

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, March 2, 2021 - 2:00 PM

**Held via Videoconference**  
*(remote public access provided via teleconference)*  
[www.sfgovtv.org](http://www.sfgovtv.org)

### Regular Meeting

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

<b>Budget and Appropriations Committee</b> Supervisors Haney, Safai, Mar, Ronen, Walton	Wednesday 1:00 PM
<b>Budget and Finance Committee</b> Supervisors Haney, Safai, Mar	Wednesday 10:30 AM
<b>Government Audit and Oversight Committee</b> Supervisors Preston, Chan, Mandelman	1st and 3rd Thursday 10:00 AM
<b>Joint City, School District, and City College Select Committee</b> Supervisors Ronen, Safai, Haney (Alt), Trustee Davila, Williams, Selby (Alt)	2nd Friday 10:00 AM
<b>Land Use and Transportation Committee</b> Supervisors Melgar, Preston, Peskin	Monday 1:30 PM
<b>Public Safety and Neighborhood Services Committee</b> Supervisors Mar, Stefani, Haney	2nd and 4th Thursday 10:00 AM
<b>Rules Committee</b> Supervisors Peskin, Mandelman, Chan	Monday 10:00 AM

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

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**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

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*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, March 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](http://www.sfgovtv.org)) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at <https://sfbos.org/remote-meeting-call>.*

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

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

*All members were present.*

## **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](mailto: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 January 19, 2021, Board Special Meeting Minutes or the January 26, 2021, Board Regular Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Peskin, seconded by Supervisor Ronen, moved to approve the January 19, 2021, Board Special Meeting Minutes and the January 26, 2021, Board Regular 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

### Recommendation of the Budget and Finance Committee

#### **201415 [Waiver of Business Registration Fees and Certain License Fees]**

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

Ordinance waiving business registration fees for the fiscal year commencing July 1, 2020, and certain license fees originally due on March 31, 2020, for businesses with \$25,000,000 or less in San Francisco gross receipts that received more than 50% of such receipts from business activities precluded during all or a portion of the period from March 17, 2020, through March 1, 2021, due to a Local Health Officer's order to mitigate the spread of COVID-19 and/or from the activities of a facility that prepares and serves food for delivery or carry out or a restaurant, and refunding any waived amounts paid to the City.

(Fiscal Impact)

**Ordinance No. 026-21**

**FINALLY PASSED**

### Recommendations of the Government Audit and Oversight Committee

#### **210049 [Settlement of Lawsuit - Benito Taylor - \$85,000]**

Ordinance authorizing settlement of the lawsuit filed by Benito Taylor against the City and County of San Francisco for \$85,000; the lawsuit was filed on October 18, 2018, in San Francisco Superior Court, Case No. CGC-18-570702; entitled Benito Taylor v. City and County of San Francisco; the lawsuit involves alleged personal injury when plaintiff tripped and fell over an uncovered utility box on the sidewalk. (City Attorney)

**PASSED ON FIRST READING**

**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)

**PASSED ON FIRST READING**

**210112 [Settlement of Lawsuit - Maurice Caldwell - \$2,500,000]**

Ordinance authorizing entry of Judgment, pursuant to Federal Rule of Civil Procedure 68, in favor of Plaintiff Maurice Caldwell, and against the City and County of San Francisco, in the amount of \$2,500,000 in settlement of the lawsuit filed on April 16, 2012, in United States District Court, Case No. 12-cv-1892 DMR, entitled Maurice Caldwell v. City and County of San Francisco, et al; the lawsuit alleges fabrication of evidence and wrongful conviction. (City Attorney)

**PASSED ON FIRST READING**

**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)

**Resolution No. 092-21**

**ADOPTED by the following vote:**

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

**Recommendation of the Land Use and Transportation Committee****210141 [Administrative Code - Extension Of Temporary Tenant Protections Due To COVID-19]**

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

Ordinance amending the Administrative Code to limit residential evictions through June 30, 2021, unless the eviction is based on the non-payment of rent or is necessary due to violence-related issues or health and safety issues.

**Ordinance No. 029-21**

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

### **210032 [Administrative Code - Establishing the Students and Families RISE (Recovery with Inclusive and Successful Enrichment) Working Group]**

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

Ordinance amending the Administrative Code to establish the Students and Families RISE (Recovery with Inclusive and Successful Enrichment) Working Group to advise the Board of Supervisors, the Mayor, and the San Francisco Unified School District regarding the development, adoption, and implementation of a plan to coordinate enrichment and retention services provided by City departments, the School District, and community partners to youth and families adversely affected by COVID-19 school closures and distance learning programs.

