

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, February 2, 2021 - 2:00 PM

Held via Videoconference
(remote public access provided via teleconference)

www.sfgovtv.org

Regular Meeting

SHAMANN WALTON, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

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

Budget and Finance Committee
Supervisors Haney, Safai, Mar

Government Audit and Oversight Committee
Supervisors Preston, Chan, Mandelman

Joint City, School District, and City College Select Committee
Supervisors Ronen, Safai, Haney (Alt), Trustee Davila, Williams, Selby (Alt)

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

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

Rules Committee
Supervisors Peskin, Mandelman, Chan

Meeting Days

Wednesday
1:00 PM

Wednesday
10:30 AM

1st and 3rd Thursday
10:00 AM

2nd Friday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

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

The Board of Supervisors of the City and County of San Francisco met in special session through videoconferencing, and provided public comment through teleconferencing, on Tuesday, February 2, 2021, with President Shamann Walton presiding.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisor Peskin was noted not present.

A quorum was present.

Supervisor Peskin was noted present at 2:02 p.m.

COMMUNICATIONS

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

APPROVAL OF MEETING MINUTES

President Walton inquired whether any Member of the Board had any corrections to the December 22, 2020, Board Special Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Peskin, seconded by Supervisor Stefani, moved to approve the December 22, 2020, Board Special Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

From the Board

201332 [Redevelopment Plan Amendments - Mission Bay South - 1450 Owens Street]

Sponsor: Haney

Ordinance approving amendments to the Mission Bay South Redevelopment Plan to increase the square footage for mixed office, research and development, and light manufacturing uses within the Mission Bay South Redevelopment Plan Area, with such square footage to be allocated to Parcel 7 of Block 43 (also known as 1450 Owens Street), located within Zone A of the Mission Bay South Redevelopment Plan Area; increasing the maximum average floor area in the Plan Area to accommodate such increased square footage; making findings 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.

FINALLY PASSED

Recommendation of the Budget and Finance Committee

201259 [Appropriation - Earthquake Safety and Emergency Response General Obligation Proceeds - Series 2021A - Public Works, Public Utilities Commission, and Recreation and Park Department - FY2020-2021 - \$85,000,000]

Sponsor: Mayor

Ordinance appropriating \$85,000,000 of the Series 2021A Earthquake Safety and Emergency Response General Obligation Bond proceeds to Public Works, the Public Utilities Commission, and the Recreation and Park Department in Fiscal Year (FY) 2020-2021 for upgrade, replacement, improvement, rehabilitation, and seismic strengthening of City-owned fire, police, emergency, and disaster response facilities, as well as improvements to the City's Emergency Firefighting Water System; and placing these funds on Controller's reserve pending sale of the bonds.

(Fiscal Impact)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

201313 [Settlement of Consolidated Lawsuits - Abdullah Wazwaz, Jason Moore, Kenneth Yeung, Brian Kam, Taira De Bernardi, Stephen Val Kirwan - \$503,506.33]

Ordinance authorizing settlement of two consolidated lawsuits filed by Taira De Bernardi, Stephen Val Kirwan, Abdullah Wazwaz, Jason Moore, Kenneth Yeung, and Brian Kam, acting for themselves and others similarly situated, against the City and County of San Francisco for \$503,506.33; the first lawsuit was filed on July 30, 2018, in United States District Court for the Northern District of California, Case No. 3:18-cv-04597, entitled Taira De Bernardi and Stephen Val Kirwan v. City and County of San Francisco; and the second lawsuit was filed on September 14, 2018, in United States District Court for the Northern District of California, Case No. 3:18-cv-05580, entitled Abdullah Wazwaz, Jason Moore, Kenneth Yeung and Brian Kam v. City and County of San Francisco; the lawsuits involve employment disputes. (City Attorney)

PASSED ON FIRST READING

210002 [Settlement of Lawsuit - Pacific Bell Telephone Company - \$72,036]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$72,036; the lawsuit was filed on November 25, 2019, in San Francisco Superior Court, Case No. CGC-19-581035; entitled Pacific Bell Telephone Company v. City and County of San Francisco; the lawsuit involves alleged property damage arising from flooding. (City Attorney)

