



# 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

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**PUBLIC COMMENT CALL-IN**  
[1 \(415\) 655-0001/ Meeting ID: 2484 749 5194 # #](tel:4156550001)

**Tuesday, October 26, 2021 - 2:00 PM**

#### **Regular Meeting**

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SHAMANN WALTON, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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#### 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.

### **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](mailto: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 serbisyon 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](http://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](mailto: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 [soff@sfgov.org](mailto:soff@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](http://sfethics.org).

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

Please visit the Board's website ([www.sfbos.org](http://www.sfbos.org)) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.

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](http://www.sfgovtv.org)) to stream the live meetings, or to watch meetings on demand.

Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>. Members of the public may participate by phone or may submit their comments by email to: [bos@sfgov.org](mailto:bos@sfgov.org); all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>.

### **PUBLIC COMMENT CALL-IN**

[1 \(415\) 655-0001](tel:14156550001) / Meeting ID: 2484 749 5194 # #

## **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**

## **APPROVAL OF MEETING MINUTES**

Approval of the [September 14, 2021](#), and [September 21, 2021](#), Board Meeting Minutes.

## **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 24

#### Recommendations of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

1. [211009](#) **[Appropriation - Special Tax Bond Proceeds - \$35,000,000; Special Tax Revenues - \$11,620,000 - Controller's Reserve - Transbay Transit Center Project - FY2021-2022]**  
**Sponsor: Mayor**  
Ordinance appropriating \$35,000,000 from the issuance of one or more series of Special Tax Bonds of the City's Community Facilities District 2014-1 (Transbay Transit Center) and placing such amounts on Controller's reserve; and appropriating \$11,620,000 of special tax revenues for funding related to the Transbay Transit Center Project in Fiscal Year (FY) 2021-2022.  
  
10/19/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
2. [211010](#) **[Appropriation and De-Appropriation - Office of Economic and Workforce Development - Legacy Businesses - \$400,000 - FY2021-2022]**  
**Sponsors: Chan; Peskin, Ronen, Mar, Haney, Safai and Mandelman**  
Ordinance de-appropriating \$400,000 previously appropriated to the Office of Economic and Workforce Development (ECN) for the Office of Small Business' Legacy Business Historic Preservation Fund and re-appropriating \$400,000 to ECN to provide a new grant program for Legacy Businesses in Fiscal Year (FY) 2021-2022.  
  
(Fiscal Impact)  
  
10/19/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendations of the Government Audit and Oversight Committee**

*Present: Supervisors Preston, Chan, Mandelman*

- 3. [210864](#) **[Memorandum of Understanding - Committee of Interns and Residents, Service Employees International Union]**  
**Sponsor: Mayor**  
Ordinance adopting and implementing Amendment No. 2 to the 2017-2021 Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents, Service Employees International Union, to extend the term by one year, update the Patient Care Fund provision, and eliminate obsolete language.  
  
10/19/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
- 4. [210982](#) **[Settlement of Attorney’s Fee Claim - Contest Promotions, LLC - City to Receive \$580,000]**  
Ordinance authorizing settlement by payment of \$580,000 to the City and County of San Francisco, of the City’s claim for attorney’s fees and costs arising from the lawsuit that Contest Promotions, LLC filed against the City; the lawsuit was filed on August 26, 2015, in San Francisco Superior Court, Case No. CGC-15-547630; entitled Contest Promotions, LLC vs. City and County of San Francisco; San Francisco Superior Court Case No. CPF-16-514771 was filed on February 9, 2016, and the actions were consolidated; the lawsuit involves a dispute about the City’s compliance with a prior settlement agreement between the parties, and the constitutionality of sections of the Planning Code regulating on-site and off-site commercial signs. (City Attorney)  
  
10/19/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
- 5. [210983](#) **[Settlement of Lawsuit - 2170 Folson LLC - \$525,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by 2170 Folson LLC against the City and County of San Francisco for \$525,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff 2170 Folson LLC, and does not include claims for property loss or for attorney’s fees, costs and interest. (City Attorney)  
  
10/19/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

6. [210984](#) **[Settlement of Lawsuit - Baikonur 1701 LLC - \$410,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by Baikonur 1701 LLC against the City and County of San Francisco for \$410,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Baikonur 1701 LLC, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)  
10/19/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
7. [210985](#) **[Settlement of Lawsuit - Malcolm Davis - \$215,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by Malcolm Davis against the City and County of San Francisco for \$215,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Malcolm Davis, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)  
10/19/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
8. [210986](#) **[Settlement of Lawsuit - Malcolm Davis - \$470,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by Malcolm Davis against the City and County of San Francisco for \$470,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Malcolm Davis, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)  
10/19/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
9. [210987](#) **[Settlement of Lawsuit - John and Janice Gumas - \$225,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by John and Janice Gumas against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs John and Janice Gumas, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)  
10/19/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**