**Ordinance No. 024-21**

**FINALLY PASSED**

*The foregoing items were acted upon by the following vote:*

*Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Preston, Ronen, Safai, Stefani, Walton*

*Noes: 1 - Peskin*

*Supervisor Peskin, seconded by Supervisor Stefani, moved to rescind the previous vote in order to sever a matter so that it may be considered separately. The motion carried by the following vote:*

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

**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 Consent Agenda**

*Supervisor Peskin requested that File No. 210050 be severed so that it may be considered separately.*

## **Supervisor Peskin Excused from Voting**

*Supervisor Peskin requested to be excused from voting on File No. 210050, due to a possible conflict of interest.*

**Supervisor Melgar, seconded by Supervisor Safai, moved that Supervisor Peskin be excused from voting on File No. 210050. The motion carried by the following vote:**

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

Excused: 1 - Peskin

### **210050 [Settlement of Unlitigated Claims - A2Z Development USA, Inc. - \$240,000]**

Resolution approving the settlement of the unlitigated claims filed by A2Z Development USA, Inc. against the City and County of San Francisco for \$240,000; the claims were filed on February 14, 2020; the claims involve a refund of payroll expense and gross receipts taxes. (City Attorney)

**Resolution No. 090-21**

**ADOPTED by the following vote:**

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

Excused: 1 - Peskin

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Budget and Finance Committee

*President Walton requested File Nos. 210030 and 210031 be called together.*

### Supervisor Safai Excused from Voting

*Supervisor Safai requested to be excused from voting on File Nos. 210030 and 210031, due to a possible conflict of interest.*

Supervisor Mar, seconded by Supervisor Ronen, moved that Supervisor Safai be excused from voting on File Nos. 210030 and 210031. The motion carried by the following vote:

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

Excused: 1 - Safai

### 210030 [Building Code - Fee Waiver for Accessory Dwelling Units]

**Sponsors: Mar; Melgar, Chan and Haney**

Ordinance amending the Building Code to waive specified fees for certain accessory dwelling unit projects through June 30, 2023; requiring the Department of Building Inspection to annually report on such waivers; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

Supervisor Mar, seconded by Supervisor Chan, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 15-7, by adding '(e) whether the ADU received a waiver of code requirements and is subject to the San Francisco Residential Rent Stabilization and Arbitration Ordinance pursuant to Planning Code Section 207(c)(4)(G)' and changing '(e)' to '(f)'. The motion carried by the following vote:

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

Excused: 1 - Safai

(Fiscal Impact)

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

Excused: 1 - Safai

### 210031 [Appropriation - General Reserve - Department of Building Inspection - Accessory Dwelling Unit Permit Services - \$165,000 - FY2020-2021]

**Sponsor: Mar**

Ordinance appropriating \$165,000 from the General Reserve in the Department of Building Inspection to provide Accessory Dwelling Unit permit services in Fiscal Year (FY) 2020-2021.

**PASSED ON FIRST READING by the following vote:**

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

Excused: 1 - Safai

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **201344 [Authorizing Membership in Community Choice Aggregation Joint Powers Authority for CleanPowerSF]**

Ordinance authorizing the Public Utilities Commission to become a member of a Joint Powers Authority consisting of Community Choice Aggregators for the purpose of joint purchases of electricity and related products and services; and authorizing deviations from certain otherwise applicable contract requirements in the Administrative Code and the Environment Code for purchases that do not otherwise require Board approval. (Public Utilities Commission)

**PASSED ON FIRST READING** by the following vote:

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

*Supervisor Ronen was noted absent (off-line) at 2:40 p.m. and 2:41 p.m. (on-line) due to technical difficulties.*

*President Walton recessed the meeting at 2:40 p.m. and reconvened at 2:42 p.m.*

#### **210139 [Emergency Ordinance - Limiting COVID-19 Impacts by Continuing to Make Shelter-in-Place Hotel Rooms Available to People Experiencing Homelessness]** **Sponsors: Haney; Preston, Ronen, Walton, Melgar, Mar and Safai**

Emergency ordinance to prohibit the City from requiring people experiencing homelessness currently sheltered in approximately 2,000 Shelter-in-Place ("SIP") Hotel rooms to move from those rooms until those individuals obtain a stable housing placement; to require the City to make a total of 2,200 Shelter-in-Place ("SIP") Hotel rooms available, and to fill those rooms, as they are vacated, for people experiencing homelessness; and to require the Department of Homelessness and Supportive Housing to prepare publicly available reports on the progress of placements from SIP Hotels into stable housing.

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

(Fiscal Impact)

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

**Ordinance No. 028-21**

**FINALLY PASSED** by the following vote:

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

**210051 [Transfer of Real Property - Portion of Former Wool Ranch - Alameda County, California - \$500,000]**

Resolution authorizing the Director of Property to execute a Quitclaim Deed and the San Francisco Public Utilities Commission (SFPUC) General Manager to execute an Agreement for Sale of Real Estate for the conveyance of real property by the City and County of San Francisco to the East Bay Regional Park District, commonly known as a portion of the Former Wool Ranch, Assessor's Parcel Block No. 096-0090-005-11 (20 acres); adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings declaring that the real property is "exempt surplus land;" and authorizing the Director of Property and the SFPUC General Manager to execute any documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission)

**Resolution No.** 091-21

**ADOPTED by the following vote:**

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

**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) (Fiscal Impact)

**Resolution No.** 094-21

**ADOPTED by the following vote:**

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

**210084 [Real Property Lease Amendment - Sum M. Seto Properties, LLC and Jenny P. Seto Properties, LLC - 1421 Broderick Street - \$372,510 Per Year in Base Rent]**

**Sponsor:** Mayor

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health and Sum M. Seto Properties, LLC, and Jenny P. Seto Properties, LLC, to amend the lease of real property for its 33-bed, licensed treatment facility located at 1421 Broderick Street at a base rent of \$372,510 per year with annual rent increases of 3%, and to extend the Lease expiring on January 31, 2021, through January 31, 2024, to commence upon approval of this Resolution by the Board of Supervisors; 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. (Real Estate Department) (Fiscal Impact)

