

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, June 23, 2020 - 2:00 PM

Held via Videoconference
(remote public access provided via teleconference)

www.sfgovtv.org

Regular Meeting

NORMAN YEE, PRESIDENT

SANDRA LEE FEWER, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI, SHAMANN WALTON
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Appropriations Committee Supervisors Fewer, Walton, Mandelman, Yee, Ronen	Wednesday 1:00 PM
Budget and Finance Committee Supervisors Fewer, Walton, Mandelman	Wednesday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Peskin, Haney	1st and 3rd Thursday 10:00 AM
Joint City, School District, and City College Select Committee Supervisors Haney, Fewer, Mar (Alt), Commissioners Moliga, Collins, Cook (Alt), Trustees Randolph, Williams, Selby (Alt)	2nd Friday 10:00 AM
Land Use and Transportation Committee Supervisors Peskin, Safai, Preston	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Mandelman, Stefani, Walton	2nd and 4th Thursday 10:00 AM
Rules Committee Supervisors Ronen, Stefani, Mar	Monday 10:00 AM

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

Members Present: Sandra Lee Fewer, Matt Haney, Rafael Mandelman, Gordon Mar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, Shamann Walton, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session through videoconferencing, and provided public comment through teleconferencing, on Tuesday June 23, 2020, with President Norman Yee presiding.

President Yee called the meeting to order at 2:00 p.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) 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 board.of.supervisors@sfgov.org; all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>. As the COVID-19 disease progresses, please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.

ROLL CALL AND PLEDGE OF ALLEGIANCE

On the call of the roll, Supervisors Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Walton, and Yee were noted present.

Supervisors Preston and Safai were noted not present (off-line) due to technical difficulties.

A quorum was present.

Supervisor Safai was noted present (on-line) at 2:06 p.m.

Supervisor Preston was noted present (on-line) at 2:07 p.m.

COMMUNICATIONS

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

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the May 12, 2020, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Peskin, seconded by Supervisor Safai, moved to approve the May 12, 2020, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

200454 [Authorizing Grant Agreements - Public Utilities Commission Green Infrastructure Grant Program - Terms of 20 Years]

Sponsors: Fewer; Mandelman

Ordinance extending for an additional two years through July 1, 2022, the delegation of authority under Charter, Section 9.118, to the General Manager of the San Francisco Public Utilities Commission (SFPUC), previously authorized by Ordinance No. 26-19, to enter into grant agreements under the SFPUC's Green Infrastructure Grant Program with terms of up to 20 years and without Commission approval.

(Fiscal Impact)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

200417 [Settlement of Lawsuit - Alonda Austin - \$240,000]

Ordinance authorizing settlement of the lawsuit filed by Alonda Austin against the City and County of San Francisco, et al. for \$240,000; the lawsuit was filed on July 26, 2018, in the Superior Court of California, County of San Francisco, Case No. CGC-18-568423; entitled Alonda Austin v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

200439 [Settlement of Lawsuit - Christian Martinez - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Christian Martinez against the City and County of San Francisco for \$50,000; the lawsuit was filed on July 24, 2019, in San Francisco Superior Court, Case No. CGC-19-577895; entitled Christian Martinez v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury and property damage from a vehicle collision. (City Attorney)

FINALLY PASSED

200440 [Settlement of Lawsuit - Tomasso Albonetti - \$150,000]

Ordinance authorizing settlement of the lawsuit filed by Tomasso Albonetti against the City and County of San Francisco for \$150,000; the lawsuit was filed on September 6, 2018, in San Francisco Superior Court, Case No. CGC-18-569483; entitled Tomasso Albonetti v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

FINALLY PASSED

200475 [California Code of Civil Procedure Section 998 - Offer to Compromise Litigation - Mohammad Joiyah - \$65,000]

Ordinance authorizing the service of an Offer to Compromise under Code of Civil Procedure Section 998 in the lawsuit filed by Mohammad Joiyah against the City and County of San Francisco, to include a payment from the City and County of San Francisco of up to \$65,000 plus reasonable attorneys' fees and costs to be determined by the Court; the lawsuit was filed on August 6, 2018, in San Francisco Superior Court, Case No. CGC-18-568689; entitled Mohammad Joiyah v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

