



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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PUBLIC COMMENT CALL-IN
[1 \(415\) 655-0001/ Meeting ID: 187 075 7779 # #](tel:4156550001)

Tuesday, March 23, 2021 - 2:00 PM

Regular Meeting

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

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

Joint City, School District, and City College Select Committee
Supervisors Ronen, Safai, Haney (Alt), Trustee Davila, Williams, Selby (Alt)

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

Meeting Days

Wednesday
1:00 PM

Wednesday
10:30 AM

1st and 3rd Thursday
10:00 AM

2nd Friday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

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

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), 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) 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).

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. 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.

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) 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; 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>.

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As the COVID-19 disease progresses, please visit the Board's website (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

AGENDA CHANGES

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

- [210180](#)** **[Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers]**
Sponsors: Peskin; Safai
Ordinance amending the Business and Tax Regulations Code to extend through Fiscal Year 2021-2022 the temporary suspension of the application of the business registration and fee requirements for transportation network company drivers and taxi drivers.

03/16/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Referred Without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

- [201385](#)** **[Planning Code, Zoning Map - 542-550 Howard Street]**
Sponsor: Haney
Ordinance amending the Planning Code and Zoning Map to rezone and reclassify a portion of the 542-550 Howard Street project site (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F) and as shown on Figure 1 of the Transit Center District Plan, specifically to rezone a portion of the project site from the split P (Public) District/C-3-O (SD) to the C-3-O (SD) Downtown Office Special Development District and to reclassify the height and bulk district designations for a portion of the project site; waiving certain provisions of the Planning Code to allow the project to satisfy its affordable housing requirement through payment of an in-lieu affordable housing fee to the Office of Community Investment and Infrastructure for use within the Transbay Redevelopment Project Area, to modify timing for payment of fees, and to permit the footprint of the portion of the project site dedicated to dwellings to exceed 15,000 square feet; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

03/16/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [201386](#) **[Development Agreement - Parcel F Owner, LLC - 542-550 Howard Street Transbay Redevelopment Project Area]**
Sponsor: Haney
Ordinance approving a Development Agreement between the City and County of San Francisco and Parcel F Owner, LLC, for certain real property known as 542-550 Howard Street (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F), located in the Transbay Redevelopment Project Area, consisting of four parcels located on the north side of Howard Street between 1st and 2nd Streets; waiving certain provisions of Administrative Code, Chapter 56; adopting findings under the California Environmental Quality Act; and making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b), and findings of public necessity, convenience, and general welfare under Planning Code, Section 302.
- 03/16/2021; 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. [210028](#) **[Appropriation - Refunding General Obligation Bond Proceeds - \$220,000,000 - FY2020-2021]**
Sponsor: Mayor
Ordinance appropriating \$220,000,000 from the issuance of one or more series of Refunding General Obligation Bonds; and placing such amounts on Controller's reserve.
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
5. [210183](#) **[Issuance and Sale of General Obligation Refunding Bonds, Series 2021-R1 and Series 2021-R2 - Not to Exceed \$220,000,000]**
Sponsor: Mayor
Resolution approving the issuance and sale of not to exceed \$220,000,000 aggregate principal amount of City and County of San Francisco General Obligation Refunding Bonds, Series 2021-R1, and City and County of San Francisco General Obligation Refunding Bonds, Series 2021-R2, to refund certain outstanding General Obligation Bonds of the City; approving the form and authorizing the distribution of the Preliminary Official Statement and authorizing execution, delivery and distribution of the Official Statement relating to the sale of said bonds; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

6. [210173](#) **[Accept and Expend Grant - Retroactive - California Department of Insurance - Automobile Insurance Fraud Program - \$316,939]**
Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$316,939 from the California Department of Insurance for the Automobile Insurance Fraud Program, for the grant period of July 1, 2020, through June 30, 2021. (District Attorney)
Question: Shall this Resolution be ADOPTED?
7. [210174](#) **[Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$928,617]**
Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$928,617 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period of July 1, 2020, through June 30, 2021. (District Attorney)
Question: Shall this Resolution be ADOPTED?
8. [210185](#) **[Contract Agreement - Color Health, Inc. - End-to-End Community COVID-19 Testing Services - Not to Exceed \$52,289,523]**
Sponsor: Mayor
Resolution approving the agreement between Color Health, Inc. and the Department of Public Health for end-to-end community COVID-19 testing services, for an amount not to exceed \$52,289,523 for a total agreement term of April 6, 2021, through March 31, 2022.