**Supervisor Stefani, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 9, 2021. The motion carried by the following vote:**

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



**210118 [Conveyance and Exchange of Real Property - 234 Van Ness, LLC - 240 Van Ness Avenue and 234 Van Ness Avenue]****Sponsor: Mayor**

Resolution approving and authorizing the Director of Property to convey a portion of City-owned real property, located at 240 Van Ness Avenue, in exchange for the real property located at 234 Van Ness Avenue with 234 Van Ness, LLC; such conveyance is preceded by reconfiguring the properties to deliver a single developable parcel to the City for the purposes of building affordable housing; adopting findings that the conveyance and exchange is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; authorizing the Director of Property to execute documents, make certain modifications and take all actions necessary or advisable to effectuate the purpose of this Resolution, as defined herein; and adopting findings under the California Environmental Quality Act.

(Fiscal Impact)

**Resolution No. 095-21**

**ADOPTED by the following vote:**

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

**210119 [Accept and Expend Grant - Alternative Process County Competitive Allocation Funds - California Department of Housing and Community Development - No Place Like Home Grant Program - Up to \$322,157]****Sponsors: Mayor; Ronen**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to participate in the third round Notice of Funding Availability and accept and expend the county competitive allocation award for an amount up to \$322,157 under the California Department of Housing and Community Development No Place Like Home Program, which provides funding for counties to develop multifamily housing specifically for persons with serious mental illness who are homeless, chronically homeless, or at-risk of chronic homelessness, for a term to be determined following Board approval. (Mayor's Office of Housing and Community Development)

*Supervisor Ronen requested to be added as a co-sponsor.*

**Resolution No. 096-21**

**ADOPTED by the following vote:**

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

**210143 [Acquisition of Real Property - 5th and Howard Associates, L.P. - 921 Howard Street - 100% Affordable Housing - \$13,765,670 - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$39,148,960]**

**Sponsor: Mayor**

Resolution 1) approving and authorizing the Director of Property, on behalf of the San Francisco Mayor's Office of Housing and Community Development ("MOHCD"), to acquire real property located at 921 Howard Street ("Property") from 5th and Howard Associates, L.P. ("Developer") for \$13,765,670; 2) placing the Property under the jurisdiction of MOHCD for use in constructing affordable housing for San Franciscans; 3) approving and authorizing a Loan Agreement in an amount not to exceed \$39,148,960 for a minimum loan term of 57 years ("Loan Agreement") to finance the construction of a 100% affordable, 203-unit multifamily rental housing development (plus one staff unit) on the Property for low income households with ancillary commercial space for public benefit or community-serving purposes ("Project"); 4) approving and authorizing an Agreement for Purchase and Sale for acquisition of the Property ("Purchase Agreement") and a Ground Lease back to the Developer for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 in order to construct the Project ("Ground Lease") to commence after approval by the Board of Supervisors and Mayor; 5) adopting findings that the Purchase Agreement, Loan Agreement and Ground Lease are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 6) authorizing the Director of Property and the Director of MOHCD to execute the Purchase Agreement, Ground Lease, and Loan Agreement, make certain modifications to such agreements, and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

**Resolution No. 097-21**

**ADOPTED by the following vote:**

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

## **Recommendation of the Budget and Appropriations Committee**

### **210153 [Board of Supervisors Budget Process - FYs 2021-2022 and 2022-2023]**

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

Motion establishing goals for the Board of Supervisors' Budget and Appropriations Committee, and the process to guide the Board's deliberations on the City budget, for Fiscal Years (FYs) 2021-2022 and 2022-2023.

**Supervisor Melgar, seconded by Supervisor Haney, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 6, by adding 'early care and education' and 'closing', and Line 8, by adding 'financial empowerment'. The motion carried by the following vote:**

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

**Supervisor Safai, seconded by Supervisor Haney, moved that this Motion be AMENDED on Page 4, Line 5, by changing 'hold' to 'join'. The motion carried by the following vote:**

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

**Motion No. M21-028**

**APPROVED AS AMENDED by the following vote:**

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

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

### **201388 [Administrative Code - Protections for Occupants of Residential Hotels During COVID-19 Pandemic]**

**Sponsors: Peskin; Preston, Mandelman, Chan, Mar, Safai and Walton**

Ordinance amending the Administrative Code to establish protections for occupants of residential hotels ("SRO Residents") during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to post a notice in the common area and notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

(Fiscal Impact)

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

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 10-11, by striking 'that a COVID-19 case has been identified in the building, and'; on Page 8, Line 16, by changing 'epidemiologically linked' to 'from different households', and Line 17, by adding 'all'. The motion carried by the following vote:**

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

(Fiscal Impact)

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

**210038 [Urging the City and County of San Francisco to Revise Shelter-in-Place Hotels' Standard Agreements with Existing Owners to Include an Option to Purchase the Hotels and/or a Long-Term Lease]**

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

Resolution urging the Department of Homelessness and Supportive Housing to work with the Our City, Our Home Oversight Committee, Planning Department, City Attorney, Mayor's Office of Housing Community Development, and California Department of Housing and Community Development to identify and determine possible hotels to purchase, that includes the City's current 25 leased Shelter-in-Place Hotels to consider if these hotels can be permanently acquired through federal, state and local funds and/or offer a long-term lease option that shall not be less than ten years.