200476 [Settlement of Lawsuit - Deshaun Roberts, by and through his Guardian ad Litem, Jasmine Robinson - \$55,000]

Ordinance authorizing settlement of the lawsuit filed by Deshaun Roberts, by and through his Guardian ad Litem, Jasmine Robinson against the City and County of San Francisco for \$55,000; the lawsuit was filed on August 23, 2019, in United States District Court, Case No. 3:19-cv-5280-SK; entitled Deshaun Roberts, by and through his Guardian ad Litem, Jasmine Robinson v. City of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

200441 [Settlement of Lawsuit - Brian Soo - \$50,500]

Ordinance authorizing settlement of the lawsuit filed by Brian Soo against the City and County of San Francisco for \$50,500; the lawsuit was filed on May 18, 2017, in San Francisco Superior Court, Case No. CGC-17-559042; entitled Brian Soo v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City street. (City Attorney)

In accordance with legal advice received from the Office of the City Attorney, Clerk Calvillo reiterated Supervisor Mar's disclosure from the previous week that he is personally acquainted with the individual involved in the proposed settlement in their capacity as a physical therapist; although, this familiarity does not prohibit Supervisor Mar from voting on this matter.

FINALLY PASSED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendation of the Rules Committee

200452 [Charter Amendment - Requirements for Commission Membership]

Sponsors: Walton, Yee, Mar, Fewer, Ronen, Safai, Peskin, Mandelman, Preston, Stefani and Haney

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require that members of boards, commissions, and advisory bodies be residents of the City and of legal voting age, replacing the requirement that members of boards, commissions, and advisory bodies be United States citizens and registered voters; at an election to be held on November 3, 2020.

ORDERED SUBMITTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Yee requested File Nos. 200418 and 200542 be called together.

200418 [Airport Professional Services Agreement - PGH Wong & Partners JV - Project Management Support Services for the Courtyard 3 Connector Project - Not to Exceed \$17,250,000]

Resolution approving Modification No. 5 to Airport Contract No. 10072.41, Project Management Support Services for the San Francisco International Airport, Courtyard 3 Connector Project with PGH Wong & Partners JV, a joint venture consisting of PGH Wong Engineering, Inc., and Avila and Associates Consulting Engineers, Inc., to increase the Contract amount by \$7,500,000 for a new not to exceed amount of \$17,250,000 for services, with no change to the contract term, pursuant to Charter, Section 9.118(b); and making findings under the California Environmental Quality Act. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200542 [Concession Lease Amendment - DFS Group, L.P. - International Terminal Duty Free and Luxury Lease - Suspending Minimum Annual Guarantee]

Resolution approving Amendment No. 1 to the International Terminal Duty Free and Luxury Store Lease No. 17-0303 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission, for the adjustment of Base Rent under the Lease for Lease Year 1 ending on December 31, 2020, to commence following Board approval. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200544 [Real Property Lease - New Cingular Wireless PCS, LLC - 260 Golden Gate Avenue - \$92,352 Annual Initial Base Rent]

Resolution authorizing and approving the lease of telecommunications facilities on a portion of the roof at 260 Golden Gate Avenue with New Cingular Wireless PCS, LLC, for a ten-year term at an initial annual rent of \$92,352 or the monthly base rent of \$7,696 with 4% annual adjustments 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)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

President Yee requested File Nos. 200545, 200546, and 200547 be called together. During the discussion on these matters, privilege of the floor was granted unanimously to Alice Kurniadi (Department of Public Health) who responded to questions raised.

