

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, December 17, 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,  
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, Chan

##### **Land Use and Transportation Committee**

Supervisors Melgar, Preston, Peskin

##### **Public Safety and Neighborhood Services Committee**

Supervisors Dorsey, Engardio

##### **Rules Committee**

Supervisors Walton, Safai, Peskin

#### Meeting Days

Wednesday

1:30 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, December 17, 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 Dorsey, Engardio, Melgar, Peskin, Preston, Safai and Walton were noted present.*

*Supervisors Chan, Mandelman, and Ronen were noted not present.*

*A quorum of the Board was present.*

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

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

## **COMMUNICATIONS**

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

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

*Clerk Calvillo further informed the Board and members of the public that she was in receipt of a Notice from Mayor London N. Breed withdrawing her nomination of James Byrne to the Police Commission; thereby tabling File No. 241163 (on today's agenda) by operation of law.*

## **AGENDA CHANGES**

*There were no agenda changes.*

*Supervisor Mandelman was noted present at 2:03 p.m.*

*Supervisor Ronen was noted present at 2:04 p.m.*

## **Supervisor Chan Excused From Attendance**

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

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

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

*There were no questions submitted from the eligible Supervisors representing Districts 9, 10 or 11.*

*Mayor London N. Breed, during her last appearance at the Board of Supervisors, expressed her gratitude to the various Members of the Board for their collaboration over the years to provide essential services and programs to the people of the City and spoke on her many accomplishments as Mayor and as the District 5 Supervisor. She thanked the many City employees for their hard work and she will be ending her term proud of everything achieved.*

*Supervisors Walton, Melgar, Dorsey, Engardio, Mandelman, Ronen, and Safai expressed their gratitude to Mayor Breed and shared commending remarks on her tenure.*

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

## **CONSENT AGENDA**

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

#### **241084 [Business and Tax Regulations Code - Transfer Tax Exemption for Certain Port Leases]**

**Sponsors: Mayor; Peskin and Chan**

Ordinance amending the Business and Tax Regulations Code to exempt from real property transfer taxes certain leases with the Port Commission with effective dates on or after November 1, 2024, and on or before December 31, 2034.

(Fiscal Impact)

**FINALLY PASSED**

**241085 [Authorizing Taxable and/or Tax-Exempt Certificates of Participation (Treasure Island - Stage 2 Infrastructure Projects) - Not to Exceed \$65,000,000 and Approving Related Documents and Actions]**

**Sponsors: Mayor; Dorsey and Mandelman**

Ordinance authorizing the execution and delivery from time to time of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis, evidencing and representing an aggregate principal amount of not to exceed \$65,000,000 as the first tranche of the Stage 2 Alternative Financing to finance public improvements within the boundaries of Stage 2 of the Treasure Island project, approving the form of a Trust Agreement (including the form of a Supplement to Trust Agreement) between the City and County of San Francisco ("City") and U.S. Bank Trust Company, National Association, as trustee (including certain indemnities contained therein); approving respective forms of a Property Lease (including the form of a Supplement to the Property Lease) and a Lease Agreement (including the form of a Supplement to the Lease Agreement), each between the City and such trustee for the lease and leaseback of certain real property and improvements located at 1995 Evans Avenue, or other property as determined by the Director of Public Finance; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates of Participation; approving the form of an Official Statement in Preliminary and Final form; approving the form of a purchase contract between the City and one or more initial purchasers of the Certificates; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution, and delivery of the Certificates of Participation; approving modifications to documents; declaring the intent to reimburse expenditures from proceeds of tax-exempt obligations; approving amendments to the Special Fund Administration Agreement for the Treasure Island project; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

**FINALLY PASSED**

**241086 [Appropriation - Treasure Island Development Authority - \$65,550,000 - FY2024-2025]**

**Sponsors: Mayor; Dorsey and Mandelman**

Ordinance appropriating \$65,550,000 to the Treasure Island Development Authority, including \$65,000,000 of Certificates of Participation proceeds for Stage 2 Infrastructure Projects, \$383,948 of City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) Tax Increment, and \$166,052 of City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) Special Taxes, and placing these amounts on Controller's Reserve in Fiscal Year (FY) 2024-2025.