*Supervisors Ronen, Mar, Peskin, and Melgar requested to be added as co-sponsors.*

**Resolution No. 098-21**

**ADOPTED by the following vote:**

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

**Supervisor Stefani Excused from Voting**

*Supervisor Stefani requested to be excused from voting on File No. 210067, due to a possible conflict of interest.*

**Supervisor Peskin, seconded by Supervisor Mandelman, moved that Supervisor Stefani be excused from voting on File No. 210067. The motion carried by the following vote:**

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

Excused: 1 - Stefani

**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)

**Resolution No. 093-21**

**ADOPTED by the following vote:**

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

Excused: 1 - Stefani

## **Recommendations of the Rules Committee**

### **210110 [Mayoral Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Efreem Bycer]**

Motion approving the Mayor's nomination for appointment of Efreem Bycer to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure), term expiring November 3, 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: January 28, 2021)

**Motion No.** M21-030

**APPROVED by the following vote:**

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

### **210167 [Appointments, Park, Recreation and Open Space Advisory Committee - Erin Bank and Rafael Bortnick]**

Motion appointing Erin Bank and Rafael Bortnick, terms ending February 1, 2023, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No.** M21-031

**APPROVED by the following vote:**

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

### **210168 [Appointment, Child Care Planning and Advisory Council - Jerry Yang]**

Motion appointing Jerry Yang (residency requirement waived), term ending March 19, 2024, to the Child Care Planning and Advisory Council. (Rules Committee)

**Motion No.** M21-032

**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.*

## SPECIAL ORDER 3:00 P.M.

*President Walton requested File Nos. 201379, 201380, 201381, and 201382 be called together.*

### **Supervisor Preston Excused from Voting**

*Supervisor Preston requested to be excused from voting on File Nos. 201379, 201380, 201381, and 201382, due to a possible conflict of interest.*

**Supervisor Mandelman, seconded by Supervisor Peskin, moved that Supervisor Preston be excused from voting on File Nos. 201379, 201380, 201381, and 201382. The motion carried by the following vote:**

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

### **201379 [Hearing - Appeal of Tentative Map Disapproval - 424, 426, 428, 430, 432, and 434 Francisco Street]**

Hearing of persons interested in or objecting to the decision of Public Works, dated December 7, 2020, disapproving a Tentative Map for a six unit condominium conversion at 424, 426, 428, 430, 432, and 434 Francisco Street, Assessor's Parcel Block No. 0041, Lot No. 010. (District 3) (Appellant: Scott Emblidge of Moscone Emblidge & Rubens, on behalf of the Owners of 424, 426, 428, 430, 432, and 434 Francisco Street) (Filed December 14, 2020) (Clerk of the Board)

*President Walton opened the public hearing and Supervisor Peskin provided opening remarks regarding the appeal of the tentative map disapproval. The President then inquired as to whether any individual wished to address the Board. Scott Emblidge, Adam Smith, and Sherlyn Chew (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. James Ryan (Public Works) and Aaron Starr (Planning Department) provided an overview of the decision of Public Works and responded to questions raised throughout the discussion. Mitchell Omerberg, Theresa Flandrich, and Lorraine Petty (Opposition) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of Public Works. Polly Marshall; Anastasia Yoganopolis; Stephen Collier; spoke in opposition to the appeal. Scott Emblidge, Brian Barnard, and Sara Plummer Barnard (Appellants) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Walton closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

### **201380 [Conditionally Approving Decision of Public Works and Disapproving Tentative Map - 424, 426, 428, 430, 432, and 434 Francisco Street and Preparation of Findings]**

Motion approving the decision of Public Works and disapproving the Tentative Map for a six unit condominium conversion at 424, 426, 428, 430, 432, and 434 Francisco Street, Assessor's Parcel Block No. 0041, Lot No. 010. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Ronen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

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

Motion conditionally approving the decision of Public Works and disapproving the Tentative Map for a six unit condominium conversion at 424, 426, 428, 430, 432, and 434 Francisco Street, Assessor's Parcel Block No. 0041, Lot No. 010, subject to the Board of Supervisors' adoption of written findings in support of the disapproval, and directing the Clerk of the Board of Supervisors to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map. (Clerk of the Board)

**Motion No. M21-029**

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

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

**201381 [Conditionally Disapproving Decision of Public Works and Approving Tentative Map - 424, 426, 428, 430, 432, and 434 Francisco Street]**

Motion conditionally disapproving the decision of Public Works and approving the Tentative Map for a six unit condominium conversion at 424, 426, 428, 430, 432, and 434 Francisco Street, Assessor's Parcel Block No. 0041, Lot No. 010, subject to the Board of Supervisors' adoption of written findings in support of the disapproval. (Clerk of the Board)

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

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

**201382 [Preparation of Findings Related to the Tentative Map - 424, 426, 428, 430, 432, and 434 Francisco Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve the Tentative Map for a six unit condominium conversion at 424, 426, 428, 430, 432, and 434 Francisco Street, Assessor's Parcel Block No. 0041, Lot No. 010. (Clerk of the Board)

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

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

## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### **210093 [Hearing - Committee of the Whole - Consent to Provisions of a Variation Decision - March 16, 2021, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting 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 16, 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; scheduled pursuant to Motion No. M21-017, approved on February 2, 2021. (Clerk of the Board)

