

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, September 7, 2021 - 2:00 PM

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

(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

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

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

Rules Committee
Supervisors Peskin, Mandelman, Chan

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

Meeting Days

Wednesday
1:00 PM

Wednesday
10:30 AM

1st and 3rd Thursday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

2nd Friday
10:00 AM

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 regular session, and provided public comment through teleconferencing, on Tuesday, September 7, 2021, with President Shamann Walton presiding.

President Walton called the meeting to order at 2:01 p.m.

Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors (Board) authorized their Board and Committee meetings to convene remotely and allow remote public comment via teleconference. Effective June 29, 2021, the Board and staff began to reconvene for in-person Board proceedings. Committee meetings will continue to convene remotely until further notice. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>. 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, Peskin, Preston, Ronen, Safai, Stefani, and Walton were noted present.

All Members were present.

President Walton presented the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula, pursuant to Board Rule 4.7.1.

COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes by dialing the provided telephone number. When connected, they 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 June 29, 2021, July 13, 2021, July 20, 2021, or July 27, 2021, Board Regular Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Preston, seconded by Supervisor Mar, moved to approve the June 29, 2021, July 13, 2021, July 20, 2021, and July 27, 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

210741 [Waiver of Permit, License, and Business Registration Fees for Certain New Small Business Locations]

Sponsors: Ronen; Haney, Safai, Mar and Mandelman

Ordinance waiving certain first-year permit, license, and business registration fees for businesses that either (1) commence engaging in business within the City from November 1, 2021, through October 31, 2022, have estimated first-year San Francisco gross receipts of \$2,000,000 or less, have a registered business location that is for ground floor commercial use and not formula retail use, and have gross receipts in the next three tax years of \$10,000,000 or less, or (2) open a new business location for ground floor commercial use and not formula retail use, reported San Francisco gross receipts of \$2,000,000 or less on its most recent return, and have gross receipts in the next three tax years of \$10,000,000 or less; and refunding any waived fees paid to the City.
(Fiscal Impact)

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

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

210731 [Settlement of Lawsuit - Con-Quest Contractors, Inc. - \$325,000]

Ordinance authorizing settlement of the lawsuit filed by Con-Quest Contractors, Inc. against the City and County of San Francisco for \$325,000; the lawsuit was filed on April 9, 2020, in San Francisco Superior Court, Case No. CGC-20-584105; entitled Con-Quest Contractors, Inc. v. City and County of San Francisco; the lawsuit involves construction claims. (City Attorney)

FINALLY PASSED

210732 [Settlement of Lawsuit - Sean Wendell Moore - \$3,250,000]

Ordinance authorizing settlement of the lawsuit filed by Sean Wendell Moore against the City and County of San Francisco for \$3,250,000; the lawsuit was filed on January 29, 2018, in United States District Court for the Northern District of California, Case No. 3:18-cv-00634-SI; entitled Sean Moore v. City and County of San Francisco, et al.; the lawsuit involves claims of civil rights violations and use of excessive force. (City Attorney)

FINALLY PASSED

210733 [Settlement of Lawsuit - Colin James Baca - \$265,000]

Ordinance authorizing settlement of the lawsuit filed by Colin James Baca against the City and County of San Francisco for \$230,000 and settlement of the related Complaint in Intervention of XL Specialty Insurance Company in the amount of \$35,000; the lawsuit was filed on March 7, 2017, in the San Francisco Superior Court, Case No. CGC-17-557438; entitled Colin James Baca v. David George Camerlo, et al.; the lawsuit involves alleged personal injury from a vehicle collision and a subrogation claim for workers compensation benefits paid to Colin James Baca. (City Attorney)

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee**210495 [Landmark Tree Designation - Canary Island Pine - 2251 Filbert Street]****Sponsors: Stefani; Peskin, Preston and Melgar**

Ordinance designating the Canary Island Pine (*Pinus canariensis*) tree located at 2251 Filbert Street as a landmark tree pursuant to the Public Works Code; making findings supporting the designation; and directing official acts in furtherance of the landmark tree designation, as defined herein.

FINALLY PASSED

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

UNFINISHED BUSINESS

Recommendation of the Land Use and Transportation Committee

210601 [Administrative Code - COVID-19 Tenant Protections]

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

Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that came due between July 1, 2021, and December 31, 2021, that was not paid due to the COVID-19 pandemic, provided the tenant has paid at least 25 percent of the rent owed; 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.

