



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

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**PUBLIC COMMENT CALL-IN**  
[1 \(415\) 655-0001/ Meeting ID: 187 264 2158 # #](tel:4156550001)

**Tuesday, May 11, 2021 - 2:00 PM**

#### **Regular Meeting**

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SHAMANN WALTON, PRESIDENT  
CONNIE CHAN, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, MYRNA MELGAR,  
AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at [www.sfbos.org](http://www.sfbos.org)

#### BOARD COMMITTEES

##### **Committee Membership**

**Budget and Appropriations Committee**  
Supervisors Haney, Safai, Mar, Ronen, Walton

**Budget and Finance Committee**  
Supervisors Haney, Safai, Mar

**Government Audit and Oversight Committee**  
Supervisors Preston, Chan, Mandelman

**Land Use and Transportation Committee**  
Supervisors Melgar, Preston, Peskin

**Public Safety and Neighborhood Services Committee**  
Supervisors Mar, Stefani, Haney

**Rules Committee**  
Supervisors Peskin, Mandelman, Chan

**Youth, Young Adult, and Families Committee**  
Supervisors Ronen, Safai, Melgar

##### **Meeting Days**

Wednesday  
1:00 PM

Wednesday  
10:30 AM

1st and 3rd Thursday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
10:00 AM

2nd Friday  
10:00 AM

### **Agenda Item Information**

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

### **Meeting Procedures**

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document displayed should provide in advance of the meeting to the Clerk of the Board ([bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

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**AGENDA PACKET:** Available on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

**AVISO EN ESPAÑOL:** Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

### **Americans with Disabilities Act (ADA)**

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Board and Committee meeting agendas and minutes are available on the Board's website ([www.sfbos.org](http://www.sfbos.org)) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 ([wilson.l.ng@sfgov.org](mailto:wilson.l.ng@sfgov.org)).

### **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org). Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>.

### **Ethics Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit [sfethics.org](http://sfethics.org).

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

*In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.*

*Members of the public may participate by phone or may submit their comments by email to: [bos@sfgov.org](mailto:bos@sfgov.org); all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>.*

### **PUBLIC COMMENT CALL-IN**

**[1 \(415\) 655-0001 / Meeting ID: 187 264 2158 # #](tel:4156550001)**

*As the COVID-19 disease progresses, please visit the Board's website ([www.sfbos.org](http://www.sfbos.org)) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.*

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

*Pursuant to Board Rule 4.7.1 the President shall present the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula.*

## **COMMUNICATIONS**

## **APPROVAL OF MEETING MINUTES**

*Approval of the [April 6, 2021](#), Board Meeting Minutes and [April 8, 2021](#), Special Board Meeting Minutes at the Public Safety and Neighborhood Services Committee, which constituted a quorum of the Board of Supervisors.*

## **AGENDA CHANGES**

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Budget and Finance Committee

*Present: Supervisors Haney, Safai, Mar*

1. [210312](#) **[Accept and Expend In-Kind Grant - Retroactive - Dogpatch and Northwest Potrero Hill Green Benefit District - Esprit Park Renovation Design Grant - Valued at Approximately \$835,000]**

**Sponsors: Mayor; Walton**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend an in-kind grant valued at approximately \$835,000 from the Dogpatch and Northwest Potrero Hill Green Benefit District of design services for the Esprit Park renovation project, for the project term of March 1, 2021, through December 31, 2023. (Recreation and Park Department)

05/04/2021; NOT CONTINUED.