*President Walton opened the public hearing and Supervisor Haney provided opening remarks, indicating he would be making a motion to continue this hearing to a later date as the legislation package associated with this hearing remains in committee. The President then inquired as to whether any member of the public wished to address the Board relating to the proposed continuance. There were no speakers. President Walton closed public comment on the continuance.*

**Supervisor Haney, seconded by Supervisor Melgar, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of March 16, 2021. The motion carried by the following vote:**

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

### Committee of the Whole Adjourn and Report



## COMMITTEE REPORTS

### Recommendation of the Land Use and Transportation Committee

#### **210076 [Emergency Ordinance - Building Code - Construction During COVID-19 Pandemic That Results in Temporary Suspension of Water or Utility Service or Excessive Noise]**

**Sponsors: Peskin; Preston, Melgar, Chan and Mandelman**

Reenactment of an emergency ordinance (Ordinance No. 154-20) temporarily prohibiting construction projects in buildings with any residential rental units that require the suspension of water or utility service to residential tenants without providing alternative sources of water and power, or reaching agreement with tenants, due to the COVID-19 pandemic; and reaffirming the Planning Department's determination under the California Environmental Quality Act. (Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

*Supervisors Chan and Mandelman requested to be added as co-sponsors.*

**Ordinance No. 027-21**

**FINALLY PASSED by the following vote:**

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

### Recommendations of the Rules Committee

*President Walton requested File Nos. 210170, 210171, and 210172 be called together.*

#### **210170 [Mayoral Reappointment, Historic Preservation Commission - Chris Foley]**

Motion approving/rejecting the Mayor's nomination for reappointment of Chris Foley to the Historic Preservation Commission, for a four-year term ending December 31, 2024. (Clerk of the Board) (Charter, Section 4.135, 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 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: February 18, 2021.)

**Motion No. M21-033**

**APPROVED by the following vote:**

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

**210171 [Mayoral Reappointment, Historic Preservation Commission - Diane Matsuda]**

Motion approving/rejecting the Mayor's nomination for reappointment of Diane Matsuda to the Historic Preservation Commission, for a four-year term ending December 31, 2024. (Clerk of the Board)

(Charter, Section 4.135, 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 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: February 18, 2021.)

**Motion No.** M21-034

**APPROVED by the following vote:**

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

**210172 [Mayoral Appointment, Historic Preservation Commission - Ruchira Nageswaran]**

Motion approving/rejecting the Mayor's nomination for appointment of Ruchira Nageswaran to the Historic Preservation Commission, for a four-year term ending December 31, 2024. (Clerk of the Board)

(Charter, Section 4.135, 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 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: February 18, 2021.)

**Motion No.** M21-035

**APPROVED by the following vote:**

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Linda Chapman; expressed concerns regarding ballot measures that are needed to address the inefficiencies within various City departments and services.*

*Gilbert Crisswell; expressed the need to provide free Muni for all during the pandemic.*

*Peter Warfield; expressed concerns regarding online sign up services that aren't accessible to the disenfranchised and the need to expand services at the Public Library.*

*Cyndia Merrell; shared her experiences not being placed in an ADA compliant unit and the need for assistance to find compliant housing.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

**210191** [Supporting California State Assembly Bill No. 367 (Garcia) - Menstrual Equity Act of 2021]

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

Resolution supporting California Assembly Bill No. 367, authored by Assembly Member Cristina Garcia, and co-authored by Assembly Members Laura Friedman, Ash Kalra, and Sydney Kamlager, and co-authored by Senator Maria Elena Durazo, to require public schools maintaining any combination of classes from grades 6 to 12 inclusive to stock at least 50% of the school's restrooms with free menstrual products at all times.

*Supervisor Melgar requested to be added as a co-sponsor.*

**Resolution No. 101-21**

**ADOPTED**

**210193 [Joint Closed Session - Joint Special Meeting with the Public Utilities Commission - Existing Litigation - Pacific Gas and Electric Company - March 23, 2021, at 4:30 p.m.]**

Motion that the Board of Supervisors convene in a closed session during a joint special meeting with the San Francisco Public Utilities Commission being called on March 23, 2021, at 4:30 p.m., 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: City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1313, petition for review filed August 17, 2020, consolidated with No. 20-1458, petition for review filed November 16, 2020; City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1084, petition for review filed March 23, 2020; consolidated with No. 20-1297, petition for review filed August 3, 2020; 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. (Clerk of the Board)

**Motion No. M21-036**

**APPROVED**

**210201 [Findings Reversing the Revised Mitigated Negative Declaration - 2417 Green Street]**

Motion adopting findings to reverse the Final Mitigated Negative Declaration under the California Environmental Quality Act for the proposed project located at 2417 Green Street. (Clerk of the Board)

**Motion No. M21-037**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

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

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**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Melgar requested that File No. 210188 be severed so that it may be considered separately.*

**210188 [Michael P. Kelly - March 10, 2021]**

**Sponsors: Melgar; Walton and Safai**

Resolution commending Michael P. Kelly for his decades of service to the City and County of San Francisco, wishing him well in his much-deserved retirement, and to declare March 10, 2021, as Michael P. Kelly Day in the City and County of San Francisco.

