v. City and County of San Francisco; the second lawsuit was filed on June 27, 2023, in San Francisco Superior Court, Case No. CGC-23-607304; entitled Park Hotels & Resorts Inc. v. City and County of San Francisco, et al.; the lawsuits involve the assessed value of the Subject Property for property tax purposes as of the September 18, 2019, change in ownership date and a transfer tax refund. (City Attorney)

PASSED, ON FIRST READING

240894 [Settlement of Lawsuit - Yulanda Williams - \$625,000]

Ordinance authorizing settlement of the lawsuit filed by Yulanda Williams against the City and County of San Francisco for \$625,000; the lawsuit was filed on May 29, 2019, in San Francisco Superior Court, Case No. CGC-19-576323; entitled Yulanda Williams v. City and County of San Francisco et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED, ON FIRST READING

240895 [Settlement of Lawsuit - Jane Doe - \$200,000]

Ordinance authorizing settlement of the lawsuit filed by Jane Doe against the City and County of San Francisco for \$200,000; the lawsuit was filed on September 12, 2022, in United States District Court, Northern District of California, Case No. 22-cv-05179; entitled Jane Doe v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)

PASSED, ON FIRST READING

240896 [Settlement of Lawsuit - Barnard Jones and Patricia Farrell - \$475,000]

Ordinance authorizing settlement of the lawsuit filed by Barnard Jones and Patricia Farrell against the City and County of San Francisco for \$475,000; the lawsuit was filed on June 28, 2023, in San Francisco Superior Court, Case No. CGC-23-607339; entitled Barnard Jones, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

PASSED, ON FIRST READING

240831 [Settlement of Unlitigated Claim - Bechtel Group, Inc. - \$43,235.10]

Resolution approving the settlement of the unlitigated claim filed by Bechtel Group, Inc. against the City and County of San Francisco for \$43,235.10; the claim was filed on May 8, 2024; the claim involves a refund of commercial rents taxes. (City Attorney)

ADOPTED

Recommendation of the Land Use and Transportation Committee**240806 [Public Works Code, Planning Code - Fee Waiver for Vicha Ratanapakdee Mosaic Stairway]**

Sponsors: Stefani; Engardio and Mandelman

Ordinance amending the Public Works Code to waive the major encroachment permit fees for a project to install and maintain mosaic tiles on the Vicha Ratanapakdee Way stairs located in the Anza Vista neighborhood between O'Farrell Street and Terra Anza Avenue and amending the Planning Code to waive the General Plan referral fee associated with this encroachment permit; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendation of the Rules Committee**240805 [Administrative Code - Street Teams Reporting]**

Sponsor: Preston

Ordinance amending the Administrative Code to require regular reporting to the Board of Supervisors by the Department of Emergency Management, Department of Homelessness and Supportive Housing, Department of Public Health, and Fire Department, concerning the efficiency and effectiveness of the City's street teams.

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

Referred to the Board of Supervisors

President Peskin requested File Nos. 241051, 240877, 240878, and 240885 be called together. During the discussion on these matters, privilege of the floor was granted unanimously to Brad Russi (Office of the City Attorney) who responded to questions raised.

241051 [Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans]

Motion adopting findings in response to written objections to adoption of amendments to the Bayview Hunters Point Redevelopment Plan and the Hunters Point Shipyard Redevelopment Plan that were delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Redevelopment Plan amendments, pursuant to the requirements of the California Community Redevelopment Law. (Clerk of the Board)

Motion No. M24-110

APPROVED by the following vote:

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

240877 [Redevelopment Plan Amendment - Hunters Point Shipyard]

Sponsors: Mayor; Walton

Ordinance approving and adopting an amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area ("HPS") to authorize the transfer of up to 2,050,000 square feet of research and development and office space from HPS Phase 2 to the Bay View Hunters Point Redevelopment Plan Project Area Zone 1 and extend the Redevelopment Plan time limits for HPS Phase 2; directing the Clerk of the Board to transmit a copy of this Ordinance upon its enactment to the Successor Agency; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

240878 [Redevelopment Plan Amendment - Bayview Hunters Point]**Sponsors: Mayor; Walton**