(Fiscal Impact)
Question: Shall this Resolution be ADOPTED?
9. [210186](#) **[Accept and Expend Grant - Retroactive - Federal Highway Administration - Emergency Relief Program - O'Shaughnessy Boulevard Emergency Relief Project - \$3,015,619.50]**
Sponsor: Mayor
Resolution retroactively authorizing Public Works to accept and expend an increased amount of \$226,265.50 for a total grant amount of \$3,015,619.50 from the United States Department of Transportation Federal Highway Administration Federal Emergency Relief Program to fund the construction of the Public Works' O'Shaughnessy Boulevard Emergency Relief Project, for the period of September 23, 2019, through June 30, 2025. (Public Works)
Question: Shall this Resolution be ADOPTED?

10. [210219](#) **[Accept and Expend Grant - Federal Aviation Administration - ACRGP Funds - Operating Expenses of the Airport Commission and Concessionaire Relief - Up to \$46,543,901]**

Sponsor: Mayor

Resolution authorizing the Airport Commission to accept and expend one or more grants in the amount of up to \$46,543,901 plus additional amounts up to 15% of the original grant amount that may be offered from the Federal Aviation Administration, including up to \$40,594,314 for certain general Airport purposes and up to \$5,949,587 for the purpose of providing financial relief to eligible Airport concessions, for a period of up to four years from the date of grant acceptance, contingent on receipt by the Airport Commission of one or more grant offers from the Federal Aviation Administration. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Budget and Appropriations Committee

Present: Supervisors Haney, Safai, Mar, Walton, Ronen

11. [210138](#) **[Business Registration Fee - Weights and Measures and Point of Sale Station Fees]**

Sponsors: Mayor; Ronen and Safai

Ordinance extending the deadline to pay the business registration fee for the fiscal year ending June 30, 2022, to November 1, 2021, for certain businesses that commenced business in the City before January 1, 2021, and had \$25,000,000 or less in San Francisco gross receipts in 2020 or that commenced business in the City on or after January 1, 2021; extending the deadline to pay the business registration fee for the fiscal year ending June 30, 2022, to June 30, 2021, for certain businesses that commenced business in the City on or before January 1, 2021, and had over \$25,000,000 in San Francisco gross receipts in 2020; temporarily suspending through November 1, 2021, penalties for late payment of certain weights and measures fees and point of sale station fees billed by the Tax Collector on or after March 17, 2020, and on or before October 1, 2021; and refunding suspended penalties paid to the City.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

12. [201175](#) [Administrative Code, Planning Code - Technical Corrections; Amendments to Various Central South of Market Area Zoning Provisions]

Ordinance amending the Planning Code to correct and clarify Administrative and Planning Code amendments approved in Ordinance No. 296-18, which gave effect to the Central South of Market Area (SoMa) Plan, including provisions regarding transfer of development rights, privately owned public open space, renewable electricity, PDR (Production Distribution Repair) floor height, development impact fee deposits and uses, among others; to restore with modifications inadvertently deleted provisions regarding low-income affordable housing in the SALI (Service/Arts/Light Industrial) Zoning District; and to amend open space, height limit, apparent mass reduction, lot coverage, exposure, PDR replacement, and development impact fee waiver and reduction provisions; 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. (Planning Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Mar, Stefani, Haney

**13. [201373](#) [Urging the Implementation of Recommendations in the October 2020 Economic Recovery Task Force Report - Bridge the Digital Divide]
Sponsors: Safai; Mar and Haney**

Resolution urging the implementation of three recommendations in the October 2020 Economic Recovery Task Force Report that the City provide high-quality computers to vulnerable populations; bridge the digital divide with affordable connectivity and internet service; and build the technology capacity of new users, small businesses, and non-profits; and urging the Department of Technology to review the City's efforts over the past 20 years to close the digital divide, and provide the Board with a written estimate of the cost of implementing the three recommendations.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Peskin, Mandelman, Chan

14. [210142](#) [Administrative Code - Composition and Sunset Date of Family Violence Council]

Sponsor: Stefani

Ordinance amending the Administrative Code to change the composition of the Family Violence Council and extend the sunset date for the Council to May 1, 2024.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. [210216](#) **[Administrative Code - Health Care Requirements for Certain Employers at San Francisco International Airport]**
Sponsors: Mandelman; Walton
Ordinance amending the Administrative Code to allow contracting parties that offer multiple health benefit plans at the San Francisco International Airport to charge covered employees a limited share of premium costs on more expensive plans, to clarify who must be covered by health benefit plans that are offered, and to adjust the date by which such health benefit plans must be in effect.
Question: Shall this Ordinance be PASSED ON FIRST READING?
16. [210192](#) **[Amending Board Rules of Order - Amending Board Rules 3.25, 3.26, and 3.31 Establishing the Youth, Young Adult, and Families Committee]**
Sponsors: Ronen; Walton and Chan
Motion amending the Rules of Order of the Board of Supervisors by amending Rules 3.25, 3.26, and 3.31 to establish the Youth, Young Adult, and Families Committee.