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

Supervisor Preston, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to the Board of Supervisors meeting of September 21, 2021. The motion carried by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

210762 [Administrative Code - Eviction of Commercial Tenants for Unpaid Rent Due to COVID-19 Financial Impacts]

Sponsors: Safai; Haney, Mar and Mandelman

Ordinance amending the Administrative Code to revise the eviction protections for commercial tenants related to unpaid rent due to financial impacts from the COVID-19 pandemic to create a six-month forbearance period for tenants with between 50 and 99 full-time employees, and to authorize the Office of Economic and Workforce Development to create incentive programs to encourage landlords and tenants to agree to repayment plans.

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

PASSED ON FIRST READING by the following vote:

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

210608 [Accept and Expend Grant - Retroactive - Development of Commerce - CARES Act Recovery Assistance Revolving Loan Fund - \$550,000]**Sponsor: Mayor**

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend the small business loan program funds in the amount of \$550,000 from the Department of Commerce's Economic Development Administration for Non-Competitive Coronavirus Aid, Relief, and Economic Security (CARES) Act Recovery Assistance Revolving Loan Fund during the grant period of January 1, 2021, through June 30, 2022. (Department of Economic and Workforce Development)

ADOPTED by the following vote:

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

President Walton requested File Nos. 210682 and 210685 be called together.

210682 [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - FY2020 Community Power Resiliency Grant Program - \$189,005]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Emergency Management to accept and expend a grant in the amount of \$189,005 from the California Governor's Office of Emergency Services for Fiscal Year (FY) 2020 Community Power Resiliency Allocation, for the period of July 1, 2020, through October 31, 2021. (Department of Emergency Management)

ADOPTED by the following vote:

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

210685 [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - FY2019 Public Safety Power Shutoff Resiliency Allocation Program - \$378,010]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Emergency Management to accept and expend a grant in the amount of \$378,010 from the California Governor's Office of Emergency Services for the Fiscal Year (FY) 2019 Public Safety Power Shutoff (PSPS) Resiliency Allocation Program, to support equipment purchases and to improve local preparedness and response for PSPS events for the period of July 1, 2019, to October 31, 2022. (Department of Emergency Management)

ADOPTED by the following vote:

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

210812 [Loan Agreement - Hunters View Associates, L.P. - Hunters View HOPE SF - Not to Exceed \$33,903,540 for Infrastructure]**Sponsor: Mayor**

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute an Infrastructure Loan Agreement with Hunters View Associates, L.P., a California limited partnership, for a total loan amount not to exceed \$33,903,540 to finance the third phase of infrastructure improvements related to the revitalization and master development of up to 800 units of replacement public housing, affordable housing and market rate housing, commonly known as the Hunters View HOPE SF Development ("Hunters View Project"); and adopting findings that the loan agreement is consistent with the California Environmental Quality Act, the General Plan, and the priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

ADOPTED by the following vote:

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

President Walton requested File Nos. 210814 and 210816 be called together.

210814 [Grant Contract - Retroactive - California Department of Parks and Recreation Outdoor Environmental Education Facilities Program - McLaren Park Trails Improvement Project - \$250,000]**Sponsor: Mayor**

Resolution retroactively authorizing the Recreation and Park Department to enter into a grant contract with California Department of Parks and Recreation Outdoor Environmental Education Facilities Program in the amount of \$250,000 that requires the Department to maintain trail improvements funded by the grant in McLaren Park for the duration of the contract performance period from July 1, 2017, through June 30, 2047, pursuant to Charter, Section 9.118(a).
(Recreation and Park Department)

ADOPTED by the following vote:

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

210816 [Accept and Expend Grant - Retroactive - California Department of Parks and Recreation Habitat Conservation Fund - Visitacion Avenue Corridor Trail - \$207,000]**Sponsor: Mayor**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a California Department of Parks and Recreation Habitat Conservation Fund Grant in the amount of \$207,000 to support the construction of a new multi-use pedestrian and bicycle trail adjacent to Visitacion Avenue within McLaren Park; and approve a Grant Contract that requires the Department to maintain the trail for the duration of the contract performance period from July 1, 2019, through June 30, 2039, pursuant to Charter, Section 9.118(a). (Recreation and Park Department)
(Fiscal Impact)