PASSED ON FIRST READING

210003 [Settlement of Lawsuit - Jane Doe - City to Receive \$100,000 from The Regents of The University of California]

Ordinance authorizing settlement of the lawsuit filed by Jane Doe against the City and County of San Francisco for payment of \$100,000 by The Regents of The University of California to the City and County of San Francisco; the lawsuit was filed on April 22, 2016, in San Francisco Superior Court, Case No. CGC-16-551618; entitled Jane Doe v. The City and County of San Francisco, et al.; the lawsuit involves an alleged unauthorized disclosure of medical information. (City Attorney)

PASSED ON FIRST READING

210004 [Settlement of Lawsuit - Sibyl Moore, Charlene Roberts, Antonio Rucker, and Thomas Anderson - \$1,200,000]

Ordinance authorizing settlement of the lawsuit filed by Sibyl Moore, Charlene Roberts, Antonio Rucker, and Thomas Anderson against the City and County of San Francisco for \$1,200,000; the lawsuit was filed on June 28, 2019, in San Francisco Superior Court, Case No. CGC-19-577141; entitled Sibyl Moore, et al. v. City and County of San Francisco, et al.; the lawsuit involves the alleged wrongful death of Ruby Anderson, Plaintiffs' mother, who was a resident of the Residential Care for the Elderly (RCFE) located at the San Francisco Behavioral Health Center (BHC). (City Attorney)

PASSED ON FIRST READING

201314 [Settlement of Unlitigated Claim - Michelle Daniels - \$100,000]

Resolution approving the settlement of the unlitigated claim filed by Michelle Daniels against the City and County of San Francisco for \$100,000; the claim was filed on September 22, 2018; the claim involves an employment dispute. (City Attorney)

ADOPTED

210005 [Settlement of Unlitigated Claim - Special Situations Investing Group II, LLC - \$45,539]

Resolution approving the settlement of the unlitigated claim filed by Special Situations Investing Group II, LLC against the City and County of San Francisco for \$45,539; the claim was filed on July 27, 2020; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney)

ADOPTED

210006 [Settlement of Unlitigated Claim - Chyna Miller - \$150,000]

Resolution approving the settlement of the unlitigated claim filed by Chyna Miller against the City and County of San Francisco for \$150,000; the claim was filed on October 8, 2018; the claim involves an allegation of civil rights violation by a Human Services Agency contractor; additional material terms of the settlement are that the contractor's insurer will pay \$450,000. (City Attorney)

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

201343 [Waiver of Municipal Code Requirements for Airport Agreement with the Federal Aviation Administration]

Ordinance exempting from requirements of the Administrative Code and the Environment Code the Reimbursable Agreement between the San Francisco International Airport and the Federal Aviation Administration for services to commission a Ground Based Augmentation System at the Airport; and affirming the Planning Department's determination under the California Environmental Quality Act. (Airport Commission)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

President Walton requested File Nos. 210027 and 210034 be called together.

210027 [Appropriation - Municipal Transportation Agency Revenue Bond Proceeds - Street and Transit Projects - \$287,000,000 - FY2020-2021]

Sponsor: Mayor

Ordinance appropriating \$287,000,000 of Revenue Bond proceeds to the Municipal Transportation Agency for street and transit projects in Fiscal Year (FY) 2020-2021; and placing these funds on the Controller's Reserve pending receipt of proceeds of indebtedness.
(Fiscal Impact)

Privilege of the floor was granted unanimously to Jonathan Rewers and Samuel Thomas (Municipal Transportation Agency) who responded to questions raised throughout the discussion.

Supervisor Peskin, seconded by Supervisor Walton, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of February 23, 2021. Before the vote was taken, Supervisor Walton withdrew his second and Supervisor Peskin withdrew his motion.