Ordinance approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area ("BVHP") to authorize the transfer of up to 2,050,000 square feet of research and development and office space from the Hunters Point Shipyard Redevelopment Plan Project Area Phase 2 to BVHP Zone 1 and extend the Redevelopment Plan time limits for BVHP Zone 1; directing the Clerk of the Board to transmit a copy of this Ordinance upon its enactment to the Successor Agency; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

240885 [Amendment to Tax Increment Allocation Pledge Agreement for Candlestick Point and Phase 2 of the Hunters Point Shipyard Project]**Sponsors: Mayor; Walton**

Resolution approving an amendment to the Tax Increment Allocation Pledge Agreement between the City and County of San Francisco and the Office of Community Investment and Infrastructure for the pledge of net available tax increment to finance public improvements and affordable housing in furtherance of the Candlestick Point and Phase 2 of the Hunters Point Shipyard Redevelopment Project; adopting findings under the California Environmental Quality Act; and adopting findings that the agreement is consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

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**231268 [Planning Code - Eliminating Public Art Requirement for 100% Affordable Housing Projects]****Sponsor: Dorsey**

Ordinance amending the Planning Code to eliminate the public art requirement for 100% affordable housing projects and provide for the relocation or removal of existing artwork at such projects subject to certain conditions; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Supervisor Peskin voted No on First Reading.)

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

240965 [Real Property Acquisition - Market & Noe Center LP - 2280 Market Street - Not to Exceed \$11,620,000; Certain Administrative Code Waivers]

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

Ordinance 1) approving and authorizing the Director of Property to acquire certain real property located at 2280 Market Street (the "Property"); 2) approving and authorizing a Purchase and Sale Agreement for the acquisition of the Property from Market & Noe Center LP, a California Limited Partnership, for an amount not to exceed \$11,620,000 including closing costs ("Purchase Agreement"); 3) authorizing the Director of Property to make certain modifications to the Purchase Agreement and take certain actions in furtherance of the Purchase Agreement, as defined herein; 4) adopting findings that the Property is exempt surplus land under the California Surplus Land Act; 5) exempting the property management, operation, repair, and maintenance of the Property from the contracting and procurement requirements in Administrative Code, Chapters 6, 14B, and 21, and Labor and Employment Code, Articles 131 and 132; 6) placing the Property under the jurisdiction of the Real Estate Division; 7) authorizing the Director of Property to use revenues generated from the Property for: (a) Property-related costs, (b) 10% of the gross revenues for the Real Estate Division's administrative costs related to the Property, and (c) the remainder to be retained in a segregated account for the benefit of the future LGBTQ+ history museum's capital improvements, operating expenses and reserves, tenant improvements, and programming expenses; and 8) affirming the Planning Department's determination under the California Environmental Quality Act, and adopting the Planning Department's findings that the Purchase Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

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

President Peskin requested File Nos. 240832 and 240898 be called together.

240832 [Contract Agreement - Retroactive - Corporation for Network Initiatives in California - Fiber Optic Network Installation, Occupancy, and Maintenance - Anticipated Revenue to the City \$6,970,000]

Resolution retroactively authorizing the Department of Technology to enter into a contract with Corporation for Education Network Initiatives in California ("CENIC") and to provide fiber optic cable strands to establish a fiber optic network in support of CENIC services to provide data connectivity for the University of California, San Francisco ("UCSF") for the period between May 25, 2011, through May 25, 2031, with an expected revenue of \$6,970,000. (Department of Technology)

ADOPTED by the following vote:

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

240898 [Radio Usage Agreement - Retroactive - San Francisco State University - Public Safety Radio System Support - Anticipated Revenue \$1,689,041]**Sponsor: Melgar**

Resolution retroactively authorizing the Department of Technology to enter into an Agreement with the San Francisco State University to provide radio system usage and maintenance, as well as radio interoperability for authorized personnel to communicate with City public safety personnel for the period between August 27, 2024, through June 30, 2035, with an anticipated revenue of \$1,689,041; and to authorize the Director of Technology to enter into amendments or modifications to the Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Agreement or this Resolution. (Department of Technology)

