

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, May 3, 2022 - 2:00 PM

### IN-PERSON MEETING

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

*(remote access provided)*

*(remote public comment provided via teleconference)*

[www.sfgovtv.org](http://www.sfgovtv.org)

### Regular Meeting

SHAMANN WALTON, PRESIDENT

CONNIE CHAN, 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 Ronen, Safai, Mar, Chan, Walton

#### **Budget and Finance Committee**

Supervisors Ronen, 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

#### **Rules Committee**

Supervisors Peskin, Mandelman, Chan

#### **Youth, Young Adult, and Families Committee**

Supervisors Ronen, Safai, Melgar

### Meeting Days

Wednesday  
1:00 PM

Wednesday  
10:30 AM

1st and 3rd Thursday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
10:00 AM

2nd Friday  
10:00 AM

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

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**Members Present:** Connie Chan, 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 regular session, in-person with remote access and public comment also available via telephone, on Tuesday, May 3, 2022, with President Shamann Walton presiding.*

*President Walton called the meeting to order at 2:06 p.m.*

*On May 2, 2022, at 10:00 a.m. former Member of the Board Matt Haney was sworn into the California State Assembly representing the 17th Assembly District, after winning the April 19, 2022, Special Election; therefore, the Board of Supervisors seat representing District 6 is vacant.*

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

*The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).*

*Members of the public 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. Committee agendas and their associated documents are available at <https://sfbos.org/meetings/42>.*

*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 or [bos@sfgov.org](mailto:bos@sfgov.org).*

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

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

*Supervisor Melgar was noted not present.*

*The seat representing District 6 was vacant.*

*A quorum of the Board was 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.*

## **Supervisor Melgar Excused from Attendance**

Supervisor Mandelman, seconded by Supervisor Ronen, moved that Supervisor Melgar be excused from attending today's meeting until her late arrival. The motion carried by the following vote:

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton  
Excused: 1 - Melgar

## **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 in-person or by dialing the provided telephone number. In-person public comment will be taken before remote public comment is called. Those who are providing public comment remotely must dial \* 3 to be added to the remote queue to speak. 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.*

## **AGENDA CHANGES**

*There were no agenda changes.*

## **CONSENT AGENDA**

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

#### **220257 [Settlement of Lawsuit - Penny Mims - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Penny Mims against the City and County of San Francisco and individual defendant Dorian Carr for \$150,000; the lawsuit was filed on March 3, 2020, in San Francisco Superior Court, Case No. CGC-20-583388; entitled Penny Mims v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**PASSED ON FIRST READING**

#### **220258 [Settlement of Lawsuit - I.H., a Minor - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by I.H. against the City and County of San Francisco for \$100,000; the lawsuit was filed on September 4, 2020, in United States District Court, Case No. 20-cv-06155-AGT; entitled I.H. v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations at the Juvenile Justice Center. (City Attorney)

**PASSED ON FIRST READING**

**220314 [Settlement of Lawsuit - Fanny Lam - \$375,000]**

Ordinance authorizing settlement of the lawsuit filed by Fanny Lam against the City and County of San Francisco for \$375,000; the lawsuit was filed on April 7, 2020, in San Francisco Superior Court, Case No. CGC-20-584065; entitled Fanny Lam v. City and County of San Francisco, et al.; the lawsuit involves personal injuries arising from a trip and fall accident on O'Farrell Street in San Francisco. (City Attorney)

**PASSED ON FIRST READING**

**Recommendation of the Land Use and Transportation Committee****220264 [Planning Code - Adult Sex Venues]**

**Sponsors: Mandelman; Haney and Melgar**

Ordinance amending the Planning Code to define Adult Sex Venue and principally permit, conditionally permit, or prohibit Adult Sex Venues in Commercial; Residential-Commercial; Production, Distribution and Repair (PDR); Neighborhood Commercial; Neighborhood Commercial Transit; and Mixed Use Districts; to prohibit Adult Sex Venues as an accessory use; to prohibit Adult Businesses in the Chinatown Community Business District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**FINALLY PASSED**

**Recommendation of the Public Safety and Neighborhood Services Committee****220410 [Health Code - Skilled Nursing Care Transfer Reporting Requirements]**

**Sponsors: Safai; Ronen, Mar, Stefani and Mandelman**

Ordinance amending the Health Code to require general acute care hospitals and hospital-based skilled nursing facilities in the City to report annually to the Department of Public Health the number of, and certain demographic information regarding, patients transferred to a health facility outside of the City to receive skilled nursing care and patients who qualify for skilled nursing care but are not transferred to a health facility outside of the City.

