

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, March 17, 2020 - 2:00 PM**

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

### **Regular Meeting**

**NORMAN YEE, PRESIDENT**

**SANDRA LEE FEWER, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI, SHAMANN WALTON**  
*Angela Calvillo, Clerk of the Board*

### **BOARD COMMITTEES**

#### **Committee Membership**

#### **Meeting Days**

##### **Budget and Appropriations Committee**

Supervisors Fewer, Walton, Mandelman, Yee, Ronen

Wednesday

1:00 PM

##### **Budget and Finance Committee**

Supervisors Fewer, Walton, Mandelman

Wednesday

10:00 AM

##### **Government Audit and Oversight Committee**

Supervisors Mar, Peskin, Haney

1st and 3rd Thursday

10:00 AM

##### **Joint City, School District, and City College Select Committee**

Supervisors Haney, Fewer, Mar (Alt), Commissioners Moliga, Collins, Cook (Alt), Trustees Randolph, Williams, Selby (Alt)

2nd Friday

10:00 AM

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

Supervisors Peskin, Safai, Preston

Monday

1:30 PM

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

Supervisors Mandelman, Stefani, Walton

2nd and 4th Thursday

10:00 AM

##### **Rules Committee**

Supervisors Ronen, Stefani, Mar

Monday

10:00 AM

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

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**Members Present:** Sandra Lee Fewer, Matt Haney, Rafael Mandelman, Gordon Mar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, Shamann Walton, and Norman Yee

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, March 17, 2020, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:05 p.m.*

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

*In accordance with this Local Health Emergency, the “Declaration of Local Health Emergency Regarding Novel Coronavirus Disease 2019 (COVID-19),” and the Citywide Health Order issued by the Department of Public Health, “Order by the Health Officer (No. C19-02),” aggressive recommendations have been issued to slow down or reduce the spread of the COVID-19 virus. People are especially encouraged to participate remotely by submitting comments rather than attending in person, to protect the vulnerable populations. If you must appear in person, systemic and individual changes are expected and required in the Board’s Legislative Chamber and Committee Room, such as accommodating arm’s length distancing between persons.*

*Please visit the Board’s website ([www.sfbos.org](http://www.sfbos.org)) to obtain current information on submitting comments and participating in the legislative process remotely. As the COVID-19 disease progresses, please visit the Board’s website regularly to be updated on the current situation as it affects the legislative process and the Board of Supervisors.*

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

*On the call of the roll, Supervisors Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, and Yee were noted present.*

*A quorum was present.*

### **COMMUNICATIONS**

*President Yee reminded members of the public of the Bay Area-wide “Shelter in Place” order currently in place to reduce the spread of the COVID-19 virus and advised them to not leave their homes unless it is essential. The Board of Supervisors will continue to meet and deliberate on essential actions to ensure continued open access to the Board of Supervisors as a basic tenant of democracy and civic engagement. Staff is working on ways to allow for remote public comment during this emergency and provide the safest solutions to participate in the legislative process. During the emergency, the Board may also be conducting full Board and Committee meetings, remotely, through video conferencing that would be streamed online and over the SFGovTV channels.*

*President Yee requested the Board approve motions that would allow the Board of Supervisors and Committee meetings to be conducted, remotely, and to allow for remote public comment during this local health emergency, as soon as the technology is available.*

**Supervisor Ronen, seconded by Supervisor Safai, moved to authorize the Board of Supervisors and all Committees to convene meetings remotely and allow for remote public comment. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

*The President encouraged members of the public to check the Board website ([www.sfbos.org](http://www.sfbos.org)) regularly for updates on future meetings. After the local health emergency is over, the Board will return to regular meeting procedures as they feel it is appropriate to do.*

*Call 3-1-1 if you have any questions or need non-emergency assistance.*

## APPROVAL OF MEETING MINUTES

*President Yee inquired whether any Member of the Board had any corrections to the February 11, 2020, Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.*

**Supervisor Fewer, seconded by Supervisor Preston, moved to approve the February 11, 2020, Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