*Supervisors Walton and Safai requested to be added as co-sponsors.*

**Resolution No. 099-21**

**ADOPTED by the following vote:**

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

*Supervisor Preston requested that File Nos. 210189 and 210200 be severed so that they may be considered separately.*

**210189 [Urging Congress to Introduce and Pass a Resolution Calling for Immediate Ceasefire and Respect for Human Rights in Tigray, Ethiopia]**

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

Resolution urging the United States Congress to introduce and pass a Resolution calling for peace and respect for human rights in Tigray; condemning human rights violations and violence against the people of Tigray; urging the Ethiopian government to immediately restore all forms of communication, critical services, and allow unimpeded, sustained, and secured access for humanitarian aid; and urging the United Nations to undertake a full and independent investigation into the atrocities in Tigray and to employ all preventative and diplomatic efforts to protect civilians in the region and address the humanitarian crisis.

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

**Resolution No. 100-21**

**ADOPTED by the following vote:**

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

**210200 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-Fifth Supplement]****Sponsor: Walton**

Motion concurring in actions taken by the Mayor in the Thirty-Fifth Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by allowing departments to extend COVID-19-related contracts through a streamlined process for an additional twelve months; allowing the Civil Service Commission to approve emergency personal service contracts without requiring advance union notification otherwise required by memoranda of understanding; authorizing the Controller to adopt a policy concerning streamlined approval of certain amendments to non-COVID-19-related contracts; and authorizing the Controller to adopt a policy under which the City may provide expedited payments of funds covering cost-of-doing-business or cost-of-living increases to nonprofit organizations that provide services under existing agreements with the City.

**Supervisor Preston requested this Motion be REFERRED to the Government Audit and Oversight Committee.**

**IMPERATIVE AGENDA**

*There were no imperative agenda items.*

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

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

**ORDINANCES****210138 [Business Registration Fee - Weights and Measures and Point of Sale Station Fees]****Sponsors: Mayor; Ronen and Safai**

Ordinance extending the deadline for certain businesses to pay the business registration fee for the fiscal year ending June 30, 2022, to November 1, 2021; temporarily suspending through November 1, 2021, penalties for late payment of certain weights and measures fees and point of sale station fees billed by the Tax Collector on or after March 17, 2020, and on or before October 1, 2021; and refunding suspended penalties paid to the City.

(Fiscal Impact)

02/09/21; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/11/2021.

02/22/21; REFERRED TO DEPARTMENT.

03/02/21; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**210214 [Appropriation - Property Tax - Overdose Prevention - District Attorney - \$2,742,731; Department of Public Health - \$3,931,215 - FY2020-2021]**

**Sponsor: Haney**

Ordinance appropriating \$2,742,731 from Property Tax to the District Attorney for a Fentanyl Task Force to prioritize prosecution of Fentanyl criminal sales networks, and \$3,931,215 from Property Tax to the Department of Public Health for overdose prevention through street outreach-based fatal overdose mitigation, community drug checking, a single residence occupancy training program and street crisis response team support.

(Fiscal Impact; No Budget and Legislative Analyst Report)

03/02/21; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/1/2021.

**210215 [Appropriation - Property Tax - Department of Children, Youth and Their Families - \$15,000,000 - Summer Programming - FY2020-2021]**

**Sponsors: Haney; Chan, Ronen, Melgar, Walton and Safai**

Ordinance appropriating \$15,000,000 from Property Tax to the Department of Children, Youth, and Their Families (CHF) for summer programming, learning, and activities for youth for Fiscal Year (FY) 2020-2021.

(Fiscal Impact)

03/02/21; ASSIGNED to Budget and Appropriations Committee.

**210216 [Administrative Code - Health Care Requirements for Certain Employers at San Francisco International Airport]**

**Sponsors: Mandelman; Walton and Safai**

Ordinance amending the Administrative Code to allow contracting parties that offer multiple health benefit plans at the San Francisco International Airport to charge covered employees a limited share of premium costs on more expensive plans, to clarify who must be covered by health benefit plans that are offered, and to adjust the date by which such health benefit plans must be in effect.

03/02/21; ASSIGNED to Rules Committee.

**210217 [Administrative Code - Acquisition of Surveillance Technology]**

**Sponsor: Peskin**

Ordinance amending the Administrative Code to define Surveillance Technology to exclude DNA processing tools and certain technology used by the Sheriff's Department; to define acquisition and use; to require that City departments acquiring Surveillance Technology, entering into agreements to receive information from non-City owned Surveillance Technology, or using existing Surveillance Technology, do so only following Board of Supervisors approval of a Surveillance Technology Policy Ordinance, adopted by the Committee on Information Technology (COIT) and introduced by the City Administrator, based on a policy or policies developed and adopted by COIT; and declaring that, under existing law, borrowing Surveillance Technology without using it does not require a Board-approved Surveillance Technology Policy Ordinance.

03/02/21; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/1/2021.

**210218 [Administrative, Police Codes - Waiving Employer Requirements to Report on 2020 Compliance with Health Care Security Ordinance and Fair Chance Ordinance]****Sponsor: Stefani**

Ordinance amending the Administrative Code to waive the requirement for employers to report compliance with the Health Care Security Ordinance for 2020, codifying the previous waiver of such requirement for 2019, amending the Police Code to waive the requirement for employers to report compliance with the Fair Chance Ordinance for 2020, and codifying the previous waiver of such requirement for 2019.

03/02/21; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/1/2021.