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

### **220284 [Administrative Code - Cleaning Standards and Health Information Protocols for Single Room Occupancy Hotels]**

**Sponsors: Peskin; Chan**

Ordinance amending the Administrative Code to update protections for occupants of Single Room Occupancy (SRO) hotels by replacing hotel operators' responsibility to clean common areas after a COVID-19 outbreak with a new minimum cleaning standard and, upon request, requiring SRO hotel operators to provide contact tracing information related to any infectious or contagious disease; during the COVID-19 pandemic, to require the Department of Public Health (DPH) to maintain a telephone hotline to respond to questions from SRO residents regarding isolation and quarantine, testing, and other COVID-19 related matters; and to update COVID-19 regulations by removing outdated provisions including those related to notice of and access to isolation and quarantine hotels, DPH responsibilities to post in SRO hotels information related to isolation and quarantine, and DPH responsibilities to maintain public facing data relating to COVID-19 cases in SRO Hotels.

**FINALLY PASSED**

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

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **From the Board**

### **220261 [Park Code - Golden Gate Park Access and Safety Program - Slow Street Road Closures]**

**Sponsors: Mayor; Preston, Mandelman, Haney and Mar**

Ordinance amending the Park Code to adopt the Golden Gate Park Access and Safety Program, which includes restricting private vehicles on certain slow street segments in Golden Gate Park including on John F. Kennedy Drive, making certain street segments one-way, establishing bicycle lanes, and urging additional changes to improve public access to Golden Gate Park; making associated findings under the California Vehicle Code; requiring ongoing reports regarding the Golden Gate Park Access and Safety Program; 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.

**FINALLY PASSED by the following vote:**

Ayes: 6 - Mandelman, Mar, Melgar, Preston, Ronen, Stefani

Noes: 4 - Chan, Peskin, Safai, Walton

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

### **220338 [Appropriation - General Reserve - Various Departments - Workers' Compensation - \$13,131,917 - FY2021-2022]**

**Sponsor: Mayor**

Ordinance appropriating \$13,131,917 of General Fund General Reserves to the Fire Department, Department of Public Health, Sheriff's Department and Department of Emergency Management for increased workers' compensation costs, and the authority to receive and expend these funds in the Department of Human Resources in Fiscal Year (FY) 2021-2022; this Ordinance requires a two-thirds approval vote of all members of the Board of Supervisors, pursuant to Charter, Section 9.113(c).

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

(Fiscal Impact)

**FINALLY PASSED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

## **NEW BUSINESS**

## **Recommendations of the Budget and Finance Committee**

### **220062 [Grant Amendments - Retroactive - Instituto Familiar de la Raza, Inc.- Roadmap to Peace - Not to Exceed \$11,600,000]**

**Sponsor: Ronen**

Resolution retroactively approving the first amendment and second amendment for Contract No. 1000014468 for the Instituto Familiar de la Raza, Inc.- Roadmap to Peace Program between the Instituto Familiar de la Raza, Inc. and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families; retroactively approving the first amendment to extend the term by three years for a term of July 1, 2019, through June 30, 2023, and increasing the amount by \$8,568,215 for a not to exceed amount of \$10,725,980; and approving the second amendment to extend the term by one year for a total term of July 1, 2019, through June 30, 2024, and increasing the amount by \$874,070 for a total not to exceed amount of \$11,600,000.

(Department of Children, Youth & Their Families)

(Fiscal Impact)

**ADOPTED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

President Walton requested File Nos. 220204 and 220206 be called together.