05/04/2021; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisor Preston, Chan, Mandelman*

- 2. [210329](#) **[Settlement of Lawsuit - Recology San Francisco, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company - San Francisco Refuse Ratepayers to Receive \$94,520,000 in Restitution; City to Receive \$7,000,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Recology San Francisco, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company for payment of at least \$94,520,000 in restitution and related interest as well as \$7,000,000 in civil penalties; the lawsuit was filed on March 4, 2021, in San Francisco Superior Court, Case No. CGC-21-590091; entitled People of the State of California, acting by and through Dennis J. Herrera as City Attorney of San Francisco; and City and County of San Francisco v. Recology San Francisco, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company; the lawsuit involves Defendants’ violations of California’s Unfair Competition Law and San Francisco Campaign and Governmental Conduct Code based on improper overcharging of San Francisco refuse Ratepayers and unlawful gifts and contributions made to city employees and officers or to third-parties at their request; other material terms of the settlement are that Defendants agree to be bound to a four-year injunction to be presented and entered by the court after the settlement agreement is approved. (City Attorney)

04/27/2021; CONTINUED ON FIRST READING.

05/04/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Melgar, Preston, Peskin*

- 3. [210286](#) **[Planning Code - Landmark Designation - Lyon-Martin House, 651 Duncan Street]**

**Sponsors: Mandelman; Preston, Peskin, Safai and Mar**

Ordinance amending the Planning Code to designate Lyon-Martin House, 651 Duncan Street, Assessor’s Parcel Block No. 6604, Lot No. 036, 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.

05/04/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Haney, Safai, Mar*

4. [210252](#) **[Emergency Contract - A. Ruiz Construction Co. & Assoc., Inc - Steam Pipe Repair at Larkin and McAllister - Contract Amount \$275,271.70]**  
Resolution approving an emergency public work contract under Administrative Code, Section 6.60, between Public Works and A. Ruiz Construction Co. & Assoc., Inc. to make repairs on the Civic Center Steam Loop for a total contract amount of \$275,271.70. (Public Works)  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**
5. [210308](#) **[Expenditure Schedule Amendment - Retroactive - U.S. Department of Housing and Urban Development Emergency Solutions Grants Program - ESG-CV Round 2 Entitlement Grant - \$10,000,000]**  
**Sponsor: Mayor**  
Resolution retroactively approving an amendment of the CARES Act Emergency Solutions Grants Coronavirus (ESG-CV) Round 2 Entitlement Expenditure Plan from the U.S. Department of Housing and Urban Development in the amount of \$10,000,000 for operations and services for a congregate shelter for the period of July 1, 2020, through June 30, 2023.  
  
**Question: Shall this Resolution be ADOPTED?**
6. [210336](#) **[Contract Amendment - Department of Energy Western Area Power Administration - Delivery of Low-Cost Power - Not to Exceed \$27,691,541]**  
Resolution approving Amendment No. 1 to the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for delivery of low-cost power to Treasure Island and Yerba Buena Island, extending the term by 30 years for a total term of January 1, 2005, through December 31, 2054, and increasing the contract amount by \$7,691,541 for a total not to exceed amount of \$27,691,541 to commence upon Board approval. (Public Utilities Commission)  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**

- 7. [210342](#) **[Lease Amendment No. 3 - World Duty Free Group North America, LLP - Terminal 2 Newsstands, Coffee and Specialty Stores - Term Extension]**  
Resolution approving Amendment No. 3 to the Terminal 2 Newsstands, Coffee and Specialty Stores Lease No. 10-0232, between World Duty Free Group North America, LLP, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for an extension of the term for no later than June 30, 2023, with a condition that the Airport Director, at his sole and absolute discretion, may terminate earlier by providing six months' advance written notice, with no change to the current minimum annual guarantee, subject to adjustment in accordance with the terms and conditions of the Lease, effective upon approval by the Board of Supervisors. (Airport Commission)

**Question: Shall this Resolution be ADOPTED?**

- 8. [210372](#) **[Lease Amendment - Smarte Carte, Inc - Airport Luggage Cart and Operating - Charge for Luggage Carts in the Federal Inspection Service Area]**  
Resolution approving Amendment No. 2 to the Airport Luggage Cart Lease and Operating Agreement No. 19-0069 between Smarte Carte, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, to change the luggage cart service in the Federal Inspection Service (FIS) area from a free service to a paid service, give the Airport Director authorization to reinstate the provision of free carts in the FIS and resume payment of the Annual Service Fee, at the Airport Director's discretion, and exercise the one three-year option for a total term of January 1, 2020, through December 31, 2025, to commence following Board approval. (Airport Commission)

