

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, January 19, 2021 - 2:00 PM

**Held via Videoconference**  
*(remote public access provided via teleconference)*  
[www.sfgovtv.org](http://www.sfgovtv.org)

### Special Meeting

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

**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), Trustees 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  
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.

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**Members Present:** Connie Chan, Matt Haney, Rafael Mandelman, Gordon Mar, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, and Shamann Walton

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*The Board of Supervisors of the City and County of San Francisco met in special session through videoconferencing, and provided public comment through teleconferencing, on Tuesday, January 19, 2021, with President Shamann Walton presiding.*

*President Walton called the meeting to order at 2:01 p.m.*

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

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

*Members of the public may participate by phone or may submit their comments by email to: [bos@sfgov.org](mailto:bos@sfgov.org); all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>. As the COVID-19 disease progresses, please visit the Board's website ([www.sfbos.org](http://www.sfbos.org)) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.*

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

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

*Supervisor Melgar was noted not present (off-line) due to technical difficulties.*

*A quorum was present.*

*President Walton presented the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula.*

*Supervisor Melgar was noted present (on-line) at 2:08 p.m.*

## COMMUNICATIONS

Angela Calvillo, Clerk of the Board, announced that due to the COVID-19 health emergency, Board Members will participate in the meeting remotely, through videoconference and to the same extent as if they were physically present. To the members of the public, when general public comment is called, you may contribute live comments for up to two minutes by dialing the provided telephone number. When you are connected, you will receive another prompt, dial \* 3 to be added to the queue to speak. Make sure to call from a quiet location, speak clearly and slowly, and turn down your television or radio. Written comments may be submitted through email ([bos@sfgov.org](mailto:bos@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Clerk Calvillo then informed the Board that an Americans with Disabilities Act (ADA) request for accommodations was received to allow a member of the public to provide public comment at the beginning of the meeting. President Walton requested the member of the public be provided the opportunity to deliver their public comment out of order.

Zach Karnazes; expressed concerns regarding public corruption, text messages sent by the Mayor regarding homeless services, and the infiltration of racism in our public safety departments.

President Walton requested File Nos. 210044 and 210014 be called together.

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

### **210044 [Hearing - Committee of the Whole - Appropriation - COVID Contingency Reserve - HSA - Restaurant & Food Service Businesses in Chinatown - \$1,900,000 - FY2020-2021 - Authorizing Controller to Reduce COVID Contingency Reserve Appropriations and Return Funds]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 19, 2021, to hold a public hearing to consider an Ordinance appropriating \$1,900,000 from the COVID Contingency Reserve in the Human Services Agency (HSA) to provide assistance to restaurant and food service businesses in Chinatown in Fiscal Year (FY) 2020-2021; and authorizing the Controller to reduce appropriations and return funds to the COVID Contingency Reserve to the extent that State and/or Federal funds are available for reimbursement. (Clerk of the Board)

President Walton opened the public hearing and Supervisor Peskin provided opening remarks. The President then inquired as to whether any individual wished to address the Board regarding the Ordinance appropriating funds to assist restaurant and food service businesses in Chinatown. Malcolm Young; Chiffon Yu; Gail Gilman; Doug May; Speaker; Larry Yee; Holly; spoke in support of the appropriation ordinance. There were no other speakers. President Walton closed public comment, declared the hearing heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

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

### **210014 [Appropriation - COVID Contingency Reserve - Human Services Agency - Restaurant and Food Service Businesses in Chinatown - \$1,900,000 - FY2020-2021 - Authorizing the Controller to Reduce COVID Contingency Reserve Appropriations and Return Funds]**

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

Ordinance appropriating \$1,900,000 from the COVID Contingency Reserve in the Human Services Agency to provide assistance to restaurant and food service businesses in Chinatown in Fiscal Year (FY) 2020-2021; and authorizing the Controller to reduce appropriations and return funds to the COVID Contingency Reserve to the extent that State and/or Federal funds are available for reimbursement.

(Fiscal Impact)

*Supervisors Chan, Preston, Mandelman, Ronen, and Melgar requested to be added as co-sponsors.*

**Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 19-20, by adding 'for the program or are appropriated by the Board to permit other local funds to be reprogrammed for this purpose'. The motion carried by the following vote:**

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton  
(Fiscal Impact)

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

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## **PUBLIC COMMENT**

*Magick Altman; expressed concerns regarding possible police department issues with recent actions, and how these issues will be addressed.*

*Speaker; expressed concerns regarding newly introduced legislation regarding Senate Bill 110 and the need to focus on local policy.*

*Max; expressed concerns regarding making San Francisco safer for the disenfranchised and the treatment of clients at methadone clinics.*

*Matthew Sutter; expressed concerns regarding the plight of taxi medallion holders and the need to provide them assistance during this health emergency.*

## 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

### **210052 [Emergency Ordinance - Public Health Emergency Leave]**

**Sponsor: Mar**

Reenactment of emergency ordinance (Ordinance No. 59-20 as reenacted by Ordinance Nos. 90-20, 136-20, 217-20, and 270-20) to temporarily require private employers with 500 or more employees to provide public health emergency leave during the public health emergency related to COVID-19.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

01/19/21; ASSIGNED to Government Audit and Oversight Committee.

