



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, October 5, 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, AISHA 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

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

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

Rules Committee
Supervisors Peskin, Mandelman, Chan

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

Meeting Days

Wednesday
1:00 PM

Wednesday
10:30 AM

1st and 3rd Thursday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

2nd Friday
10:00 AM

Agenda Item Information

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

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

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

Meeting Procedures

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

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

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

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.

On March 17, 2020, the Board of Supervisors (Board) authorized their Board and Committee meetings to convene remotely and will 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>.

PUBLIC COMMENT CALL-IN

1 (415) 655-0001 / Meeting ID: 2498 328 1045 # #

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

Pursuant to California Government Code Section 54953(e) the President of the Board may call out of order Item No. 64, Board File No. 211045, the Motion making findings to allow teleconference meetings. Possible discussion and public comment shall be taken before any action by the Board.

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 10

Recommendation of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

1. [210867](#) **[Accept and Expend Grant - Retroactive - The Board of State and Community Corrections - Proposition 64 Public Health and Safety Grant Program - Amendment to the Annual Salary Ordinance for FYs 2020-2021 and 2021-2022 - \$1,000,000]**

Sponsor: Melgar

Ordinance retroactively authorizing the Office of Cannabis to accept and expend a grant award in the amount of \$1,000,000 from the Board of State and Community Correction for the Proposition 64 Public Health and Safety Grant Program for a term of May 1, 2021, through October 31, 2024; and amending Ordinance No. 166-20 (Annual Salary Ordinance File No. 200568 for Fiscal Years (FYs) 2020-2021 and 2021-2022) to provide for the addition of one grant funded Class 1823 Senior Administrative Analyst position (FTE 1.0) at the Office of Cannabis for the period of July 1, 2021, through June 30, 2022.

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Chan, Mandelman

2. **210783** **[Settlement of Lawsuit - Juanita Stockwell, et al. - \$480,000]**
Ordinance authorizing settlement of the lawsuit filed by Guillermo Amigo, E.R. Balinton, Mike Bolte, Nikolaus Borthne, Edward Browne, Peter Busalacchi, Gary Castel, Philip Fleck, Severo Flores, George S. Fogarty, Malcolm Fong, Mary Godfrey, Jason Hui, Terrye Ivy, Jacklyn Jehl, Bartholomew Johnson, James Jones, Richard Jue, Robert Leung, Michael Lewis, Paul Lozada, D.H. Bud Massey, Bruce Meadors, Vince Neeson, Thomas O'Connor, Susan Rolovich, Juanita Stockwell, Jessie A. Washington, and Michael Wells against the City and County of San Francisco for \$480,000; the lawsuit was filed on December 17, 2015, in San Francisco Superior Court, Case No. CGC 15-549482; entitled Juanita Stockwell, et al. v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **210784** **[Settlement of Lawsuit - Michael Devin - \$400,000]**
Ordinance authorizing settlement of the lawsuit filed by Michael Devin against the City and County of San Francisco for \$400,000; the lawsuit was filed on October 25, 2019, in San Francisco Superior Court, Case No. CGC-19-580276; entitled Michael Devin v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. **210785** **[Settlement of Lawsuit - Nadezhda Oshmansky - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Nadezhda Oshmansky against the City and County of San Francisco for \$100,000; the lawsuit was filed on June 25, 2020, in San Francisco County Superior Court, Case No. CGC-20-585036; entitled Nadezhda Oshmansky v. City and County of San Francisco et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. **210786** **[Settlement of Lawsuit - Mike Buckley and Mary Buckley - \$57,900]**
Ordinance authorizing settlement of the lawsuit filed by Mike Buckley and Mary Buckley against the City and County of San Francisco for \$57,900; the lawsuit was filed on November 16, 2017, in San Francisco Superior Court, Case No. CGC-17-562543; entitled Mike Buckley, an individual; and Mary Buckley, an individual v. City and County of San Francisco; the lawsuit involves property damaged by erosion. (City Attorney)

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. [210787](#) **[Settlement of Lawsuit - Stephanie Brunton - City to Receive \$40,000 from Walsh Construction Company]**
Ordinance authorizing settlement of the lawsuit filed by Stephanie Brunton against the City and County of San Francisco by payment of \$40,000 to the City by Walsh Construction Company; the lawsuit was filed on April 29, 2019, in San Francisco Superior Court, Case No. CGC-19-575558; entitled Stephanie Brunton v. City and County of San Francisco, et al; the underlying lawsuit involves alleged personal injury suffered as a result of an alleged dangerous condition on public property; other material terms of the settlement are that the City and County of San Francisco will dismiss its Cross-Complaint for indemnity and contribution against Walsh Construction Company. (City Attorney)

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. [210788](#) **[Settlement of Lawsuit - Cynthia Spears - \$137,500]**
Ordinance authorizing settlement of the lawsuit filed by Cynthia Spears against the City and County of San Francisco for \$137,500; the lawsuit was filed on May 5, 2020, in San Francisco Superior Court, Case No. CGC-20-584349; entitled Cynthia Spears v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City sidewalk tree basin. (City Attorney)

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [210897](#) **[Settlement of Lawsuit - Christina McGovern - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Christina McGovern against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 10, 2020, in San Francisco Superior Court, Case No. CGC-20-583596; entitled Christina McGovern v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