ADOPTED by the following vote:

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

210815 [Accept and Expend Grant - Retroactive - Department of Homeland Security Federal Emergency Management Agency - FY2020 Port Security Grant Program - \$1,161,830]

Sponsor: Mayor

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$1,161,830 from the Department of Homeland Security Federal Emergency Management Agency for the Fiscal Year (FY) 2020 Port Security Grant Program to upgrade the existing 3D Sonar System, purchase a Vessel Mounted Thermal Camera System, send members to Advanced Underwater Remotely Operated Vehicle (ROV) Operations Training, refurbish and perform deck safety upgrades on the existing response vessel, and purchase a response vessel for the period of September 1, 2020, through August 31, 2023, and waiving indirect costs. (Police Department)

Supervisor Peskin, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of September 14, 2021. The motion carried by the following vote:

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

210817 [Accept and Expend Grant - California Department of Housing and Community Development Infill Infrastructure Grant Program - Treasure Island - \$30,000,000]

Sponsor: Mayor

Resolution authorizing the Treasure Island Development Authority ("Authority") to execute a Standard Agreement with the California Department of Housing and Community Development ("HCD") under the Infill Infrastructure Grant ("IIG") Program for a total award of \$30,000,000 for Qualifying Infill Projects on Treasure Island and Yerba Buena Island, for the period starting on the execution of the Standard Agreement to June 30, 2028; authorizing the Authority to accept and expend the grant of \$30,000,000 for Capital Infrastructure Improvements approved by HCD consistent with the Authority's Application; and authorizing the Authority to execute additional documents that are necessary or appropriate to accept and expend the IIG Program funds consistent with this Resolution, as defined herein. (Treasure Island Development Authority)

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

201151 [Various Codes - Construction and Demolition Debris Recovery]

Sponsors: Safai; Walton and Mandelman

Ordinance amending the Environment, Public Works, Health, and Administrative Codes to require transporters of construction and demolition debris to obtain a temporary or annual permit from the Department of Environment for each vehicle and debris box used for such transport and to comply with permit conditions; to require facilities that process such debris to comply with updated registration conditions; to require each person who conducts full demolition projects as permitted by the Department of Building Inspection and submits to the Director of the Department of Environment a material reduction and recovery plan to provide for at least 75% recovery away from disposal instead of 65% as required under existing law, and to verify this recovery rate after completing the project; to authorize the Director to impose administrative penalties for violations; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Public Safety and Neighborhood Services Committee

210540 [Police Code - “Ghost Guns”]

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

Ordinance amending the Police Code to prohibit any person other than a licensed manufacturer or importer from possessing, selling, offering for sale, transferring, purchasing, transporting, receiving, or manufacturing an unfinished firearm frame or receiver that has not been imprinted with a serial number, subject to certain exceptions; and prohibiting any person from manufacturing or assembling a firearm that has not been imprinted with a serial number, subject to certain exceptions.

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

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

210604 [Municipal Elections Code - Expanded Vote-by-Mail for Exclusively Municipal Elections]

Sponsor: Safai

Ordinance amending the Municipal Elections Code to require the Department of Elections to expand use of vote-by-mail ballots at exclusively municipal elections and encourage further use of vote-by-mail ballots in all elections.

Privilege of the floor was granted unanimously to Anne Pearson (Office of the City Attorney) and John Arntz, Director (Department of Elections), who responded to questions raised throughout the discussion.

Supervisor Safai, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 7-8, by adding ‘without limiting in-person voting opportunities on or before election day’. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

210677 [Administrative Code - Composition of Committee on Information Technology (COIT)]

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

Ordinance amending the Administrative Code to add the Clerk of the Board of Supervisors and the Executive Director of the Human Rights Commission as permanent members of the Committee on Information Technology (COIT).

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

PASSED ON FIRST READING by the following vote:

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

210856 [Appointments, Our City, Our Home Oversight Committee - Shanell Williams, Julie Leadbetter, Julia D'Antonio, and Jennifer Friedenbach]

Motion appointing Shanell Williams, Julie Leadbetter, Julia D'Antonio, and Jennifer Friedenbach, terms ending April 22, 2023, to the Our City, Our Home Oversight Committee. (Rules Committee)

Motion No. M21-123

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. 210858, 210859, 210860, and 210861 be called together.