10. [210988](#) **[Settlement of Lawsuit - Hans Art dba Hans Art Automotive - \$500,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by Hans Art dba Hans Art Automotive against the City and County of San Francisco for \$500,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Hans Art dba Hans Art Automotive, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)  
10/19/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
11. [210989](#) **[Settlement of Lawsuit - Chris Hickey - \$1,150,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by Chris Hickey against the City and County of San Francisco for \$1,150,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Chris Hickey, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)  
10/19/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
12. [210990](#) **[Settlement of Lawsuit - Kwok Shing Import Export, Inc. - \$440,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by Kwok Shing Import Export, Inc. against the City and County of San Francisco for \$440,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Kwok Shing Import Export, Inc., and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)  
10/19/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
13. [210991](#) **[Settlement of Lawsuit - Francis and Julio Osorio - \$225,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by Francis and Julio Osorio against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Francis and Julio Osorio, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)  
10/19/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**



14. [210992](#) **[Settlement of Lawsuit - San Francisco Motorcycle Club - \$310,000]**  
Ordinance authorizing partial settlement of the lawsuit filed by San Francisco Motorcycle Club against the City and County of San Francisco for \$310,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff San Francisco Motorcycle Club, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)
- 10/19/2021; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
15. [210993](#) **[Settlement of Lawsuit - Angela Sinicropi and Marin Takigawa - \$288,180]**  
Ordinance authorizing partial settlement of the lawsuit filed by Angela Sinicropi and Marin Takigawa against the City and County of San Francisco for \$288,180; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Angela Sinicropi and Marin Takigawa, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)
- 10/19/2021; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
16. [210994](#) **[Settlement of Lawsuit - Monte Stott - \$188,300]**  
Ordinance authorizing partial settlement of the lawsuit filed by Monte Stott against the City and County of San Francisco for \$188,300; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Monte Stott, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)
- 10/19/2021; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
17. [210995](#) **[Settlement of Lawsuit - John Williams and Aimee Williams - \$340,000]**  
Ordinance authorizing settlement of the lawsuit filed by John Williams and Aimee Williams against the City and County of San Francisco for \$340,000; the lawsuit was filed on April 18, 2018, in San Francisco Superior Court, Case No. CGC-18-565870; entitled John Williams and Aimee Williams v. First California Investments, et al.; the lawsuit alleges that a building was in a dangerous condition. (City Attorney)
- 10/19/2021; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

18. [210996](#) **[Settlement of Lawsuit - Taryn Saldivar - \$190,000]**  
Ordinance authorizing settlement of the lawsuit filed by Taryn Saldivar against the City and County of San Francisco for \$190,000; the lawsuit was filed on August 6, 2020, in United States District Court - Northern District of California, Case No. 20-cv-05474; entitled Taryn Saldivar v. City and County of San Francisco, et al.; the lawsuit involves unlawful detention and arrest. (City Attorney)

10/19/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

19. [210997](#) **[Settlement of Lawsuit - Stephanie Brunton - \$165,000]**  
Ordinance authorizing settlement of the lawsuit filed by Stephanie Brunton against the City and County of San Francisco for \$165,000; 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 lawsuit involves alleged personal injury on a City crosswalk. (City Attorney)

10/19/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

20. [210998](#) **[Settlement of Lawsuit - Valerie A. Stevenson - \$75,000]**  
Ordinance authorizing settlement of the lawsuit filed by Valerie A. Stevenson against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 1, 2020, in San Francisco Superior Court, Case No. CGC-20-585157; entitled Valerie A. Stevenson v. City and County of San Francisco; the lawsuit involves an alleged trip and fall on uneven pavement. (City Attorney)

10/19/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendations of the Land Use and Transportation Committee**