9. [210565](#) **[Planning Code - Landmark Designation - “The Making of a Fresco Showing the Building of a City” - San Francisco Art Institute - 800 Chestnut Street]**
Sponsors: Peskin; Chan and Safai

Ordinance amending the Planning Code to designate the fresco titled “The Making of a Fresco Showing the Building of a City” in the Diego Rivera Gallery of the San Francisco Art Institute, located at 800 Chestnut Street, Assessor’s Parcel Block No. 0049, Lot No. 001, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department’s determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Peskin, Mandelman, Chan

10. [210938](#) **[Administrative Code - Due Date for Weights and Measurements Fees and Temporarily Waiving Fees for Taximeter Devices]**
Sponsors: Peskin; Chan and Mandelman

Ordinance amending the Administrative Code by setting March 31 as the annual due date to pay registration fees for weighing and measuring devices and automated point of sale stations used for commercial purposes; retroactively eliminating fees billed by the Tax Collector on or after January 1, 2019, through fees otherwise due prior to March 31, 2025, for each business with a taximeter device; refunding eliminated fees paid to the City, and any penalties paid on such fees; and updating administrative fees to conform with the State of California’s annual device administrative fee schedule.

09/28/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

(The public comment requirement was satisfied for File Nos. 210859, 210860, and 210861 during the Board of Supervisors hearing on September 28, 2021, (File No. 210858) was heard and filed.)

(Only one of the following two Motions should be approved.)

11. [210859](#) **[Approving Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]**

Motion approving the decision of the Planning Commission by its Motion No. 20935, approving a Conditional Use Authorization, identified as Planning Case No. 2013.1535CUA-02, for a proposed project located at 450-474 O'Farrell Street and 532 Jones Street; 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)

09/07/2021; CONTINUED.

09/28/2021; CONTINUED.

Question: Shall this Motion be APPROVED?

12. [210860](#) **[Conditionally Disapproving the Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20935, approving a Conditional Use Authorization, identified as Planning Case No. 2013.1535CUA-02, for a proposed project at 450-474 O'Farrell Street and 532 Jones Street, 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.)

09/07/2021; CONTINUED.

09/28/2021; CONTINUED.

Question: Shall this Motion be APPROVED?

13. [210861](#) **[Preparation of Findings Related to Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]**

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. 2013.1535CUA-02 for a proposed project at 450-474 O'Farrell Street and 532 Jones Street. (Clerk of the Board)

09/07/2021; CONTINUED.

09/28/2021; CONTINUED.

Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

14. [210654](#) **[Park Code - Parking Fees]**

Sponsor: Mayor

Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking rates at the Kezar Stadium Parking Lot and Golden Gate Park Underground Parking Facility in accordance with Park Code provisions that authorize SFMTA rate-setting on park property; making conforming edits to the Park Code; increasing parking rates for berth-holders at the Marina Small Craft Harbor; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/28/2021; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Preston, Chan, Mandelman

15. [210827](#) **[Settlement of Lawsuit - Maurice Caldwell - \$8,000,000]**

Ordinance authorizing settlement of the lawsuit filed by Maurice Caldwell against the City and County of San Francisco for \$8,000,000; the lawsuit was filed on April 16, 2012, in United States District Court, Case No. 12-cv-1892 DMR; entitled Maurice Caldwell v. City and County of San Francisco, et al.; the lawsuit alleges fabrication of evidence in violation of the Fourteenth Amendment. (City Attorney)

09/28/2021; 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

16. [210870](#) **[Appropriation and De-Appropriation - District 10 General City Responsibility - District 10 Projects and Services - Various Departments - \$850,000 - FY2021-2022]**

Sponsor: Walton

Ordinance de-appropriating \$850,000 from General City Responsibility and re-appropriating \$250,000 to the Department of Children, Youth and Their Families for safety plan implementation in District 10; \$100,000 to the Department of Children, Youth and Their Families for trauma informed services for youth in District 10; \$200,000 to the Office of Economic and Workforce Development for an essential services Bayview Hub in District 10; \$250,000 to the Office of Economic and Workforce Development for cameras in Visitation Valley; and \$50,000 to the Human Services Agency for services for seniors in Visitation Valley in Fiscal Year (FY) 2021-2022.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. [210936](#) **[Appropriation and De-Appropriation - District 7 General City - District 7 Community Grants Initiative Under Participatory Budgeting - \$229,630; \$39,250 - Arts Commission; \$45,000 - DPW; \$43,380 - REC; \$32,000 - GSA-ADM; \$70,000 - DCYF - FY2021-2022]**