(Fiscal Impact)

**FINALLY PASSED**

**241117 [Accept and Expend Grant - Retroactive - California Department of Insurance - Organized Automobile Fraud Activity Interdiction Program - FY2024-2025 and FY2025-2026 - \$1,192,890]**

**Sponsors: Mayor; Mandelman**

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant from the California Department of Insurance to fund the Organized Automobile Fraud Activity Interdiction Program in the amount of \$1,192,890 for the grant period of July 1, 2024, through June 30, 2027; and amending Ordinance No. 191-24 (Annual Salary Ordinance File No. 240596 for Fiscal Years (FYs) 2024-2025 and 2025-2026) to provide for the addition of one grant-funded position in Class 8550 District Attorney's Investigator-SFERS (FTE 1.0) for the grant agreement period of July 1, 2024, through June 30, 2027. (District Attorney)

**FINALLY PASSED**

**Recommendations of the Government Audit and Oversight Committee**

**241104 [Settlement of Lawsuit - Gabriel Perez, By His Guardian Ad Litem Victoria Guzman, and Isaiah Perez - \$1,500,000]**

Ordinance authorizing settlement of the lawsuit filed by Gabriel Perez, By His Guardian Ad Litem Victoria Guzman, and Isaiah Perez against the City and County of San Francisco for \$1,500,000; the lawsuit was filed on March 16, 2023, in San Francisco Superior Court, Case No. CGC-23-605191; entitled Gabriel Perez, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged wrongful death from a vehicle collision. (City Attorney)

**FINALLY PASSED**

**241115 [Settlement of Lawsuits - Park Hotels & Resorts Inc. - Stipulated Assessed Value of \$220,345,336 and Refund of \$1,716,129, Plus Statutory Interest - Repealing Ordinance No. 262-24]**

**Sponsor: Mayor**

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 \$220,345,336 as of September 18, 2019, contingent upon the Assessment Appeals Board's approval, and a refund of \$1,716,129 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; and repealing Ordinance No. 262-24, which authorized a prior settlement of these lawsuits. (City Attorney)

**FINALLY PASSED**

**241116 [Settlement of Lawsuits - Park Hotels & Resorts Inc. - Stipulated Assessed Value of \$139,800,000 and Refund of \$983,430 Plus Statutory Interest - Repealing Ordinance No. 260-24]**

**Sponsor: Mayor**

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 (Assessor's Parcel Block No. 0029, Lot No. 007) (the "Subject Property") for a stipulated assessed value of the Subject Property of \$139,800,000 as of September 17, 2019, contingent upon the Assessment Appeals Board's approval, and a refund of \$983,430 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; and repealing Ordinance No. 260-24, which authorized a prior settlement of these lawsuits.

**FINALLY PASSED**

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

**230596 [Planning Code - Minimum Densities for Residential Projects in RM, RC, and RTO Districts]**

**Sponsors: Peskin; Chan**

Ordinance amending the Planning Code to require minimum residential density, in Residential-Mixed (RM), Residential Commercial (RC), and Residential Transit Oriented (RTO) Districts except for Residential-Transit Oriented - Mission (RTO-M) Districts; 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.

**FINALLY PASSED**

**240931 [Planning Code, Zoning Map - 2301 Chestnut Street Special Sign District]**

**Sponsor: Dorsey**

Ordinance amending the Planning Code and Zoning Map to establish the 2301 Chestnut Street Special Sign District encompassing the real property consisting of Assessor's Parcel Block No. 0936, Lot No. 001, to allow two projecting signs at 2301 Chestnut Street; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**FINALLY PASSED**

**241055 [Building, Planning Codes - Code Corrections and Updates]**

Ordinance amending the Building and Planning Codes to correct typographical errors, update outdated cross-references, make non-substantive revisions to clarify or simplify Code language, and make other minor, substantive updates to various Code provisions; directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Department of Housing and Community Development upon final passage; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302. (Planning Department)

**FINALLY PASSED**

**241103 [Planning Code - Landmark Designation - Ladies' Protection and Relief Society (3400 Laguna Street)]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to designate the Ladies' Protection and Relief Society, located at 3400 Laguna Street, Assessor's Parcel Block No. 0471, Lot No. 003, 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)

**FINALLY PASSED**

**Recommendations of the Rules Committee****240984 [Administrative Code - Mental Health SF Implementation Working Group]**

**Sponsor: Ronen**

Ordinance amending the Administrative Code to change the sunset date for the Mental Health SF Implementation Working Group from September 1, 2026, to the effective date of this Ordinance.