*Present: Supervisors Melgar, Preston, Peskin*

21. [210600](#) **[Planning Code - Small Business Zoning Controls in Chinatown and North Beach and on Polk Street]**  
**Sponsor: Peskin**  
Ordinance amending the Planning Code to 1) allow neighborhood-serving Social Service and Philanthropic Facility uses in Chinatown Mixed Use Districts with conditional use authorization; 2) change the provision for abandonment of a use that exceeds a use size maximum in Chinatown Mixed Use Districts; 3) allow re-establishment of a nonconforming use size in Chinatown Mixed Use Districts under certain circumstances; 4) change the use size limit and use size maximum in the Chinatown Community Business District; 5) exempt Institutional Community uses and Legacy Business Restaurants in Chinatown Mixed Use Districts from use size limits; 6) allow lot mergers under certain conditions in the Polk Street Neighborhood Commercial District; and 7) exclude the portion of Powell Street south of Union Street from the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict; 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 public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

10/19/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

22. [210865](#) **[Health, Planning, Police Codes - Various Cannabis Sunset Dates]**  
**Sponsor: Mandelman**  
Ordinance amending the Health Code, Planning Code, and Police Code to extend the sunset date for provisions governing Medical Cannabis Dispensaries from December 31, 2021, to December 31, 2022; to extend the sunset date for allowing the conversion of Medical Cannabis Dispensaries with Planning Commission approval to a Cannabis Retail Use from January 1, 2022, to January 1, 2023; to allow the extension of Temporary Cannabis Business Permits for additional 120-day terms through December 31, 2022, rather than December 31, 2021; and to allow the extension of the Cannabis Event Permit pilot program through December 31, 2023, rather than December 31, 2021; 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.

10/19/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Peskin, Mandelman, Chan*

23. [210739](#) **[Administrative Code - Repealing Employee Sexual Privacy Ordinance; Requiring Data Collection Requests]**  
**Sponsors: Mayor; Mandelman and Mar**  
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 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 for voluntary collection and confidential retention of sexual orientation and gender identity information.

10/05/2021; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/05/2021; RE-REFERRED AS AMENDED to the Rules Committee.

10/19/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

24. [210935](#) **[Administrative Code - Cannabis Oversight Committee Sunset Date]**  
**Sponsor: Chan**  
Ordinance amending the Administrative Code to extend the sunset date for the Cannabis Oversight Committee from December 3, 2021, to January 1, 2025.

10/19/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### Recommendation of the Government Audit and Oversight Committee

*Present: Supervisors Preston, Chan, Mandelman*

25. [210965](#) **[Authorizing Preparation of an Amended Infrastructure Financing Plan for City and County of San Francisco Infrastructure and Revitalization Financing District No.1 (Treasure Island)]**

**Sponsor: Mayor**

Resolution authorizing and directing the Director of the Office of Public Finance, or designee thereof, to prepare an amended infrastructure financing plan for the City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) and project areas therein, and determining other matters in connection therewith, as defined herein.

10/19/2021; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

#### Recommendation of the Rules Committee

*Present: Supervisors Peskin, Mandelman, Chan*

26. [210811](#) **[Administrative Code - Ban on City-Funded Travel to and City Contracts Involving States with Voter Suppression Laws]**

**Sponsors: Walton; Safai, Haney, Melgar, Stefani, Preston, Peskin and Mar**

Ordinance amending the Administrative Code to prohibit City-funded travel to states that have adopted laws on or after January 1, 2021, suppressing voting rights, and to prohibit City contracting with companies headquartered in states that have enacted such laws, or where work on the contract would be performed in such states.

10/19/2021; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/19/2021; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Haney, Safai, Mar*

27. [210937](#) **[Business and Tax Regulations Code - Affordable Housing Transfer Tax Exemption]**  
**Sponsors: Preston; Chan, Mar, Safai and Haney**  
Ordinance amending the Business and Tax Regulations Code to exempt certain transfers of rent-restricted affordable housing occurring on or after January 1, 2021, from the increased transfer tax rates when the consideration or value of the interest or property conveyed equals or exceeds \$5,000,000; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
(Fiscal Impact)  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
28. [210999](#) **[Grant Agreement Amendment - San Francisco-Marin Food Bank - COVID-19 Food Assistance Program - Not to Exceed \$22,951,645]**  
Resolution approving a second amendment to the grant agreement between the City and County of San Francisco and San Francisco-Marin Food Bank, for the administration of the COVID-19 Food Assistance Program, to extend the grant term by six months for a total term of July 1, 2020, through June 30, 2022, and to increase the grant amount by \$7,424,820 for a total not to exceed amount of \$22,951,645 to commence on October 15, 2021. (Human Services Agency)  
  