**Question: Shall this Resolution be ADOPTED?**

- 9. [210373](#) **[Contract Amendment - San Francisco New Deal - Feeding Services for Alternative Shelter Locations - Not to Exceed \$18,990,675]**  
Resolution approving a contract amendment between the City and County of San Francisco and San Francisco New Deal, for feeding services for Alternative Shelter locations, to extend the contract term by twelve months for a total term of May 18, 2020, through May 17, 2022, and to increase the contract amount by \$9,073,625 for a total not to exceed amount of \$18,990,675 to commence on May 18, 2021. (Human Services Agency)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

- 10. [210374](#) **[Contract Amendment - SMG Food and Beverage LLC - Feeding Services for Alternative Shelter Locations - Not to Exceed \$16,807,483]**  
Resolution approving a contract amendment between the City and County of San Francisco and SMG Food and Beverage LLC, for feeding services for Alternative Shelter locations, to extend the contract term by twelve months for a total term of May 18, 2020, through May 17, 2022, and to increase the contract amount by \$7,327,666 for a total not to exceed amount of \$16,807,483 to commence on May 18, 2021. (Human Services Agency)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**



11. [210385](#) **[Issuance of Development Special Tax Bonds - City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services) - Not to Exceed Aggregate Principal Amount of \$64,900,000]**  
**Sponsor: Mayor**  
Resolution authorizing the issuance and sale of one or more series of Development Special Tax Bonds for City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services) in the aggregate principal amount not to exceed \$64,900,000 supplementing Resolution No. 196-20; approving related documents, as defined herein, including an Official Statement, a First Supplement to Fiscal Agent Agreement, Bond Purchase Agreement, and Continuing Disclosure Certificate; and determining other matters in connection therewith, as defined herein.

**Question: Shall this Resolution be ADOPTED?**

12. [210386](#) **[Pledge Agreement Related Documents - CCSF Infrastructure Financing District No. 2 (Port of San Francisco) Sub-Project Areas I-1 through I-13 - Special Tax Bonds - CCSF Special Tax District No. 2020-1 (Mission Rock Facilities and Services)]**  
**Sponsor: Mayor**  
Resolution approving certain documents and actions related to a Pledge Agreement by City and County of San Francisco (CCSF) Infrastructure Financing District No. 2 (Port of San Francisco) and special tax bonds for City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services); and determining other matters in connection therewith, as defined herein.

(Fiscal Impact.)

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Melgar, Preston, Peskin*

13. [210259](#) **[Fire, Existing Building Codes - Fire Alarm Systems Upgrade Deadline]**  
**Sponsors: Stefani; Peskin and Safai**  
Ordinance amending the Fire Code and Existing Building Code to extend the deadline for building owners to upgrade existing fire alarm systems from July 1, 2021, to July 1, 2023; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendations of the Rules Committee**

*Present: Supervisors Peskin, Mandelman, Chan*

14. [210443](#) **[Appointment, Sugary Drinks Distributor Tax Advisory Committee - Dianna Cavagnaro]**  
Motion appointing Dianna Cavagnaro, term ending December 31, 2022, to the Sugary Drinks Distributor Tax Advisory Committee. (Clerk of the Board)  
**Question: Shall this Motion be APPROVED?**
15. [210451](#) **[Appointments, Veterans Affairs Commission - Jason Chittavong, George Ishikata, and Nicholas Rusanoff]**  
Motion appointing Jason Chittavong, term ending January 31, 2023, and George Ishikata and Nicholas Rusanoff, terms ending January 31, 2025, to the Veterans Affairs Commission.  
**Question: Shall this Motion be APPROVED?**