Supervisor Peskin, seconded by Supervisor Walton, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of February 9, 2021. The motion carried by the following vote:

Ayes: 9 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Walton

Noes: 2 - Safai, Stefani

210034 [New Money Revenue Bonds - Municipal Transportation Agency - Not to Exceed \$300,000,000]**Sponsor: Mayor**

Resolution authorizing the sale, issuance and execution of not to exceed \$300,000,000 aggregate principal amount on a tax-exempt or taxable basis of revenue bonds by the Municipal Transportation Agency to provide funds to finance capital improvements for the Municipal Transportation Agency's purposes, approving the form of certain financing documents including a bond purchase contract, the sixth supplement to indenture of trust, one or more escrow agreements, and a continuing disclosure certificate; authorizing the taking of appropriate actions in connection therewith, as defined herein, and related matters approving the forms of documents relating thereto, as defined herein; approving the maximum interest thereon; finding that the authorization and issuance of revenue bonds by the Agency is not a project under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code, Chapter 31; and approving related matters, as defined herein.
(Fiscal Impact)

Privilege of the floor was granted unanimously to Jonathan Rewers and Samuel Thomas (Municipal Transportation Agency) who responded to questions raised throughout the discussion.

Supervisor Peskin, seconded by Supervisor Walton, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of February 23, 2021. Before the vote was taken, Supervisor Walton withdrew his second and Supervisor Peskin withdrew his motion.

Supervisor Peskin, seconded by Supervisor Walton, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of February 9, 2021. The motion carried by the following vote:

Ayes: 9 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Walton

Noes: 2 - Safai, Stefani

201281 [Contract Amendment - Regents of the University of California, Division of Substance Abuse and Addiction Medicine - Behavioral Health Services - Not to Exceed \$44,226,998]

Resolution approving Amendment No. 2 to the agreement between the Regents of the University of California at San Francisco, Division of Substance Abuse Medicine, and the Department of Public Health for behavioral health narcotic addiction treatment services, to increase the agreement amount by \$30,228,053 for a total amount not to exceed \$44,226,998; and to extend the term by six years from July 1, 2021, for a total agreement term of July 1, 2018, through June 30, 2027. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

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

201367 [Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - The Regents of the University of California, San Francisco - Recent Infection Surveillance Consortium - \$124,904]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$43,173 for a total amount of \$124,904 from the Centers for Disease Control and Prevention through the Regents of the University of California, San Francisco for participation in a program, entitled "Recent Infection Surveillance Consortium," for the period of August 1, 2019, through September 29, 2021. (Public Health Department)

ADOPTED by the following vote:

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

201348 [Lease Amendment - DFS Group, L.P. - The International Terminal Duty Free and Luxury Lease - Temporary Modified Percentage Rent Structure or Reinstatement of Minimum Annual Guarantee - \$42,000,000]

Resolution approving Amendment No. 2 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, which continues the temporary modified percentage rent structure to 33% of sales through the earlier to occur of December 31, 2023, or the reinstatement of the minimum annual guarantee of \$42,000,000 contingent upon completion of certain construction projects by December 31, 2021, with no change to the 14-year term, to commence upon approval by the Board of Supervisors. (Airport Commission)

ADOPTED by the following vote:

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

President Walton requested File Nos. 201392, 201393, and 210033 be called together.

201392 [Multifamily Housing Revenue Bonds - 1151 Fairfax Avenue and 112 Middle Point Road (Hunters View Phase 3) - Not to Exceed \$90,000,000]

Sponsors: Mayor; Haney, Walton and Safai

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$90,000,000 for 1151 Fairfax Avenue and 112 Middle Point Road; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$90,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

201393 [Multifamily Housing Revenue Bonds - 1801-25th Street (Potrero Block B HOPE SF) - Not to Exceed \$150,000,000]

Sponsors: Mayor; Safai and Haney

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness in an aggregate principal amount not to exceed \$150,000,000; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$150,000,000 for 1801-25th Street (San Francisco, California 94107); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

210033 [Multifamily Housing Revenue Bonds - 1360-43rd Avenue (Shirley Chisholm Village) - Not to Exceed \$108,000,000]

Sponsors: Mayor; Mar, Safai and Haney

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness in an aggregate principal amount not to exceed \$108,000,000; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$108,000,000 for 1360-43rd Avenue (Shirley Chisholm Village); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

201394 [Lease Amendment - Retroactive - SFII 1390 Market St, LLC - 1390 Market Street - Term Extension - \$704,990 Per Year in Base Rent]**Sponsor: Mayor**

Resolution retroactively approving a lease amendment between SFII 1390 Market St, LLC, as landlord, and the City, as tenant, for space occupied by the Department of Children, Youth and Their Families, at Fox Plaza, 1390 Market Street, at a base rent of \$704,990 per year with annual rent increases of 3%, to extend the term of the Lease by five years, commencing December 1, 2020, through November 30, 2025, subject to earlier termination by the City; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Amendment, the Lease, and this Resolution, as defined herein.