200545 [Agreement - San Francisco Community Health Authority - Third Party Administrator Services - Healthy San Francisco Program - Not to Exceed \$35,308,339]

Resolution approving an agreement between the San Francisco Community Health Authority and the Department of Public Health for Third Party Administrator services for the Healthy San Francisco Program for a total amount not to exceed \$35,308,339 for a term of five years from July 1, 2020, through June 30, 2025. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200546 [Agreement - San Francisco Community Health Authority - Fiscal Administration of Private Provider Services - Healthy San Francisco Program - Not to Exceed \$24,908,092]

Resolution approving an agreement between the San Francisco Community Health Authority and the Department of Public Health for fiscal administration of Private Provider services for the Healthy San Francisco Program for a total amount not to exceed \$24,908,092 for a term of five years, from July 1, 2020, through June 30, 2025. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200547 [Agreement - San Francisco Community Health Authority - Third Party Administrator Services - San Francisco City Option Program - Not to Exceed \$49,054,357]

Resolution approving an agreement between the San Francisco Community Health Authority and the Department of Public Health for Third Party Administrator Services for the San Francisco City Option Program for a total amount not to exceed \$49,054,357 for a term of five years, from July 1, 2020, through June 30, 2025. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200579 [Accept and Expend Gift - Retroactive - EPIC Charitable Fund - Safety Net Gift - \$105,000]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a monetary gift in the amount of \$105,000 from the EPIC Charitable Fund for the support of Federally Qualified Health Centers and the role as a safety net provider, for the period of February 28, 2020, through February 27, 2021. (Public Health Department)

Privilege of the floor was granted unanimously to Eric Raffin (Department of Public Health) and Anne Pearson (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Mandelman, seconded by Supervisor Fewer, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 4-7, by striking ‘for our support of Federally Qualified Health Centers (FQHC) and our role as a safety net provider’ and adding ‘to help low income and at-risk populations, for the period of February 28, 2020, through February 27, 2021’, and Lines 10-12, by striking ‘our support of Federally Qualified Health Centers (FQHC) and our role as safety net provider’ and adding ‘the department’s role as a safety net provider’. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee
Resolution retroactively authorizing the Department of Public Health to accept and expend a monetary gift in the amount of \$105,000 from the EPIC Charitable Fund to help low income and at-risk populations, for the period of February 28, 2020, through February 27, 2021. (Public Health Department)

Supervisor Fewer, seconded by Supervisor Mandelman, moved that this Resolution be CONTINUED AS AMENDED to the Board of Supervisors meeting of June 30, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

President Yee requested File Nos. 200580 and 200581 be called together.

200580 [Accept and Expend Gift - Retroactive - Friends of Laguna Honda - Equipment Materials, Supplies, and Services - \$79,453]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a monetary gift in the amount of \$79,453 from the Friends of Laguna Honda to the Laguna Honda Hospital Gift Fund for the purchase of equipment materials, supplies, and services for residents at Laguna Honda who are otherwise unable to obtain them, for the period of April 1, 2020, through June 30, 2021. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200581 [Accept and Expend Grant - Retroactive - California Department of Health - COVID-19 Crisis Response - \$1,027,167]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,027,167 from the California Department of Health for participation in a program, entitled “COVID-19 Crisis Response,” for the period of March 5, 2020, through March 15, 2021. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200583 [Authorizing Expenditures - SoMa Community Stabilization Fund - \$100,000]**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of \$100,000 for the coordination of a strategic assessment of the SoMa Community Stabilization Fund's performance. (Mayor's Office of Housing and Community Development)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendations of the Budget and Appropriations Committee

President Yee requested File Nos. 200565, 200566, and 200569 be called together. During the discussion on these matters, privilege of the floor was granted unanimously to Ben Rosenfield, Controller (Office of the City Controller), Anne Pearson (Office of the City Attorney), and Sophia Kittler (Mayor's Office) who responded to questions raised.

200565 [Proposed Interim Budget and Appropriation Ordinance for Departments - FYs 2020-2021 and 2021-2022]**Sponsor: Mayor**

Proposed Interim Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of June 1, 2020, for the FYs ending June 30, 2021, and June 30, 2022.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200566 [Proposed Interim Annual Salary Ordinance - FYs 2020-2021 and 2021-2022]**Sponsor: Mayor**

Proposed Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2021, and June 30, 2022, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200569 [Proposed Interim Budget - Office of Community Investment and Infrastructure, Operating as Successor Agency to the San Francisco Redevelopment Agency - FY2020-2021]**Sponsor: Mayor**

Resolution approving the FY2020-2021 Proposed Interim Budget of the Office of Community Investment and Infrastructure, operating as the Successor Agency to the San Francisco Redevelopment Agency.