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

*In accordance with the "Declaration of Local Health Emergency Regarding Novel Coronavirus Disease 2019 (COVID-19)," special commendations have been suspended.*

**COMMITTEE REPORTS**

*Reports from committees, if any, recommending emergency or urgent measures.*

*The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, May 6, 2021, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, May 11, 2021.*

16. [210456](#) **[Emergency Ordinance - COVID-Related Hazard Pay]**  
**Sponsor: Walton**  
Reenactment of emergency ordinance (Ordinance No. 36-21) to temporarily require certain retail locations that include grocery stores or pharmacies, and property service contractors for retail locations that include grocery stores or pharmacies, to pay employees an additional five dollars per hour during the public health emergency related to COVID-19.  
  
(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage)  
**Question: Shall this Ordinance be FINALLY PASSED?**

The following item will be considered by the Rules Committee at a Regular Meeting on Monday, May 10, 2021, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, May 11, 2021.

17. [210418](#) **[Mayoral Appointment, Retirement Board - Shruti Gandhi]**  
Motion approving/rejecting the Mayor's nomination for appointment of Shruti Gandhi to the Retirement Board, for a term ending February 20, 2024. (Clerk of the Board)
- (Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date: April 16, 2021)
- Question: Shall this Motion be APPROVED?**

## 18. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

## 19. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a visual displayed should provide in advance of the meeting to the Clerk of the Board ([bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

### **PUBLIC COMMENT CALL-IN**

[1 \(415\) 655-0001 / Meeting ID: 187 264 2158 # #](#)

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.*

*Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.*

*(PUBLIC COMMENT for Items 20 through 25 will be taken during Item 19 - General Public Comment.)*

### Items 20 through 25

20. [210510](#) **[Urging Continued Access to Angel Island]**  
**Sponsors: Mar; Melgar**  
Resolution reaffirming the importance of Angel Island State Park and the Angel Island Immigration Station as sites of immense public and historic interest, and urging the California Public Utilities Commission, California Department of Parks and Recreation, and Golden Gate Bridge Highway and Transportation District Board of Directors to take all necessary measures to ensure continued access to Angel Island.  
  
05/04/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
21. [210512](#) **[Supporting California State Senate Bill No. 617 (Weiner) - Residential Solar Energy Systems: Permitting]**  
**Sponsor: Safai**  
Resolution supporting California State Senate Bill No. 617, Residential Solar Energy Systems: Permitting, introduced by Senator Scott Weiner, that would direct jurisdictions of a certain size to implement automated permitting for small residential rooftop solar systems, and calls for the California Energy Commission to establish a grant program that would provide resources for cities and counties to do this.  
  
05/04/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
22. [210513](#) **[Supporting California State Senate Bill No. 693 (Stern) - The Never Again Education Act]**  
**Sponsor: Stefani**  
Resolution supporting California State Senate Bill No. 693, The Never Again Education Act, authored by Senator Henry Stern, that would establish the Governor's Council on Genocide and Holocaust Education to establish best practices for, and promote implementation of, education on genocide, including the Holocaust, and submit an annual report to the Legislature.  
  
05/04/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**

- 23. [210515](#) [Recognizing the Asian Art Museum]**  
**Sponsor: Chan**  
Resolution recognizing and honoring the contributions of the San Francisco's Asian Art Museum and their role to leverage the power of art to confront prejudice and bridge cultural divides on the occasion of Asian Heritage Month.
- 05/04/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 24. [210516](#) [James W. Chow Day - May 12, 2021]**  
**Sponsor: Chan**  
Resolution commending James W. Chow on the occasion of his 100th birthday, and declaring May 12, 2021, as James W. Chow Day in the City and County of San Francisco.
- 05/04/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 25. [210485](#) [Parcel Map No. 9610 - Potrero HOPE SF Project, Phase 2]**  
Motion approving Parcel Map No. 9610, Potrero HOPE SF Project, Phase 2, relating to the Potrero HOPE SF Project, the merger and resubdivision of existing Assessor's Parcel Block Nos. 4285B-001 and 4285B-002 resulting in two lots intended for housing and two lots dedicated to the City as public right-of-way by separate instrument, subject to certain conditions; approving a Public Improvement Agreement related to the Parcel Map; and acknowledging findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)
- 04/30/2021; RECEIVED FROM DEPARTMENT.
- 05/05/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