(Fiscal Impact)  
**Question: Shall this Resolution be ADOPTED?**
29. [211000](#) **[Accept and Expend In-Kind Gift - Retroactive - San Francisco General Hospital Foundation - ZEISS Forum Software Licenses - \$59,949]**  
Resolution retroactively authorizing the Department of Public Health to accept and expend an in-kind gift of perpetual software licenses of the ZEISS forum ophthalmology application valued in the amount of \$59,949 from the San Francisco General Hospital Foundation for the Department of Public Health to provide eye care and eye disease management for the project period of July 8, 2016, through June 16, 2025. (Public Health Department)  
  
**Question: Shall this Resolution be ADOPTED?**

30. [211002](#) **[Agreement Amendment - California Independent System Operator - Planning Coordinator Services - Not to Exceed \$500,000]**

Resolution authorizing the General Manager of the Public Utilities Commission to execute a Second Amendment to the Planning Coordinator (CS-399) Agreement between the City and County of San Francisco Public Utilities Commission and the California Independent System Operator, extending the agreement term from November 11, 2021, to November 10, 2031, pursuant to Charter, Section 9.118, for a total duration of approximately sixteen years, and for a total cumulative amount not to exceed \$500,000; and delegating to the General Manager authority to approve certain non-material amendments, as defined herein. (Public Utilities Commission)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

31. [211054](#) **[Authorizing Issuance of Special Tax Bonds - Improvement Area No. 2 of the City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) - Not to Exceed \$25,130,000]**

**Sponsor: Mayor**

Resolution authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) with respect to its Improvement Area No. 2 in the aggregate principal amount not to exceed \$25,130,000 approving related documents, including an Official Statement, Fiscal Agent Agreement, Bond Purchase Agreement, and Continuing Disclosure Certificate, and determining other matters in connection therewith, as defined herein.

**Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the Land Use and Transportation Committee**

*Present: Supervisors Melgar, Preston, Peskin*

32. [210497](#) **[Planning Code and Zoning Map - Delete Life Science and Medical Special Use District]**

**Sponsor: Walton**

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

33. [210699](#) **[Planning, Administrative Codes - Accessory Dwelling Units]**  
**Sponsors: Mandelman; Ronen, Preston, Melgar and Peskin**  
Ordinance amending the Planning Code to clarify the requirements for applications to construct Accessory Dwelling Units under the City's local Accessory Dwelling Unit approval process; amending the Administrative Code to clarify that landlords may not remove certain tenant housing services without just cause and that issuance of a building permit does not constitute just cause; making findings as required by the Tenant Protection Act of 2019; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
34. [210934](#) **[Building Code - Mandatory Disability Access Improvements for Places of Public Accommodation - Extension of Time Deadlines]**  
**Sponsor: Mayor**  
Ordinance amending the Building Code to extend the time by approximately two years for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's report to the Board of Supervisors.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
35. [210963](#) **[Administrative Code - Extension Of Temporary Tenant Protections Due To COVID-19]**  
**Sponsors: Preston; Peskin, Walton, Ronen, Chan, Mandelman, Haney and Melgar**  
Ordinance amending the Administrative Code to extend the COVID-19 based limit on residential evictions, which allows evictions only if based on the non-payment of rent or violence or health and safety issues, from September 30, 2021, through December 31, 2021.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

*Present: Supervisors Mar, Stefani*

36. [210946](#) **[Urging and Supporting Declaration of Local Emergency: Overdose Crisis]**  
**Sponsors: Haney; Mar, Walton, Mandelman and Ronen**  
Resolution urging and supporting Mayor London N. Breed in proclaiming a declaration of the existence of a local emergency around the overdose crisis and immediately implementing overdose prevention sites.
- Question: Shall this Resolution be ADOPTED?**



**Recommendation of the Rules Committee**

*Present: Supervisors Mandelman, Chan*

37. [210835](#) **[Administrative Code - Local Business Enterprise Program]**  
**Sponsors: Mayor; Walton, Safai, Melgar, Ronen and Mandelman**  
Ordinance amending the Administrative Code to revise the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance (Chapter 14B) to: 1) increase the LBE certification size thresholds and authorize an automatic increase to the thresholds every five years based on the consumer price index; 2) change the LBE certification size threshold term of calculation from an average of gross annual receipts in the prior three to the prior five years; 3) increase penalties for violations of Chapter 14B from up to 10% to up to 25% of the contract or subcontract amount; 4) require prime contractors to include LBE subcontractors' approved payment requests in payment applications within 30 days of receipt of an invoice; 5) authorize application of separate LBE subcontract participation requirements for micro, small, and SBA-LBEs; 6) extend the bonding assistance program to certain City-funded construction projects; 7) authorize a pilot Mentor-Protégé expansion program, a pilot micro-LBE set-aside program for certain design-build and construction manager/general contractor projects, and a pilot Neighborhood LBE program; and 8) increase the contracting Threshold Amount from \$706,000 to \$1,000,000 and the Minimum Competitive Amount from \$129,000 to \$200,000; and make various other changes and clarifications to Chapter 14B, as defined herein.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