Sponsor: Melgar

Ordinance de-appropriating \$229,630 from District 7 General City Responsibility (GEN) and appropriating \$39,250 to the Arts Commission; \$45,000 to the Department of Public Works (DPW); \$43,380 to the Recreation and Park Department (REC); \$32,000 to the General Services Agency-City Administrator (GSA-ADM); \$70,000 to the Department of Children, Youth and Their Families (DCYF) to support the District 7 Community Grants Initiative under Participatory Budgeting projects in Fiscal Year (FY) 2021-2022.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. [210829](#) **[Renewal Lease - California State University - 1600 Holloway Avenue - Thornton Hall - \$91,800 Annual Base Rent]**
Resolution authorizing and approving a renewal of a telecommunication lease of space for existing emergency radio telecommunications tower and associated equipment with the California State University, acting by and through the San Francisco State University, a State of California political subdivision, as landlord, for the Department of Emergency Management and the Department of Technology, at 1600 Holloway Avenue, Thornton Hall, at a yearly initial base rent of \$91,800, with annual adjustments of three percent for a term of 20 years to commence on October 1, 2021, or upon approval by the Board of Supervisors and Mayor; adopting findings under the California Environmental Quality Act; and finding the proposed Lease is in conformance with the General Plan, and the eight priorities of Planning Code, Section 101.1. (Real Estate Department)
- Question: Shall this Resolution be ADOPTED?**
19. [210910](#) **[Permit To Enter City Property - San Mateo Resource Conservation District - 500 Log Cabin Ranch Road - Mindego Creek Fish Passage Project - 25-Year Term]**
Resolution authorizing and approving a no fee permit to enter and use a portion of Log Cabin Ranch by the San Mateo Resource Conservation District for the Mindego Creek Fish Passage Project in order to help protect federally threatened steelhead trout and federally endangered coho salmon for a term of 25 years, to commence upon approval by the Board of Supervisors and Mayor; finding of public purpose and determining that competitive bidding procedures are not required; and adopting findings under the California Environmental Quality Act. (Real Estate Department)
- Question: Shall this Resolution be ADOPTED?**
20. [210912](#) **[Real Property Lease - New Cingular Wireless PCS, LLC - 375 Laguna Honda Boulevard - \$120,000 Initial Annual Base Rent]**
Resolution authorizing and approving the lease of a telecommunications facilities on a portion of the roof at 375 Laguna Honda Boulevard with New Cingular Wireless PCS, LLC, for a ten-year term at an initial annual rent of \$120,000 or the monthly base rent of \$10,000 with a 3% annual adjustment thereafter, and two five-year options to extend, with tenant responsible for all services and utilities, to commence upon execution after approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion. (Real Estate Department)
- Question: Shall this Resolution be ADOPTED?**
21. [210908](#) **[Contract Amendment - Retroactive - Northpointe Software, Inc. - Correctional Offender Management Profiling for Alternative Sanctions - Term Extension - Not to Exceed \$300,000]**
Resolution retroactively approving a fifth amendment to the agreement between the Adult Probation Department and Northpointe Software, Inc., for maintenance and support of the Correctional Offender Management Profiling for Alternative Sanctions system (COMPAS), to extend the performance period by 12 months for a total term of 11 years from March 7, 2011, through March 7, 2022, and to reduce the total not to exceed amount from \$768,950 to \$300,000. (Adult Probation)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

22. [210939](#) **[Multifamily Housing Revenue Bonds and Notes - Amendments - Volume Cap Recycling]**
Sponsor: Mayor
Resolution authorizing participation in the California Housing Finance Agency private activity bond volume cap recycling program; authorizing a memorandum of understanding with the California Housing Finance Agency regarding such participation; authorizing certain amendments to legal documents relating to the City's multifamily housing revenue bonds and notes in order to facilitate such recycling, as defined herein; authorizing the collection of certain fees, as defined herein; ratifying and approving any action heretofore taken in connection with such recycling, as defined herein; granting authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.
- Question: Shall this Resolution be ADOPTED?**
23. [210941](#) **[Purchase of Real Property - Jamna Investments, LLC - 5630-5638 Mission Street - Homelessness and Supportive Housing - \$17,340,000]**
Sponsors: Mayor; Safai
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 5630-5638 Mission Street ("Property"); 2) approving and authorizing HSH, on behalf of the City, to apply to the California Department of Housing and Community Development ("HCD") for its 2021 Homekey Grant Program ("Project Homekey") to purchase the Property; 3) approving and authorizing an Agreement of Purchase and Sale for Real Estate for the acquisition of the Property, for \$17,000,000 plus an estimated \$340,000 for typical closing costs for a total amount of \$17,340,000 from Jamna Investments, LLC ("Purchase Agreement"); 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)
- Question: Shall this Resolution be ADOPTED?**
- Present: Supervisors Haney, Safai*
24. [210942](#) **[Accept and Expend Grant - Hellman Foundation - Hellman Foundation Grant - \$405,000]**
Sponsor: Mayor
Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of \$405,000 from the Hellman Foundation for participation in a program, entitled "Hellman Foundation Grant," to help bridge the divide between healthcare systems and the food community through the innovation of providing "food as medicine" through clinic-based food "pharmacies" for the period of May 1, 2022, through May 1, 2025. (Public Health Department)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