**220204 [Accept and Expend Grant - Retroactive - United States Department of Justice - Office of Community Oriented Policing Services - FY2021 Community Policing Development Microgrant Program - \$125,000]**

**Sponsors: Mayor; Mandelman**

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$125,000 from the United States Department of Justice, Office of Community Oriented Policing Services for the Fiscal Year (FY) 2021 Community Policing Development Microgrant Program to support our Community Trust and Legitimacy Project for the project period of September 1, 2021, through August 31, 2022, and waiving indirect costs. (Police Department)

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

**ADOPTED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

**220206 [Accept and Expend Grant - Retroactive - United States Department of Justice - Bureau of Justice Assistance - Fiscal Year 2021 Patrick Leahy Bulletproof Vest Partnership - \$123,664.99]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$123,664.99 from the United States Department of Justice, Bureau of Justice Assistance, under the Fiscal Year 2021 Patrick Leahy Bulletproof Vest Partnership to fund purchases of vests for law enforcement officers in the Police Department, Sheriff's Department, Adult Probation Department, and Juvenile Probation Department purchased after April 1, 2021, through August 31, 2023. (Police Department)

**ADOPTED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

**220238 [Real Property Lease - Christ Church Lutheran - Behavioral Science Unit Programming - 1090 Quintara Street - \$45,000 Annual Base Rent]**

Resolution approving and authorizing the Director of Property, on behalf of the Police Department, to enter into a Lease for 2,242 square feet of meeting space at 1090 Quintara Street, with Christ Church Lutheran, for Behavioral Science Unit programming, for an initial three year term commencing on May 1, 2022, through April 30, 2025, at a base rent of \$45,000 with 3% annual adjustments and 20% of utilities upon Landlord invoice; approving and authorizing two three-year options upon the City's request; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of entering into the Lease and this Resolution, as defined herein; adopting California Environmental Quality Act findings; and making findings that the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Real Estate Department)

**ADOPTED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

**220267 [Accept and Expend In-Kind Gift - Retroactive - Naloxone Distribution Project - Naloxone - Valued at \$66,600]**

**Sponsors: Mayor; Mandelman**

Resolution retroactively authorizing the Police Department to accept and expend an in-kind gift of 900 units of Naloxone valued at \$66,600 through the Naloxone Distribution Project, which is funded by the Substance Abuse and Mental Health Services Administration and administered by the Department of Health Care Services. (Police Department)

**ADOPTED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

**220269 [Accept and Expend Grant - Retroactive - National Institutes of Health - Heluna Health - Pre-Exposure Prophylaxis (PrEP)-3D: An Integrated Pharmacy Digital Diary and Delivery Strategy to Increase PrEP Use Among Men Who Have Sex With Men - \$334,576]**

**Sponsors: Mayor; Mandelman**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase from the National Institutes of Health through Heluna Health for participation in a program, entitled "Pre-Exposure Prophylaxis (PrEP)-3D: An Integrated Pharmacy Digital Diary and Delivery Strategy to Increase Pre-Exposure Prophylaxis (PrEP) Use Among Men Who Have Sex With Men (MSM)," in the amount of \$95,985 for the period of April 1, 2020, through March 31, 2021, and in the amount of \$166,602 for the period of April 1, 2021, through March 31, 2022, for a total amount of \$334,576 for the total grant period of April 8, 2019, through March 31, 2022. (Public Health Department)

**ADOPTED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

**220316 [Grant Agreement - San Francisco In-Home Supportive Services Public Authority (SF IHSS PA) - Independent Provider (IP) Mode In-Home Supportive Services - Not to Exceed \$434,709,670]**

**Sponsors: Safai and Ronen**

Resolution approving the grant between the City and County of San Francisco and San Francisco In-Home Supportive Services Public Authority for the provision of administration, health, and dental benefits to In-Home Supportive Services Independent Providers for the period of July 1, 2022, through June 30, 2026, in the amount not to exceed \$434,709,670. (Human Services Agency) (Fiscal Impact)

**ADOPTED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar



**220345 [Purchase of Real Property - 685 Ellis, LLC - 681-687 Ellis Street - Apply to Homekey Grant Program - California Department of Housing and Community Development - \$19,940,000]**