(Fiscal Impact)

Privilege of the floor was granted unanimously to Andrico Penick, Director (Real Estate Division), who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

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

201398 [Accept and Expend Grant - Retroactive - California Commission on Peace Officer Standards and Training (POST) Distance Learning Grant Program - \$185,424]**Sponsor: Mayor**

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$185,424 from the California Commission on Peace Officer Standards and Training (POST) for the Distance Learning Grant Program, for the project period of October 15, 2020, through June 30, 2021. (Police Department)

ADOPTED by the following vote:

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

201423 [Authorizing Expenditures - SoMa Community Stabilization Fund - Agreement Amendment - UCSF HEARTS Program - \$378,000]**Sponsors: Mayor; Haney**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the increased amount of \$78,000 for a total amount of \$378,000 to extend a grant supporting Trauma Informed Systems training and counseling for students, families, faculty and staff at Bessie Carmichael School; and amending a grant agreement with the University of California, San Francisco (UCSF) HEARTS Program to provide the specified services, to extend the grant term by one year for a total term of July 1, 2018, through June 30, 2021.

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

ADOPTED by the following vote:

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

210008 [Emergency Declaration - Replacement and Repair of Fences - Total Cost Not to Exceed \$4,250,000]

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission (SFPUC) pursuant to Administrative Code, Section 6.60, to replace and repair fences on SFPUC watershed land in Alameda watershed damaged by the SCU Lightning Complex Fire, with a total cost not to exceed \$4,250,000. (Public Utilities Commission)

(Fiscal Impact)

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

201315 [Settlement of Unlitigated Claim - Levi's Plaza TIC Trust - \$10,241,561.60 Plus Statutory Interest]

Resolution approving the settlement of the unlitigated claim filed by Levi's Plaza TIC Trust against the City and County of San Francisco for \$10,241,561.60 plus statutory interest; the claim was filed on July 2, 2020; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney)

Supervisor Peskin informed the Board that he owned real property near the subject property of the litigation contained in File No. 201315. At the request of Supervisor Peskin, privilege of the floor was granted unanimously to Anne Pearson (Office of the City Attorney) who reported there was no conflict of interest for Supervisor Peskin to vote on this matter.

ADOPTED by the following vote:

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

Recommendations of the Land Use and Transportation Committee

201395 [Official Naming of Unnamed Streets - Seawall Lot 337 and Pier 48 Mixed-Use Project]

Sponsors: Mayor; Mar

Resolution approving the official street names for certain unnamed streets, including Dr. Maya Angelou Lane and Toni Stone Crossing, located on San Francisco Port Commission property within the Seawall Lot 337 and Pier 48 Mixed-Use Project Area. (Port)

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

ADOPTED by the following vote:

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

201396 [Official Naming of Unnamed Streets - Treasure Island/Yerba Buena Island]

Sponsor: Mayor

Resolution approving the official street names for certain unnamed streets located on Treasure Island and Yerba Buena Island based on historic references to the Islands and the San Francisco Golden Gate International Exposition of 1939 that was held on Treasure Island.

ADOPTED by the following vote:

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

201400 [Initiating Landmark Designation - San Francisco Eagle Bar]

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

Resolution initiating a landmark designation under Article 10 of the Planning Code for the San Francisco Eagle Bar, Assessor's Parcel Block No. 3522, Lot No. 014, situated within the Leather and Lesbian, Gay, Bisexual, Transgender, Queer Cultural District.

Supervisors Mar, Safai, and Chan requested to be added as co-sponsors.

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

210012 [Mayoral Appointment, Public Utilities Commission - Newsha Ajami]

Motion approving the Mayor's nomination for appointment of Newsha Ajami to the Public Utilities Commission, for a term ending August 1, 2024. (Clerk of the Board)
(Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority of the Board of Supervisors. Transmittal date: January 3, 2021.)