**FINALLY PASSED**

**240985 [Administrative, Labor and Employment Codes - Prevailing Wage and Other Labor Requirements]****Sponsors: Safai; Chan**

Ordinance amending the Administrative Code and Labor and Employment Code to move certain employment-related provisions, including, among others, certain Prevailing Wage requirements, apprenticeship requirements, and hours and days of labor requirements, from the Administrative Code to the Labor and Employment Code; establish new defined terms encompassing the projects and contracts subject to Prevailing Wage requirements; revise penalty and enforcement requirements and procedures for Prevailing Wage and certain other labor requirements; change the process for fixing and determining Prevailing Wage rates; move and revise the Transition Employment requirements and create new enforcement procedures for those requirements; apply Notice of Forfeiture/Certification of Forfeiture procedures for violations of Prevailing Wage requirements on Covered Real Estate Projects; renumber certain Municipal Code sections or provisions; and make other substantive or technical amendments to the Administrative Code and Labor and Employment Code, including, among others, eliminating certain exemptions from Prevailing Wage requirements for Broadcast Services work and the work of loading and unloading Commercial Vehicles on City property, while creating an exemption from Prevailing Wage requirements for work covered by the Modular Furniture Installers (Carpenters) classification.  
(Meet and confer requirement fulfilled. )

**FINALLY PASSED****241083 [Administrative Code - Reports on 100% Affordable Housing by Mayor's Office of Housing and Community Development]****Sponsors: Mayor; Ronen and Mandelman**

Ordinance amending the Administrative Code to end certain quarterly reporting requirements by the Mayor's Office of Housing and Community Development to the Board of Supervisors and Mayor regarding the development of 100% Affordable Housing, and to establish new semi-annual reporting requirements beginning on July 31, 2025.

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

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

Excused: 1 - Chan



## REGULAR AGENDA

## UNFINISHED BUSINESS

### Referred Without Recommendation From the Budget and Finance Committee

#### **240189 [Park Code - Marina Fees]**

Ordinance amending the Park Code to raise the fees for various goods and services at the Marina Small Craft Harbor; and affirming the Planning Department's determination under the California Environmental Quality Act. (Recreation and Park Department)

**FINALLY PASSED** by the following vote:

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

## NEW BUSINESS

### Recommendations of the Government Audit and Oversight Committee

#### **231280 [Non-Renewal of a Mills Act Historical Property Contract - 2209 Webster Street]**

**Sponsors: Peskin; Preston**

Resolution regarding non-renewal of a Mills Act historical property contract with Michael Foley and Chiao Mei Lin, as Trustees of The Foley Lin Family Trust dated June 20, 2023, the owners of 2209 Webster Street, Assessor's Parcel Block No. 0612, Lot No. 007, under Chapter 71 of the San Francisco Administrative Code; notifying the Assessor-Recorder's Office of such non-renewal; and authorizing the Planning Director to send notice of the non-renewal of the historical property contract to the owner and record a notice of non-renewal.

**ADOPTED** by the following vote:

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

#### **210706 [Follow-Up Board Response - Civil Grand Jury Report - Strategic Alignment: Breaking Through to a Living Wage]**

Motion responding to the Civil Grand Jury's request to provide a status update to Recommendation No. R1 contained in the 2020-2021 Civil Grand Jury Report, entitled "Strategic Alignment: Breaking Through to a Living Wage." (Government Audit and Oversight Committee)

**Motion No. M24-128**

**APPROVED** by the following vote:

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

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

### **240641 [Planning Code - Laboratory Uses in the Urban Mixed Use Zoning District]**

**Sponsors: Walton; Chan and Safai**

Ordinance amending the Planning Code to revise the definition of Laboratory to include Biotechnology, and to make Laboratory uses, as defined, a not permitted use in the Urban Mixed Use zoning district; 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.  
(Supervisor Melgar dissented in committee.)

(Pursuant to Charter Section 4.105, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to reverse the Planning Commission's finding of non-conformity with the General Plan by amending the Ordinance to make their own findings of conformity with the General Plan.)