**Sponsors: Mayor; Haney, Ronen, Safai and Preston**

Resolution 1) approving and authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing (HSH), to acquire certain property located at 681-687 Ellis Street ("Property") for \$19,900,000 plus an estimated \$40,000 for typical closing costs, for a total anticipated amount of \$19,940,000; 2) approving and authorizing HSH, on behalf of the City, to apply to the California Department of Housing and Community Development for its Homekey Grant Program to purchase the Property; 3) approving and authorizing an Agreement of Purchase and Sale for Real Estate for the acquisition of the Property from 685 Ellis, LLC ("Purchase Agreement"); 4) authorizing the Director of Property to execute the Purchase Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Purchase Agreement, as defined herein; 5) affirming the Planning Department's determination under the California Environmental Quality Act; and 6) adopting the Planning Department's findings that the Purchase Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Real Estate Department) (Fiscal Impact)

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

**ADOPTED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

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

**220231 [Settlement of Lawsuit - Fong & Chan Architects, Inc. - \$6,600,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco ("City") against Fong & Chan Architects, Inc. for a net payment to San Francisco of \$6,600,000; the lawsuit was filed on April 11, 2019, in the Superior Court of the State of California, County of San Francisco, Case No. CGC-19-575186; entitled City and County of San Francisco v. Fong & Chan Architects, Inc.; the lawsuit involves allegations of professional negligence in the design of the San Francisco General Hospital Rebuild Project and breach of contract; other material terms of the settlement are the City shall receive payment of \$7,350,000 and shall pay Fong & Chan Architects, Inc. \$750,000 on the cross-complaint for unpaid architectural fees. (City Attorney)

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

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

**220313 [Settlement Of Lawsuit - Pacific Gas & Electric Company - City To Receive \$6,750,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas & Electric Company ("PGE") for \$6,750,000; the lawsuit was filed on October 18, 2017, in San Francisco Superior Case No. CGC-17-561957; entitled City and County of San Francisco v. Pacific Gas and Electric Company, et al.; the lawsuit involves PGE's failure to defend and indemnify the City for homeowner damages claims arising from a landslide on Casitas Avenue in San Francisco caused by a PGE construction project; other material terms are that PGE will perform trench repairs to prevent further damage and dismissal of the Action with prejudice. (City Attorney)

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

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

**220355 [Resolution of Intention to Amend Management Plan - Dogpatch & Northwest Potrero Hill Green Benefit District - COW on June 7, 2022 at 3:00 p.m.]**

**Sponsor: Walton**

Resolution of intention to modify the management district plan for the Dogpatch & Northwest Potrero Hill Green Benefit District, to combine capital and maintenance budget categories so that the District will have greater flexibility to allocate funds; and finding that the proposed modifications will not result in a new or increased assessment; and ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole (COW) on June 7, 2022, at 3:00 p.m., and to provide public notice thereof.

**ADOPTED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

*President Walton recessed the meeting at 2:25 p.m. and reconvened at 2:29 p.m.*

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

Supervisor Mar, seconded by Supervisor Chan, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest(s). The motion carried by the following vote:

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

### **ASIAN PACIFIC AMERICAN HERITAGE MONTH**

*President Walton opened the commendation period and Supervisors Mar and Chan provided introductory remarks in recognition of Asian Pacific American Heritage Month. Claudine Cheng, President (APA Heritage Foundation), provided additional remarks regarding the special commendation period. Each Supervisor then introduced, welcomed, and presented Certificates of Honor to the following individuals in recognition of their accomplishments and their continued community support:*

*Supervisor Mar recognized the Sunset Chinese Cultural District, accepted by Lily Wong;  
Supervisor Chan recognized Captain Julie Mau (Fire Department);  
President Walton recognized S.A.L.L.T. (San Francisco South Pacific Islanders, All Islanders Gathering as One (AIGA 1), Living in Peace, Lauloa Pasifika, and Tongans Rise Up);  
Supervisor Mandelman recognized Marian Dalere;  
Supervisor Peskin recognized Jenny Leung, Executive Director (Chinese Cultural Center);  
Supervisor Preston recognized Diana Masuda (API Legal Outreach);  
Supervisor Ronen recognized Gaynorann Siataga;  
Supervisor Safai recognized Yensing Sihapanya;  
Supervisor Stefani recognized Asian Justice Rally, accepted by Monthanus Ratanapakdee, Charles Jung, Natassia Kwan, Justin Zhu, and Forrest Liu; and  
Supervisor Melgar recognized Jordan Mar.*