## 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: 2484 749 5194 # #](#)

(Continued from October 5, 2021.)

### 38. [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 group 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)

10/05/2021; CONTINUED.

### 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.)**

39. [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)  
  
10/05/2021; CONTINUED.  
  
**Question: Shall this Motion be APPROVED?**
40. [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)  
  
10/05/2021; CONTINUED.  
  
**Question: Shall this Motion be APPROVED?**
41. [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)  
  
10/05/2021; CONTINUED.  
  
**Question: Shall this Motion be APPROVED?**

**SPECIAL ORDER 3:00 P.M.**

PUBLIC COMMENT WILL BE TAKEN

[1 \(415\) 655-0001 / Meeting ID: 2484 749 5194 # #](#)

(Continued from October 5, 2021.)

**42. [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)

10/05/2021; CONTINUED.

**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.)**

**43. [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)

10/05/2021; CONTINUED.

**Question: Shall this Motion be APPROVED?**

**44. [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)

10/05/2021; CONTINUED.

**Question: Shall this Motion be APPROVED?**

45. [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)

10/05/2021; CONTINUED.

**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*

[1 \(415\) 655-0001 / Meeting ID: 2484 749 5194 # #](#)

*(On September 30, 2021, the San Francisco Public Utilities Commission informed the Board of Supervisors of the CleanPowerSF Community Aggregation Program electric generation rates and charges. Continued from October 19, 2021.)*

46. [211064](#) **[Hearing - Committee of the Whole - CleanPowerSF Community Aggregation Program Electric Generation Rates and Charges - San Francisco Public Utilities Commission - October 26, 2021, at 3:00 p.m.]**

Hearing of the Board of Supervisors convening as a Committee of the Whole on October 26, 2021, at 3:00 p.m., to consider the CleanPowerSF Community Aggregation Program electric generation rates and charges from the San Francisco Public Utilities Commission, and the Board may reject these rates by resolution, pursuant to Charter, Section 8B.125; scheduled pursuant to Charter, Section 8B.125. (Clerk of the Board)

*(Pursuant to Charter, Section 8B.125, the Public Utilities Commission shall set rates, fees and other charges in connection with providing utility services, which are subject to rejection by resolution of the Board of Supervisors within 30 days of submission. If the Board fails to act within 30 days, the rates shall become effective. Transmittal Date: September 30, 2021.)*

*The Board may reject these rates and charges by resolution, pursuant to Charter, Section 8B.125, which may be prepared during the Committee of the Whole and then considered by the Members present.*

*The Board may also affirm these rates and charges of resolution, which may be prepared during the Committee of the Whole and then considered by the Members present, or if the Board fails to take action these rates and charges will become effective.*

10/19/2021; CONTINUED.

**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 item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, October 21, 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 26, 2021.*

47. [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)

**Question: Shall this Resolution be ADOPTED?**

*The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, October 25, 2021, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, October 26, 2021.*

48. [210807](#) **[Planning Code - Repealing Article 12 Regarding Oil and Gas Facilities]**  
**Sponsor: Chan**  
Ordinance amending the Planning Code to repeal Article 12, which contains regulations governing land use activities associated with oil and gas exploration, development, and processing; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*The following item will be considered by the Rules Committee at a Regular Meeting on Monday, October 25, 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 26, 2021.*

49. [210961](#) **[Municipal Elections Code - Non-United States Citizen Voting in School Board Elections]**  
**Sponsors: Chan; Melgar, Walton, Ronen, Preston, Mar, Mandelman and Peskin**  
Ordinance amending the Municipal Elections Code to reauthorize Non-United States citizen voting in elections for the Board of Education of the San Francisco Unified School District and specifying that Non-United States citizens may vote in recall elections regarding members of the Board of Education.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

## 50. 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.

## 51. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a visual displayed should provide in advance of the meeting to the Clerk of the Board ([bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

### **PUBLIC COMMENT CALL-IN**

[1 \(415\) 655-0001 / Meeting ID: 2484 749 5194 # #](tel:4156550001)

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

(PUBLIC COMMENT for Items 52 through 61 will be taken during Item 51 - General Public Comment.)