(Pursuant to Board Rule 3.26.1, an amendment to the Board of Supervisors' Rules of Order shall be adopted by the affirmative vote of two-thirds (8 votes) of the Board of Supervisors.)
Question: Shall this Motion be APPROVED?
17. [210212](#) **[Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Sharon Lai]**
Motion approving the Mayor's nomination for the reappointment of Sharon Lai to the Municipal Transportation Agency Board of Directors, term ending March 1, 2025. (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: March 1, 2021.)
Question: Shall this Motion be APPROVED?
18. [210254](#) **[Appointments, Housing Stability Fund Oversight Board - Bernita Burge, Jon Jacobo, John Baranski, Han Ming How, Remhai Menelik, Gen Fujioka, Fernando Marti, Shanti Singh, Davida Sotelo Escobedo, Alex Lantsberg]**
Motion appointing Bernita Burge, Jon Jacobo, John Baranski (residency requirement waived), and Han Ming How, terms ending December 13, 2022, and Remhai Menelik, Gen Fujioka (residency requirement waived), Fernando Marti, Shanti Singh, Davida Sotelo Escobedo (residency requirement waived), and Alex Lantsberg, terms ending December 13, 2024, to the Housing Stability Fund Oversight Board. (Rules Committee)
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.

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

PUBLIC COMMENT WILL BE TAKEN

[1 \(415\) 655-0001](tel:4156550001) / [Meeting ID: 187 075 7779](#) # #

19. [210240](#) [Hearing - Appeal of Conditional Use Authorization Approval - 590 Second Avenue]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 317 and 303 of the Planning Code, for a proposed project at 590 Second Avenue, Assessor's Parcel Block No. 1544, Lot No. 026, identified in Planning Case No. 2019-015984CUA, issued by the Planning Commission by Motion No. 20849, dated January 28, 2021, to install a new rooftop AT&T mobility macro wireless telecommunications facility consisting of installation of ten panel antennas, and ancillary equipment as part of the AT&T mobility telecommunications network; antenna and ancillary will be screened within two FRP enclosures, located within the RM-2 (Residential Mixed, Moderate Density) Zoning District and 40-X Height and Bulk District. (District 1) (Appellant: Ann Green) (Filed March 1, 2021) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Only one of the following two Motions should be approved.

20. [210241](#) [Approving Conditional Use Authorization - 590 Second Avenue]

Motion approving the decision of the Planning Commission by its Motion No. 20849, approving a Conditional Use Authorization, identified as Planning Case No. 2019-015984CUA, for a proposed project located at 590 Second Avenue; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

21. [210242](#) **[Conditionally Disapproving Conditional Use Authorization - 590 Second Avenue]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20849, approving a Conditional Use Authorization, identified as Planning Case No. 2019-015984CUA, for a proposed project at 590 Second Avenue, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

Question: Shall this Motion be APPROVED?

22. [210243](#) **[Preparation of Findings Related to Conditional Use Authorization - 590 Second Avenue]**

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2019-015984CUA for a proposed project at 590 Second Avenue. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following items will be considered by the Budget and Appropriations Committee at a Special Meeting on Tuesday, March 23, 2021, at 9:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, March 23, 2021.

23. [201364](#) **[Appropriation - Property Tax Revenue \$20,100,000 - Mayor's Office of Housing and Community Development - \$10,050,000 for Rent Relief - \$10,050,000 for Social Housing - FY2020-2021]**

Sponsors: Preston; Mar, Ronen and Walton

Ordinance appropriating \$10,050,000 from Property Tax Revenue to the Mayor's Office of Housing and Community Development for rent relief under the Rent Resolution and Relief Fund and \$10,050,000 for the acquisition, creation and operation of affordable, social housing under the Housing Stability Fund in Fiscal Year (FY) 2020-2021.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. [210177](#) **[Appropriation - Property Tax Revenue \$104,900,000 - Various Departments - Small Businesses, Arts and Cultural Organizations, and Families Relief for COVID-19 and Overdose Prevention - De-appropriation - Business Fee Revenue - \$28,200,000 - FY2020-21]**