**Supervisor Walton, seconded by Supervisor Melgar, moved that this Ordinance be RE-REFERRED to the Land Use and Transportation Committee. The motion carried by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

### **240872 [Planning Code, Zoning Map - 30 Van Ness Avenue Special Use District; Amendment of Agreement for Sale of Real Estate]**

**Sponsors: Mayor; Dorsey**

Ordinance amending the Planning Code and Zoning Map to create the 30 Van Ness Avenue Special Use District, in the area generally bound by Fell Street to the north, Market Street to the east and south, and Van Ness Avenue to the west; modifying the Notice of Special Restrictions related to inclusionary housing obligations under the Agreement for Sale of Real Estate between the City and 30 Van Ness Development LLC; 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 public necessity, convenience, and welfare findings under Planning Code, Section 302.  
(Supervisor Melgar dissented in committee.)

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

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

**241137 [Portal Project Implementation Memorandum of Understanding - Transbay Joint Powers Authority - Phase 2 of the Transbay Program]****Sponsors: Mayor; Mandelman and Dorsey**

Resolution approving the Portal Project Implementation Memorandum of Understanding between the Transbay Joint Powers Authority, the Metropolitan Transportation Commission, the San Francisco County Transportation Authority, the Peninsula Corridor Joint Powers Board, the California High-Speed Rail Authority, and the City and County of San Francisco, collectively the "Partners," regarding Phase 2 of the TJPA's Transbay Program, referred to as "The Portal," over a term in excess of 10 years; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

**ADOPTED by the following vote:**

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

Excused: 1 - Chan

**Recommendations of the Rules Committee****241110 [Appointment, Sheriff's Department Oversight Board - Estela Ortiz]**

Motion appointing Estela Ortiz, term ending March 1, 2025, to the Sheriff's Department Oversight Board. (Rules Committee)

**Motion No. M24-129****APPROVED by the following vote:**

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

Excused: 1 - Chan

President Peskin requested File Nos. 241161 and 241162 be called together.

### **Appointment of President Pro Tempore**

At the request of President Peskin, Supervisor Walton assumed the chair at 2:28 p.m. so the President could participate in the debate on File Nos. 241161 and 241162 from the floor.

The President resumed the chair at 2:30 p.m.

#### **241161 [Mayoral Appointment, Board of Appeals - Joanna Gubman]**

Motion rejecting the Mayoral nomination for the appointment of Joanna Gubman to the Board of Appeals, for a term ending July 1, 2028. (Clerk of the Board)  
(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: November 26, 2024.)

**Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of January 14, 2025. The motion FAILED by the following vote:**

Ayes: 4 - Dorsey, Engardio, Mandelman, Melgar  
Noes: 5 - Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

**NOT APPROVED by the following vote:**

Ayes: 5 - Peskin, Preston, Ronen, Safai, Walton  
Noes: 4 - Dorsey, Engardio, Mandelman, Melgar  
Excused: 1 - Chan

#### **241162 [Mayoral Appointment, Municipal Transportation Agency Board of Directors - Sara Barz]**

Motion rejecting the Mayor's nomination for the appointment of Sara Barz to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2027. (Clerk of the Board)  
(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: November 6, 2024.)

**Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of January 14, 2025. The motion FAILED by the following vote:**

Ayes: 4 - Dorsey, Engardio, Mandelman, Melgar  
Noes: 5 - Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

**NOT APPROVED by the following vote:**

Ayes: 5 - Peskin, Preston, Ronen, Safai, Walton  
Noes: 4 - Dorsey, Engardio, Mandelman, Melgar  
Excused: 1 - Chan

**241163 [Mayoral Appointment, Police Commission - James Byrne]**

Motion rejecting the Mayor's nomination for the appointment of James Byrne to the Police Commission, for a term ending April 30, 2028. (Clerk of the Board)  
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: November 26, 2024.)

*On December 17, 2024, before the start of the meeting, Mayor London N. Breed submitted notice to the Board of Supervisors withdrawing her nomination of James Byrne to the Police Commission.*

**TABLED BY OPERATION OF LAW**

**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 Preston introduced, welcomed, and presented a Certificate of Honor to Midtown Park Tenants Association, accepted by Bernita Burge, Pat Smith, and Furlishous Wyatt, in recognition of their efforts fighting for housing protections and rent control.*

*Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Jacque, Neko, and Lance Wilson in recognition of their accomplishments and efforts on Senate Bill No. 143, the reduction of accomplice liability for felony murder.*