*President Walton introduced, welcomed, and presented a Certificate of Honor to Adrienne Pon, Executive Director (Office of Civic Engagement and Immigrant Affairs), on the occasion of her retirement and in recognition of her many accomplishments and exceptional public service. Supervisors Mar, Stefani, Preston, and Ronen shared in this commendation. Vivian Po, on behalf of City Administrator Carmen Chu, expressed their gratitude for Director Pon and all that she has done for the immigrant communities.*

*Supervisor Melgar was noted present remotely at 3:15 p.m., and in-person at 3:35 p.m.*

## SPECIAL ORDER 3:00 P.M.

*President Walton requested File Nos. 220232, 220233, 220234, and 220235 be called together.*

### **220232 [Hearing - Appeal of Tentative Map Approval - 0 Palo Alto Avenue]**

Hearing of persons interested in or objecting to the decision of Public Works, dated February 25, 2022, approving a Tentative Map for a two lot Subdivision project at 0 Palo Alto Avenue, Assessor's Parcel Block No. 2724, Lot No. 002. (District 7) (Appellant: Katherine Bleich) (Filed March 4, 2022) (Clerk of the Board)

*President Walton opened the public hearing and Supervisor Melgar provided opening remarks, indicating she would be making a motion to continue this Hearing and its associated Motion to a future date. The President then inquired as to whether any individual wished to address the Board regarding the proposed continuance. There were no speakers. President Walton closed public comment on the continuance.*

**Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of May 17, 2022. The motion carried by the following vote:**

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

### **220233 [Approving Decision of Public Works and Approving Tentative Map - 0 Palo Alto Avenue]**

Motion approving the decision of Public Works and approving the Tentative Map for a two lot Subdivision project at 0 Palo Alto Avenue, Assessor's Parcel Block No. 2724, Lot No. 002; 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 Melgar, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of May 17, 2022. The motion carried by the following vote:**

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

### **220234 [Conditionally Disapproving Decision of Public Works and Disapproving Tentative Map - 0 Palo Alto Avenue]**

Motion conditionally disapproving the decision of Public Works and disapproving the Tentative Map for a two lot Subdivision project at 0 Palo Alto Avenue, Assessor's Parcel Block No. 2724, Lot No. 002, subject to the Board of Supervisors' adoption of written findings in support of the disapproval. (Clerk of the Board)

**Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of May 17, 2022. The motion carried by the following vote:**

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

### **220235 [Preparation of Findings Related to the Tentative Map - 0 Palo Alto Avenue]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a two lot Subdivision project at 0 Palo Alto Avenue, Assessor's Parcel Block No. 2724, Lot No. 002. (Clerk of the Board)

**Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of May 17, 2022. The motion carried by the following vote:**

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

## COMMITTEE REPORTS

### Recommendations of the Rules Committee

*President Walton requested File Nos. 220479 and 220480 be called together.*

#### **220479 [Mayoral Reappointment, Police Commission - Larry Yee]**

Motion approving/rejecting the Mayor's nomination for the reappointment of Larry Yee to the Police Commission, for a term ending April 30, 2026. (Clerk of the Board)  
(Charter, Section 4.109, 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, then the nominee shall be deemed approved. Transmittal dates: April 26, 2022.)

**Motion No. M22-069**

**APPROVED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

#### **220480 [Mayoral Reappointment, Police Commission - Max Carter-Oberstone]**

Motion approving/rejecting the Mayor's nomination for the reappointment of Max Carter-Oberstone to the Police Commission, for a term ending April 30, 2026. (Clerk of the Board)  
(Charter, Section 4.109, 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, then the nominee shall be deemed approved. Transmittal date: April 26, 2022.)