Motion No. M21-013

APPROVED by the following vote:

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

210046 [Appointment, Transbay Joint Powers Authority - Alicia John-Baptiste]

Motion appointing Alicia John-Baptiste (residency requirement waived), for indefinite term, to the Transbay Joint Powers Authority. (Rules Committee)

Supervisor Peskin, seconded by Supervisor Preston, moved that this Motion be AMENDED on Page 1, Line 6, by striking 'does', and Line 7, by changing 'appoint' to 'appoints'; and Page 3, Line 4, by adding 'is' before 'allowed' and 'who is' before 'willing', and Line 5, by striking the ',' after 'serve' and adding 'otherwise' before 'requires'. The motion carried by the following vote:

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

Motion No. M21-014

APPROVED AS AMENDED by the following vote:

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

210047 [Appointment, Park, Recreation, and Open Space Advisory Committee - Angela Leung]

Motion appointing Angela Leung, term ending February 1, 2023, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M21-015

APPROVED by the following vote:

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

210048 [Appointments, Sunshine Ordinance Task Force - Bruce Wolfe, Kevin Frazier, Laura Stein, Matthew Yankee, Chris Hyland, Laurie Jones Neighbors, and Kai Forsley]

Motion appointing Bruce Wolfe, term ending April 27, 2021, and Kevin Frazier, Laura Stein, Matthew Yankee, Chris Hyland, Laurie Jones Neighbors, and Kai Forsley, terms ending April 27, 2022, to the Sunshine Ordinance Task Force. (Rules Committee)

Motion No. M21-016

APPROVED by the following vote:

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

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

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

COMMITTEE REPORT

Recommendation of the Land Use and Transportation Committee

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

Sponsors: Preston; Walton, Chan and Ronen

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

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

(This item was not sent as a committee report.)

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Peter Warfield; expressed concerns regarding the withdraw of services within the real world and the transition to online accessibility and virtual services, including library services.

Francisco Da Costa; expressed concerns regarding COVID testing and the need to effectively roll out the vaccine.

Anonymous; shared information on determinations made at the Sunshine Ordinance Task Force and expressed the need for virtual services and use of modern technology.

Don Hokeff; expressed support of certain developers who pledge to utilize union workers and continue building to revitalize the economy.

Speaker; expressed support of the Slow Streets Program and their desire to see the Great Highway remain closed to traffic.

David Pilpel; expressed support of the Resolutions honoring Michael Krasny (File No. 210089), honoring Joe Vazquez (File Nos. 210092), and urging the Municipal Transportation Agency to expedite reinstating transit lines (File No. 210100).

Martin Munoz; expressed concerns regarding transportation, housing development, and affordable housing.

Douglas Yep; expressed concerns regarding the need to investigate certain personnel issues throughout the City and the need for affordable housing.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

210063 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - February 2, 2021]

Closed Session for the Board of Supervisors to convene in closed session on February 2, 2021, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER 20-2878-000 et al, filed September 15, 2020; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. A.20-04-023, filed April 30, 2020; scheduled pursuant to Motion No. M21-012 (File No. 210062), approved on January 26, 2021. (Clerk of the Board)

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 5:43 p.m. to convene in closed session pursuant to Motion No. M21-012 (File No. 210062), approved on January 26, 2021.

The following Supervisors were noted present: Supervisors Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton

Persons in attendance: Michael Carlin, Acting General Manager, and Barbara Hale, Assistant General Manager-Power (Public Utilities Commission); Theresa Mueller, Theresa Cho, and Anne Pearson (Office of the City Attorney); Angela Calvillo, Clerk of the Board, and Alisa Somera (Office of the Clerk of the Board).

Matter was heard in closed session and no action was taken.

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 7:07 p.m.

The following Supervisors were noted present: Supervisors Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Peskin, seconded by Supervisor Ronen, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

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

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

210085 [Urging the National Park Service to Establish an Immediate Interim Activation for the Cliff House Consistent with its Historic Use]

Sponsors: Chan; Peskin, Mandelman, Stefani, Safai, Preston and Mar

Resolution urging the National Park Service to work with the community and stakeholders to establish an immediate interim activation for the Cliff House, consistent with its historic use, while the competitive process for a long-term tenant is underway, and to maintain and protect the integrity of the vacant buildings and surrounding area.