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200571 [Accept and Expend Grants - Recurring State Grant Funds - Department of Public Health - FY2020-2021]**Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2020-2021. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendations of the Public Safety and Neighborhood Services Committee**200243 [Health, Business and Tax Regulations Codes - Overdose Prevention Programs]****Sponsors: Mayor; Haney and Mandelman**

Ordinance amending the Health Code to authorize overdose prevention programs (OPPs) by, among other things: requiring OPPs to obtain a permit from the Department of Public Health, establishing operating standards for OPPs; authorizing the imposition of fines and penalties for violation of local and state laws governing OPPs and establishing a process by which OPPs may appeal a fine or permit penalty; making it a City policy to deprioritize enforcement of laws prohibiting the possession of illegal drugs against individuals who have accepted referral to an OPP; amending the Business and Tax Regulations Code regarding appeals of certain OPP permit decisions; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200394 [Liquor License Transfer - 4763 Mission Street - Calabria Bros.]

Resolution determining that the transfer of a Type-20 off-sale beer and wine liquor license to Michael Biagio Tufo, doing business as Calabria Bros., located at 4763 Mission Street (District 11), 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)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendations of the Rules Committee**200477 [Charter Amendment - 16- and 17-Year-Olds Voting in Municipal Elections]****Sponsors: Yee; Fewer, Walton, Ronen, Haney, Safai, Mar, Preston and Mandelman**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize youths aged 16 and 17 to vote in municipal elections; at an election to be held on November 3, 2020.

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

Supervisor Mandelman, seconded by Supervisor Fewer, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of June 30, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

President Yee requested File Nos. 200390 and 200391 be called together.

200390 [Mayoral Appointment, Redevelopment Successor Agency Oversight Board - Lydia Ely]

Motion approving the Mayor's nomination for appointment of Lydia Ely to the Redevelopment Successor Agency Oversight Board, term ending January 24, 2024. (Clerk of the Board)
(Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: April 15, 2020)

Motion No. M20-073

APPROVED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200391 [Mayoral Appointment, Redevelopment Successor Agency Oversight Board - Anna Van Degna]

Motion approving the Mayor's nomination for appointment of Anna Van Degna to the Redevelopment Successor Agency Oversight Board, term ending January 24, 2022. (Clerk of the Board)
(Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: April 15, 2020)

Motion No. M20-074

APPROVED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200501 [Mayoral Appointment, Entertainment Commission - Cynthia Wang]

Motion approving the Mayor's nomination for appointment of Cynthia Wang to the Entertainment Commission, term ending July 1, 2023. (Clerk of the Board)
(Charter, Section 4.117, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within sixty days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within sixty days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: May 9, 2020.)

Motion No. M20-075

APPROVED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Supervisor Fewer Excused from Voting

Supervisor Ronen, seconded by Supervisor Peskin, moved that Supervisor Fewer be excused from voting on File No. 200595. The motion carried by the following vote:

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

200595 [Reappointment, Reentry Council - Supervisor Sandra Lee Fewer]

Motion reappointing Supervisor Sandra Lee Fewer, term ending June 1, 2022, to the Reentry Council. (Clerk of the Board)

Motion No. M20-076

APPROVED by the following vote:

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

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

President Yee suspended all commendations during the declaration of local health emergency.

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 200067, 200068, 200069, and 200070 be called together.

200067 [Hearing - Appeal of Conditional Use Authorization - 95 Nordhoff Street]

Hearing of persons interested in or objecting to the certification of Conditional Use Authorization pursuant to Planning Code, Sections 121 and 303, for a proposed project at 95 Nordhoff Street, Assessor's Parcel Block No. 6763, Lot No. 001, identified in Planning Case No. 2018-015554CUA, issued by the Planning Commission by Motion No. 20602, dated December 12, 2019, for the subdivision of an existing lot currently containing a single-family dwelling unit into four new lots, two of which will be substandard lots, within the RH-1 (Residential-House, One Family) Zoning District and the 40-X Height and Bulk District. (District 8) (Appellant: Steven Ganz) (Filed January 13, 2020) (Clerk of the Board)

