

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, January 4, 2022 - 2:00 PM

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

(remote public access provided via teleconference)

www.sfgovtv.org

Regular Meeting

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 Appropriations Committee
Supervisors Haney, Safai, Mar, Ronen, Walton

Budget and Finance Committee
Supervisors Haney, Safai, Mar

Government Audit and Oversight Committee
Supervisors Preston, Chan, Mandelman

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

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

Rules Committee
Supervisors Peskin, Mandelman, Chan

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

Meeting Days

Wednesday
1:00 PM

Wednesday
10:30 AM

1st and 3rd Thursday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

2nd Friday
10:00 AM

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session, and provided public comment through teleconferencing, on Tuesday, January 4, 2022, with President Shamann Walton presiding.

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

Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors (Board) authorized their Board and Committee meetings to convene remotely and allow remote public comment via teleconference. Effective June 29, 2021, the Board and staff began to reconvene for in-person Board proceedings. Committee meetings will continue to convene remotely until further notice. 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>. 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

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

Supervisor Stefani was noted not present.

A quorum of the Board was present.

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

Supervisor Stefani Excused from Attendance

Supervisor Safai, seconded by Supervisor Peskin, moved that Supervisor Stefani be excused from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Walton
Excused: 1 - Stefani

Supervisor Stefani was noted present at 2:04 p.m.

Upon Supervisor Stefani's arrival, Supervisor Safai, seconded by Supervisor Ronen, moved to rescind the previous vote to excuse Supervisor Stefani from today's meeting. The motion carried by the following vote:

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

COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes by dialing the provided telephone number. When connected, they 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) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

APPROVAL OF MEETING MINUTES

President Walton inquired whether any Member of the Board had any corrections to the November 16, 2021, or November 30, 2021, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Peskin, seconded by Supervisor Ronen, moved to approve the November 16, 2021, and November 30, 2021, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

211132 [Police Code - Domestic Workers' Access to Paid Sick Leave Through a Portable System]

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

Ordinance amending the Police Code to establish a portable Paid Sick Leave (PSL) system for domestic workers, and to require hiring entities that do not directly provide PSL to provide PSL payments to domestic workers using the portable system.

Ordinance No. 004-22

FINALLY PASSED

211175 [Public Employment - Amendment to the Salary Ordinance for the Fire Department - FY2021-2022]

Sponsors: Mayor; Safai, Mar, Haney and Mandelman

Ordinance amending Ordinance No. 109-21 (Salary Ordinance Fiscal Years 2021-2022 and 2022-2023) to reflect the addition of 50 new positions (13.68 FTEs) in Fiscal Year (FY) 2021-2022 in the Fire Department to address paramedic staffing shortages.
(Fiscal Impact)

Ordinance No. 007-22

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

211075 [Settlement of Lawsuit - Steven D. Lee - \$600,000]

Ordinance authorizing settlement of the lawsuit filed by Steven D. Lee against the City and County of San Francisco for \$600,000; the lawsuit was filed on April 29, 2020, in San Francisco Superior Court, Case No. CGC-20-584260; entitled Steven D. Lee v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

Ordinance No. 002-22

FINALLY PASSED

211076 [Settlement of Lawsuit - Andrea Gansheimer - \$315,000]

Ordinance authorizing settlement of the lawsuit filed by Andrea Gansheimer against the City and County of San Francisco for \$315,000; the lawsuit was filed on January 23, 2020, in San Francisco Superior Court, Case No. CGC-20-582426; entitled Andrea Gansheimer v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)

Ordinance No. 003-22

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

210836 [Public Works Code - Street Tree Planting and Removal]

Sponsors: Safai; Mandelman, Peskin, Melgar, Mar and Haney

Ordinance amending the Public Works Code to require the Department of Public Works to plant replacement Street Trees within 120 days of removal, require that Street Trees removed without a permit be replaced by Street Trees of equal size, require that Tree protection plans include the applicant's acknowledgement of potential Tree replacement costs, and set maximum administrative penalties for removing or injuring Street Trees; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Haney requested to be added as a co-sponsor.

Ordinance No. 001-22

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

211283 [Administrative Code - Request for Sheriff's Services]

Sponsors: Safai; Peskin, Mar and Mandelman

Ordinance amending the Administrative Code to authorize the Sheriff to contract with private individuals and private entities to provide supplemental law enforcement services to retail and commercial establishments.