## AGENDA CHANGES

*President Yee informed the Board and members of the public of the following changes to today's meeting proceedings: Item 16 (File No. 200036) will continued to a later date; Item 25 (File No. 200282) may be severed and amended to request for a Committee of the Whole hearing today, instead of for the March 19, 2020 Special Meeting, to ensure an expeditious delivery of information to the public on the local health emergency; and Item 27 (File No. 200288) is an Imperative Agenda Motion that will be considered to convene in Closed Session today with various Department Heads regarding the potential threats to public service and facilities.*

## CONSENT AGENDA

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

#### **191073 [Health Code - Medical Examiner Reports of Drug Overdose Deaths]**

**Sponsors: Haney; Walton, Ronen, Fewer and Mar**

Ordinance amending the Health Code to require the Medical Examiner to report information to the Mayor, Board of Supervisors, and Director of Health once every four months regarding deaths arising from drug overdoses.

**Ordinance No. 052-20**

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

### **200059 [Administrative Code - Delegating Authority for Applications for Discharge from Accountability for Taxes on Unsecured Property]**

Ordinance amending the Administrative Code to delegate authority from the Board of Supervisors to the Controller, under California Government Code, Section 25259.5, to grant applications for discharge from accountability filed by the Tax Collector for the collection of any delinquent taxes on unsecured property. (Treasurer-Tax Collector)

**Ordinance No.** 053-20

**FINALLY PASSED**

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

## **REGULAR AGENDA**

## **NEW BUSINESS**

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

*President Yee requested File Nos. 191209, 191210, and 191211 be called together.*

### **191209 [Lease Agreement - Park Café Group, Inc. - Harvey Milk Terminal 1 Boarding Area C Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside - \$240,000 Minimum Annual Guarantee]**

Resolution approving the Harvey Milk Terminal 1 Boarding Area C Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside, Lease No. 19-0244 between Park Café Group, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years and a minimum annual guarantee of \$240,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No.** 107-20

**ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**191210 [Lease Agreement - Sidewalk Juice, SFO, LLC - Terminal 3 Boarding Area F Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside - \$136,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 3 Boarding Area F Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside, Lease No. 19-0245 between Sidewalk Juice, SFO, LLC, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years and a minimum annual guarantee of \$136,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 108-20**

**ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**191211 [Lease Agreement - Elevate Gourmet Brands-SC Group - Terminal 3 Boarding Area F Gourmet Grab and Go Market Lease - \$250,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 3 Boarding Area F Gourmet Grab and Go Market Lease, Lease No. 19-0247 between Elevate Gourmet Brands-SC Group, a joint venture between Elevate Gourmet Brands, Inc. and Skyview Concessions, Inc., as joint tenants, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years and a minimum annual guarantee of \$250,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 109-20**

**ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**200115 [Lease of Real Property - The Salvation Army - 1156 Valencia Street - Initial Base Annual Rent of \$404,000 - \$300,000 Leasehold Improvements]**

**Sponsors: Mayor; Mandelman**

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to lease real property located at 1156 Valencia Street from The Salvation Army at an initial base rent of \$404,000 per year, for a term of three years with an estimated commencement date of March 1, 2020, and estimated to expire on February 28, 2023, plus two one-year options to extend; authorizing the reimbursement of \$300,000 towards the cost of Leasehold Improvements; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Lease and this Resolution, as defined herein.

(Fiscal Impact)

**Resolution No. 111-20**

**ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**200116 [Accept and Expend Grant - Retroactive - Tipping Point Community - HB MH1921 HMM104 Hummingbird Place - Tipping Point - \$3,000,000]****Sponsors: Mayor; Mandelman**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$3,000,000 from the Tipping Point Community to participate in a program, entitled "HB MH1921 HMM104 Hummingbird Place - Tipping Point," for the creation of a new psychiatric respite center, for a two year period beginning January 16, 2020, through January 15, 2022. (Public Health Department)

**Resolution No. 112-20****ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**200127 [Accept and Expend Grant - State of California, Department of Parks and Recreation - Boating Safety and Enforcement Equipment - FY2019-2020 - \$65,828]****Sponsor: Mar**

Resolution authorizing the San Francisco Police Department (SFPD) to accept and expend a grant in the amount of \$65,828 from the State of California, Department of Parks and Recreation, Division of Boating and Waterways for the SFPD Marine Unit to procure equipment and gear for the project period to commence following Board approval through November 30, 2020. (Police Department)