President Yee opened the public hearing and Supervisor Mandelman provided opening remarks, indicating the appellant and project sponsor have reached a settlement agreement on the project. The President then inquired as to whether any individual wished to address the Board regarding the Conditional Use appeal. Steven Ganz (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to uphold the settlement agreement reached between the parties. Joe Della Santina (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the settlement agreement reached between the parties. Speaker; Mike Chin; Speaker; spoke on various concerns regarding the appeal, the project, and the settlement agreement reached between the parties. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

200068 [Approving Conditional Use Authorization - 95 Nordhoff Street]

Motion approving the decision of the Planning Commission by its Motion No. 20602, approving a Conditional Use Authorization, identified as Planning Case No. 2018-015554CUA, for a proposed project located at 95 Nordhoff 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)

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200069 [Conditionally Disapproving Conditional Use Authorization - 95 Nordhoff Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20602, approving a Conditional Use Authorization, identified as Planning Case No. 2018-015554CUA, for a proposed project at 95 Nordhoff 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 of the members of the Board.)

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to include conditions on the approval of the Conditional Use authorization. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee
Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20602, approving a Conditional Use Authorization, identified as Planning Case No. 2018-015554CUA, for a proposed project at 95 Nordhoff Street; and conditionally approving a Conditional Use Authorization for the same Planning Case and property with different conditions, 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 of the members of the Board.)

Motion No. M20-071

Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200070 [Preparation of Findings Related to Conditional Use Authorization Appeal - 95 Nordhoff 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. 2018-015554CUA, for a proposed project at 95 Nordhoff Street. (Clerk of the Board)

Motion No. M20-072

Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 200261, 200262, 200263, and 200264 be called together.

200261 [Hearing - Appeal of Conditional Use Authorization - 1420 Taraval Street]

Hearing of persons interested in or objecting to the certification of Conditional Use Authorization pursuant to Planning Code, Sections 303 and 317, for a proposed project at 1420 Taraval Street, Assessor's Parcel Block No. 2353, Lot No. 010, identified in Planning Case No. 2018-011904CUA, issued by the Planning Commission by Motion No. 20643, dated January 30, 2020, to demolish a 2,176 square foot, three-store single-family residence, and construct a new approximately 6,219 square foot, four-story, 45-foot tall, mixed-use building with three dwelling units and approximately 1,731 square feet of ground floor commercial within the Taraval Street Neighborhood Commercial (NCD) Zoning District and a 65-A Height and Bulk District. (District 4) (Appellant: Eileen Boken, on behalf of the Sunset-Parkside Education and Action Committee) (Filed March 2, 2020) (Clerk of the Board)

President Yee opened the public hearing and Supervisor Mar provided opening remarks, indicating his intention to continue this appeal hearing and associated Motions to a later date. The President then inquired as to whether any individual wished to address the Board regarding the proposed continuance of the Conditional Use appeal. Megan Smith; Stephen Lee; Mike Chan; Speaker; Patricia Vaughey; Speaker; spoke on various concerns regarding the proposed continuance of the appeal. There were no other speakers. President Yee closed public comment on the continuance.

Supervisor Mar, seconded by Supervisor Peskin, moved to rescind the closure of public comment on the continuance to allow for additional members of the public to speak. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Eileen Boken; Justin Zucker; Evan Rosen; Speaker; Peter Mandel; spoke on various concerns regarding the proposed continuance of the appeal. There were no other speakers. President Yee reclosed public comment on the continuance.

Supervisor Mar, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of June 30, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200262 [Approving Conditional Use Authorization - 1420 Taraval Street]

Motion approving the decision of the Planning Commission by its Motion No. 20643, approving a Conditional Use Authorization, identified as Planning Case No. 2018-011904CUA, for a proposed project located at 1420 Taraval 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)

Supervisor Mar, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of June 30, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200263 [Conditionally Disapproving Conditional Use Authorization - 1420 Taraval Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20643, approving a Conditional Use Authorization, identified as Planning Case No. 2018-011904CUA, for a proposed project at 1420 Taraval 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 of the members of the Board.)