Supervisors Mandelman, Stefani, Safai, Preston, and Mar requested to be added as co-sponsors.

ADOPTED

210086 [Urging Immediate Action to Accelerate Electric Vehicle Adoption in Municipalities Across California]

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

Resolution urging the California Air Resources Board, state agencies, and state legislature to support electric vehicle adoption in municipalities across California by swiftly implementing the objectives set out by Governor Newsom's Executive Order N-79-20; increasing funding for clean transportation programs and subsidy programs for low-income buyers; developing a state and regional public electric vehicle charging network; and identifying funds to support the conversion to electric fleets by transit operators.

Supervisors Safai, Melgar, and Haney requested to be added as co-sponsors.

ADOPTED

210091 [Supporting California State Senate Bill No. 221 (Wiener) - Timely Care for Mental Health and Substance Use Disorders]**Sponsors: Ronen; Haney, Mandelman, Safai, Preston and Melgar**

Resolution supporting California State Senate Bill No. 221, introduced on January 14, 2021, by Senator Scott Wiener (SD-11), which would require health plans and insurers to provide patients with timely follow-up care for mental health issues and substance use disorders.

Supervisors Safai, Preston, and Melgar requested to be added as co-sponsors.

ADOPTED**210092 [Committee of the Whole - Consent to Provisions of a Variation Decision - March 2, 2021, at 3:00 p.m.]****Sponsor: Haney**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on March 2, 2021, at 3:00 p.m., to hold a public hearing to conditionally consent to the provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 542-550 Howard Street (Transbay Parcel F), Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, consisting of four parcels located on the north side of Howard Street, between 1st and 2nd Streets, in the Transbay Redevelopment Project Area.

Motion No. M21-017**APPROVED**

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Peskin requested that File Nos. 210089 and 210090 be severed so that they may be considered separately.

President Walton requested File Nos. 210089 and 210090 be called together.

210089 [Honoring Michael Krasny - February 15, 2021]**Sponsors: Peskin; Chan, Ronen, Mandelman, Stefani and Safai**

Resolution honoring Michael Krasny on the occasion of his retirement from nearly three decades of award-winning journalism as the host of KQED's Forum; and proclaiming February 15, 2021, as "Michael Krasny Day" in the City and County of San Francisco.

Supervisors Ronen, Mandelman, Stefani, and Safai requested to be added as co-sponsors.

ADOPTED by the following vote:

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

210090 [Honoring Joe Vazquez]**Sponsors: Peskin; Walton, Ronen, Mandelman, Stefani, Safai, Melgar and Haney**

Resolution honoring San Francisco newsman, Joe Vazquez, on the occasion of his retirement from thirty-five years in broadcast journalism, with sixteen of those years at KPIX Channel 5.

Supervisors Ronen, Mandelman, Stefani, Safai, Melgar, and Haney requested to be added as co-sponsors.

ADOPTED by the following vote:

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

Supervisor Stefani requested that File No. 210099 be severed so that it may be considered separately.

210099 [National Gun Violence Survivors Week - February 1, 2021, through February 7, 2021]**Sponsors: Stefani; Preston, Mandelman, Safai, Melgar, Haney, Walton, Chan, Mar and Peskin**

Resolution declaring February 1, 2021, through February 7, 2021, as National Gun Violence Survivor's Week in the City and County of San Francisco.

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

ADOPTED by the following vote:

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

Supervisor Melgar requested that File No. 210100 be severed so that it may be considered separately.

210100 [Urging MTA to Expedite Reinstating Transit Lines to Equitably Serve All Neighborhoods]**Sponsors: Melgar; Mandelman, Mar, Safai, Chan, Stefani, Haney, Preston, Peskin and Walton**

Resolution urging the Municipal Transportation Agency (MTA) to create a plan to expedite reinstating transit lines to pre-pandemic levels and develop post-COVID transit service with stakeholder and community input, and to prioritize community routes and bus routes that streamline access to equitably serve all neighborhoods within San Francisco.