### **Items 52 through 61**

52. [211103](#) **[Recognizing Children's Environmental Health Month - October 2021]**  
**Sponsors: Chan; Safai and Walton**  
Resolution recognizing October 2021 as "Children's Environmental Health Month" in the City and County of San Francisco.
- 10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 53. [211104](#) [Urging President Joseph R. Biden to Take Action on Sana’a Airport]**  
**Sponsor: Haney**  
Resolution urging President Joseph R. Biden to act to reopen Sana’a Airport to civilian travel and help stop the ongoing humanitarian crisis.
- 10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 54. [211105](#) [Supporting Notice and Compliance Opportunities for Small Businesses Facing Lawsuits or Violations Related to Americans with Disabilities Act Accommodations]**  
**Sponsor: Haney**  
Resolution stating that the City and County of San Francisco supports notice and compliance opportunities for small businesses facing lawsuits or violations related to Americans with Disabilities Act accommodations; and calling for additional support, assistance, and information for Small Businesses to comply with the American with Disabilities Act.
- 10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 55. [211106](#) [Urging Social Media Companies to Mitigate Harmful Effects and Improve Transparency]**  
**Sponsors: Mandelman; Stefani**  
Resolution urging Facebook, Twitter, Google, and other social media platforms to take responsibility for the harmful effects of their products and improve transparency by publishing all internal research.
- 10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 56. [211107](#) [Kate Herrmann Stacy Day - October 29, 2021]**  
**Sponsors: Melgar; Mandelman, Peskin, Ronen, Safai, Stefani, Mar and Walton**  
Resolution declaring October 29, 2021, as Kate Herrmann Stacy Day in the City and County of San Francisco, in recognition of her many years of outstanding service in the City Attorney’s Office and her well-deserved retirement.
- 10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**



57. [211110](#) **[Filipino American History Month - October 2021]**  
**Sponsors: Safai; Peskin, Walton, Chan, Ronen, Mandelman, Stefani, Melgar, Preston and Haney**  
Resolution recognizing October 2021 as “Filipino American History Month” and celebrating the history and culture of Filipino Americans and their immense contributions to the City and County of San Francisco.
- 10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
58. [211111](#) **[Urging the U.S. Senate to Reauthorize the Violence Against Women Act]**  
**Sponsor: Stefani**  
Resolution urging the United States (U.S.) Senate to reauthorize the Violence Against Women Act.
- 10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
59. [211112](#) **[Calling from Committee - Committee of the Whole and Closed Session - Settlement of Lawsuit - AmerisourceBergen Corp., Cardinal Health, Inc., and McKesson Corp. - City to Receive \$27 Million to \$50 Million - November 2, 2021, at 3:00 p.m.]**  
**Sponsor: Preston**  
Motion calling from the Government Audit and Oversight Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 211071) endorsing settlement of the lawsuit filed on behalf of the City and County of San Francisco and the People of the State of California against large distributors of prescription opioids, entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; scheduling the Board of Supervisors to sit as a Committee of the Whole at the meeting on November 2, 2021, at 3:00 p.m. to hold a public hearing to consider the proposed Ordinance; and scheduling a closed session of the Board of Supervisors at the same meeting for the purpose of conferring with, or receiving advice from, the City Attorney regarding that existing litigation in which the City is a plaintiff, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1).
- 10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

**60. [211114](#) [Calling from Committee - Committee of the Whole and Closed Session - Settlement of Lawsuit - Johnson & Johnson - City to Receive \$6 Million to \$11 Million - November 2, 2021, at 3:00 p.m.]**

**Sponsor: Preston**

Motion calling from the Government Audit and Oversight Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 211072) endorsing settlement of the lawsuit filed on behalf of the City and County of San Francisco and the People of the State of California against large distributors of prescription opioids, entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; scheduling the Board of Supervisors to sit as a Committee of the Whole at the meeting on November 2, 2021, at 3:00 p.m. to hold a public hearing to consider the proposed Ordinance; and scheduling a closed session of the Board of Supervisors at the same meeting for the purpose of conferring with, or receiving advice from, the City Attorney regarding that existing litigation in which the City is a plaintiff, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1).