**RESOLUTIONS****210219 [Accept and Expend Grant - Federal Aviation Administration - ACRGP Funds - Operating Expenses of the Airport Commission and Concessionaire Relief - Up to \$46,543,901]****Sponsor: Mayor**

Resolution authorizing the Airport Commission to accept and expend one or more grants in the amount of up to \$46,543,901 plus additional amounts up to 15% of the original grant amount that may be offered from the Federal Aviation Administration, including up to \$40,594,314 for certain general Airport purposes and up to \$5,949,587 for the purpose of providing financial relief to eligible Airport concessions, for a period of up to four years from the date of grant acceptance, contingent on receipt by the Airport Commission of one or more grant offers from the Federal Aviation Administration. (Airport Commission)

03/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210220 [Ten-Year Capital Expenditure Plan - FYs 2022-2031]****Sponsors: Mayor; Walton**

Resolution adopting the City's ten-year capital expenditure plan for Fiscal Years (FYs) 2022-2031, pursuant to Administrative Code, Section 3.20.

03/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210221 [Five-Year Information and Communication Technology Plan - FYs 2022-2026]****Sponsor: Mayor**

Resolution adopting the City's five-year Information and Communication Technology Plan for Fiscal Years (FYs) 2022-2026, pursuant to Administrative Code, Section 22A.6.

03/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210222 [Honoring Chinese American Women]****Sponsors: Chan; Walton, Preston, Mandelman and Safai**

Resolution honoring the historic contributions of Chinese American Women in San Francisco on the occasion of Women's History Month 2021.

03/02/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**210223 [Commemorative Street Plaques - Historical Markers - LEATHER & LGBTQ Cultural District Leather History Cruise]****Sponsors: Haney; Ronen, Peskin, Preston, Chan, Mandelman and Safai**

Resolution authorizing the placement of the LEATHER & LGBTQ Cultural District Leather History Cruise plaques, to be installed on the sidewalks at various historic locations within and near the Cultural District in the area bounded by Brannon Street, Third Street, Mission Street, Twelfth Street and Division Street; and initiating the process set forth in Public Works Code, Sections 789 et seq., to provide for the creation of a program for and installation of commemorative plaques on the Leather History Cruise.

03/02/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**210224 [Urging the Office of Labor Standards Enforcement to Administer the Healthy Airport Ordinance in Accordance with Pending Amendments]****Sponsors: Mandelman; Walton and Safai**

Resolution urging the Office of Labor Standards Enforcement to exercise administrative discretion to administer the Healthy Airport Ordinance in accordance with pending amendments.

03/02/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210213 [San Francisco Gender-Equitable Recovery Plan]****Sponsors: Melgar; Chan, Ronen, Stefani, Haney, Preston, Safai, Walton and Mandelman**

Resolution urging the City and County of San Francisco to codify and to implement a proactive approach for a Gender-Equitable Recovery Plan and to be intentional with support and focus towards Self-Identified Women's livelihoods, economic and health recovery, and collective empowerment.

03/02/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210234 [Authorizing Construction of an Observation Wheel Structure in Golden Gate Park]****Sponsors: Peskin; Chan**

Resolution retroactively approving, pursuant to Charter, Section 4.113, construction of an observation wheel structure in Golden Gate Park for a term starting February 28, 2020, and lasting for one year following the current permit expiration term, until February 7, 2022, with full removal required by March 15, 2022.

(Pursuant to Charter, Section 4.113, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage)

03/02/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210225 [Urging the United States Congress to Support Appointment of a National Director of Gun Violence Prevention]****Sponsors: Stefani; Walton, Ronen, Mandelman and Safai**

Resolution urging the United States Congress to support the Appointment of a National Director of Gun Violence Prevention, and the creation of an Interagency Task Force on Gun Violence Prevention.

03/02/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210226 [Accept and Expend In-Kind Grant - KABOOM! - Nature Playspace - Valued at \$204,000]****Sponsor: Walton**

Resolution authorizing the Recreation and Park Department to accept and expend an in-kind grant valued at \$204,000 from KABOOM! for the design and construction of a nature playspace at Heron's Head Park, to commence upon Board approval. (Recreation and Park Department)

03/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210227 [Women's History Month - March]****Sponsors: Walton; Ronen, Stefani, Chan, Melgar, Haney, Safai, Peskin, Preston, Mandelman and Mar**

Resolution recognizing every March as Women's History Month in the City and County of San Francisco.

03/02/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210228 [Endometriosis Awareness Month - March]****Sponsors: Walton; Ronen, Safai, Haney, Chan, Preston, Mandelman and Mar**

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

03/02/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## MOTIONS

**210229 [Committee of the Whole - Public Health Officer - April 6, 2021, at 3:00 p.m.]****Sponsor: Walton**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on April 6, 2021, at 3:00 p.m., during the Regular Board of Supervisors Meeting, to hold a public hearing to consider the appointment of a Public Health Officer.

03/02/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210231 [Committee of the Whole - Emergency Ordinance - COVID-Related Hazard Pay - March 9, 2021, at 3:00 p.m.]****Sponsor: Walton**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 9, 2021, at 3:00 p.m., during the Regular Board of Supervisors Meeting, to consider a proposed Emergency Ordinance (File No. 210181) requiring certain stores to temporarily pay COVID-related hazard pay.

03/02/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210208 [Appointment, Transbay Joint Powers Authority - Supervisor Rafael Mandelman]**

Motion appointing Supervisor Rafael Mandelman, for an indefinite term, to the Transbay Joint Powers Authority. (Clerk of the Board)

03/01/21; RECEIVED AND ASSIGNED to Rules Committee.