ADOPTED by the following vote:

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

240920 [Contract Amendment - San Francisco Public Health Foundation - Community Health Engagement - Not to Exceed \$21,329,720]

Resolution approving Amendment No. 4 to the agreement between the City, acting by and through, the Department of Public Health (DPH), and San Francisco Public Health Foundation for community health engagement, to extend the term by one year and six months from January 1, 2025, for a total term of January 1, 2020, through June 30, 2026, and to increase the amount by \$1,302,153 for a total not to exceed amount of \$21,329,720; and to authorize DPH to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

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

240921 [Agreement - Gillig LLC - Electric Transit Buses - Not to Exceed \$68,772,334]**Sponsor: Mandelman**

Resolution approving Agreement between the City, acting by and through the Office of Contract Administration, and Gillig LLC for the purchase of electric transit buses for San Francisco International Airport, for a term of four years from December 1, 2024, through November 30, 2028, and for a total not to exceed amount of \$68,772,334; and to authorize the Office of Contract Administration to make necessary, non-material changes to the Agreement prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary or advisable to effectuate the purposes of the Agreement. (Office of Contract Administration)
(Fiscal Impact)

ADOPTED by the following vote:

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

240922 [Contract Agreement - Retroactive - Auction Exchange Inc., dba Bar None Auction - Auction Services - \$3,900,000 Anticipated Revenue]

Resolution retroactively authorizing the Office of Contract Administration (OCA) to execute Contract 1000024326 between the City and County of San Francisco and Auction Exchange Inc., dba Bar None Auction for as-needed citywide auction services for disposal of City owned vehicles and heavy equipment for an estimated anticipated revenue amount of \$3,900,000 for a term of five years commencing on October 1, 2024, through September 30, 2029; and authorizes OCA to enter into any amendments or modifications to the Agreement that OCA determines, in consultation with the City Attorney, are necessary to correct clerical and/or administrative errors, as long as those changes are consistent with this Resolution. (Office of Contract Administration)

ADOPTED by the following vote:

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

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)
(Fiscal Impact)

ADOPTED by the following vote:

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

**240968 [Accept and Expend Grant - California State Transportation Agency - Port Freight Infrastructure Program - \$9,162,000]
Sponsors: Mayor; Walton**

Resolution authorizing the Port of San Francisco to accept and expend a grant award in the amount of \$9,162,000 from the California State Transportation Agency Port Freight Infrastructure Program, to fund the Pier 80 fendering project, the Amador Street improvement project, and a zero emissions marine terminal truck fleet study for the period of November 1, 2024, through June 30, 2028. (Port)
(Fiscal Impact)

ADOPTED by the following vote:

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

240986 [Accept and Expend Grant - California Public Utilities Commission - US Department of Treasury - Last Mile Federal Funding Account - \$10,393,500]**Sponsors: Mayor; Preston, Chan, Peskin and Mandelman**

Resolution authorizing the Department of Technology to accept and expend a Last Mile Federal Funding Account Grant in the amount of \$10,393,500 for a term extending from the approval of this Resolution to May 30, 2026, from the California Public Utilities Commission, a recipient of the grant award from US Department of Treasury, Capital Projects Fund for expanding broadband internet access to unserved homes and businesses and affordable housing sites in the Bayview, Chinatown, and Tenderloin Neighborhoods. (Department of Technology)
(Fiscal Impact)

ADOPTED by the following vote:

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

240993 [Apply for Grant - United States Department of Housing and Urban Development - Continuum of Care Program - Not to Exceed \$61,122,075]**Sponsor: Mayor**

Resolution approving the 2024 grant application for the United States Department of Housing and Urban Development Continuum of Care Program in an amount not to exceed \$61,122,075; and fulfilling the Board of Supervisors review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more. (Department of Homelessness and Supportive Housing)

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee**240333 [Police Code - Notice of Supermarket Closure]****Sponsors: Preston; Peskin, Chan, Walton, Safai and Ronen**

Ordinance amending the Police Code to require large supermarkets to provide six months notice to their customers and the City before permanently closing, and to explore ways to allow for the continued sale of groceries at the location.