ADOPTED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

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

210065 [Settlement of Lawsuit - Gayle L. Brownlee - \$65,000]

Ordinance authorizing settlement of the lawsuit filed by Gayle L. Brownlee against the City and County of San Francisco for \$65,000; the lawsuit was filed on October 11, 2019, in United States District Court, Case No. 4:19-cv-06554-YGR; entitled Gayle L. Brownlee v. Kris Mohler, et al.; the lawsuit involves an employment dispute. (City Attorney)

01/22/21; RECEIVED FROM DEPARTMENT.

02/02/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

210066 [Settlement of Grievance - Service Employees International Union, Local 1021- \$54,167.32]

Resolution approving settlement of the grievance by Service Employees International Union, Local 1021, against the City and County of San Francisco for \$54,167.32; the grievance was filed on June 27, 2019; the grievance involves an employment dispute under the Memorandum of Understanding. (City Attorney)

01/22/21; RECEIVED FROM DEPARTMENT.

02/02/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210067 [Settlement of Unlitigated Claim - Pacific Gas & Electric Company - Not to Exceed \$190,000,000]

Resolution approving settlement of the City's claims against Pacific Gas & Electric Company ("PG&E") concerning environmental pollution at the Marina East Harbor; City to dismiss claims against PG&E pursuant to cost-sharing agreement whereby PG&E and City will cooperate on the environmental cleanup and reconstruction of the Marina Yacht Harbor; PG&E to pay up to \$190 million toward the cleanup and reconstruction, with the Recreation and Park Department to repay PG&E up to \$29.4 million over 30 years solely out of Marina revenues; other material terms include possible recording of land use covenants, mutual indemnity, and each party to bear its own legal costs. (City Attorney)

01/25/21; RECEIVED FROM DEPARTMENT.

02/02/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210068 [Lease Amendment - Domestic Terminal 3 Common Use Club Lease No. 13-0006 - American Express Travel Related Services Company, Inc. - Minimum Annual Guarantee \$3,226,546 - Annual Promotional Charge \$15,287]

Resolution approving Amendment No. 2 to the Domestic Terminal 3 Common Use Club Lease No. 13-0006 between American Express Travel Related Services Company, Inc. and the City and County of San Francisco, acting by and through its Airport Commission, to increase the square footage of the Lounge premises to approximately 15,287 square feet, establish a new Minimum Annual Guarantee amount of \$3,226,546 for the newly expanded premises, increase the annual Promotional Charge to \$15,287 in proportion to the net increase in square footage of the premises and to extend the ten year term by seven years from November 5, 2024, to November 5, 2031, to commence upon Board approval. (Airport Commission)

01/15/21; RECEIVED FROM DEPARTMENT.

02/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210069 [Lease Amendment No. 2 - Airport Travel Agency, Inc - Airport Amenities and Business Services - Term Extension]

Resolution approving Amendment No. 2 to the Airport Amenities and Business Services Lease No. 13-0202 between Airport Travel Agency, Inc. and the City and County of San Francisco, acting by and through its Airport Commission, to extend the Lease by two years and six months, for a total term of January 1, 2014, through June 30, 2023, with a condition that the Airport Director, at his sole and absolute discretion, may terminate earlier by providing six months' advance written notice, with no change to the current minimum annual guarantee, subject to adjustment in accordance with the terms and conditions of the Lease, effective upon the approval of the Board of Supervisors. (Airport Commission)

01/20/21; RECEIVED FROM DEPARTMENT.

02/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210070 [Airport Commission Commercial Paper Notes - \$100,000,000]

Resolution approving the issuance and re-issuance from time to time of up to an additional \$100,000,000 aggregate principal amount of San Francisco International Airport Subordinate Commercial Paper Notes for any lawful Airport purpose; and ratifying and confirming certain related Resolutions of the Board and the Airport Commission, as defined herein. (Airport Commission)

01/22/21; RECEIVED FROM DEPARTMENT.

02/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210071 **[California Constitution Appropriations Limit - FY2020-2021 - \$8,364,999,808]**
Resolution establishing the appropriations limit of \$8,364,999,808 for Fiscal Year (FY) 2020-2021,
pursuant to California Constitution, Article XIII B. (Controller)

01/19/21; RECEIVED FROM DEPARTMENT.

02/02/21; RECEIVED AND ASSIGNED to Budget and Appropriations Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 7:12 p.m.