### **210053 [Emergency Ordinance - Eviction Protection for Tenants Unable to Pay Rent]**

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

Emergency ordinance to temporarily restrict landlords from evicting residential tenants for non-payment of rent due to the COVID-19 pandemic; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; and making findings as required by the California Tenant Protection Act of 2019.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage)

01/19/21; ASSIGNED to Land Use and Transportation Committee.

## RESOLUTIONS

### **210054 [Margo St. James Day - February 14, 2021]**

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

Resolution celebrating the life of Margo St. James and declaring February 14, 2021, as Margo St. James Day in the City and County of San Francisco.

01/19/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210055 [Urging Support for Caravan for the Children: Uncage, ReUnify and Heal - Caravana Por Los Niños: Liberar, ReUnificar y Sanar]****Sponsors: Ronen; Safai, Walton, Mandelman, Melgar, Preston and Haney**

Resolution urging the Board of Supervisors to support Caravan for the Children: Uncage, ReUnify, and Heal / Caravana Por Los Niños: Liberar ReUnificar y Sanar, in their efforts to demand the Biden-Harris administration use executive action to undue cruel and destructive policies, and for the United States Congress to pass comprehensive immigration reform.

01/19/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210059 [Supporting California State Senate Bill SB 110 (Wiener) - Recovery Incentives Act]****Sponsors: Safai; Stefani**

Resolution supporting California State Senate Bill (SB) 110, also known as the Recovery Incentives Act, authored by Senator Scott Wiener, and introduced on January 11, 2021, which would legalize the substance use disorder treatment known as contingency management, an incentive based program that gives financial rewards to those struggling with a substance use disorder if they enter substance use treatment programs and authorize Medi-Cal to cover it.

01/19/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

## MOTIONS

**210056 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-Third Supplement]****Sponsor: Walton**

Motion concurring in actions taken by the Mayor in the Thirty-Third Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by authorizing the City to borrow up to \$6,000,000 in funds from deactivated Medical Reimbursement Accounts to make payments under the City's Right to Recover Program to qualified individuals and their families to assist them with otherwise uncompensated COVID-19-related expenses.

01/19/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210057 [Amending Board Rules of Order - Amending Board Rule 3.31 Extending the Joint City, School District, and City College Select Committee - Authorizing Updates to Committee Structure Rules for Presidential Changes]**

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 3.31 to extend the Joint City, School District, and City College Select Committee until January 1, 2023; and authorizing the Clerk of the Board to update the Rules of Order when changes to the committee structure are made by the President of the Board of Supervisors during said term. (Clerk of the Board)

01/19/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210060 [Mayoral Appointment - City Administrator - Carmen Chu]**

Motion confirming the Mayoral appointment of Carmen Chu as City Administrator, for a five-year term beginning February 1, 2021, pursuant to Charter, Section 3.104. (Clerk of the Board)

01/19/21; RECEIVED AND ASSIGNED to Rules Committee.

**210062 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - February 2, 2021]**

Motion that the Board of Supervisors convene in closed session on February 2, 2021, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER 20-2878-000 et al, filed September 15, 2020; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. A.20-04-023, filed April 30, 2020. (Clerk of the Board)

**REQUEST FOR HEARING****210058 [Hearing - Review and Adoption of the Proposed Draft FYs 2021-2022 and 2022-2023 Budgets for the Board of Supervisors]**

Hearing to consider the annual review and adoption of the Proposed Draft Fiscal Years (FYs) 2021-2022 and 2022-2023 Budgets for the Board of Supervisors/Office of the Clerk of the Board; and requesting the Office of the Clerk of the Board to report. (Clerk of the Board)

01/19/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Request Granted**

*From: Supervisor Mar*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft an ordinance to codify certain recommendations included in the fourth Public Integrity Report from the Controller's Office.*

## **In Memoriams**

*Ken Jones - Full Board*

*Margo St. James - Full Board*

*Sally Gould - Supervisor Peskin*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 3:34 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 March 2, 2021.*

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Angela Calvillo, Clerk of the Board