10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

**61. [211116](#) [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-Eighth Supplement]**

**Sponsor: Walton**

Motion concurring in actions taken by the Mayor in the Thirty-Eighth Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by: 1) requiring employees of existing City contractors and subcontractors who spend substantial time working in close proximity to City employees while performing work under the contract at a City facility to be fully vaccinated or granted an exemption based on medical or religious grounds by no later than December 31, 2021; and 2) requiring members of City boards, commissions, and advisory bodies to report vaccination status to the City by no later than December 15, 2021, and prohibiting unvaccinated members from attending in-person meetings of a policy body after January 1, 2022, without exception.

10/19/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

**62. IMPERATIVE AGENDA**

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

*[Serious Injury Finding]*

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

*[Purely Commendatory Finding]*

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

*[Brown Act Finding]*

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

*(PUBLIC COMMENT WILL BE TAKEN on any Imperative Agenda item introduced.)*  
[1 \(415\) 655-0001 / Meeting ID: 2484 749 5194 # #](#)

**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](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 RESOLUTIONS****211081 [Prevailing Wage Rates - Various Workers Pursuant to Administrative Code, Section 6.22(e) and Sections 21C.1 through 21C.11]**

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public works and improvements; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City; 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission)

10/15/2021; RECEIVED FROM DEPARTMENT.

10/26/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**211082 [Emergency Declaration - Tree Removal, Slope Repair and Debris Removal at Stern Grove - Total Estimated Cost Not to Exceed \$4,000,000]**

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to contract resources for tree removal, slope repair and debris removal in Stern Grove, which was damaged by flooding caused by a failed air valve on a water transmission pipeline, with a total estimated cost not to exceed \$4,000,000. (Public Utilities Commission)

10/08/2021; RECEIVED FROM DEPARTMENT.

10/26/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**211083 [Contract Modification - Recology Sunset Scavenger, Recology Golden Gate, and Recology San Francisco - Refuse Collection Services - Not to Exceed \$16,900,000]**

Resolution authorizing the Office of Contract Administration to enter into a Second Amendment to the agreement between the City and County of San Francisco and Sunset Scavenger Company d/b/a Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company d/b/a Recology Golden Gate, and Recology San Francisco (collectively, "Contractor") for refuse collection services at City facilities; increasing the contract amount by \$7,000,000 for a total not to exceed amount of \$16,900,000 and extending the term by seven months from December 1, 2021, for a total contract duration of one year and seven months of December 1, 2020, through June 30, 2022. (Office of Contract Administration)

10/08/2021; RECEIVED FROM DEPARTMENT.

10/26/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**211084 [Lease Agreement - HFF SFO TWO, LLC - Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 12, Lease No. 20-0042 - \$545,000 Minimum Annual Guarantee]**

Resolution approving the Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 12, Lease No. 20-0042 between HFF SFO TWO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with one two-year option to extend at the Airport's sole discretion, and a minimum annual guarantee of \$545,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission)

10/14/2021; RECEIVED FROM DEPARTMENT.

10/26/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**211085 [Lease Agreement - Heigh Connects, LLC - Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - \$570,000 Minimum Annual Guarantee]**

Resolution approving the Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 14, Lease No. 20-0044 between Heigh Connects, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with one 2-year option to extend at the Airport's sole discretion, and a minimum annual guarantee of \$570,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission)

10/14/2021; RECEIVED FROM DEPARTMENT.

10/26/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**211086 [Lease Modification - United States of America - Offices in the International Terminal - Annual Rent \$665,489]**

Resolution approving Modification No. 2 of Lease No. GS-09P-LCA03395, between the United States of America and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term by three years, for a new term ending January 3, 2025, and increasing the annual rent to \$665,489 for offices occupied by the U.S. Federal Bureau of Investigation at the International Terminal, to commence following approval by the Board of Supervisors (Airport Commission)

10/18/2021; RECEIVED FROM DEPARTMENT.

10/26/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**211087 [Conditional Property Exchange Agreement - EQX Jackson SQ Holdco LLC - Potential Exchange of 530 Sansome Street for a Portion of 425-439 Washington Street]**

Resolution ratifying the Conditional Property Exchange Agreement and Related Transaction Documents with EQX Jackson SQ Holdco LLC for a transfer of City real property at 530 Sansome Street (Assessor's Parcel Block No. 0206, Lot No. 017), under the jurisdiction of the Fire Department, in exchange for a portion of the real property at 425-439 Washington Street (Assessor's Parcel Block No. 0206, Lot Nos. 013 and 014); authorizing the Director of Property and City staff to proceed with the proposed Fire Station development project, subject to several conditions, as defined herein; adopting findings pursuant to 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. (Real Estate Department)

10/15/2021; RECEIVED FROM DEPARTMENT.