Ordinance No. 008-22

FINALLY PASSED by the following vote:

Ayes: 8 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Safai, Stefani

Noes: 3 - Preston, Ronen, Walton

Recommendations of the Budget and Finance Committee

211173 [Appropriation - Department of Elections - \$8,728,755 - FY2021-2022]

Sponsors: Mayor; Mandelman

Ordinance appropriating \$3,630,632 from the General Reserve and \$5,098,123 from other revenue to the Department of Elections to support additional costs from unforeseen elections in (FY) 2021-2022; this Ordinance requires a two-thirds approval vote of all members of the Board of Supervisors, pursuant to Charter, Section 9.113(c).

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

(Fiscal Impact)

Supervisor Ronen requested this Ordinance be DUPLICATED ON FINAL PASSAGE.

Ordinance No. 005-22

FINALLY PASSED by the following vote:

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

220012 [Appropriation - Department of Elections - \$3,244,846 - FY2021-2022]

Sponsors: Mayor; Mandelman

Ordinance appropriating \$3,630,632 from the General Reserve and \$5,098,123 from other revenue to the Department of Elections to support additional costs from unforeseen elections in (FY) 2021-2022; this Ordinance requires a two-thirds approval vote of all members of the Board of Supervisors, pursuant to Charter, Section 9.113(c).

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

(Fiscal Impact)

Duplicated from File No. 211173.

Supervisor Ronen, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by striking all references to the Appropriation for \$8,728,755 for the City's costs associated with the 2022 special elections; and adding the Appropriation for \$3,244,846 to the Department of Elections to support additional costs from unforeseen elections for the San Francisco Board of Education. The motion carried by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton
Ordinance appropriating \$3,244,846 from the General Reserve to the Department of Elections to support additional costs from unforeseen elections for the San Francisco School Board of Education; this Ordinance requires a two-thirds approval vote of all members of the Board of Supervisors pursuant to Charter, Section 9.113(c).

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

(Fiscal Impact)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Preston, Ronen, Safai, Stefani, Walton
Noes: 1 - Peskin

211174 [Appropriation - General Reserve - Fire Department - Paramedic Staffing - \$2,479,218 - FY2021-2022]

Sponsors: Mayor; Safai, Mar, Haney and Mandelman

Ordinance appropriating \$2,479,218 of General Fund General Reserves to the Fire Department for increased staffing to address paramedic staffing shortages in Fiscal Year (FY) 2021-2022; this Ordinance requires a two-thirds approval vote of all members of the Board of Supervisors for \$2,393,268 pursuant to Charter, Section 9.113(c).

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

(Fiscal Impact)

Ordinance No. 006-22

FINALLY PASSED by the following vote:

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

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

There were no recognition of commendations.

SPECIAL ORDER 3:00 P.M.

After the Motion contained in File No. 211322 was approved under the "For Adoption Without Committee Reference" agenda, the President Walton requested File Nos. 211323 and 211324 be called together.

Board of Supervisors Sitting as a Committee of the Whole

211323 [Hearing - Committee of the Whole - Proclamation of Local Emergency - Drug Overdoses in the Tenderloin - February 8, 2022, at 3:00 p.m]

Hearing of the Board of Supervisors convening as a Committee of the Whole on February 8, 2022, at 3:00 p.m., to hold a public hearing on Mayor London N. Breed's December 17, 2021, Proclamation of a Local Emergency Relating to Drug Overdoses in the Tenderloin; scheduled pursuant to Motion No. M22-002, approved on January 4, 2022. (Clerk of the Board)