**Resolution No. 113-20****ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**200218 [Multifamily Housing Revenue Bonds - 22, 102, and 104-106 South Park Street - Not to Exceed \$37,109,907]****Sponsor: Mayor**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$37,109,907 for the purpose of providing financing for the acquisition and rehabilitation of a 108-unit affordable multifamily rental housing project, consisting of three structures located at 22, 102, and 104-106 South Park Street; approving the form of and authorizing the execution of an indenture of trust providing terms and conditions of the bonds; approving the form of and authorizing the execution of one or more regulatory agreements and declarations of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

**Resolution No. 114-20****ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**200219 [Loan Agreement - 22, 102, and 104-106 South Park Street - Not to Exceed \$28,312,966]****Sponsor: Mayor**

Resolution approving and authorizing the execution of a Loan Agreement with MHDC South Park Properties, L.P., a California limited partnership, in an amount not to exceed \$28,312,966 for a minimum term of 55 years for a portion of the loan amount and a minimum term of 40 years for another portion of the loan amount based on the requirements of the funding sources, to finance the acquisition and rehabilitation of a 108-unit affordable multifamily rental housing project for low income households, consisting of three structures located at 22, 102, and 104-106 South Park Street; and adopting findings that the Loan Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
(Fiscal Impact)

**Resolution No. 115-20****ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**Recommendation of the Government Audit and Oversight Committee****200030 [Urging the Department of Public Health to Respond to Concerns and Demands of the Zuckerberg San Francisco General Hospital Registered Nurses]****Sponsors: Safai; Walton, Yee, Stefani, Ronen, Mar and Preston**

Resolution urging the administrative staff of the Department of Public Health to include frontline Registered Nurses and Resident Physicians in their decision-making process; to implement, to the extent possible, an expedited hiring process to less than 90-days from receipt of application; to cease supplementing staffing requirements with Contract Registered Nurses by implementing, to the extent possible, a ceiling of 5% or less of total staff; to provide annual violence prevention and disaster-preparedness training for all staff; and to support its bilingual staff.

*Supervisor Preston requested to be added as a co-sponsor.***Resolution No. 110-20****ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**Recommendations of the Rules Committee****191282 [Police Code - Existing Exemption to Paid Parental Leave Ordinance]****Sponsors: Stefani; Yee and Ronen**

Ordinance amending the Police Code to make an existing exemption to the Paid Parental Leave Ordinance for employers with fully paid family leave policies consistent with recent changes to state law.

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**200085 [Administrative Code - Reentry Council]****Sponsors: Fewer; Ronen**

Ordinance amending the Administrative Code to require that Mayoral and Board of Supervisors appointments to the Reentry Council expire following a member's hiring at designated City departments; increase the number of Reentry Council officers from four to five and require that the fifth officer be a formerly incarcerated member; and increase from 12 to 13 the number of members that constitute a quorum.

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**200167 [Appointment, Treasury Oversight Committee - Meghan Wallace]**

Motion approving the Treasurer's nomination of Meghan Wallace, term ending June 17, 2022, to the Treasury Oversight Committee. (Clerk of the Board)

**Motion No. M20-039****APPROVED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**200256 [Appointment, Commission on the Aging Advisory Council - Janice Pettey]**

Motion appointing Janice Pettey, term ending March 31, 2022, to the Commission on the Aging Advisory Council. (Rules Committee)

**Motion No. M20-040****APPROVED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

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

*President Yee suspended all commendations during the declaration of local health emergency.*



## SPECIAL ORDER 3:00 P.M.

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

#### **200036 [Hearing - Committee of the Whole - Findings and Recommendations of Law Enforcement Staffing Numbers - April 14, 2020, at 3:00 p.m.]**

**Sponsor: Yee**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on April 14, 2020, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive specific findings and recommendations regarding police staffing citywide; scheduled pursuant to Motion No. M20-004, approved January 14, 2020; and requesting the Police Department, Controller, and the Budget and Legislative Analyst to report.