**Motion No. M22-070**

**APPROVED by the following vote:**

Ayes: 9 - Chan, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Excused: 1 - Melgar

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

*President Walton provided honoring remarks and acknowledged the staff of the Office of the Clerk of the Board, Office of Civic Engagement and Immigrant Affairs, Department of Technology (SFGovTV and Media Services), Sheriff's Department, Administrative Services, Building Management, Department of Elections, and Reproduction and Mail Services for their hard work, late nights, and herculean efforts supporting the Redistricting Task Force. Supervisors Chan, Preston, Ronen, and Stefani shared in these remarks.*

## PUBLIC COMMENT

*Speaker; shared their violent experience in an SRO and interactions with various City agencies and departments.*

*Ace Washington; shared concerns regarding the Junteenth Committee.*

*Jordan Davis; shared concerns regarding redistricting and the need for an oversight body for the Department of Homelessness and Supportive Housing.*

*Sharaya Souza; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Mary Travis Ellen; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Paloma Flores; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Mary Jean Robertson; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Debbie Santiago; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Kerri Young; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Peter Warfield; expressed concerns regarding the Public Library and reduced funding for certain services and evening hours.*

*Alberta Snyder; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Joe Kunzler; expressed concerns regarding the threat to women's rights and the need for action.*

*Francisco Da Costa; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Maya Chickwa; expressed support of newly introduced legislation regarding those who stutter.*

*Speaker; expressed concerns regarding newly introduced legislation establishing an oversight body for the Department on Homelessness and Supportive Housing.*

*David Elliott Lewis; expressed concerns regarding the redistricting process and the need to reassess for future reference.*

*Valerie Tulier Laiwa; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Erick Arguello; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464).*

*Cheryl Thornton; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464), and thanked the Clerk for his work on the Redistricting Task Force.*

*Kurtis Wu; expressed gratitude for the Clerks and their efforts on the Board and its committees, and more specifically the Clerk on the Redistricting Task Force.*

*Sasha Galla; expressed support of the Resolution supporting creation of an American Indian Truth and Healing Reparations Advisory Committee (File No. 220464), and thanked the Clerk for his work on the Redistricting Task Force.*

*John Carroll; expressed gratitude to all the staff who assisted with the Redistricting Task Force.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **220463 [Supporting California State Assembly Bill No. 2050 (Lee) - Ellis Act Reform]**

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

Resolution urging support of the passage of California State Assembly Bill No. 2050 introduced by Assembly Members Alex Lee and Wendy Carrillo, principally co-authored by Assembly Member Ash Kalra, and co-authored by Assembly Members Richard Bloom, Mia Bonta, Adrin Nazarian, Phil Ting, as well as Senators Ben Allen and Henry Stern, which aims to curb property speculators who misuse the Ellis Act to evict tenants until after five continuous years of property ownership.

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

**ADOPTED**

### **220466 [Small Business Week - May 2 to 6, 2022]**

**Sponsors: Walton; Chan, Preston and Mandelman**

Resolution declaring Small Business Week from May 2 to 6, 2022, in the City and County of San Francisco.

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

**ADOPTED**

### **220469 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Forty-Seventh Supplement]**

**Sponsor: Walton**

Motion concurring in actions taken by the Mayor in the Forty-Seventh Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by authorizing City departments to modify specified agreements to extend the term of such agreements up to June 30, 2023, and to increase the not to exceed amount as necessary given the extension duration, without complying with the competitive solicitation and procurement procedures in the Administrative Code; and authorizing departments to extend until June 30, 2023, any prequalified list of contractors that expires before August 31, 2022.

**Motion No. M22-071**

**APPROVED**

### **220481 [Closed Session - Labor Negotiations - May 10, 2022]**

**Sponsor: Walton**

Motion that the Board of Supervisors convene in closed session on May 10, 2022, to confer with the Mayor's Office and the Department of Human Resources, pursuant to California Government Code, Section 54957.6, and San Francisco Administrative Code, Section 67.10(e), regarding negotiations with labor unions representing City employees.

**Motion No. M22-072**

**APPROVED**

**220419 [Committee of the Whole - Report of Assessment Costs for Blighted Properties - May 24, 2022, at 4:00 p.m.]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 24, 2022, at 4:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

**Motion No. M22-073**

**APPROVED**

**220440 [Committee of the Whole - Report of Delinquent Charges - Administrative Civil Penalties and Recovery of Costs for Violations - Unauthorized Releases of Hazardous Material(s) - May 24, 2022, at 4:00 p.m.]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 24, 2022, at 4:00 p.m., to hold a public hearing on a Resolution confirming report of delinquent charges for overdue Administrative Civil Penalties and recovery of costs for violations of Health Code, Article 21, the unauthorized releases of hazardous material(s), observed at Assessor's Parcel Block No. 0798, Lot No. 031 (930 Grove Street), submitted by the Director of Public Health, as modified to the date of adoption of this Resolution, and creating special assessments and liens based thereon. (Clerk of the Board)