President Walton opened the public hearing and inquired as to whether any individual wished to address the Committee of the Whole relating to the Motion concurring or withdrawing in the concurrence of the December 17, 2021, Proclamation Declaring the Existence of a Local Emergency in connection with the sudden increase in drug overdoses in the Tenderloin (File Nos. 211323 and 211324). Anne Pearson (Office of the City Attorney); Greg Wagner and Dr. Hillary Kunins (Department of Public Health); Maryellen Carroll, Director (Department of Emergency Management); Ben Rosenfield, Controller (Office of the City Controller); Aaron Starr (Planning Department); and Andres Power (Mayor's Office); provided an overview of the concurrence in the Local Emergency declared in the Tenderloin and responded to questions raised throughout the discussion. Linda Chapman; Speaker; Pete Consellar; Carolyn Kennedy; Kelly Powers; Speaker; Elliott General; spoke in support of concurring in the Local Emergency declared in the Tenderloin. Francisco Da Costa; David Elliott Lewis; Speaker; Del Seymour; Brooke Silver; Speaker; Dr. Theresa Palmer; Speaker; Gail Gilman; Sara Shortt; Gilbert Crisswell; Anonymous; Shanti Singh; Jill Kelly; Jason Wyman; Kristen Evans; Amos Gregory; Kevin Ortiz; Speaker; Noah Roberts; Lisa Church; Fred Mulhein; Mark Solomon; Speaker; Kelly; Mark Schneider; Nancy Hernandez; Jennifer Friedenbach; Speaker; Speaker; spoke in opposition to the concurrence of the Local Emergency declared in the Tenderloin. There were no other speakers. The President closed public comment, declared the hearing heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Supervisor Peskin, seconded by Supervisor Chan, moved that this Hearing be CONTINUED to a Committee of the Whole at the Board of Supervisors meeting of February 8, 2022, at 3:00 p.m. The motion carried by the following vote:

Ayes: 8 - Chan, Haney, Mar, Peskin, Preston, Ronen, Safai, Walton

Noes: 3 - Mandelman, Melgar, Stefani

Committee of the Whole Adjourn and Report

From the Board

211324 [Proclamation of Local Emergency - Drug Overdoses in the Tenderloin]

Sponsor: Peskin

Motion concurring/withdrawing concurrence in the December 17, 2021, Proclamation by the Mayor Declaring the Existence of a Local Emergency in connection with the sudden increase in drug overdoses in the Tenderloin.

Supervisor Peskin, seconded by Supervisor Chan, moved that this Motion be CONTINUED to a Committee of the Whole at the Board of Supervisors meeting of February 8, 2022, at 3:00 p.m.. The motion carried by the following vote:

Ayes: 8 - Chan, Haney, Mar, Peskin, Preston, Ronen, Safai, Walton

Noes: 3 - Mandelman, Melgar, Stefani

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Theresa Flandrich; spoke in opposition to the Final Map approving a six residential unit condominium project at 668-678 Page Street (File No. 211258).

Francisco Da Costa; spoke in opposition to the one-minute time limit for public comment and the Motion to sit as a Committee of the Whole regarding the local emergency in the Tenderloin.

Speaker; spoke on various concerns regarding domestic workers.

Gilbert Crisswell; spoke on concerns regarding accessibility to Muni and the need to expand the transit lines.

Dr. Teresa Palmer; expressed support of the Motion to sit as a Committee of the Whole regarding the local emergency in the Tenderloin.

Wyatt Smith; spoke on his concerns regarding the end of the residential rent moratorium.

Speaker; expressed support of the Motion to sit as a Committee of the Whole regarding the local emergency in the Tenderloin.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

211310 [Urging California State University To Strengthen Student Learning and Protect Faculty Working Conditions by Giving the California Faculty Association a Fair Contract]

Sponsors: Haney; Preston

Resolution urging California State University's Chancellor Joseph I. Castro to strengthen student learning and protect faculty working conditions by giving the California Faculty Association a fair contract that reflects the Bay Area cost of living, minimizes the divide between tenure-track and lecturer faculty, and responds to the faculty's racial and social justice demands.

Supervisor Preston requested to be added as a co-sponsor.

Resolution No. 001-22

ADOPTED

211313 [Supporting Republic Services Workers at the San Francisco Bay Railway to Unionize]**Sponsors: Walton; Peskin, Ronen, Preston, Stefani, Chan, Mandelman and Safai**

Resolution supporting the rights of Republic Services workers at the San Francisco Bay Railway to unionize and negotiate a fair contract.

Supervisor Safai requested to be added as a co-sponsor.