Sponsors: Mayor; Stefani, Walton, Ronen, Haney, Safai and Mandelman

Ordinance appropriating \$104,900,000 of property tax revenue to the Office of Economic and Workforce Development, General Services Agency-City Administrator, Arts Commission, Children Youth and Their Families, Public Health, and General City Responsibility to provide relief to small businesses, including for small businesses impacted by property crime, Grants for the Arts, Arts Impact Endowment, Cultural Centers, Cultural Equity Endowment, Cultural Districts, Youth Learning Initiatives, San Francisco Unified School District and City College Dual Enrollment Programs, overdose prevention, and support for family relief struggling as a result of COVID-19; and de-appropriating \$28,200,000 of business fee revenue, and placing \$6,520,705 on reserve in Fiscal Year (FY) 2020-2021.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, March 22, 2021, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, March 23, 2021.

25. [210147](#) **[Interim Zoning Controls - Extending Conditional Use Authorization for Conversion of Residential Care Facilities to Other Uses]**

Sponsors: Mandelman; Ronen

Resolution extending interim zoning controls for six months to require a Conditional Use Authorization and specified findings for a proposed change of use from a Residential Care Facility; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Public Safety and Neighborhood Services Committee at a Special Meeting on Thursday, March 18, 2021, at 4:00 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, March 23, 2021.

26. [200830](#) **[Police Code - Right to Reemployment Following Layoff Due to COVID-19 Pandemic]**

Sponsor: Mar

Ordinance amending the Police Code to create a right to reemployment for certain employees laid-off due to the COVID-19 pandemic if their employer seeks to fill the same position previously held by the laid-off employee, or a substantially similar position, and to reasonably accommodate employees who cannot work because of a family care hardship.

02/09/2021; RE-REFERRED to the Public Safety and Neighborhood Services Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Regular Meeting on Monday, March 22, 2021, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, March 23, 2021.

27. [210257](#) **[Mayoral Nomination of Appointment, Human Resources Director - Carol Isen]**

Motion approving the Mayor's nomination of appointment of Carol Isen as the Human Resources Director of the City and County of San Francisco, pursuant to Charter, Section 10.103. (Clerk of the Board)

(Charter, Section 10.103, provides that this appointment is subject to confirmation by the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: March 9, 2021.)

Question: Shall this Motion be APPROVED?

28. [210265](#) **[Amending Board Rules of Order - Creating New Rules for Individual Supervisor Appointments Without Reference to Committee and Direct Supervisor Appointments]**

Sponsor: Peskin

Motion amending the Rules of Order of the Board of Supervisors to create a new Rule 2.21.1 allowing for adoption without reference to Committee of appointments to subordinate bodies who are nominated by individual District Supervisors and subject to approval by the full Board, and a new Rule 2.21.2 clarifying the process for direct appointments to subordinate bodies by District Supervisors that are not subject to approval by the full Board of Supervisors.

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

Question: Shall this Motion be APPROVED?

29. **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.

30. 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), 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: 187 075 7779 # #](tel:4156550001)

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 31 and 32 will be taken during Item 30 - General Public Comment.)

Items 31 and 32

31. [210293](#) **[Recognizing Problem Gambling Awareness Month - March]**
Sponsor: Mar
Resolution recognizing March as Problem Gambling Awareness Month in the City and County of San Francisco.
- 03/16/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

32. [210298](#) **[Supporting California State Senate Bill No. 17 (Pan) - California Office of Racial Equity Bill]**
Sponsors: Chan; Walton
 Resolution supporting California Senate Bill No. 17, authored by Senator Richard Pan, to establish the Office of Racial Equity and the Racial Equity Advisory and Accountability Council.

03/17/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 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: 187 075 7779 # #](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.

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**210001 [Amendments to Real Property Leases - Forgive Tenant Rent During COVID-19 Pandemic]**

Ordinance authorizing the City Administrator to amend certain leases and forgive rent due between April 2020 and December 2020 with nonresidential tenants, and waiving Administrative Code and Environmental Code requirements enacted after the most recent modification of each lease, in order to allow for expeditious rent forgiveness necessitated by the financial hardship caused by the public health emergency related to the COVID-19 pandemic; authorizing the City Administrator to further amend leases and forgive rent due between January 2021 and June 2021, and waiving Administrative Code and Environmental Code requirements enacted after the most recent modification of each lease, without further Board of Supervisors approval under Charter, Section 9.118, and Administrative Code, Chapter 23. (City Administrator)

(Fiscal Impact; No Budget and Legislative Analyst Report)

12/28/2020; RECEIVED FROM DEPARTMENT.