Supervisor Mar, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of June 30, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200264 [Preparation of Findings Related to Conditional Use Authorization Appeal - 1420 Taraval 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. 2018-011904CUA, for a proposed project at 1420 Taraval Street. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of June 30, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

President Yee requested File Nos. 200480, 200481, 200482, 200483, 200455, 200522, and 200526 be called together.

200480 [Compensation for Unrepresented Employees]**Sponsor: Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensation is subject to the provisions of Charter, Section A8.409, in job codes not represented by an employee organization, and establishing working schedules and other terms and conditions of employment and methods of payment effective July 1, 2020.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200481 [Memorandum of Understanding - Teamsters, Local 856 (Multi-Unit)]**Sponsor: Mayor**

Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) to provide an appropriate differential over subordinate classifications and one-time payment to employees in classification 2496 Imaging Supervisor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200482 [Memorandum of Understanding - Supervising Probation Officers]**Sponsor: Mayor**

Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and the Supervising Probation Officers to include a firearms instructor premium and provide a one-time payment to employees eligible for the premium.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200483 [Memorandum of Understanding - Service Employees International Union, Local 1021 (Miscellaneous)]**Sponsor: Mayor**

Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021 (Miscellaneous) to update the night shift differential provisions to include additional classifications and provide a one-time payment to employees in specified classifications.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200455 [Emergency Ordinance - Temporary Right to Reemployment Following Layoff Due to COVID-19 Pandemic]**Sponsors: Mar; Preston, Safai, Haney, Walton and Fewer**

Emergency Ordinance temporarily creating a right to reemployment for certain employees laid off due to the COVID-19 pandemic if their employer seeks to fill the same position previously held by a laid-off worker, or a substantially similar position, as defined.

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

FINALLY PASSED by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Walton, Yee

Noes: 1 - Stefani

200522 [Assessment Ballots for City Parcels - Castro Community Benefit District]**Sponsor: Mandelman**

Resolution authorizing the Mayor or her designee to cast an assessment ballot in the affirmative for the proposed renewal and expansion of a property and business improvement district to be named the Castro Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district. (Department of Economic and Workforce Development)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200526 [Assessment Ballots for City Parcels - Fisherman's Wharf Landside Community Benefit District]**Sponsor: Peskin**

Resolution authorizing the Mayor or her designee to cast an assessment ballot in the affirmative for the proposed renewal and expansion of a property and business improvement district to be named the Fisherman's Wharf Landside Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district. (Department of Economic and Workforce Development)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendation of the Land Use and Transportation Committee**200625 [Apply for, Accept, and Expend Grant - California Department of Housing and Community Development - Citywide Planning Projects - \$1,500,000]****Sponsor: Mayor**

Resolution authorizing the San Francisco Planning Department, on behalf of the City and County of San Francisco, to apply for, accept, and expend \$1,500,000 in Local Early Action Planning Grants Program funds from the California Department of Housing and Community Development for citywide planning projects that streamline housing approvals and accelerate housing production, for the period of July 1, 2020, through December 31, 2023. (Planning Department)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendation of the Public Safety and Neighborhood Services Committee**200592 [Urging the Civil Service Commission to Establish Disqualifying Standards for Applicants for Position of Police Officer and Sheriff Deputy Applicants Based on Misconduct]****Sponsors: Walton; Yee, Preston, Peskin, Fewer, Ronen, Haney, Mar, Safai, Stefani and Mandelman**

Resolution urging the Civil Service Commission to adopt rules to disqualify any applicant for employment in the Uniformed Ranks of the Police Department and the Sheriff's Office based on prior acts of misconduct.

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

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Zach Karnazes; expressed concerns regarding the gentrification of the African Americans in San Francisco and the need to implement new policies to address the disparities.

Linda Chapman; shared concerns regarding the need to house the disenfranchised during the emergency and address issues that will arise after it is over.

Matthew Sutter; shared concerns regarding the plight of taxi medallion holders and the need to provide them with loan relief.

Francisco Da Costa; expressed concern regarding the placement of public comment on Board agendas and the suffering of the disenfranchised during this health emergency.

Speaker; shared concerns regarding housing protection for tenants and assistance to the elderly and disabled.