Resolution No. 003-22**ADOPTED****211319 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Forty-First Supplement]****Sponsor: Walton**

Motion concurring in actions taken by the Mayor in the Forty-First Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by requiring City policy bodies to hold meetings by teleconference or other remote technology, subject to exceptions for: 1) City policy bodies that receive permission to meet in person to act on personnel matters; 2) beginning on January 8, 2022, the Redistricting Task Force; and 3) City policies bodies that receive permission to meet in person based on a finding that holding an in-person meeting would provide a significant benefit to the public; and requiring members of City policy bodies to be fully vaccinated by January 31, 2022.

Motion No. M22-001**APPROVED**

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Preston requested that File No. 211258 be severed so it they may be considered separately.

211258 [Final Map No. 9475 - 668-678 Page Street]

Motion approving Final Map No. 9475, a six residential unit condominium project, located at 668-678 Page Street, being a subdivision of Assessor's Parcel Block No. 0843, Lot No. 015; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Supervisor Preston, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of January 11, 2022. The motion carried by the following vote:

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

Supervisor Safai requested that File No. 211312 be severed so it they may be considered separately.

211312 [Supporting California State Senate Bill No. 237 (Portantino) - Dyslexia-Universal Screening]

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

Resolution supporting California State Senate Bill No. 237 (SB 237) introduced by Senate Member Anthony Portantino (SD- 25) on January 21, 2021; SB 237 would require the State Board of Education to establish a list of approved screening instruments to be used by school districts to screen pupils for risk of Dyslexia.

Supervisors Chan, Mandelman, Walton, Ronen, Preston, Haney, Melgar, Peskin, Stefani, and Mar requested to be added as co-sponsors.

Resolution No. 002-22

ADOPTED by the following vote:

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

President Walton requested that File No. 211322 be severed so it they may be considered separately.

211322 [Committee of the Whole - Proclamation of Local Emergency - Drug Overdoses in the Tenderloin - January 4, 2022, at 3:00 p.m]

Sponsor: Peskin

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on January 4, 2022, at 3:00 p.m., during the regular Board of Supervisors Meeting, to hold a public hearing on the Mayor's December 17, 2021 Proclamation of a Local Emergency Relating to Drug Overdoses in the Tenderloin.

Motion No. M22-002

APPROVED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

ORDINANCES

220013 [Public Works Code - Mobile Food Facility Permit Renewal Fees Collection]

Sponsors: Mayor; Mar, Haney, Safai and Mandelman

Ordinance amending the Public Works Code to permit the Office of the Treasurer and Tax Collector to collect the Mobile Food Facility renewal fees on the unified license bill due annually on March 31.

01/04/22; ASSIGNED to Budget and Finance Committee.

220014 [Appropriation and De-Appropriation - Children, Youth and Their Families - Public Works - Street Maintenance and Cleaning - \$85,000 - FY2021-2022]

Sponsor: Safai

Ordinance de-appropriating \$85,000 previously appropriated to the Department of Children, Youth and Their Families (CHF) and re-appropriating \$85,000 to the Department of Public Works (DPW) for street maintenance and cleaning for Fiscal Year (FY) 2021-2022.

01/04/22; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/3/2022.

RESOLUTIONS

220015 [Purchase of Real Property - Apply for Grant Application - VSSF Associates, LLC - 835 Turk Street - Homelessness and Supportive Housing - Homekey Grant Program - \$25,701,300]

Sponsors: Mayor; Preston, Safai and Haney

Resolution 1) approving and authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing ("HSH"), to acquire certain property located at 835 Turk Street ("Property") for \$25,650,000 plus an estimated \$51,300 for typical closing costs, for a total anticipated amount of \$25,701,300; 2) approving and authorizing HSH, on behalf of the City, to apply to the California Department of Housing and Community Development for its Homekey Grant Program to purchase the Property; 3) approving and authorizing an Agreement of Purchase and Sale for Real Estate for the acquisition of the Property from VSSF Associates, LLC ("Purchase Agreement"), which includes a liquidated damages clause of up to \$250,000 in case of default by the City, and an interim property management fee not to exceed \$5,000 per month, plus reasonable operating expenses for the Property, to be paid to VSSF Associates, LLC until the City selects an operator for the Property; 4) authorizing the Director of Property to execute the Purchase Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Purchase Agreement, as defined herein; 5) affirming the Planning Department's determination under the California Environmental Quality Act; and 6) adopting the Planning Department's findings that the Purchase Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Fiscal Impact)

01/04/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220016 [Accept, and Expend Grant - California Department of Housing and Community Development - Local Housing Trust Fund Program - \$5,000,000]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute the Standard Agreement with the California Department of Housing and Community Development under the Local Housing Trust Fund Program for a total award of \$5,000,000 for the period starting on the execution date of the Standard Agreements to June 30, 2035.