*President Yee opened the public hearing indicated a motion would be made to continue this hearing to a later date. The President then inquired as to whether any member of the public wished to address the Board relating to the proposed continuance. There were no speakers. The President closed public comment on the continuance.*

*(Clerk Note: President Yee requested a motion to continue this hearing matter to the incorrect date of April 17, 2020; although, there are no Regular Board Meetings scheduled for that date. The intended motion to request a continuance to the correct April 14, 2020, Regular Board Meeting is reflected in the official recorded motion.)*

**Supervisor Walton, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 14, 2020. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

### Committee of the Whole Adjourn and Report

### ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

### PUBLIC COMMENT

*Speaker; shared certain religious and political views.*

*Mike Petrellis; provided suggestions on the local health emergency, including the need to have a fixed time for public comment, to hold virtual town hall meetings, for the DCCC to resign to focus on public protection, and for essential businesses to set up senior citizen shopping hours.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****200269 [Arbor Week - March 7, 2020, through March 14, 2020]****Sponsor: Mandelman**

Resolution declaring March 7, 2020, through March 14, 2020, as Arbor Week in the City and County of San Francisco.

**Resolution No. 116-20****ADOPTED****200272 [Supporting a “New Border Vision” To Expand Public Safety and Protect Human Rights at U.S. Borders]****Sponsors: Ronen; Fewer, Preston, Mandelman, Mar, Haney and Walton**

Resolution supporting and calling for a “New Border Vision” that proposes changes to existing United States border policies in order to expand public safety, protect human rights, and welcome people with dignity at the borders.

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

**Resolution No. 117-20****ADOPTED****200273 [Encouraging Commercial, Residential Lenders, and Public Utilities to Have a 60-Day Moratorium on Default Payments for Customers Including Small Businesses]****Sponsors: Safai; Ronen, Fewer, Yee, Mar, Haney, Walton, Mandelman, Preston, Peskin and Stefani**

Resolution encouraging banks, financial institutions, and public utilities to have a 60-day moratorium on default for customers, including small businesses, that are negatively impacted by financial hardship due to the impacts of COVID-19.

*Supervisors Peskin and Stefani requested to be added as co-sponsors.*

**Resolution No. 118-20****ADOPTED****200276 [Opposing the United States Department of Housing and Urban Development’s Proposed Affirmatively Further Fair Housing Rule]****Sponsors: Walton; Haney, Peskin, Safai, Ronen, Mandelman and Preston**

Resolution opposing the United States Department of Housing and Urban Development’s proposed affirmatively further fair housing rule that was announced on January 7, 2020, by Secretary Ben Carson.

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

**Resolution No. 119-20****ADOPTED**

**200277 [Apply for Funds Allocation - California Department of Housing and Community Development - Child Welfare Agency Allocation - Transitional Housing Program - Up to \$459,200]**

**Sponsor: Yee**

Resolution authorizing the Human Services Agency to apply for and accept a County Child Welfare Agency Allocation for an amount up to \$459,200 from the California Department of Housing and Community Development under the Transitional Housing Program to help young adults secure and maintain housing.

**Resolution No. 120-20**

**ADOPTED**

**200278 [Apply for Funds Allocation - California Department of Housing and Community Development - Child Welfare Agency Allocation - Housing Navigators Program - Up to \$147,020]**

**Sponsor: Yee**

Resolution authorizing the Human Services Agency to apply for and accept a County Child Welfare Agency Allocation for an amount up to \$147,020 from the California Department of Housing and Community Development under the Housing Navigators Program to help young adults secure and maintain housing.

**Resolution No. 121-20**

**ADOPTED**

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

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

*Supervisor Ronen requested that File No. 200282 be severed so that it may be considered separately.*

**200282 [Committee of the Whole - City Preparations in Response to the COVID-19 Health Emergency - March 17, 2020]****Sponsor: Ronen**

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on March 19, 2020, at 11:00 a.m., for the Members of the Board of Supervisors to convene and for Departments to report regarding city preparations in response to the COVID-19 health emergency.

**Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 1 and 4, by changing 'March 19, 2020' to 'March 17, 2020'; and Page 2, Line 8, by changing 'Thursday, March 19, 2020' to 'Tuesday, March 17, 2020'. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee  
Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on March 17, 2020, at 11:00 a.m., for the Members of the Board of Supervisors to convene and for Departments to report regarding city preparations in response to the COVID-19 health emergency.

**Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 1 and 4, and Page 2, Line 8, by striking '11:00 a.m.' The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee  
Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on March 17, 2020, for the Members of the Board of Supervisors to convene and for Departments to report regarding city preparations in response to the COVID-19 health emergency.

**Motion No. M20-041**

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

## IMPERATIVE AGENDA

*[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."*

**Supervisor Walton, seconded by Supervisor Stefani, moved ADOPTION of the serious injury finding. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

*[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.*

**Supervisor Walton, seconded by Supervisor Peskin, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

*President Yee recessed the meeting at 9:46 p.m. and reconvened at 10:00 p.m.*

*Supervisor Haney was noted absent at 10:00 p.m.*

### **200294 [Concurring in Actions to Meet Local Emergency - Coronavirus Response]**

**Sponsor: Yee**

Motion concurring in the actions taken by the Mayor on March 11, 2020, and March 13, 2020, to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic declared on February 25, 2020.

*President Yee inquired as to whether any member of the public wished to address the Board relating to the concurrence of the actions to meet the local emergency related to the Coronavirus, as referenced in File No. 200294. There were no public speakers. Anne Pearson, Deputy City Attorney (Office of the City Attorney), who was unanimously granted privilege of the floor, presented additional information and answered questions raised throughout the discussion. The President declared public comment closed.*

**APPROVED by the following vote:**

Ayes: 10 - Fewer, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Absent: 1 - Haney

*Supervisor Peskin, seconded by Supervisor Ronen, moved to rescind the previous vote. The motion carried by the following vote:*

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

**Supervisor Peskin, seconded by Supervisor Walton, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 24, 2020. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

*Supervisor Haney was noted present at 10:05 p.m.*

## CLOSED SESSION 3:00 PM

*[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."*

**Supervisor Peskin, seconded by Supervisor Walton, moved ADOPTION of the serious injury finding. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

*[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.*

**Supervisor Peskin, seconded by Supervisor Stefani, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

### **200288 [Closed Session - Potential Threats to Public Service and Facilities - March 17, 2020]**

**Sponsors: Yee; Peskin**

Motion that the Board of Supervisors convene in closed session on March 17, 2020, pursuant to California Government Code, Section 54954.5, and San Francisco Administrative Code, Sections 67.8(a)(4) and 67.10(a), to consult with William Scott, Chief of Police (Police Department), Paul Miyamoto, Sheriff (Sheriff's Department), Jeanine Nicholson, Chief (Fire Department), Sean Elsbernd, Chief of Staff (Mayor's Office), Mary Ellen Carroll, Executive Director (Department of Emergency Management), Dr. Grant Colfax, Director of Health (Department of Public Health), Trent Rhorer, Executive Director (Human Services Agency), Jeff Kositsky, Director (Department of Homelessness and Supportive Housing), Ivar Satero, Director (San Francisco International Airport), Elaine Forbes, Executive Director (Port of San Francisco), Ben Rosenfield, Controller (Office of the City Controller), and Micki Callahan, Director (Department of Human Resources), to discuss potential threats to the security of or the public's access to public buildings, services, and public facilities during the Local Health Emergency regarding Novel Coronavirus Disease 2019 (COVID-19).

*The Board recessed at the hour of 3:22 p.m. to convene in closed session pursuant to the Motion contained in File No. 200288, approved on March 17, 2020.*

#### CONVENED IN CLOSED SESSION

*The following Members of the Board of Supervisors were noted present: Supervisors Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, and Yee*