## 26. IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

(PUBLIC COMMENT WILL BE TAKEN on any Imperative Agenda item introduced.)  
[1 \(415\) 655-0001 / Meeting ID: 187 264 2158 #](tel:4156550001)

## 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 ORDINANCE

### 210490 [Joint Stipulation - American Beverage Association, California State Outdoor Advertising Association, and California Retailers Association - \$0]

Ordinance authorizing the entry of a joint stipulation in the lawsuit filed by the American Beverage Association, California State Outdoor Advertising Association, and California Retailers Association against the City and County of San Francisco; the lawsuit was filed on July 24, 2015, in U.S. District Court for the Northern District of California, Case No. No. 3:15-cv-03415 EMC; entitled American Beverage Association et al. v. City and County of San Francisco; the lawsuit claims that the City's sugar-sweetened beverage warning law, codified in Article 42 of the San Francisco Health Code, violates the United States Constitution; the joint stipulation provides for dismissal of the lawsuit if the City repeals Article 42 of the San Francisco Health Code and conditionally extends Plaintiffs' time to file a motion for attorneys' fees and costs by four years. (City Attorney)

05/03/2021; RECEIVED FROM DEPARTMENT.

05/11/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**210482 [Lease Agreement - New Cingular Wireless PCS, LLC (d.b.a. AT&T) - Cellular Service Partner Lease - Base Rent of \$2,400,000 for Year 1 - One-Time Reimbursement Payment to City of \$28,600,000]**

Resolution approving a Lease Agreement for Cellular Service Partner (CSP), Lease No. 2020-0181, between New Cingular Wireless PCS, LLC (d.b.a. AT&T), as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years, and an annual base rent of \$2,400,000 for the first year of the Lease and a one time reimbursement payment of \$28,600,000 for neutral host distributed antennae system improvements to Harvey Milk Terminal 1 and the Grand Hyatt at SFO, to commence upon approval of the Board of Supervisors. (Airport Commission)

04/28/2021; RECEIVED FROM DEPARTMENT.

05/11/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**210483 [Comparative Fault Indemnification Provision - General Electric Renewable US LLC - Design-Build Construction Contract]**

Resolution approving the negotiated comparative fault indemnification provision in the San Francisco Public Utilities Commission design-build construction contract with General Electric Renewable US LLC for the Moccasin Powerhouse Generator Rehabilitation Project, pursuant to Administrative Code, Section 6.22(c), to commence following Board approval. (Public Utilities Commission)

04/30/2021; RECEIVED FROM DEPARTMENT.

05/11/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**210484 [Contract - San Francisco Pretrial Diversion Project - Pretrial Services - Not to Exceed \$18,764,430]**

Resolution authorizing the Sheriff's Office to contract with the San Francisco Pretrial Diversion Project, Inc., for pretrial services for a three-year period from July 1, 2021, through June 30, 2024, with two one-year options to extend for a contract total not to exceed amount of \$18,764,430. (Sheriff)

05/03/2021; RECEIVED FROM DEPARTMENT.