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

Supervisor Preston requested this Ordinance be DUPLICATED ON FIRST READING.

See duplicated File No. 241066.

PASSED ON FIRST READING by the following vote:

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

241066 [Police Code - Notice of Supermarket Closure]**Sponsors: Preston; Peskin, Chan, Walton, Safai and Ronen**

Ordinance amending the Police Code to require large supermarkets to provide six months notice to their customers and the City before permanently closing, and to explore ways to allow for the continued sale of groceries at the location.

Duplicated from File No. 240333.

Supervisor Preston, seconded by Supervisor Stefani, moved that this Ordinance be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

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

240799 [Administrative Code - “Cash Not Drugs” Sobriety and Recovery Pilot Program]**Sponsors: Dorsey; Mandelman, Safai, Preston, Engardio and Melgar**

Ordinance amending the Administrative Code to authorize the Human Services Agency, in coordination with the Department of Public Health, to establish a voluntary three-year sobriety and recovery incentive treatment program, known as “Cash Not Drugs,” to provide a weekly payment of up to \$100 to eligible beneficiaries of the County Adult Assistance Programs (“CAAP”) who have been screened for a substance use disorder and referred to substance use disorder treatment as a condition of further receipt of CAAP benefits, and who test negative for illicit drugs once per week; exempting the Cash Not Drugs payments from the CAAP eligibility calculation; providing for a six-month implementation plan before the program becomes operational; and revising the Homelessness and Supportive Housing Fund to include the Cash Not Drugs program as a permitted use of funds.

(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

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

240830 [Settlement of Unlitigated Claims - Maplebear, Inc. - \$8,250,342.21]

Resolution approving the settlement of the unlitigated claims filed by Maplebear, Inc. against the City and County of San Francisco for \$8,250,342.21; the claims were filed on February 28, 2023, and February 9, 2024; the claims involve a refund of payroll expense, gross receipts, and homelessness gross receipts taxes, and business registration fees for the 2019 to 2022 tax years; other material terms of the settlement are that Maplebear, Inc. shall take certain filing positions with respect to its gross receipts, homelessness gross receipts, and overpaid executive gross receipts taxes, as applicable, for the 2023 and subsequent tax years, and the City will not impose penalties arising from those filing positions for the 2023 tax year. (City Attorney)

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

240906 [De Long Street - Public Right-of-Way Acceptance - Establishing Official Sidewalk Widths and Street Grades]

Sponsor: Safai

Ordinance approving funding and an offer of dedication and grant deed for real property from the Bay Area Rapid Transportation District for De Long Street between Santa Cruz and San Diego Avenues; conditionally accepting this segment of De Long Street for maintenance and liability; delegating to the Public Works Director the authority, upon completion of this Street segment to: 1) declare it as open public right-of-way, 2) dedicate it to public use, 3) designate it for street and roadway purposes, 4) finally accept this Street segment for City maintenance and liability purposes, subject to specified limitations, and 5) establish official public right-of-way widths and street grades; waiving the application of Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to allow establishment of official sidewalk widths through administrative action; 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; accepting a Public Works letter recommending various actions in regard to De Long Street; and authorizing official acts in connection with this Ordinance to be taken by the Public Works Director and other San Francisco officers, as defined herein.

PASSED ON FIRST READING by the following vote:

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

240967 [Administrative Code - E-Bike Incentive Fund]

Sponsors: Peskin; Preston, Melgar, Mandelman and Dorsey

Ordinance amending the Administrative Code to establish the E-Bike Incentive Fund to support implementation of an electric bicycle (or "e-bike") incentive program administered by the Department of the Environment.

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

PASSED ON FIRST READING by the following vote:

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

240908 [Commemorative Street Name Designation - "Joe Rosenthal Way" - 600 Block of Sutter Street]

Sponsors: Peskin; Chan and Melgar

Resolution adding the Commemorative Street Name "Joe Rosenthal Way" to the 600 block of Sutter Street in recognition of his contributions as a photojournalist whose images of San Francisco captured the life and spirit of the City, and whose coverage of World War II had an indelible impact on the country and the world.