Persons in attendance: Anne Pearson, Jesse Smith, and Julie Van Nostern, Deputy City Attorneys (Office of the City Attorney); Sean Elsbernd, Mayor's Chief of Staff, and Sophia Kittler, Mayor's Liaison to the Board of Supervisors (Mayor's Office); Ivar Satero, Director, and Cathy Widener, Director of Government Affairs (San Francisco International Airport); Ben Rosenfield, Controller (Office of the City Controller); Shireen McSpadden, Executive Director (Department of Disability and Aging Services); Mary Ellen Carroll, Executive Director (Department of Emergency Management); Jeff Kositsky, Director, and Dylan Schneider, Manager of Policy and Legislative Affairs (Department of Homelessness and Supportive Housing); Micki Callahan, Director, and Mawuli Tugbenyoh, Chief of Policy (Department of Human Resources); Dr. Grant Colfax, Director of Health, Dr. Tomas Aragon, Health Officer, and Susan Ehrlich, Chief Executive Officer of Zuckerberg General Hospital and Trauma Center (Department of Public Health); Chief Jeanine Nicholson and Assistant Deputy Chief Michael Cochrane, Homeland Security (Fire Department); Trent Rhorer, Executive Director (Human Services Agency); Tom McGuire, Director Sustainable Streets, and Joel Ramos, Local Government Affairs Manager (Municipal Transportation Agency); Chief William Scott, Assistant Chief Michael Redmond, and Matt Dorsey, Director of Policy and Public Affairs (Police Department); Elaine Forbes, Executive Director (Port of San Francisco); Sheriff Paul Miyamoto and Undersheriff Matthew Freeman (Sheriff's Department); Jen Low (Office of President Yee); Ian Fregosi (Office of Supervisor Fewer); Andy Mullan (Office of Supervisor Stefani); Sunny Angulo (Office of Supervisor Peskin); Edward Wright (Office of Supervisor Mar); Kyle Smeallie (Office of Supervisor Preston); Courtney McDonald (Office of Supervisor Haney); Jacob Bintliff (Office of Supervisor Mandelman); Percy Burch (Office of Supervisor Walton); Monica Chinchilla (Office of Supervisor Safai); and Angela Calvillo, Clerk of the Board, Alisa Somera, Legislative Deputy Director, and Wilson Ng, Operations Deputy Director (Office of the Clerk of the Board).

The matter was heard in closed session and no action was taken.

#### RECONVENED AS THE BOARD OF SUPERVISORS

The Board of Supervisors reconvened at the hour of 5:52 p.m.

The following Members of the Board of Supervisors were noted present: Supervisors Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, and Yee

#### **Motion No. M20-042**

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

*[Elect Not to Disclose]*

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

**Supervisor Stefani, seconded by Supervisor Preston, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

## SPECIAL ORDER

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

#### **200289 [Hearing - Committee of the Whole - City Preparations in Response to the COVID-19 Health Emergency - March 17, 2020]**

**Sponsor: Ronen**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on March 17, 2020, for the Members of the Board of Supervisors to convene and for Departments to report regarding city preparation in response to COVID-19 health emergency; and requesting the Mayor's Office, Department of Emergency Management, Department of Public Health, Office of Economic and Workforce Development, Department of Human Resources, Department of Homelessness and Supportive Housing, and Department of Disability and Aging Services to report; to be scheduled pending amendment and approval of the Motion contained in File No. 200282.

*President Yee opened the public hearing and Supervisor Ronen provided remarks regarding the need to provide the public with information regarding the COVID-19 local health emergency. The President then inquired as to whether any member of the public wished to address the Board. Trent Rhorer, Executive Director (Human Services Agency); Mary Ellen Carroll, Executive Director (Department of Emergency Management); Jeff Kositsky, Director (Department of Homelessness and Supportive Housing); Dr. Tomas Aragon, Health Officer (Department of Public Health); Joaquin Torres, Director (Office of Economic and Workforce Development); Anne Pearson, Deputy City Attorney (Office of the City Attorney); provided an overview of the COVID-19 local health emergency and responded to questions raised throughout the discussion. There were no public speakers. The President closed public comment, adjourned as a Committee of the Whole, and reconvened as the Board of Supervisors.*

**Supervisor Ronen, seconded by Supervisor Peskin, moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

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

*At the request of President Yee, Supervisor Mandelman assumed the chair at 6:35 p.m. The President resumed the chair at 6:41 p.m.*

### Committee of the Whole Adjourn and Report



## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

## ORDINANCES

### 200267 [Emergency Ordinance - Administrative Code - No-Fault Evictions During COVID-19 Pandemic]

**Sponsors: Preston; Ronen, Mar, Haney, Peskin, Walton and Mandelman**

Emergency ordinance to temporarily prohibit certain types of no-fault evictions that would otherwise be permitted under the Administrative Code, due to the COVID-19 pandemic. (Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

03/10/20; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Rules Committee.