25. [200519](#) **[Planning Code - Geary-Masonic Special Use District]**
Sponsor: Stefani
Ordinance amending the Planning Code to modify the Geary-Masonic Special Use District to require use of the inclusionary housing fee for a project within one and one-half miles of the boundaries of the district, or anywhere in San Francisco if not allocated within five years of payment; 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; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.
Question: Shall this Ordinance be PASSED ON FIRST READING?
26. [210734](#) **[Planning Code - Landmark Designation - 396-398 12th Street (San Francisco Eagle Bar)]**
Sponsors: Haney; Mandelman and Ronen
Ordinance amending the Planning Code to designate 396-398 12th Street (aka San Francisco Eagle Bar), Assessor's Parcel Block No. 3522, Lot No. 014, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)
Question: Shall this Ordinance be PASSED ON FIRST READING?
27. [210888](#) **[Resolution of Intention - Street Name Change - Donner Avenue to Charlie Way]**
Sponsors: Walton; Safai
Resolution declaring the intention of the Board of Supervisors to rename Donner Avenue between Arelious Walker Drive and West Harney Way, which is a street located in Alice Griffith Public Housing, to Charlie Way.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety and Neighborhood Services Committee

Present: Supervisors Mar, Stefani, Haney

28. [210421](#) **[Police Code - Cannabis Regulation]**
Sponsor: Mayor
Ordinance amending the Police Code to 1) allow Cannabis Business Permit applicants to qualify as Equity Incubators by supporting Equity Applicants prior to Cannabis Business Permit issuance and not only after permit issuance; 2) specify that Equity Incubators must provide support to Equity Applicants with which the Equity Incubators and their Owners have no ownership or profit-sharing arrangement in order to qualify as Equity Incubators; 3) give first priority for permit application processing to Equity Applicants that are sole proprietors or whose business is 100% owned by a combination of Owners that are verified Equity Applicants, give second processing priority to holders of Temporary Cannabis Business Permits that commit to sharing use of their facilities with one or more Equity Applicants, and add to the sixth (formerly fourth) processing priority Applicants that previously held Temporary Cannabis Permits, in addition to those that currently hold such permits; 4) prohibit transfers of more than a 50% ownership interest in a Cannabis Business for five years after the Office of Cannabis acknowledges receipt of an application for a Cannabis Business Permit for that Cannabis Business, instead of ten years from the date of permit issuance; 5) exempt transfers of ownership in a Cannabis Business triggered by an Owner's death from transfer limits that would otherwise apply; 6) require that a Cannabis Business seeking a permit amendment tied to reduction in the combined ownership interest of all verified Equity Applicants in that Cannabis Business below 20% meet substantial equity commitments as a condition of amending the permit; 7) establish that an Applicant's withdrawal of a Cannabis Business Permit application, unlike the abandonment of an application, will not bar a subsequent application from that Applicant from qualifying for priority processing; and 8) authorize the Director of the Office of Cannabis, at any point after an Applicant has submitted a Cannabis Business Permit application, to require an Applicant to submit needed information or documentation within 45 days, and declare an application abandoned if the Applicant fails to comply with the deadline without showing good cause for the failure; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
29. [210343](#) **[Designating Various Departments as Health Care Components of the City and County of San Francisco - Hybrid Entity Under HIPAA]**
Resolution accepting the report of the City Administrator and designating the Department of Public Health, Fire Department, Health Service System, City Attorney, Treasurer-Tax Collector and Department of Technology as Health Care Components under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), pursuant to Administrative Code, Chapter 22H. (City Administrator)
- Question: Shall this Resolution be ADOPTED?**
30. [210854](#) **[Liquor License Transfer - 907 Post Street - Presidio Cocktail Corp.]**
Resolution determining that the transfer of a Type-48 on-sale general public premises liquor license to Presidio Cocktail Corporation, doing business as Presidio Cocktail Corp. at 907 Post Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Rules Committee

Present: Supervisors Peskin, Mandelman, Chan

31. [210739](#) **[Administrative Code - Repealing Employee Sexual Privacy Ordinance; Requiring Data Collection Requests]**
Sponsors: Mayor; Mandelman
Ordinance amending the Administrative Code to repeal the City Employee's Sexual Privacy Ordinance; direct the Department of Human Resources (DHR) to request that applicants for City employment voluntarily provide anonymous sexual orientation and gender identity information; direct City departments to request that employees voluntarily provide anonymous sexual orientation and gender identity information when responding to surveys that also seek other demographic information; and direct DHR to develop systems to anonymously collect and retain sexual orientation and gender identity information.
Question: Shall this Ordinance be PASSED ON FIRST READING?
32. [210368](#) **[Appointments, Assessment Appeals Board No. 2 - Louisa Mendoza and Marc Wilson]**
Motion appointing Louisa Mendoza and Marc Wilson, terms expiring September 2, 2024, to the Assessment Appeals Board No. 2. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
33. [210592](#) **[Appointments, Assessment Appeals Board No. 1 - Kristine Nelson, John Kaeuper, Paul Bellar, Elizabeth Zareh, and Scott Spertzel]**
Motion appointing Kristine Nelson, term ending September 5, 2022, and John Kaeuper, Paul Bellar, Elizabeth Zareh, and Scott Spertzel, terms ending September 2, 2024, to the Assessment Appeals Board No. 1. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
34. [211007](#) **[Appointments, Ballot Simplification Committee - Scott Patterson, Betty Packard, and Ann Merrill]**
Motion appointing Scott Patterson, Betty Packard, and Ann Merrill, terms ending November 30, 2022, to the Ballot Simplification Committee. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

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

President Walton has reinstated the Special Order at 2:30 p.m. for Recognition of Commendations beginning October 5, 2021.