*Supervisor Safai introduced, welcomed, and presented a Certificate of Honor to Olga Miranda, President (SEIU Local 87), in recognition of her many accomplishments advocating for workers' rights and support in the workplace. Supervisors Walton, Melgar, Mandelman, Dorsey, Ronen, Preston, Engardio shared in this commendation. Brooke Jenkins, District Attorney (Office of the District Attorney), provided additional commending remarks.*

*President Peskin introduced, welcomed, and presented a Certificate of Honor to Wing Ho Leung, President (Community Tenant Association), on the occasion of his retirement and in recognition of over 17 years of dedication to tenant rights and affordable housing advocacy. Supervisor Preston shared in this commendation.*

## SPECIAL ORDER 3:00 P.M.

*President Peskin requested File Nos. 241111, 241112, 241113, and 241114 be called together.*

### **241111 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 1719 Wallace Avenue Project]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on October 10, 2024, for the proposed project at 1719 Wallace Avenue, Assessor's Parcel Block No. 5414, Lot No. 015, to allow the establishment of an industrial agriculture use for the purpose of cannabis cultivation in an existing, one-story industrial building within the PDR-1-B (Production, Distribution, Repair-Light Industrial Buffer) Zoning District and a 65-J Height and Bulk District. (District 10) (Appellant: Barbara Tassa) (Filed November 8, 2024) (Clerk of the Board)

*President Peskin opened the public hearing and inquired as to whether any individual wished to address the Board. Barbara Tassa (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Jun Zhong; Bryan Johnson; Virginia Marshall; Han Cho Sau; Josephine Zhao; spoke in support of the appeal and in opposition to the project. Tania Sheyner (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Muki Barkan (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. There were no speakers in support of the project and in opposition to the appeal. Barbara Tassa (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Peskin closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

### **241112 [Affirming the Categorical Exception Determination - Proposed 1719 Wallace Avenue Project]**

Motion affirming the determination by the Planning Department that the proposed project at 1719 Wallace Avenue is categorically exempt from environmental review. (Clerk of the Board)

**Motion No. M24-130**

**Supervisor Walton, seconded by Supervisor Preston, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

**241113 [Conditionally Reversing the Categorical Exemption Determination - Proposed 1719 Wallace Avenue Project]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 1719 Wallace Avenue is categorically exempt from environmental review, subject to the adoption of written findings of the Board of Supervisors in support of this determination. (Clerk of the Board)

**Supervisor Walton, seconded by Supervisor Preston, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

**241114 [Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed 1719 Wallace Avenue Project]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 1719 Wallace Avenue is categorically exempt from environmental review. (Clerk of the Board)

**Supervisor Walton, seconded by Supervisor Preston, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

## COMMITTEE REPORTS

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

**241052 [Liquor License Issuance - 969 Market Street - Vita Brevis Club]**

Resolution determining that the issuance of a Type-48 on-sale general public premises liquor license to VBC SF LLC, to do business as Vita Brevis Club, located at 969 Market Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Paulette Brown; shared a video and expressed concerns regarding the continuation of programs. Speaker; expressed support of the Dream Keepers Initiative and the need to continue its funding. David Elliott Lewis; expressed gratitude for the proceedings at today's meeting and concerns regarding the next Presidential Administration.*

*Reverend Amos Brown; expressed support of the Dream Keepers Initiative and the need to continue its funding.*

*Speaker; expressed support of the Dream Keepers Initiative and the need to continue its funding.*

*Speaker; expressed support of the Dream Keepers Initiative and the need to continue its funding.*

*Lisa Wynn; expressed support of the Dream Keepers Initiative and the need to continue its funding.*

*Jeffrey Grier; expressed support of the Dream Keepers Initiative and the need to continue its funding.*

*Richard Peterson; expressed concerns regarding toxic plastic used in food trays.*

*Speaker; expressed gratitude for certain outgoing Supervisors and support of the Dream Keepers Initiative.*

*Beverly Upton; expressed gratitude to certain Members of the Board and in support of the Dream Keepers Initiative.*

*James Spingola; expressed support of the Dream Keepers Initiative and the need to continue its funding.*

*PJ Bastiany; expressed support of the Dream Keepers Initiative and the need to continue its funding.*

*Otto Duffy; shared his personal experience and thoughts on today's meeting.*

*Speaker; expressed support of the Dream Keepers Initiative and the need to continue its funding.*