(Fiscal Impact)

01/04/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220017 [Multifamily Housing Revenue Bonds - 4101 Noriega, 363 Noe, 200 Randolph/409 Head, 2206-2268 Great Highway and 1357-1371 Eddy (also known as 1353-1367 Eddy) - SFHA Scattered Sites - Not to Exceed \$50,776,000]

Sponsors: Mayor; Mar, Safai, Haney and Preston

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (tax-exempt) in an aggregate principal amount not to exceed \$40,776,000 and multifamily housing revenue bonds (taxable) in an aggregate principal amount not to exceed \$10,000,000, for a total aggregate principle amount not to exceed \$50,776,000, for the purpose of providing financing for the acquisition and rehabilitation of a 69-unit, affordable multifamily rental housing project located at 4101 Noriega Street, 363 Noe Street, 200 Randolph/409 Head Street, 2206-2268 Great Highway and 1357-1371 Eddy Street (also known as 1353-1367 Eddy Street) known as "SFHA Scattered Sites" within the City; approving the form of and authorizing the execution of an indenture of trust providing the 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 one or more loan agreements providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of an assignment of deed of trust documents; authorizing the collection of certain fees; approving modifications, changes and additions to the documents, as defined herein; ratifying and approving any action heretofore taken in connection with the bonds and the project, as defined herein; and granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

01/04/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220019 [Urging the Planning Department to Prioritize Final Adoption of the North Beach Historic Context Statement]

Sponsor: Peskin

Resolution urging the Planning Department and the Historic Preservation Commission to prioritize final adoption of the North Beach Historic Context Statement.

01/04/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

220020 [Urging the Departments of Public Health and Homelessness and Supportive Housing to Implement an Emergency Plan Maximizing Vaccinated Shelter Capacity]

Sponsor: Peskin

Resolution urging the Department of Public Health and the Department of Homelessness and Supportive Housing to coordinate and implement an emergency operations plan to maximize shelter capacity through creative strategies, including but not limited to, consolidating fully vaccinated shelter clients within our existing shelter system at pre-pandemic levels, where possible, and maximizing on-site staffing by established shelter providers, through whatever emergency investments are available.

01/04/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

MOTIONS

220021 [Concurring in Actions to Meet Local Emergency - Drug Overdoses in the Tenderloin - First Supplement]

Sponsor: Haney

Motion concurring in actions taken by the Mayor in the First Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the sudden increase in drug overdoses in the Tenderloin by: 1) authorizing the Human Resources Director or the Director's designee to temporarily waive provisions of Civil Service Commission Rules and provisions of the Charter regarding hiring if necessary or appropriate to expedite the hiring of employees in the Department of Public Health, the Human Services Agency, and the Department of Homelessness and Supportive Housing who will perform duties in response to the drug overdose emergency in the Tenderloin; and 2) authorizing the Director of Real Estate to enter into a short-term lease for real property necessary to establish facilities to respond to the drug overdose emergency in the Tenderloin; and authorizing the Director of Real Estate to waive any provision of City law except Charter, Section 9.118, that would limit or delay execution of a short-term lease.

01/04/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

220022 [Initiative Ordinance - Police Code - Public Health Emergency Leave]

Sponsors: Mar; Ronen, Preston and Chan

Motion ordering submitted to the voters at an election to be held on June 7, 2022, an Ordinance to amend the Police Code to require employers to provide public health emergency leave during a public health emergency.

01/04/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/3/2022.

220023 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Forty-Second Supplement]

Sponsor: Walton

Motion concurring in actions taken by the Mayor in the Forty-Second Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by authorizing the Director of Human Resources, until March 31, 2022, to waive or modify provisions of the Memoranda of Understanding with labor organizations representing sworn employees of the Fire Department and the Sheriff's Department related to compensation, including overtime and premium pay, and to waive Charter or Administrative Code provisions limiting the cash out of accrued vacation balances, upon a written determination that such waivers are necessary or appropriate to ensure appropriate staffing at the departments to carry out essential government services and respond to the pandemic.