03/17/20; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

### 200295 [Emergency Ordinance - Commercial Evictions for Non-Payment During COVID-19 Pandemic]

**Sponsors: Preston; Mar, Walton and Ronen**

Emergency ordinance to regulate evictions of commercial tenants due to non-payment of rent, when the tenant was unable to pay due to financial impacts related to the COVID-19 pandemic. (Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

03/17/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/16/2020.

### 200296 [Authorization to Borrow Funds - Short-Term Loan Program for SARS-CoV-2 Impacted Small Businesses - Treasurer-Tax Collector - Line of Credit Amount Not to Exceed \$20,000,000]

**Sponsors: Ronen; Haney, Preston, Mar and Walton**

Ordinance authorizing the Treasurer to secure a short-term line of credit in an amount not to exceed \$20,000,000, or in the alternative, partner with one or more financial institutions, for the purpose of providing short-term emergency unsecured loans to small businesses with a physical location in San Francisco that are unable to meet rent, mortgage, or other fixed operating costs as a result of the economic downturn caused by SARS-CoV-2.

03/17/20; ASSIGNED to Budget and Finance Committee.

**200297 [Appropriation - Short-Term Loan and Interest Proceeds - \$20,000,000 - General Reserve \$600,000 - Treasurer and Tax Collector's Office - Individual Loans for Small Businesses Impacted by SARS-COV-2 - Appropriation - Event of Loan Default - \$20,000,000]**

**Sponsors: Ronen; Haney, Preston, Mar and Walton**

Ordinance appropriating \$20,000,000 of short-term loan proceeds and \$600,000 of the General Reserve to the Office of the Treasurer's and Tax Collector to administer individual loans for small businesses impacted by SARS-COV-2 , appropriating \$20,000,000 for loan default, and authorizing the Controller to reduce the loan default appropriation to the amount defaulted by June 30, 2021.

(Fiscal Impact)

03/17/20; ASSIGNED to Budget and Finance Committee.

## RESOLUTIONS

**200298 [Apply for Grants - 2020 Emergency Preparedness Grants]**

**Sponsor: Mayor**

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any actions necessary for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the Federal Fiscal Year 2020 Urban Areas Security Initiative Grant, the Federal Fiscal Year 2020 State Homeland Security Grant Program, the 2020 Emergency Management Performance Grant, the 2020 Local Government Oil Spill Contingency Plan Grant, and the 2020 Hazard Mitigation Grant Program.

03/17/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**200299 [Accept and Expend Grant - Retroactive - California Department of Public Health - California Injury and Violence Prevention Branch Overdose Data to Action - Academic Detailing - \$900,000]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$900,000 from the California Department of Public Health, a recipient of the grant award from the Centers for Disease Control and Prevention, for participation in a program, entitled "California Injury and Violence Prevention Branch Overdose Data to Action - Academic Detailing," for the period of January 1, 2020, through August 31, 2022.

03/17/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**200300 [Approve Project List - California Senate Bill 1 Local Streets and Road Program - Road Maintenance and Rehabilitation Account Funds]**

**Sponsor: Mayor**

Resolution approving the list of projects to be funded by FY2020-2021 Road Maintenance and Rehabilitation Account funds as established by California Senate Bill 1, the Road Repair and Accountability Act of 2017.

03/17/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**200301 [Urging the California State Governor to Provide Relief for Small Businesses Affected by the COVID-19 Pandemic]**

**Sponsor: Fewer**

Resolution urging the Governor to implement a full fee moratorium for small businesses, and allow on-sale alcohol licensees to sell alcohol for off-premises consumption.

03/17/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**200302 [Urging Residents, Elected Officials, and Community Based Organizations to Join Forces and Protect Our Communities During the COVID-19 State of Emergency]**

**Sponsors: Fewer; Yee and Mandelman**

Resolution urging all San Francisco residents, elected officials, and community based organizations to work together to follow Public Health orders and create volunteer opportunities to meet the needs of our most vulnerable San Franciscans, and urging the Department of Disability and Aging Services to expedite their process of approving volunteers to deliver essential goods to our most vulnerable San Franciscans during the COVID-19 State of Emergency.