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 / Meeting ID: 2498 328 1045 # #

35. [210901](#) **[Hearing - Appeal of Final Mitigated Negative Declaration - Proposed 1525 Pine Street Project]**
Hearing of persons interested in or objecting to the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act for the 1525 Pine Street Project, identified in Planning Case No. 2015-009955ENV, and affirmed on appeal by the Planning Commission and issued on May 6, 2021. (District 3) (Appellant: David P. Cincotta of Law Offices of David P. Cincotta, on behalf of Patricia Rose and Claire Rose and other neighbors of 1545 Pine Street) (Filed August 20, 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.)

36. [210902](#) **[Affirming the Final Mitigated Negative Declaration - Proposed 1525 Pine Street Project]**
Motion affirming the approval by the Planning Commission of a Final Mitigated Negative Declaration under the California Environmental Quality Act, for the proposed 1525 Pine Street project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

37. [210903](#) **[Conditionally Reversing the Final Mitigated Negative Declaration - Proposed 1525 Pine Street Project]**

Motion conditionally reversing the approval by the Planning Commission of a Final Mitigated Negative Declaration under the California Environmental Quality Act for the proposed 1525 Pine Street project, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

38. [210904](#) **[Preparation of Findings to Reverse the Revised Mitigated Negative Declaration - Proposed 1525 Pine Street Project]**

Motion directing the Clerk of the Board to prepare findings reversing the approval by the Planning Commission of a Final Mitigated Negative Declaration under the California Environmental Quality Act for the proposed 1525 Pine Street project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

PUBLIC COMMENT WILL BE TAKEN ON THE CONTINUANCE.

1 (415) 655-0001 / Meeting ID: 2498 328 1045 # #

(President may entertain a motion to continue this Hearing and associated Motions to the Board meeting of October 26, 2021.)

39. [210919](#) **[Hearing - Appeal of Final Environmental Impact Report Certification - Proposed 469 Stevenson Street Project]**

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for the proposed 469 Stevenson Street Project, identified in Planning Case No. 2017-014833ENV, issued by the Planning Commission through Motion No. 20960, dated July 29, 2021, for a proposed mixed-use project to demolish the existing surface parking lot at the project site and construct a new 27-story mixed-use residential building that is 274 feet tall (with an additional ten feet for rooftop mechanical equipment); the project would total 535,000 square feet and include 495 dwelling units, 4,000 square feet of commercial retail use on the ground floor, and 25,000 square feet of private and common open space, three below grade parking levels with 166 vehicular parking spaces, two service delivery loading spaces, and one on-site freight loading space on the ground floor, and bicycle, on-street passenger and commercial loading and streetscape improvements; the proposed project would use the individually requested state density bonus program and provide affordable housing units onsite. (District 6) (Appellant: Susan Brandt-Hawley of Brandt-Hawley Law Group, on behalf of the Yerba Buena Neighborhood Consortium) (Filed: August 30, 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.)

40. **210920** **[Affirming the Final Environmental Impact Report Certification - 469 Stevenson Street Project]**
Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed 469 Stevenson Street project. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
41. **210921** **[Conditionally Reversing the Final Environmental Impact Report Certification - 469 Stevenson Street Project]**
Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed 469 Stevenson Street project, subject to the adoption of written findings of the Board of Supervisors in support of this determination. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
42. **210922** **[Preparation of Findings to Reverse the Final Environmental Impact Report Certification - 469 Stevenson Street Project]**
Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed 469 Stevenson Street project. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

SPECIAL ORDER 3:00 P.M.

PUBLIC COMMENT WILL BE TAKEN

1 (415) 655-0001 / Meeting ID: 2498 328 1045 # #

43. **210923** **[Hearing - Appeal of Final Mitigated Negative Declaration - Proposed 530 Sansome Street Project]**
Hearing of persons interested in or objecting to the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act for the proposed project at 530 Sansome Street, identified in Planning Case No. 2019-017481ENV, and affirmed on appeal by the Planning Commission and issued on July 29, 2021. (District 3) (Appellant: Ryan Patterson of Zacks, Freedman, and Patterson PC, on behalf of 447 Partners, LLC) (Filed August 30, 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.)

44. [210924](#) **[Affirming the Approval of a Final Mitigated Negative Declaration - Proposed 530 Sansome Street Project]**
 Motion affirming the approval by the Planning Commission of a Final Mitigated Negative Declaration under the California Environmental Quality Act, for the proposed 530 Sansome Street project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
45. [210925](#) **[Conditionally Reversing the Approval of a Final Mitigated Negative Declaration - Proposed 530 Sansome Street Project]**
 Motion conditionally reversing the approval by the Planning Commission of a Final Mitigated Negative Declaration under the California Environmental Quality Act for the proposed 530 Sansome Street project, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
46. [210926](#) **[Preparation of Findings to Reverse the Final Mitigated Negative Declaration - Proposed 530 Sansome Street Project]**
 Motion directing the Clerk of the Board to prepare findings reversing the approval by the Planning Commission of a Final Mitigated Negative Declaration under the California Environmental Quality Act for the proposed 530 Sansome Street project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.*PUBLIC COMMENT WILL BE TAKEN**1 (415) 655-0001 / Meeting ID: 2498 328 1045 # #*

47. [210927](#) **[Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 35 Ventura Avenue Project]**
 Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on November 18, 2018, for the proposed project at 35 Ventura Avenue, Assessor's Parcel Block No. 2816, Lot No. 008, to include the second floor addition of 15 feet in height for the proposed property that would consist of an approximately 30 foot tall, 3,000 square foot, single family home. (District 7) (Appellant: Ryan Patterson of Zacks, Freedman & Patterson PC, on behalf of Tom and Kari Rocca) (Filed August 30, 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.)