*Thierry Fill; expressed concerns regarding potential, competence, and intelligence.*

*Speaker; expressed concerns regarding the School District and the number of students and teachers.*

*Betty Garza; expressed the importance of public comment and participation at the Youth Commission.*

## Appointment of President Pro Tempore

*At the request of President Peskin, Supervisor Mandelman assumed the chair at 7:47 p.m. The President resumed the chair 7:56 p.m.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### 241204 [Adoption of Findings to Reverse the Municipal Transportation Agency Decision - Overnight Recreational Large Vehicle Parking Restrictions]

Motion adopting findings to reverse the San Francisco Municipal Transportation Agency Board of Directors' decision on October 1, 2024 (Resolution No. 241001-116), to amend the Transportation Code to establish a new definition for Recreational Large Vehicles to include camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobile-homes, and recreational vehicles; apply an existing violation for overnight parking (12 a.m. to 6 a.m.) to Recreational Large Vehicles Citywide, under certain conditions; and make other changes to implement the new parking restrictions. (Clerk of the Board)

**Motion No. M24-131**

**APPROVED**



**241189 [Final Map 12077 - Sunnydale HOPE SF Project, Phase 3 and 4]**

Motion approving phased Final Map 12077, Sunnydale HOPE SF Project, Final Map Phases 3 and 4, relating to portions of the Sunnydale HOPE SF Project, the merger and re-subdivision of existing Assessor's Parcel Block No. 6310, Lot No. 006, Block No. 6311, Lot No. 015, Block No. 6313, Lot No. 001, and Block No. 6314, Lot No. 001, together with Parcel H created by Final Map 11040, resulting in nine horizontal lots, comprised of four lots intended for residential use, two lots intended for open space use, and three lots dedicated to the City by separate instrument intended for right-of-way use, and authorizing up to 64 Residential Condominium Units, subject to specified conditions; and approving a Public Improvement Agreement related to the Final Map. (Public Works)

**Motion No. M24-132**

**APPROVED**

**241190 [Final Map No. 12126 - 4135 California Street]**

Motion approving Final Map No. 12126, a seven-unit condominium project, located at 4135 California Street, being a subdivision of Assessor's Parcel Block No. 1363, Lot No. 020; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M24-133**

**APPROVED**

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

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

Excused: 1 - Chan

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

*President Peskin requested that File Nos. 241200, 241201, 241202, and 241203 be severed so that they may be considered separately and before General Public Comment.*

*President Peskin inquired whether any individual wished to address the Board on the Commending Resolutions. Assistant Chief David Lazar (Police Department); Carmen Chu, City Administrator (Office of the City Administrator); Maryellen Carroll, Director (Department of Emergency Management); Jeanine Nicholson, former Fire Chief; Carla Short, Director (Public Works); Kelly Dearman, Executive Director (Department of Disability and Aging Services); and Andrico Penick, Director (Real Estate Division); provided commending remarks regarding the outgoing Members of the Board. Hallah Ajazi; Elaine Samuels; Reverend Amos Brown; Paulette Brown; Speaker; Lori Brooke; Speaker; Tuesday Rose Martin; Mark Dentona; Hanna Haver; Ms. Irving; Lea McGeever; Nick Ferris; Gwen; Speaker; Chris Schulman; Speaker; Speaker; Speaker; Andy Gillis; Mark Brandt; Devina Covais; Walter Paulson; Speaker; David Elliott Lewis; Speaker; Speaker; Fred Sherburn-Zimmer; Peter Warfield; Lee Hepner; Mitchell Omerberg; Calvin Welch; Otto Duffy; Lisa Wynn; Thierry Fill; Speaker; spoke in support of the commending Resolutions. The President declared public comment closed.*

**Appointment of President Pro Tempore**

*At the request of President Peskin, Supervisor Walton assumed the chair at 5:57 p.m. The President resumed the chair 6:00 p.m.*

**241200 [Commending Supervisor Ahsha Safai]****Sponsor: Board of Supervisors**

Resolution honoring the outstanding service of Ahsha Safai, Supervisor for San Francisco's District 11, and declaring December 17, 2024, as Supervisor Ahsha Safai Day in the City and County of San Francisco.