01/05/2021; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

03/12/2021; RECEIVED FROM DEPARTMENT.

03/23/2021; SUBSTITUTED AND ASSIGNED to the Budget and Finance Committee.

PROPOSED RESOLUTIONS**210280 [Lease Amendment - Skyline Concessions, Inc. - Boarding Area E Newsstand Lease, a Small Business Enterprise Set-Aside Lease No. 13-0136 - Term Extension]**

Resolution approving Amendment No. 2 to the Boarding Area E Newsstand Lease, a Small Business Enterprise Set-Aside Lease No. 13-0136, between Skyline Concessions, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, as landlord, to extend the Lease by two years and six months, for an extension of the term to 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)

03/11/2021; RECEIVED FROM DEPARTMENT.

03/23/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

210281 [Participation Agreement and Administrative Services Agreement - Retroactive - California Department of Health Care Services - Medi-Cal County Inmate Program - Not To Exceed \$21,504.33]

Resolution retroactively authorizing the Department of Public Health to enter into two related agreements with the California Department of Health Care Services for reimbursement under the State Medi-Cal County Inmate Program, (1) Participation Agreement 20-MCIPSANFRANCISCO-38 effective July 1, 2020, and (2) Administrative Services Agreement No. 20-10239 for the period of July 1, 2020, through June 30, 2023, for an amount not to exceed \$21,504.33. (Public Health Department)

03/15/2021; RECEIVED FROM DEPARTMENT.

03/23/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

210282 [Contract Agreement - Mythics, Inc. - Oracle Products - Not to Exceed \$60,000,000]

Resolution authorizing the Department of Technology to enter into a contract between the City and County of San Francisco and Mythics, Inc., for the purchase of Oracle products, with a not to exceed amount of \$60,000,000 for a five year term of May 1, 2021, through April 30, 2026, and with one five-year option to extend. (Department of Technology)

03/15/2021; RECEIVED FROM DEPARTMENT.

03/23/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

210283 [Agreement - Oracle America, Inc. - Authorizing Participation in Programs to Provide Customer Feedback and Granting License to Use City's Feedback]

Resolution authorizing the City's Chief Information Officer to enter a customer participation agreement under which City employees will provide customer feedback to Oracle America, Inc. with an indefinite term and which will grant to Oracle America, Inc. a perpetual, irrevocable license to use the City's feedback for any purpose, including the development, modification, marketing, or publicity of products or services, without identifying the City or its employees in those materials. (Department of Technology)

03/15/2021; RECEIVED FROM DEPARTMENT.

03/23/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

210299 **[Petitions and Communications]**

Petitions and Communications received from March 11, 2021, through March 18, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on March 23, 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 Department of Public Health, submitting updates to Health Officer Nos. C19-01d, C19-03c, and C19-09c. Copy: Each Supervisor. (1)

From concerned citizens, regarding the reopening of the American Gymnastics Club. 3 letters. Copy: Each Supervisor. (2)

From concerned citizens, regarding the Observation Wheel located at Golden Gate Park. 58 letters. File No. 210234. Copy: Each Supervisor. (3)

From Shad Fenton, regarding various concerns with the Bayshore Navigation Center. 7 letters. Copy: Each Supervisor. (4)

From concerned citizens, regarding the proposed resolution urging departments to create a permanent shared spaces program. 2 letters. File No. 201422. Copy Each Supervisor. (5)

From concerned citizens, regarding the proposed resolution urging the implementation of recommendations in the October 2020 Economic Recovery Task Force Report - Bridge the Digital Divide. 4 letters. File No. 201373. Copy: Each Supervisor. (6)

From Anonymous, regarding various Sunshine Ordinance Task Force concerns. 6 letters. Copy: Each Supervisor. (7)

From Alaric Degrafinried; Acting Director of San Francisco Public Works, regarding an appointment to City Engineer and Deputy Director for Infrastructure Design and Construction. Copy: Each Supervisor. (8)

From the California Fish and Game Commission, regarding their February 21, 2021 meeting. Copy: Each Supervisor. (9)

From Julie Rosenberg; Executive Director of the Board of Appeals, regarding an illegal tree removal. Copy: Each Supervisor. (10)

From the Treasurer and Tax Collector's Office, submitting the monthly CCSF Pooled Investment report for February 2021. Copy: Each Supervisor. (11)