48. [210928](#) **[Affirming the Categorical Exemption Determination - 35 Ventura Avenue]**
Motion affirming the determination by the Planning Department that the proposed project at 35 Ventura Avenue is categorically exempt from further environmental review. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
49. [210929](#) **[Conditionally Reversing the Exemption Determination - 35 Ventura Avenue]**
Motion conditionally reversing the determination by the Planning Department that the proposed project at 35 Ventura Avenue is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
50. [210930](#) **[Preparation of Findings to Reverse the Exemption Determination - 35 Ventura Avenue]**
Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 35 Ventura Avenue is categorically exempt from further environmental review. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

PUBLIC COMMENT WILL BE TAKEN

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Hearing scheduled pursuant to Motion No. M21-125 (File No. 210891), approved on September 7, 2021.

51. [210892](#) **[Hearing - Committee of the Whole - Independent Equal Employment Opportunity Report - October 5, 2021, at 3:00 p.m.]**
Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, October 5, 2021, at 3:00 p.m., to hold a public hearing on the findings and recommendations from the independent review by William B. Gould IV, a Charles A. Beardsley Professor of Law at Stanford Law School, on the City's equal employment opportunity policies of the Department of Human Resources Equal Employment Opportunity Division; scheduled pursuant to Motion No. M21-125 (File No. 210891), approved on September 7, 2021. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report**COMMITTEE REPORTS**

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

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Thursday, September 30, 2021, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, October 5, 2021.

52. [210701](#) **[Board Response - Civil Grand Jury Report - Continuity Report]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2020-2021 Civil Grand Jury Report, entitled "Continuity Report;" and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

Question: Shall this Resolution be ADOPTED?

53. [210703](#) **[Board Response - Civil Grand Jury Report - Van Ness Avenue: What Lies Beneath]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2020-2021 Civil Grand Jury Report, entitled “Van Ness Avenue: What Lies Beneath;” and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Clerk of the Board)
Question: Shall this Resolution be ADOPTED?
54. [210705](#) **[Board Response - Civil Grand Jury Report - A Fluid Concern: San Francisco Must Improve Fuel Resilience]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2020-2021 Civil Grand Jury Report, entitled “A Fluid Concern: San Francisco Must Improve Fuel Resilience;” and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)
Question: Shall this Resolution be ADOPTED?
55. [210707](#) **[Board Response - Civil Grand Jury Report - Strategic Alignment: Breaking Through to a Living Wage]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2020-2021 Civil Grand Jury Report, entitled “Strategic Alignment: Breaking Through to a Living Wage;” and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)
Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Rules Committee at a Regular Meeting on Monday, October 4, 2021, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, October 5, 2021.

56. [211042](#) **[Appointment, Cannabis Oversight Committee]**
Motion appointing one member, term ending December 3, 2022, to the Cannabis Oversight Committee. (Clerk of the Board)
**** Question: Shall this Motion be APPROVED?**

57. 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.

58. 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 document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

PUBLIC COMMENT CALL-IN

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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 59 through 65 will be taken during Item 58 - General Public Comment.)

Pursuant to California Government Code Section 54953(e) the President of the Board may call out of order Item No. 64, Board File No. 211045, the Motion making findings to allow teleconference meetings. Possible discussion and public comment shall be taken before any action by the Board.

Items 59 through 65

59. [211032](#) [Urging President Biden to Extend Funding Assistance from FEMA to Maintain Non-Congregate Shelter In Place Hotels Through the Year of 2022]

Sponsor: Haney

Resolution urging President Joseph R. Biden, in coordination with the Department of Homeland Security, to direct the Federal Emergency Management Agency (FEMA) to sustain public assistance funding to the City and County of San Francisco through 2022 for the purpose of advancing and maintaining the Shelter-In-Place Hotel alternative housing program to mitigate the spread of COVID-19 among vulnerable homeless populations.

09/28/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. [211034](#) [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance amending the Planning Code - Dwelling Unit Density Exception for Corner Lots in Residential Districts (File No. 210564)]

Sponsor: Mandelman

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 210564) amending the Planning Code to provide a density limit exception for Corner Lots in RH (Residential, House) zoning districts, to permit up to four dwelling units per lot; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/28/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. [211035](#) [Urging the San Francisco Superior Court to Implement a Transparent Criminal Records Request System Online and Condemning the Unprofessional Behavior of the Public Information Officer]

Sponsor: Peskin

Resolution urging the San Francisco Superior Court to expedite implementation of a transparent criminal records request system by ensuring that requester access, method of payment and all files are available online like other jurisdictions, responding to press requests for information in a timely and professional manner; and condemning the unprofessional behavior of the Public Information Officer.