210858 [Hearing - Appeal of Conditional Use Authorization Approval - 450-474 O'Farrell Street and 532 Jones Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 303, 304, 415, 166, and 155 of the Planning Code, for a proposed project at 450-474 O'Farrell Street and 532 Jones Street, Assessor's Parcel Block No. 0317, Lot Nos. 007, 009, and 011, identified in Planning Case No. 2013.1535CUA-02, issued by the Planning Commission by Motion No. 20935, dated June 24, 2021, to amend the Conditions of Approval Nos. 24, 25, 26, and 32 of Planning Commission Motion No. 20281, adopted on September 13, 2018, for a revised project scope to include demolition of three buildings, construction of a 13-story mixed-use building with similar massing, ground floor commercial and a new church, and up to 316 group housing rooms instead of 176 residential units located in a RC-4 (Residential-Commercial, High Density) Zoning District, North of Market Residential Special Use District and 80-130-T Height and Bulk District. (District 6) (Appellants: Pratibha Tekkey, on behalf of the Tenderloin Housing Clinic, and Michael Shonafelt and Gregory Tross of Newmeyer & Dillion LLP, on behalf of the Pacific Bay Inn, Inc.) (Filed July 21, 2021) (Clerk of the Board)

President Walton opened the public hearing and Supervisor Haney indicated he would be making a motion to continue this Hearing and associated Motions to a future date. The President then inquired as to whether any individual wished to address the Board on the proposed continuance. Ela Strong; David Murray; Corey Smith; Michael Nulty; Susan Tuchtel; Martha Murray; Speaker; Kenneth Druzzel; Patricia Kepthurt; Christy Cruisin; Lowell Maldonado; Anastasia Yoganopolous; Linda Knox; Andy Tourney; spoke on various concerns regarding the proposed continuance. There were no other speakers. President Walton closed public comment on the continuance.

Supervisor Haney, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of September 28, 2021. The motion carried by the following vote:

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

210859 [Approving Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]

Motion approving the decision of the Planning Commission by its Motion No. 20935, approving a Conditional Use Authorization, identified as Planning Case No. 2013.1535CUA-02, for a proposed project located at 450-474 O'Farrell Street and 532 Jones Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Haney, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 28, 2021. The motion carried by the following vote:

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

210860 [Conditionally Disapproving the Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20935, approving a Conditional Use Authorization, identified as Planning Case No. 2013.1535CUA-02, for a proposed project at 450-474 O'Farrell Street and 532 Jones Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

Supervisor Haney, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 28, 2021. The motion carried by the following vote:

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

210861 [Preparation of Findings Related to Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2013.1535CUA-02 for a proposed project at 450-474 O'Farrell Street and 532 Jones Street. (Clerk of the Board)

Supervisor Haney, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 28, 2021. The motion carried 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 the proposed landmarking of certain trees. Speaker; expressed the need to address equity across the City as a whole and not just neighborhoods.

Josh Faulk; expressed support of a newly introduced Resolution urging compliance of California's 2018 Proposition 12, the Prevention of Cruelty to Farm Animals.

Dave Alexander; expressed support of the newly introduced Resolution calling for a "Beach to Bay" car-free connection to improve park accessibility.

Speaker; spoke in opposition to the current indoor mask mandate.

Speaker; expressed support of keeping the Great Highway closed to vehicular traffic and restoring the Muni lines to pre-pandemic levels.

Michael Nulty; expressed concerns regarding the plight of taxi medallion holders and requested the Board address these issues through legislation.

Amy Cervantes; expressed concerns regarding the encouragement of pre-trial judgement before the full facts are made available.

Dwayne Johnston; shared his personal experience as a drug addict and the challenges experienced.

Scott Feeney; expressed support of the newly introduced Resolution calling for a "Beach to Bay" car-free connection to improve park accessibility.

Lisa Chung; expressed support of the newly introduced Resolution calling for a "Beach to Bay" car-free connection to improve park accessibility.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

210879 [Urging Plan Approval - Interdepartmental Staff Committee on Traffic and Transportation - How Weird Street Faire Admission Fee]

Sponsor: Haney

Resolution urging the Interdepartmental Staff Committee on Traffic and Transportation to approve a proposed plan to allow the How Weird Street Faire to charge an admission fee.