From Patrick O'Riordan; Interim Director for Department of Building Inspection, regarding the electrification of the City's vehicle fleet. Copy: Each Supervisor. (12)

From Eileen Boken, regarding the proposed resolution supporting California Assembly Constitutional Amendment 3. File No. 210121. Copy: Each Supervisor. (13)

From the San Francisco Controller's Office, submitting the Whistleblower Program for Fiscal Year 2020-21 Quarter 2 Report. Copy: Each Supervisor. (14)

From the Office of the Mayor, regarding positions taken on state legislation at the March Meetings of the State Legislation Committee. Copy: Each Supervisor. (15)

From Kirk Linn, regarding ADA pertaining to sidewalk seating and parklets. Copy: Each

Supervisor. (16)

From Lauren Iverson, regarding the City College Horticulture and Floristry program. Copy: Each Supervisor. (17)

From the Mayor's Office of Housing and Community Development, submitting Affordable Housing Quarterly Report from October to December 2020. File No. 180547. Copy: Each Supervisor. (18)

From Alison Goh, regarding local redistricting efforts for the City and County of San Francisco. Copy: Each Supervisor. (19)

From Debbie Raphael; Director of the Department of the Environment, regarding the refuse rate overcharge. Copy: Each Supervisor. (20)

From Jeremy Lee, regarding an appointment to the Police Commission. Copy: Each Supervisor. (21)

From Asja Steeves, regarding San Francisco Police Department's compliance with SF Admin Code 19B.7. Copy: Each Supervisor. (22)

From Jeffrey Tumlin; Director of SFMTA, providing a response to an inquiry regarding a contract. Copy: Each Supervisor. (23)

From concerned citizen, regarding chainsaw noise pollution. Copy: Each Supervisor. (24)

From Meredith Dodson, regarding in person learning. Copy: Each Supervisor. (25)

From Will Jones, regarding attacks on Asian-Americans. Copy: Each Supervisor. (26)

From Nadeem Sheikh, regarding a hearing on the approval of a Conditional Use Authorization pursuant to Sections 317 and 303 of the Planning Code, for a proposed project at 590 Second Avenue, Assessor's Parcel Block No. 1544, Lot No. 026. File No. 210240. Copy: Each Supervisor. (27)

From Dee Dee Workman, regarding proposed ordinance appropriating \$104,900,000 of property tax revenue to the Office of Economic and Workforce Development, General Services Agency-City Administrator, Arts Commission, Children Youth and Their Families, Public Health, and General City Responsibility to provide relief to small businesses. File No. 210177. Copy: Each Supervisor. (28)

From concerned citizens, regarding the proposed resolution committing the Board of Supervisors to expeditiously fill vacancies on the Office of Early Care and Education Citizens Advisory Committee. 2 letters. File No. 210273. Copy: Each Supervisor. (29)

From Julie Rosenberg; Executive Director of the Board of Appeals, regarding illegal tree removal. Copy: Each Supervisor. (30)

From the Office of the Chief of Police, regarding San Francisco Police Department's Violence Reduction Strategy. Copy: Each Supervisor. (31)

From the Office of the Chief of Police, submitting San Francisco Police Department's Weekly Crime Trends. Copy: Each Supervisor. (32)

From Parth Bharwad, regarding a response to an inquiry from SFMTA. Copy: Each Supervisor. (33)

From the Office of the City Attorney, regarding an update from the Health Officer for Health Order No. C19-12e. Copy: Each Supervisor. (34)

From the Office of the Mayor, regarding a press release announcing the Department of Homelessness and Supportive Housing Leadership transition. Copy: Each Supervisor. (35)

From the Office of the Controller, submitting a report on its audit of the 2016 Affordable Housing Bond Expenditures. Copy: Each Supervisor. (36)

From the Office of the Chief of Police, regarding response to an inquiry submitted by Supervisor Melgar. Copy: Each Supervisor. (37)

From Monica Walters, regarding childcare in San Francisco. Copy: Each Supervisor. (38)

From San Francisco Public Utilities Commission, submitting response to an inquiry submitted by Supervisor Melgar. Copy: Each Supervisor. (39)

From Office of the Clerk of the Board, submitting a letter of inquiry on behalf of Supervisor Melgar to the San Francisco District Attorney, San Francisco Police Department, San Francisco Department on Adult Probation, San Francisco City Administrator's Office, San Francisco Sheriff, San Mateo Probation Department, and California Highway Patrol, regarding a fatal traffic collision. (40)

ADJOURNMENT