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 Mandelman introduced, welcomed, and presented a Certificate of Honor to Renee Berger in recognition of her efforts as the project leader of the Burnside Tiled Stairs project and her continued community support.

President Peskin introduced, welcomed, and presented a Certificate of Honor to Very Reverend Father Smpad Saboundjian (St. Gregory Armenian Church) in recognition of his accomplishments and leadership among the Armenian community.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Dr. Martina Ayala, Executive Director (Mission Cultural Center for Latino Arts), in recognition of her accomplishments creating supportive and equitable spaces for artists. Supervisor Melgar shared in this commendation.

President Peskin recessed the meeting at 3:25 p.m. and reconvened at 4:01 p.m.

Upon reconvening, on the call of the roll, Supervisors Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Stefani, and Walton were noted present.

Supervisors Preston and Safai were noted absent.

SPECIAL ORDER 4:00 P.M.

Supervisor Preston was noted present at 4:04 p.m.

Supervisor Safai was noted present at 4:11 p.m.

Board of Supervisors Sitting as a Committee of the Whole

Appointment of President Pro Tempore

At the request of President Peskin, Supervisor Walton assumed the chair at 4:58 p.m. The President resumed the chair 5:00 p.m.

240976 [Hearing - 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.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, October 29, 2024, at 4:00 p.m., to hold a public hearing 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; scheduled pursuant to Motion No. M24-100 (File No. 240975), approved on October 8, 2024. (Clerk of the Board)

The President opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the reporting on the San Francisco Unified School District's Whole School Lesson Study Math Pilot Program (File No. 240976). Mira Carberry, Ariana Contreras, Matthew Fitzsimmons, Ann Marin, Donald Frazier, and Tyler Woods, and Dr. Maria Su, Superintendent (San Francisco Unified School District); Matt Alexander, President (San Francisco Board of Education); Sherrice Dorsey-Smith, Interim Executive Director (Department of Children, Youth, and Their Families); provided an overview of the Math Pilot Program and responded to questions raised throughout the discussion. Ella Canning; Emberly; Autumn; Anne Canning; spoke on various concerns relating to the Math Pilot Program. 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

SPECIAL ORDER 5:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

241029 [Hearing - Committee of the Whole - SFUSD's Resource Alignment Initiative - Impact on Educators, Para-educators, Administrators, and Staff - October 29, 2024, at 5:00 p.m.]

Sponsors: Peskin; Walton and Chan

Hearing of the Board of Supervisors sitting as a Committee of the Whole, on October 29, 2024, at 5:00 p.m. to hold a public hearing on the state of educators, para-educators, administrators, and school staff impacted by San Francisco Unified School District's (SFUSD) recent announcement of potential school mergers and closures; and requesting the SFUSD Superintendent to report; scheduled pursuant to Motion No. M24-107 (File No. 241028), approved on October 22, 2024.

The President opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the reporting on the San Francisco Unified School District's Resource Alignment Initiative (File No. 241029). Cassandra Curiel, President (United Educators of San Francisco); Antonae Robertson (SEIU Local 1021); Alida Fisher (San Francisco Board of Education); provided an overview of the Resource Alignment Initiative and responded to questions raised throughout the discussion. Speaker; Anastacia De La Rosa; Dr. Jeff Kent; Josh Davidson; Jamie Leigh; Speaker; Speaker; Gloria Manachewsky; Speaker; Jennifer; Brent Nichols; Susanne; Leticia; spoke on various concerns relating to the Resource Alignment Initiative. 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

240727 [Planning Code; Zoning Map - New Asia Senior Housing Special Use District - 758 and 772 Pacific Avenue]

Sponsors: Peskin; Chan, Mandelman, Preston, Melgar and Safai

Ordinance amending the Planning Code and Zoning Map to create the New Asia Senior Housing Special Use District located at 758 and 772 Pacific Avenue, Assessor's Parcel Block No. 0161, Lot Nos. 14 and 15; 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 Safai requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

240802 [Planning Code - Authorize Increases to the Affordable Price and Income Limits for Certain Below Market Rate Owned Units and Require Amenities to be Resold with Unit]