Jean Barrish; expressed support of the request to consider landmarking murals by Bernard Zakheim.

Speaker; expressed concern regarding the placement of public comment on Board agendas and the need for police reform.

Gilbert Crisswell; expressed the need to expand public transportation throughout the City during this health emergency.

Harry Bernstein; expressed support of the Balboa Reservoir project that will be coming to the Board for consideration.

Peter Warfield; expressed the need to expand library services to those without internet access since they are the ones most impacted this health emergency.

Speaker; expressed concerns regarding various shooting homicides and the need for policy changes to address this crisis.

Speaker; expressed concerns regarding the availability to provide public comment and the need for police reform.

Ali Kamino; shared concerns regarding the plight of taxi medallion holders and the need to provide them with loan relief.

Mohammed Arakad; shared concerns regarding the plight of taxi medallion holders and the need to provide them with loan relief.

Evie Olventier; expressed the need to halt development of housing projects during this health emergency.

Dana Anderson; shared concerns regarding the criminalization of the unhoused throughout the City.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

200641 [Requesting Update - Police Department and Department of Police Accountability - Investigation of February 22, 2019, Leaked Police Report]

Sponsors: Fewer; Walton

Resolution requesting an update from the Police Department and Department of Police Accountability regarding the status of an investigation into the leaked police report following the death of Jeff Adachi on February 22, 2019; and urging the District Attorney to initiate a possible criminal investigation regarding the same matter.

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

ADOPTED

200643 [Affirming Commitment to Redirect Resources from the San Francisco Police Department to the Black Community]

Sponsors: Walton; Preston, Haney, Ronen, Mar, Safai, Fewer, Yee, Mandelman and Peskin
Resolution affirming commitment from the Board of Supervisors to redirecting resources from the San Francisco Police Department to the Black community.

Supervisors Yee, Mandelman, and Peskin requested to be added as co-sponsors.

ADOPTED

200657 [Urging the United States Congress to Pass the Justice in Policing Act of 2020]

Sponsor: Stefani

Resolution urging the United States Congress to pass the Justice in Policing Act of 2020 in order to help define and bring urgency to the much-needed law enforcement reform efforts taking place at all levels of government throughout the United States, and to take further action on law enforcement reform.

ADOPTED

200658 [Louis Kwok Day - June 17, 2020]

Sponsor: Peskin

Resolution declaring June 17, 2020, "Louis Kwok Day" in the City and County of San Francisco.

ADOPTED

200636 [Final Map No. 9906 - 1700 Market Street]

Motion approving Final Map No. 9906, a 42 residential unit and two commercial unit, mixed-use condominium project, located at 1700 Market Street, being a subdivision of Assessor's Parcel Block No. 0855, Lot No. 016; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M20-077

APPROVED

200637 [Final Map No. 9962 - 950 Gough Street]

Motion approving Final Map No. 9962, a two lot vertical subdivision and 95 unit residential condominium project within lot 1, located at 950 Gough Street, being a subdivision of Assessor's Parcel Block No. 0744, Lot No. 021; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M20-078

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Stefani requested that File No. 200529 be severed so that it may be considered separately.

200529 [Supporting California State Senate Bill No. 939 (Wiener) - Commercial Tenancies and Evictions]**Sponsors: Stefani; Safai and Mandelman**

Resolution supporting California State Senate Bill No. 939, authored by Senator Scott Wiener and coauthored by Assembly Members David Chiu and Phil Ting, to protect businesses and non-profit organizations from evictions, and permit small businesses or restaurants that have experienced a decline in revenue during the shelter-in-place to renegotiate or terminate their commercial leases.

Supervisor Stefani, seconded by Supervisor Peskin, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor**

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCE**200635 [General Plan Amendments - Balboa Reservoir Project]**

Ordinance amending the General Plan to revise the Balboa Park Station Area Plan, the Recreation and Open Space Element, and the Land Use Index, to reflect the Balboa Reservoir Project; amending the Housing Element in regard to the design of housing for families with children; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and general welfare findings under Planning Code, Section 340. (Planning Commission)

06/11/20; RECEIVED FROM DEPARTMENT.

06/23/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/23/2020.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:07 p.m.