09/28/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

62. [211036](#) [Dyslexia Awareness Month - October]

Sponsors: Safai; Chan and Walton

Resolution recognizing every October as "Dyslexia Awareness Month" in the City and County of San Francisco.

09/28/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

63. [211044](#) [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-Seventh Supplement]

Sponsor: Walton

Motion concurring in actions taken by the Mayor in the Thirty-Seventh Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by 1) authorizing the waiver of civil service rules to hire employees to ensure the continuity of City services due to the reassignment, suspension, termination, resignation, retirement, or leaves of City employees that may result from vaccination policies or requirements, or return to in-person work requirements; 2) extending the existing COVID-19 sick leave program for City employees to October 31, 2021, and authorizing a possible further extension to December 31, 2021; and 3) allowing City employees to continue to carry vacation hours over the applicable cap until June 30, 2022.

09/28/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

64. [211045](#) [Findings to Allow Teleconferenced Meetings During Declared Emergency]

Sponsor: Walton

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

09/28/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

65. [211037](#) [Adoption of Findings Related to Conditional Use Authorization - 5 Leland Avenue and 2400 Bayshore Boulevard]

Motion adopting findings in support of the Board of Supervisors' decision to approve the proposed Conditional Use Authorization, identified as Planning Case No. 2021-000603CUA, for a proposed retail cannabis use located at 5 Leland Avenue and 2400 Bayshore Boulevard. (Clerk of the Board)

09/28/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

66. 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.)
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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 ORDINANCES**211021 [Planning Code - Landmark Designation - 447 Battery Street (aka Jones-Thierbach Coffee Company Building)]**

Ordinance amending the Planning Code to designate 447 Battery Street (aka Jones-Thierbach Coffee Company Building), Assessor's Parcel Block No. 0206, Lot No. 002, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

09/21/2021; RECEIVED FROM DEPARTMENT.

10/05/2021; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

211023 [Settlement of Lawsuit - David Joslyn - \$3,250,000]

Ordinance authorizing settlement of the lawsuit filed by David Joslyn against the City and County of San Francisco for \$3,250,000; the lawsuit was filed on October 2, 2019, in San Francisco Superior Court, Case No. CGC-19-579230; entitled David Joslyn, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from medical negligence; other material terms of the settlement are that Iris Solano, Frederick Stewart Joslyn and Iris Lorraine Solano waive any potential future claims for wrongful death. (City Attorney)

09/24/2021; RECEIVED FROM DEPARTMENT.

10/05/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

211024 [Settlement of Lawsuit - Huan Zheng Fang and Zhourong Fang - \$2,000,000]

Ordinance authorizing settlement of the lawsuit filed by Huan Zheng Fang and Zhourong Fang against the City and County of San Francisco for \$2,000,000; the lawsuit was filed on May 18, 2020, in San Francisco Superior Court, Case No. CGC-20-584474; entitled Huan Zheng Fang, et al. v. City and County of San Francisco, et al.; the lawsuit involves the wrongful death of plaintiffs' husband and son. (City Attorney)

09/24/2021; RECEIVED FROM DEPARTMENT.

10/05/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

211025

[Settlement of Unlitigated Claim - Sandeep Lal - \$59,000]

Resolution approving the settlement of the unlitigated claim filed by Sandeep Lal against the City and County of San Francisco for \$59,000; the claim was filed December 6, 2019, and November 17, 2020; the claim involves an employment dispute. (City Attorney)

09/24/2021; RECEIVED FROM DEPARTMENT.

10/05/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

211026

[Settlement of Unlitigated Claim - Covidien Sales LLC - Medtronic to Pay City \$800,000]

Resolution approving the settlement of the unlitigated claim filed by the City against Covidien Sales LLC, a Medtronic Company (Medtronic) for \$800,000 including the return of a ventilator fleet at Medtronic's expense. (City Attorney)

09/24/2021; RECEIVED FROM DEPARTMENT.

10/05/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

211027 [Petitions and Communications]

Petitions and Communications received from September 23, 2021, through September 30, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 5, 2021.

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

From the Office of the City Attorney, submitting updated advice regarding meetings of policy bodies during the COVID emergency. Copy: Each Supervisor. (1)

From the California Fish and Game Commission, submitting notices on the proposed changes in regulations concerning the Experimental Fishing Permit Program (Phase II), and consideration of the petition to list the Pacific Leatherback Sea Turtle as an endangered species. Copy: Each Supervisor. (2)

From the Department of Public Health, submitting a Budget Revision Notification Memo and documentation for Grant Tuberculosis Epidemiologic Studies Consortium. Copy: Each Supervisor. (3)

From Shireen McSpadden, Executive Director, Department of Disability and Aging Services; submitting the Community Living Fund program for case management and purchase of resources and services, 6-month report, July-December 2020. Copy: Each Supervisor. (4)

From the Public Utilities Commission, submitting a quarterly report on the status of applications to PG&E for electric service per Board of Supervisors' Resolution No. 227-18. Copy: Each Supervisor. (5)

From the Public Utilities Commission's Citizens' Advisory Committee, regarding continued support and budget for the SFPUC Racial Equity Plan and Community Benefits. Copy: Each Supervisor. (6)

From Verizon Wireless, submitting notice of antenna installations at 3979 Sacramento Street and 3695 Jackson Street. Copy: Each Supervisor. (7)