01/04/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

220024 [Closed Session - Existing Litigation - PG&E Power Asset Acquisition Project CEQA - February 1, 2022]

Sponsor: Walton

Motion that the Board of Supervisors convene in closed session on February 1, 2022, 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 on the PG&E Power Asset Acquisition Project California Environmental Quality Act (CEQA).

01/04/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

220026 [Findings to Allow Teleconferenced Meetings During Declared Emergency]

Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board)

01/04/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

220028 [Reappointment, Bicycle Advisory Committee - Bert Hill]

Motion reappointing Bert Hill, term ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board)

REQUESTS FOR HEARING

220030 [Hearing - City's Plans to Support COVID-19 Prevention and Response Measures for San Francisco Public Schools]

Sponsors: Melgar; Ronen

Hearing to discuss the City's plans to support COVID-19 prevention and response measures for San Francisco Unified School District (SFUSD) schools, including, but not limited to, coordinated systems for vaccination, increased capacity for ongoing testing, access to personal protective equipment; and requesting the Department of Public Health, SFUSD, and Department of Emergency Management to report.

01/04/22; RECEIVED AND ASSIGNED to Youth, Young Adult, and Families Committee.

220027 [Hearing - Residential Certificate of Preference Program]

Sponsor: Walton

Hearing on the Residential Certificate of Preference Program to review the data and plan for future implementation of the new Certificate of Preference eligibility requirements with the passage of Assembly Bill (AB) 1584, including reporting on the existing data and implementation of the new rules; and requesting the Mayor's Office of Housing and Community Development and the Office of Community Investment and Infrastructure to report.

01/04/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

220000 [Planning Code - Van Ness Special Use District - Exempting Institutional Community Use Development from Limitation on Nonresidential Uses - 1750 Van Ness Avenue]

Ordinance amending the Planning Code to exempt proposed new construction for an Institutional Community Use at 1750 Van Ness Avenue, Assessor's Parcel Block No. 0622, Lot No. 019, from nonresidential use limitations of the Van Ness Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

12/13/21; RECEIVED FROM DEPARTMENT.

01/04/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/3/2022.

220001 [Accept and Expend Grant and Amend the Annual Salary Ordinance - Department of Cannabis Control - Local Jurisdiction Assistance Grant Program - \$3,075,769]

Ordinance authorizing the Office of Cannabis to accept and expend a grant award in the amount of \$3,075,769 from the Department of Cannabis Control for the Local Jurisdiction Assistance Grant Program for a term of on-or-around February 11, 2022, through March 31, 2025; and amending Ordinance No. 109-21 (Annual Salary Ordinance File No. 210644 for Fiscal Years 2021-2022 and 2022-2023) to provide for the addition of one grant funded Class 1824 Principal Administrative Analyst position (FTE 0.20), one grant funded Class 1823 Senior Administrative Analyst position (FTE 1.0), and three grant funded class 1822 Administrative Analyst positions (FTE 3.0) at the Office of Cannabis for the period of on-or-around February 11, 2022, through March 31, 2025. (City Administrator)

12/14/21; RECEIVED FROM DEPARTMENT.

01/04/22; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/3/2022.

220002 [Settlement of Lawsuit - Regina Tatevosyan - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Regina Tatevosyan against the City and County of San Francisco for \$60,000; the lawsuit was filed on March 7, 2019, in San Francisco Superior Court, Case No. CGC-19-574376; entitled Regina Tatevosyan v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

12/15/21; RECEIVED FROM DEPARTMENT.

01/04/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

220003 [Contract Amendment - Retroactive - Chinese Hospital Association - Skilled Nursing Services - Not to Exceed \$19,000,000]

Resolution retroactively approving Amendment No. 2 to the agreement between the Chinese Hospital Association and the Department of Public Health (DPH) for skilled nursing services to provide COVID-19 surge capacity, to increase the agreement by \$9,500,000 for a total not to exceed amount of \$19,000,000; and to extend the term by one year from December 31, 2021, for a total agreement term of December 1, 2020, through December 31, 2022; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract. (Public Health Department)
(Fiscal Impact)

12/22/21; RECEIVED FROM DEPARTMENT.