05/11/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**210523**    **[Petitions and Communications]**

Petitions and Communications received from April 28, 2021, through May 6, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 11, 2021.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, making appointments and nomination to the following bodies: (1)

Appointments to the Office of Early Care and Education Citizens' Advisory Committee, pursuant to Administrative Code, Section 5.122:

- Meredith Dodson - term ending May 1, 2022
- Pamela Geisler - term ending May 1, 2023
- Jerry Yang - May 1, 2022
- Gina Fromer - May 1, 2023
- Mina Kim - term ending May 1, 2022

Nomination to the Port Commission, pursuant to Charter, Section 4.114:

- Kimberly Brandon - term ending May 1, 2025

From the Office of the City Attorney, submitting a response to the request from Supervisor Preston from the Board of Supervisors meeting of April 27, 2021. Copy: Each Supervisor. (2)

From the Capital Planning Committee, submitting a memo regarding General Obligation Bonds (Earthquake Safety and Emergency Response, 2020) and General Obligation Bonds (Health and Recovery, 2020). Copy: Each Supervisor. (3)

From the Rent Board, pursuant to Administrative Code, Section 37.6(j), submitting the Rent Board Annual Report on Eviction Notices. Copy: Each Supervisor. (4)

From the Office of the Mayor, submitting the Mayor's budget priorities for the FY 2021-2022 & FY 2022-2023 budget. Copy: Each Supervisor. (5)

From the Black Employee Alliance, regarding telecommuting when employed by the City and County of San Francisco. Copy: Each Supervisor. (6)

From the Civil Service Commission, providing a response to the Black Employee Alliance regarding telecommuting when employed by the City and County of San Francisco. Copy: Each Supervisor. (7)

From the Municipal Transportation Agency, providing a response to Black Employee Alliance regarding telecommuting when employed by the City and County of San Francisco. Copy: Each Supervisor. (8)

From concerned citizens, regarding the Slow Streets Program. 2 letters. Copy: Each Supervisor. (9)

From concerned citizens, regarding State Senate Bill (SB) 37. File No. 210353. Copy: Each Supervisor. 3 letters. Copy: Each Supervisor. (10)

From the California Regional Water Quality Control Board, San Francisco Bay Region, regarding Notice of Public Workshop and Solicitation of Public Comment for the 2021 Triennial Review of the Water Quality Control Plan for the San Francisco Bay Basin. Copy: Each Supervisor. (11)



From Patrick Monette-Shaw, regarding sub-acute patients. Copy: Each Supervisor. (12)

From the Health Service System, regarding Mental Health Awareness Month. (13)

From John Roberts, regarding bicycle theft. Copy: Each Supervisor. (14)

From the Youth Commission, submitting a memorandum of actions. Copy: Each Supervisor. (15)

From Laksh Bhasin, regarding thirty percent rent contribution standard for permanent supportive housing tenants. Copy: Each Supervisor. (16)

From the Office of the City Administrator, pursuant to Administrative Code, Sections 4.10-1 and 4.10-2, submitting the Annual Rental Vehicles Report. Copy: Each Supervisor. (17)

From the Office of the City Attorney, submitting an Order from the Health Officer C19-12f. Copy: Each Supervisor. (18)

From the Department of Human Resources, regarding the City's revised Interim Telecommute Program Policy. (19)

From San Francisco Travel, regarding the Mayor's 2021 Budget priorities. Copy: Each Supervisor. (20)

From the Chief of Police, regarding the delay of the First Quarter 2021 Mandated Law Enforcement Reporting. Copy: Each Supervisor. (21)

From Public Works, pursuant to Administrative Code, Section 2.71, submitting Bond Accountability Report and Second Bond Issuance for Earthquake Safety and Emergency Response Bond 2020. Copy: Each Supervisor. (22)

From the Office of the Mayor, submitting letters of support for the Small Business Recovery Act. File No. 210285. Copy: Each Supervisor. (23)

From Anonymous, regarding a Sunshine Ordinance Task Force concern involving the Police Commission. Copy: Each Supervisor. (24)

From concerned citizens, regarding John F. Kennedy Drive. 20 letters. Copy: Each Supervisor. (25)

From Wynship Hillier, regarding seats on the San Francisco Behavioral Health Commission. Copy: Each Supervisor. (26)

## **ADJOURNMENT**