From Robert Biedron, regarding street name changes in San Francisco. Copy: Each Supervisor. (8)

From Aaron Goodman, regarding the number 44 Muni bus in San Francisco. Copy: Each Supervisor. (9)

From concerned citizens, regarding parking fees in all Golden Gate National Recreational Areas in San Francisco. 2 letters. Copy: Each Supervisor. (10)

From Jeff Tindle, regarding restaurant chains in San Francisco. Copy: Each Supervisor. (11)

From Grover Cleveland Democratic Club, regarding public comment at the Board of Supervisors meeting. Copy: Each Supervisor. (12)

From Steve Ward, regarding the quality of life in San Francisco. Copy: Each Supervisor. (13)

From Eileen Boken, regarding various items on the Board of Supervisors Meeting Agenda for September 28, 2021. File Nos. 211011 and 211012. Copy: Each Supervisor. (14)

From concerned citizens, regarding a Hearing of an Appeal for Conditional Use Authorization Approval at 575 Vermont Street. 4 letters. File No. 210709. Copy: Each Supervisor. (15)

From concerned citizens, regarding supportive housing. 6 letters. Copy: Each Supervisor. (16)

From Moscone Emblidge & Rubens, regarding the filing of a writ petition and complaint. Copy: Each Supervisor. (17)

From concerned citizens, regarding a Hearing of an Appeal for Conditional Use Authorization Approval at 249 Texas Street. 5 letters. File No. 210709. Copy: Each Supervisor. (18)

From concerned citizens, regarding a Hearing of an Appeal for Conditional Use Authorization Approval at 450 O'Farrell Street. 12 letters. File No. 210858. Copy: Each Supervisor. (19)

From concerned citizens, regarding a Hearing of a Final Mitigated Negative Declaration at 1525 Pine Street. 52 letters. File No. 210901. Copy: Each Supervisor. (20)

From concerned citizens, regarding a proposed Resolution calling for the Creation of a "Beach to Bay" Car-Free Connection and Equitable Access to Golden Gate Park. 2 letters. File No. 210944. Copy: Each Supervisor. (21)

From concerned citizens, regarding a proposed Resolution for a Sublease Agreement - California State Lands Commission - Candlestick Point State Recreation Area - Vehicle Triage Center. 2 letters. File No. 210966. Copy: Each Supervisor. (22)

From George McGlynn, regarding a Hearing of an Appeal for a Categorical Exemption at 35 Ventura Avenue. File No. 210927. Copy: Each Supervisor. (23)

From Sycopated Architecture, regarding a new residence at 1230 Revere Avenue. Copy: Each Supervisor. (24)

From concerned citizens, regarding cyclists blocking the Great Highway. 6 letters. Copy: Each Supervisor. (25)

From concerned citizens, regarding the Great Highway. 5 letters. Copy: Each Supervisor. (26)

From Taz Auto Detailing, regarding a City and County of San Francisco vehicle washing contract. Copy: Each Supervisor. (27)

From Kaylee Stein, regarding the number 19 Muni bus route in San Francisco. Copy: Each Supervisor. (28)

From the Office of the Mayor, submitting an Acting Mayor Notice designating Supervisor Myrna Melgar as Acting-Mayor from Wednesday, September 29, 2021, at 1:25 p.m. until Friday, October 1, 2021, at 11:59 p.m.; and further designating Supervisor Rafael Mandelman as Acting-Mayor from Saturday, October 2, 2021, at 12:00 a.m. until October 4, 2021, at 9:25 p.m. Copy: Each Supervisor. (29)

From Mary Miles, regarding the Civil Grand Jury Report, entitled "Van Ness Avenue: What Lies Beneath." Files Nos. 210702 and 210703. Copy: Each Supervisor. (30)

From Janis Reed, regarding noise and air pollution. Copy: Each Supervisor. (31)

From Bhanu Vikram, regarding SFMTA's hiring process. Copy: Each Supervisor. (32)

From concerned citizens, regarding a whistleblower complaint against the San Francisco Fire Department. Copy: Each Supervisor. (33)

From Ellen Zhou, regarding the COVID-19 vaccination mandate. Copy: Each Supervisor. (34)

From concerned citizens, regarding the 24th and Mission Bart Station. 4 letters. Copy: Each Supervisor. (35)

From John Smith, regarding various concerns in San Francisco. Copy: Each Supervisor. (36)

From Kenneth Frank, regarding the State Water Resource Control Board. Copy: Each Supervisor. (37)

From Wynship Hillier, regarding access to public comment at the full Board of Supervisors meeting. Copy: Each Supervisor. (38)

From the Office of the Board President Shamann Walton, submitting a memo appointing Supervisor Connie Chan and himself to the vacant seats on the Disaster Council. Copy: Each Supervisor. (39)

From the Office of the Mayor, submitting the 37th Supplemental to the Mayoral Proclamation declaring the existence of a local emergency. Copy: Each Supervisor. (40)

From the Public Utilities Commission, regarding adopting rates and charges for the San Francisco CleanPowerSF Community Choice Aggregation Program pursuant to Charter, Section 8B.125. Copy: Each Supervisor. (41)

ADJOURNMENT