03/17/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**200303 [Supporting United States Congressmen Khanna and Ryan's Earned Income Tax Credit for Americans Affected by the Coronavirus (COVID-19)]**

**Sponsors: Haney; Mar, Walton, Fewer, Preston and Mandelman**

Resolution in support of United States Congressmen Ro Khanna and Tim Ryan's Earned Income Tax Credit to provide tax relief checks between \$1,000 and \$6,000 to the more than 200 million American workers who would qualify, based on the impacts of the Coronavirus (COVID-19).

03/17/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**200304 [Urging Federal, State, and Local Action to Expand Access to Paid Leave Support During Public Health Emergencies]**

**Sponsors: Mar; Haney, Walton, Fewer, Preston and Mandelman**

Resolution urging additional federally mandated paid leave during public health emergencies; supporting United States House Resolution No. 6201, authored by United States Congresswoman Nita Lowey, the Families First Coronavirus Response Act, if amended to include requirements for large employers; urging further State action to address gaps in Federal support; supporting California State Assembly Bill No. 3123, authored by California Assembly Member Lorena Gonzalez, to protect workers from retaliation when leave is taken during a public health emergency; urging the creation of a multilingual workers rights hotline; and committing to provide additional local support for workers impacted by Order No. C19-07.

03/17/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**200305 [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - Innovative Response to Marginalized Victims Program - \$163,145]**

**Sponsor: Preston**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$163,145 from the California Governor's Office of Emergency Services for the Innovative Response to Marginalized Victims Program for the grant period of January 1, 2020, through December 31, 2020.

03/17/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**200306 [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - Elder Abuse Program - \$200,000]**

**Sponsor: Preston**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$200,000 from the California Governor's Office of Emergency Services for the Elder Abuse Program for the grant period January 1, 2020, through December 31, 2020.

03/17/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**200307 [Urging Statewide Action to Establish Eviction Moratorium and Suspend Eviction Proceedings During the Coronavirus State of Emergency]**

**Sponsors: Preston; Ronen, Haney, Mar, Fewer, Walton and Peskin**

Resolution urging California Governor Gavin Newsom to issue a moratorium on evictions, including Ellis Act evictions; urging the California Judicial Council and the San Francisco Superior Court to stay eviction cases; and urging San Francisco Mayor London N. Breed to ban no-fault evictions during the state of emergency related to the COVID-19 coronavirus.

03/17/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**200308 [Urging Essential Businesses to Establish Vulnerable Population-Only Shopping Hours or Other Reasonable Accommodations]**

**Sponsors: Ronen; Mandelman, Walton and Fewer**

Resolution urging essential businesses, including grocery stores, pharmacies, banks, laundromats, and hardware stores, to establish dedicated shopping hours or other reasonable accommodations for seniors and individuals with certain health conditions or compromised immune systems to protect vulnerable San Franciscans from increased risk of exposure to novel coronavirus (COVID-19).

03/17/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**200309 [Urging United States Congress to Enact an Economic Stimulus Coronavirus Package]**

**Sponsor: Safai**

Resolution urging both the United States Congress and Executive branches to enact an economic stimulus coronavirus package that would give every American adult a \$5,000 check for every 30-day period that this national state of emergency remains in effect so that they can stay financially afloat.

03/17/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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****200260 [Settlement of Lawsuit - Henry McKenzie - \$400,000]**

Ordinance authorizing settlement of the lawsuit filed by Henry McKenzie against the City and County of San Francisco for \$400,000; the lawsuit was filed on November 24, 2018, in the United States District Court Northern District of California, Case No. 4:18-cv-7141 DMR; entitled Henry McKenzie v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

03/06/20; RECEIVED FROM DEPARTMENT.

03/17/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**In Memoriam**

*Mal Sharpe - Supervisor Peskin*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 10:17 p.m.*

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

*Approved by the Board of Supervisors on May 5, 2020.*

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Angela Calvillo, Clerk of the Board