01/04/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220004 [Agreement Amendment - Retroactive - IMCO Parking, LLC - Garage Management Services - Not to Exceed \$46,478,944]

Resolution authorizing the San Francisco Municipal Transportation Agency to approve the Fourth Amendment to an agreement with IMCO Parking LLC for the management of the 5th and Mission Garage to extend the agreement term by one year from April 30, 2022, for a total term of 11 years from March 1, 2012, through February 28, 2023, and to increase the contract amount by \$77,482 for a total amount of \$740,217. (Municipal Transportation Agency)

12/23/21; RECEIVED FROM DEPARTMENT.

01/04/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220005 [Contract Amendment - Retroactive - Imperial Parking (U.S.), LLC - Garage Management Services - Not to Exceed \$65,588,907]

Resolution authorizing the San Francisco Municipal Transportation Agency to approve the Fifth Amendment to Contract No. SFMTA-2011/12-9 with Imperial Parking (U.S.) LLC to extend the contract term by one year from January 31, 2022, for a total term of 11 years from February 1, 2012, through January 31, 2023, and to increase the contract amount by \$184,466 for a total contract amount of \$1,536,324 for the management of the Group A garages comprising the Civic Center Garage, Sutter Stockton Garage, Lombard Street Garage, Performing Arts Garage, Pierce Street Garage, Mission Bartlett Garage, 16th & Hoff Streets Garage, and the 7th & Harrison Parking Lot. (Municipal Transportation Agency)

12/23/21; RECEIVED FROM DEPARTMENT.

01/04/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220006 [Contract Amendment - Retroactive - IMCO Parking, LLC - Garage Management Services - Not to Exceed \$45,684,255]

Resolution authorizing the San Francisco Municipal Transportation Agency to approve the Seventh Amendment to Contract No. SFMTA-2011/12-10 with IMCO Parking LLC to extend the contract term by one year from January 31, 2022, for a total term of 11 years from February 1, 2012, through January 31, 2023, and to increase the contract amount by \$137,592 for a total contract amount of \$1,243,152 for the management of the Group B garages comprising St. Mary's Square Garage, Portsmouth Square Garage, Golden Gateway Garage, and the Kezar Stadium Parking Lot. (Municipal Transportation Agency)

12/23/21; RECEIVED FROM DEPARTMENT.

01/04/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220007 [Contract Amendment - Retroactive - LAZ Parking California, LLC - Garage Management Services - Not to Exceed \$92,377,245]

Resolution authorizing the San Francisco Municipal Transportation Agency to approve the Fifth Amendment to Contract No. SFMTA-2011/12-11 with LAZ Parking California LLC to extend the contract term by one year from January 31, 2022, for a total term of 11 years from February 1, 2012, through January 31, 2023, and to increase the contract amount by \$172,166 for a total contract amount of \$1,630,208 for the management of the Group C garages comprising the Union Square Garage, Moscone Center Garage, Ellis-O'Farrell Garage, Polk Bush Garage, North Beach Garage, Vallejo Street Garage, and the Zuckerberg-San Francisco General Hospital Garage. (Municipal Transportation Agency)

12/23/21; RECEIVED FROM DEPARTMENT.

01/04/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Peskin

To: City Attorney

Requesting the City Attorney to draft an Emergency ordinance under the Mayor's Declaration of Emergency in the Tenderloin to require the City to immediately commandeer from the private for-profit hospital network the remaining 307 out of 405 behavioral health, medical respite, psych, dual-diagnosis and substance abuse beds already funded but whose implementation has been delayed through the past two years of Mental Health SF planning, demonstrating that the City has exhausted all options to address this behavioral health crisis.

In Memoriams

Warren Joseph Spiegel - Supervisor Peskin

Nicole Delphine Silvey - Supervisor Peskin

Robert Thomas Mainardi - Supervisor Mandelman

Jeris Woodson-Pope - President Walton

Richard Magary - Supervisor Mandelman

George Ishikata - Supervisors Mar and Safai

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:42 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 February 8, 2022.

Angela Calvillo, Clerk of the Board