**210209 [Reappointment, Golden Gate Bridge, Highway and Transportation District, Board of Directors - Supervisor Catherine Stefani]**

Motion reappointing Supervisor Catherine Stefani, term ending January 31, 2023, to the Golden Gate Bridge, Highway and Transportation District, Board of Directors. (Clerk of the Board)

03/01/21; RECEIVED AND ASSIGNED to Rules Committee.

**210211 [Mayoral Appointment, Historic Preservation Commission - Christina Dikas]**

Motion approving/rejecting the Mayor's nomination for appointment of Christina Dikas to the Historic Preservation Commission, term ending December 31, 2024. (Clerk of the Board) (Charter, Section 4.135, 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 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: March 1, 2021.)

03/02/21; RECEIVED AND ASSIGNED to Rules Committee.

**210212 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Sharon Lai]**

Motion approving/rejecting the Mayor's nomination for the reappointment of Sharon Lai to the Municipal Transportation Agency Board of Directors, term ending March 1, 2025. (Clerk of the Board)

(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: March 1, 2021.)

03/02/21; RECEIVED AND ASSIGNED to Rules Committee.

## REQUESTS FOR HEARING

**210233 [Hearing - 2021 Language Access Report]****Sponsor: Walton**

Hearing to discuss departmental compliance with the City's Language Access Ordinance including the review of the 2021 Language Access Summary Report from the Office of Civic Engagement and Immigrant Affairs; requesting community organizations who provide Language Access to present feedback; and requesting the Office of Civic Engagement and Immigrant Affairs to report.

03/02/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**210232 [Hearing - Committee of the Whole - Emergency Ordinance - COVID-Related Hazard Pay - March 9, 2021, at 3:00 p.m.]**

Hearing of the Board of Supervisors to sit as a Committee of the Whole on March 9, 2021, at 3:00 p.m., during the Regular Board of Supervisors Meeting, to consider a proposed Emergency Ordinance (File No. 210181) requiring certain stores to temporarily pay COVID-related hazard pay. (Clerk of the Board)

03/02/21; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**210194 [Joint Closed Session - Joint Special Meeting with the Public Utilities Commission - Existing Litigation - Pacific Gas and Electric Company - March 23, 2021, at 4:30 p.m.]**

Joint special meeting to convene in closed session with the Board of Supervisors and San Francisco Public Utilities Commission being called on March 23, 2021, at 4:30 p.m., 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: City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1313, petition for review filed August 17, 2020, consolidated with No. 20-1458, petition for review filed November 16, 2020; City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1084, petition for review filed March 23, 2020; consolidated with No. 20-1297, petition for review filed August 3, 2020; 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. M21-036 (File No. 210193) approved on March 2, 2021. (Clerk of the Board)

03/02/21; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

## **Introduced at the Request of a Department**

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

## **PROPOSED RESOLUTIONS**

### **210173 [Accept and Expend Grant - Retroactive - California Department of Insurance - Automobile Insurance Fraud Program - \$316,939]**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$316,939 from the California Department of Insurance for the Automobile Insurance Fraud Program, for the grant period of July 1, 2020, through June 30, 2021. (District Attorney)

02/17/21; RECEIVED FROM DEPARTMENT.

03/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **210174 [Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$928,617]**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$928,617 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period of July 1, 2020, through June 30, 2021. (District Attorney)

02/17/21; RECEIVED FROM DEPARTMENT.

03/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **210175 [Contract Amendment - Retroactive - TEGSCO, LLC, dba San Francisco AutoReturn - Vehicle Towing, Storage and Disposal Services for Abandoned and Illegally-Parked Vehicles - Not to Exceed \$88,200,000]**

Resolution approving the third amendment with TEGSCO, LLC, dba San Francisco AutoReturn, for services related to the towing, storage, and disposal of abandoned and illegally-parked vehicles, to increase the contract amount by \$23,200,000 for the first two years of the five-year extension for a total amount not to exceed \$88,600,000 to commence on April 1, 2021. (Municipal Transportation Agency)  
(Fiscal Impact)

02/22/21; RECEIVED FROM DEPARTMENT.

03/02/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisor Chan*

*To: City Attorney's Office*

*Requesting/Inquiring: Requesting the City Attorney's Office draft legislation to close loopholes in Recreation and Park's permitting system that allow the piece-mealing of permit approvals in order to evade public approval processes.*

*From: Supervisor Safai*

*To: Office of the Chief Medical Examiner and Sheriff's Department*

*Requesting/Inquiring: Inquiring from the Office of the Chief Medical Examiner and Sheriff's Department to analyze possible correlation between incarceration and 2020 overdose victims. Please see attached memo for more information.*

*From: Supervisor Stefani*

*To: David Mauroff, Chief Executive Officer of the San Francisco Pretrial Diversion Project*

*Requesting/Inquiring: Inquiring data from the lifetime safety and appearance rating for individuals in the San Francisco Pretrial Diversion Project's program, calculated according to the National Institute of Corrections guidelines and reasons the organization has chosen not to report safety and appearance ratings according to those national guidelines? Please see attached memo for more information.*

**In Memoriams**

*Christine "Tina" Zeron - President Walton*

*Dr. Caesar Churchwell - President Walton*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 5:45 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on April 6, 2021.*

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Angela Calvillo, Clerk of the Board