10/26/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**211088 [Mills Act Historical Property Contract - 714 Steiner Street]**

Resolution approving a historical property contract between Leah Culver Revocable Trust, the owner of 714 Steiner Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

10/15/2021; RECEIVED FROM DEPARTMENT.

10/26/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**211089 [Agreement - AT&T Corporation - Telecommunication Services - Not to Exceed \$80,000,000]**

Resolution authorizing the Department of Technology to enter into an agreement with AT&T Corporation to purchase wired voice and data network and telecommunication services, with a not to exceed amount of \$80,000,000 for a six and one-half year term of January 1, 2022, through June 30, 2028, and with one five-year option to extend, pursuant to Charter, Section 9.118. (Department of Technology)

10/18/2021; RECEIVED FROM DEPARTMENT.

10/26/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**211127 [Petitions and Communications]**

Petitions and Communications received from October 14, 2021, through October 21, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 26, 2021.

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

From the Department of Elections, submitting Certifications of Petitions to recall San Francisco Board of Education Board Members. Copy: Each Supervisor. (1)

Pursuant to Charter Section 14.103

- Allison Collins
- Faauga Moliga
- Gabriela Lopez

From the Capital Planning Committee, pursuant to Administrative Code, Section 3.21, submitting a memo regarding Treasure Island Special Tax Bonds. Copy: Each Supervisor. (2)

From the Office of the Mayor, making an appointment to the following body. Copy: Each Supervisor. (3)

Appointment pursuant to Charter, Section 4.117

- Entertainment Commission
  - o Al Perez - term ending July 1, 2025

From the City Services Auditor, submitting report on the Department of Elections' payroll and nonpayroll cash disbursement processes. Copy: Each Supervisor. (4)

From the Police Department, submitting the Weekly Crime Trends Report. Copy: Each Supervisor. (5)

From the Public Utilities Commission, pursuant to Ordinance No. 101-20, submitting quarterly report (July 2021 - September 2021) on the Status of Green Infrastructure Grant Program. Copy: Each Supervisor. (6)

From the Office of the Chief Medical Examiner, submitting Overdose Report for October 2021. Copy: Each Supervisor. (7)

From the Office of the Treasurer & Tax Collector, pursuant to California State Government Code, Section 53646, submitting the City and County of San Francisco Pooled Investment Report for September 2021. Copy: Each Supervisor. (8)

From John Avalos, National Union of Healthcare Workers, regarding behavioral health services provided by Kaiser Permanente. File No. 210971. Copy: Each Supervisor. (9)

From Cherie Fehrman, regarding Lake Street Slow Street. Copy: Each Supervisor. (10)

From Mary Rogus, regarding the hunger strike protest over housing concerns. Copy: Each Supervisor. (11)

From concerned citizens, regarding rent-controlled units. 30 letters. Copy: Each Supervisor. (12)

From concerned citizens, regarding overdose prevention sites. File No. 210946. 12 letters. Copy: Each Supervisor. (13)

From concerned citizens, regarding the 1525 Pine Street project. File No. 210901. 10 letters. Copy: Each Supervisor. (14)

From concerned citizens, regarding the proposed Accessory Dwelling Unit legislation. File No. 210699. 3 letters. Copy: Each Supervisor. (15)

From concerned citizens, regarding store closures. 2 letters. Copy: Each Supervisor. (16)

From concerned citizens, regarding the proposed project at 249 Texas Street. File No. 210791. 2 letters. Copy: Each Supervisor (17)

From concerned citizens, regarding the proposed Vehicle Triage Center at Candlestick Point Recreation Area. File No. 210966. 2 letters. Copy: Each Supervisor. (18)

From Roger Parodi, regarding bus shelters. 2 letters. Copy: Each Supervisor. (19)

From Kai Kronfield, regarding John F. Kennedy Drive. Copy: Each Supervisor. (20)

From Verizon, submitting notice of antennae installations at 205 Shipley Street and 200 Folsom Street. Copy: Each Supervisor. (21)

From the Department of Elections, pursuant to Charter, Section 13.106, submitting the Report Regarding Results of 2020 Census Data. Copy: Each Supervisor. (22)

## **ADJOURNMENT**