**ADOPTED by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

**241201 [Commending Supervisor Hillary Ronen]****Sponsor: Board of Supervisors**

Resolution commending and honoring Supervisor Hillary Ronen for her distinguished service as the District 9 Supervisor for the City and County of San Francisco, and declaring December 22, 2024, as Supervisor Hillary Ronen Day in the City and County of San Francisco.

**ADOPTED by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

**241202 [Commending Supervisor Dean Preston]****Sponsor: Board of Supervisors**

Resolution commending and honoring Dean Preston for his distinguished service as a Supervisor for the City and County of San Francisco, and declaring January 7, 2025, as Supervisor Dean Preston Day in the City and County of San Francisco.

**ADOPTED by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

**241203 [Commending Board of Supervisors President Aaron Peskin]****Sponsor: Board of Supervisors**

Resolution commending Board of Supervisors President Aaron Peskin for his distinguished and trusted leadership, beloved friendship, valued guidance and counsel, and incredible tenure of public service from 2001 through 2024, on the occasion of his final Board of Supervisors meeting.

**ADOPTED by the following vote:**

Ayes: 9 - Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Walton  
Excused: 1 - Chan

**IMPERATIVE AGENDA**

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](http://www.sfbos.org/legislation_introduced).

### Introduced at the Request of a Department

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

## PROPOSED ORDINANCES

### 241149 [Administrative Code - Cash Revolving Funds]

Ordinance amending the Administrative Code to remove the authorization for certain cash revolving funds (Controller, Ethics Commission, Department of Police Accountability, Planning Department, Public Defender, Department of Public Health - Community Mental Health Services Vocational Rehabilitation, Department of Public Health - Laguna Honda Hospital, Public Utilities Commission - Hetch Hetchy Project, Public Utilities Commission - Water Department); reduce the maximum amount of cash revolving fund for certain funds (Human Services Agency, Department of Public Health - Zuckerberg San Francisco General Hospital, Treasurer-Tax Collector); increase the maximum amount of cash revolving fund for Public Utilities Commission; and authorize additional revolving funds (Public Utilities Consumer, Recreation and Park Department, and Department of Elections). (Controller)

11/15/24; RECEIVED FROM DEPARTMENT.

12/03/24; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/2/2025.

12/09/24; RECEIVED FROM DEPARTMENT.

12/17/24; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**241181 [Administrative Code - Amended Airport Surveillance Technology Policy]**

Ordinance approving the Amended Airport Surveillance Technology Policy governing the use of Automated License Plate Readers - Ground Transportation Management System and Parking Assist - Parking Guidance System. (Airport Commission)

12/05/24; RECEIVED FROM DEPARTMENT.

12/17/24; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/16/2025.

## PROPOSED RESOLUTIONS

**241186 [Sanitation and Streets Commission - Statement of Purpose]**

Resolution approving the Sanitation and Streets Commission's Statement of Purpose to fulfill the requirements of Charter, Section 4.102(2), which requires the Commission develop and keep current an Annual Statement of Purpose outlining its areas of jurisdiction, authorities, purpose and goals, subject to review and approval by the Mayor and the Board of Supervisors. (Sanitation and Streets Commission)

12/05/24; RECEIVED FROM DEPARTMENT.

12/17/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**241187 [Agreement Amendment - SSP Data Inc. - Palo Alto Software Products - \$40,000,000]**

Resolution authorizing the Department of Technology to enter into a first amendment to the enterprise agreement with SSP Data Inc. to purchase Palo Alto Software Products; and to extend the term for three years from May 31, 2026, for a total term of June 1, 2023, through May 31, 2029, for a not to exceed amount of \$40,000,000 pursuant to Charter, Section 9.118. (Department of Technology)

12/06/24; RECEIVED FROM DEPARTMENT.

12/17/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**241188 [Settlement of Unlitigated Claims - Stripe, Inc. - \$49,000,000]**

Resolution approving the settlement of the unlitigated claims filed by Stripe, Inc. against the City and County of San Francisco for \$49,000,000; the claims were filed on April 5, 2023, and December 3, 2024; the claims involve a refund of payroll expense, gross receipts, homelessness gross receipts, overpaid executive gross receipts, and commercial rents taxes, and business registration fees; other material terms of the settlement relate to Stripe's filing position with respect to City taxes. (City Attorney)

12/09/24; RECEIVED FROM DEPARTMENT.

12/17/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 8:29 p.m.*