ADOPTED

210881 [Approval of a 60-Day Retroactive Extension for Planning Commission Review of "Review of Large Residence Developments" (File No. 210116)]

Sponsor: Mandelman

Resolution retroactively extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 210116) amending the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

ADOPTED

210882 [Supporting the Plastics Free California Ballot Measure on the November 2022 California Ballot]**Sponsors: Peskin; Melgar, Ronen, Mandelman, Mar, Chan, Walton, Preston, Safai, Haney and Stefani**

Resolution supporting the California Recycling and Plastic Pollution Reduction Act, also known as Plastics Free California, a ballot measure qualified to appear on the statewide California ballot for the general election to be held on November 8, 2022.

ADOPTED**210887 [Supporting California State Senate Joint Resolution No. 8 (Caballero) - Disabled Adult Child Benefit]****Sponsors: Walton; Mar, Haney, Preston and Mandelman**

Resolution supporting California State Senate Joint Resolution No. 8, introduced by Senator Caballero to urge the President and the Congress of the United States to amend specified provisions of the federal Social Security Act to allow recipients of disabled adult child benefits under the act to continue to receive those benefits upon marriage.

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

ADOPTED**210916 [Supporting H.R. 2307 (Deutch) - The Energy Innovation and Carbon Dividend Act of 2021]****Sponsors: Melgar; Mandelman, Mar, Chan, Haney, Walton and Preston**

Resolution urging Congress to pass H.R. 2307, authored by Representative Theodore E. Deutch, The Energy Innovation and Carbon Dividend Act of 2021, creating a Carbon Dividend Trust Fund for the American people in order to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous Nation for future generations.

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

ADOPTED**210890 [Waiver Authorizing City Employees to Assist the Department of Elections with the September 14, 2021, California Gubernatorial Recall Election]****Sponsor: Walton**

Motion authorizing City employees to assist the Department of Elections with the September 14, 2021, California Gubernatorial Recall Election.

Motion No. M21-124**APPROVED**

The foregoing items were acted upon by the following vote:

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

Supervisor Walton, seconded by Supervisor Mandelman, moved to rescind the previous vote to reconsider File No. 210891. 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 For Adoption Without Committee Reference Agenda

Supervisor Preston requested that File No. 210884 be severed so that it may be considered separately.

210884 [Urging California Governor Gavin Newsom to Extend COVID-Related Eviction Protections]

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

Resolution urging California Governor Gavin Newsom to extend COVID-related eviction protections to December 31, 2021, or later.

Supervisor Safai 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

Supervisor Ronen requested that File No. 210886 be severed so that it may be considered separately.

210886 [Urging Tax-Exempt Bond Regulation Changes]

Sponsors: Walton; Chan, Mandelman, Preston, Melgar and Mar

Resolution urging Treasurer Fiona Ma and the California Debt Limit Allocation Committee ("CDLAC") to amend the adopted CDLAC regulations immediately to address the regional inequities of the allocation system resulting in no awards to San Francisco for new construction affordable housing projects.

Supervisors Chan, Mandelman, Preston, Ronen, Melgar, and Mar 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

Preston Walton requested that File No. 210891 be severed so that it may be considered separately.

210891 [Committee of the Whole - Independent Equal Employment Opportunity Report - October 5, 2021, at 3:00 p.m.]

Sponsor: Walton

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on October 5, 2021, at 3:00 p.m., during the Regular Board of Supervisors meeting, to hold a public hearing on the findings and recommendations from the independent review by William B. Gould IV, a Charles A. Beardesley Professor of Law at Stanford Law School, on the City's equal employment opportunity policies of the Department of Human Resources Equal Employment Opportunity Division.

Motion No. M21-125

APPROVED 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

210897 [Settlement of Lawsuit - Christina McGovern - \$100,000]

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

08/06/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

210899 [Settlement of Unlitigated Claim - San Francisco Bay Regional Water Quality Control Board - Regulatory Enforcement Action]

Resolution approving the settlement of an unlitigated claim of the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco regarding alleged violations of the California Water Code related to wet weather-related overflows from the City's combined sewer system; no formal claim has been filed; the settlement involves entry of a stipulated enforcement order requiring the City to implement flood control projects in the Wawona area, Folsom area, and Lower Alemany area and flooding response actions. (City Attorney)

08/06/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210906 [Settlement of Unlitigated Claims - Mizuho Securities USA LLC and Mizuho Americas LLC - \$531,910.34]