Sponsors: Melgar; Mandelman

Ordinance amending the Planning Code to allow certain Below Market Rate (BMR) Owned Units to be resold at a price affordable to households at an increased Area Median Income (AMI) level, increase the qualifying AMI limit for BMR purchasers, require BMR Owned Units originally purchased with parking spaces and other amenities to be resold with the same parking and amenities, and require periodic reporting to the Inclusionary Housing Technical Advisory Committee, Planning Commission, and Board of Supervisors of AMI level increases approved under this ordinance; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Supervisor Melgar, seconded by Supervisor Ronen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 10, Line 12, by adding '1)', and Lines 16-18, by adding 'and 2) the Owner submits a resale request for the unit to MOHCD within three years from the effective date of the ordinance in Board File No. 240802, enacting this subsection (b)(9)'; and on Page 13, Lines 6-11, by adding '(G) Expiration of this Subsection and Related Subsection. This subsection (b) (9), and the related subsection (a)(4)(F), shall expire by operation of law four years from the effective date of the ordinance in Board File No. 240802 enacting those two subsections. Upon expiration of those subsection, the City Attorney is authorized to cause their removal from the Planning Code, which removal may include as appropriate nonsubstantive modifications in subsection lettering, numbering, punctuation, and language.' 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 by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Thierry Fill; expressed concerns regarding self-control and societal constructs.

Mr. Wright; expressed concerns regarding affordable housing and federal funding of illegal immigrants.

Chris Ward Kline; expressed concerns regarding the lack of cybersecurity and tracking technology.

Jane Lew; spoke on behalf of the Snowy Plover and the closure of the Great Highway.

Speaker; shared concerns regarding a certain restaurant and challenges they are experiencing.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

241047 [Urging the Establishment of the Sensible Density Working Group]

Sponsors: Peskin; Chan

Resolution urging the establishment of the Sensible Density Working Group; urging the Fire Marshall, Department of Building Inspection, and Planning Department to convene a working group to study how to safely allow single-stair building typologies on four, five and six story buildings, and make recommendations for the promulgation of local building code equivalencies.

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

ADOPTED

241049 [Legion of Honor Centennial Celebration - November 9, 2024, and November 11, 2024]

Sponsors: Chan; Mandelman

Resolution recognizing the 100th Anniversary of the Legion of Honor and acknowledging the Centennial Celebration on November 9, 2024, and November 11, 2024.

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

ADOPTED

The foregoing items were acted upon 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.

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

Introduced at the Request of a Department

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

PROPOSED RESOLUTIONS

241036 [Contract Amendment - San Francisco AIDS Foundation - Stonewall Project - Not to Exceed \$19,635,695]

Resolution approving Amendment No. 2 to the agreement between City, acting by and through, the Department of Public Health (DPH), and San Francisco AIDS Foundation, to provide mental health and substance abuse treatment services, extending the term by three years and six months from December 31, 2024, for a total term of July 1, 2018, through June 30, 2028, and to increase the contract amount by \$9,965,200 for a new total not to exceed amount of \$19,635,695; and to authorize DPH to enter into amendments or modifications to the agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution. (Public Health Department)

10/15/24; RECEIVED FROM DEPARTMENT.

10/29/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

241037 [Modification to the Airport Professional Services Agreement - South San Francisco Scavenger Co., Inc. - Solid Waste Management Collection, Sorting, and Related Services - Not to Exceed \$22,408,062]

Resolution approving Modification No. 1 to Contract No. 50245, between South San Francisco Scavenger Co., Inc. and the City and County of San Francisco, acting by and through its Airport Commission, for the solid waste management collection, sorting, and related services, to increase the contract amount by \$13,108,062 for a new total not to exceed amount of \$22,408,062 and to extend the term for three years, to commence on March 1, 2025, for a total term of March 1, 2022, through February 28, 2028; and to authorize the Airport Commission to enter into amendments or modifications to the 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. (Airport Commission)

10/18/24; RECEIVED FROM DEPARTMENT.

10/29/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:57 p.m.