Resolution approving the settlement of the unlitigated claims filed by Mizuho Securities USA LLC and Mizuho Americas LLC against the City and County of San Francisco for \$531,910.34; the claims were filed on May 6, 2021; the claims involve a refund of payroll expense, gross receipts, homelessness gross receipts, and early care and education commercial rents taxes. (City Attorney)
08/10/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210907 [Settlement of Unlitigated Claim - Lever, Inc. - \$30,756.32]

Resolution approving the settlement of the unlitigated claim filed by Lever, Inc. against the City and County of San Francisco for \$30,756.32; the claim was filed on April 15, 2021; the claim involves a refund of payroll expense and gross receipts taxes. (City Attorney)
08/30/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210908 [Contract Amendment - Retroactive - Northpointe Software, Inc. - Correctional Offender Management Profiling for Alternative Sanctions - Term Extension - Not to Exceed \$752,488]

Resolution retroactively approving a fifth amendment to the agreement between the Adult Probation Department and Northpointe Software, Inc., for maintenance and support of the Correctional Offender Management Profiling for Alternative Sanctions system (COMPAS), to extend the performance period by 12 months for a total term of 11 years from March 7, 2011, through March 7, 2022, with no change to the total amount not to exceed \$752,488. (Adult Probation)

07/23/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210909 [Airport Professional Services Agreement - SP Plus Corporation - Curbside Management Program - Not to Exceed \$20,700,000]

Resolution approving the Professional Services Agreement, Contract No. 50276 for the Curbside Management Program between SP Plus Corporation and the City and County of San Francisco, acting by and through its Airport Commission, for a three year term with one two-year option to extend, in an amount not to exceed \$20,700,000 to commence on November 1, 2021, through October 31, 2024. (Airport Commission)

07/29/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210910 [Permit To Enter City Property - San Mateo Resource Conservation District - 500 Log Cabin Ranch Road - Mindego Creek Fish Passage Project - 25-Year Term]

Resolution authorizing and approving a no fee permit to enter and use a portion of Log Cabin Ranch by the San Mateo Resource Conservation District for the Mindego Creek Fish Passage Project in order to help protect federally threatened steelhead trout and federally endangered coho salmon for a term of 25 years, to commence upon approval by the Board of Supervisors and Mayor; finding of public purpose and determining that competitive bidding procedures are not required; and adopting findings under the California Environmental Quality Act. (Real Estate Department)

08/04/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210911 [Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$914,170]

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$914,170 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period of July 1, 2021, through June 30, 2022. (District Attorney)

08/10/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210912 [Real Property Lease - New Cingular Wireless PCS, LLC - 375 Laguna Honda Boulevard - \$120,000 Initial Annual Base Rent]

Resolution authorizing and approving the lease of a telecommunications facilities on a portion of the roof at 375 Laguna Honda Boulevard with New Cingular Wireless PCS, LLC, for a ten-year term at an initial annual rent of \$120,000 or the monthly base rent of \$10,000 with a 3% annual adjustment thereafter, and two five-year options to extend, with tenant responsible for all services and utilities, to commence upon execution after approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion. (Real Estate Department)

08/23/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210913 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving Amendment No. 46 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2021, for a total term of November 19, 1998, through November 30, 2022. (Treasure Island Development Authority)

08/23/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210914 [Acceptance and Recording of Avigation Easement - SHAC Adrian Court Apartments LLC - 1 and 45 Adrian Court, Burlingame]

Resolution authorizing the acceptance and recording of an avigation easement by the City and County of San Francisco from SHAC Adrian Court Apartments LLC for the development at 1 and 45 Adrian Court in Burlingame, California, at no cost to the City and County of San Francisco; and affirming the Planning Department's determination under the California Environmental Quality Act. (Airport Commission)

08/24/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

210915 [Updated Emergency Declaration - Replacement and Repair of Fences - Increase the Total Not to Exceed Cost to \$11,000,000]

Resolution approving an updated emergency declaration of the San Francisco Public Utilities Commission (SFPUC), pursuant to San Francisco Administrative Code, Section 6.60, to replace and repair fences on SFPUC watershed land in Alameda damaged by the SCU Lightning Complex Fire, increasing the total not to exceed cost from \$4,250,000 to \$11,000,000. (Public Utilities Commission)

08/27/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 4:45 p.m.