**Motion No. M22-075**

**APPROVED**

**220470 [Findings to Allow Teleconferenced Meetings During Declared Emergency]**

Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board)

**Motion No. M22-074**

**APPROVED**

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

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



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

*Supervisor Melgar requested that File No. 220464 be severed so it may be considered separately.*

### **220464 [Supporting Creation of an American Indian Truth and Healing Reparations Advisory Committee and a Comprehensive Plan to Address Inequities in the American Indian Community]**

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

Resolution supporting the creation of an American Indian Truth and Healing Reparations Advisory Committee and the development of a comprehensive plan with recommendations to address the inequities that exist in the San Francisco's American Indian community as a consequence of historical racist and unjust federal, state, and local policies that contributed to American Indian genocide, land theft, forced removal from their lands, and ongoing systemic erasure.

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

**ADOPTED by the following vote:**

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

*Supervisor Stefani requested that File No. 220465 be severed so it may be considered separately.*

### **220465 [Jewish American Heritage Month - May 2022]**

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

Resolution recognizing the month of May as Jewish American Heritage Month in the City and County of San Francisco.

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

**ADOPTED by the following vote:**

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

*President Walton requested that File No. 220468 be severed so it may be considered separately.*

### **220468 [Commending Supervisor Matt Haney]**

**Sponsor: Board of Supervisors**

Resolution commending and honoring Supervisor Matt Haney for his distinguished service as a Member of the San Francisco Board of Supervisors, representing District 6.

**ADOPTED by the following vote:**

Ayes: 10 - Chan, 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](http://www.sfbos.org/legislation_introduced).

### Introduced at the Request of a Department

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

## PROPOSED RESOLUTIONS

### **220438 [Mutual Termination Agreement of Real Property - 2829 Taylor Street - 360 Jefferson Street - Alioto Fish Company, Ltd.]**

Resolution authorizing the Executive Director of the Port of San Francisco to execute a Mutual Termination Agreement for Port Lease No. L-7491 and Port Lease No. L-9171 between the Port of San Francisco and Alioto Fish Company Ltd., for the restaurant premises located at 2829 Taylor Street and the associated warehouse premises located at 360 Jefferson Street; and to authorize the Executive Director of the Port of San Francisco to enter into amendments or modifications to the Mutual Termination Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of this Resolution. (Port)

04/20/22; RECEIVED FROM DEPARTMENT.

05/03/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **220439 [Airport Professional Services Contract No. 50118.02 - Dignity Health dba St. Mary's Medical Center - Management and Operation of the SFO Medical Clinic - Not to Exceed \$11,000,000]**

Resolution approving Modification No. 3 to Contract No. 50118.02 with Dignity Health dba St. Mary's Medical Center for Management and Operation of the SFO Medical Clinic to extend the term for two years, for a total term of July 1, 2019, through June 30, 2024, and increase the contract amount by \$1,600,000 for a new contract amount not to exceed \$11,000,000, pursuant to Charter, Section 9.118(b). (Airport Commission)

04/21/22; RECEIVED FROM DEPARTMENT.

05/03/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220442 [Report of Delinquent Administrative Civil Penalties and Recovery of Costs for Violations - Unauthorized Releases of Hazardous Material(s)]**

Resolution confirming report of delinquent charges for overdue Administrative Civil Penalties and recovery of costs for violations of Health Code, Article 21, the unauthorized releases of hazardous material(s), observed at Assessor's Parcel Block No. 0798, Lot No. 031 (930 Grove Street), submitted by the Director of Public Health, as modified to the date of adoption of this Resolution, and creating special assessments and liens based thereon. (Public Health Department)

04/22/22; RECEIVED FROM DEPARTMENT.

05/03/22; RECEIVED AND ASSIGNED to Board of Supervisors.

**220443 [Contract Amendment - Community Forward SF Inc. - Substance Use Disorder and Mental Health Services - Not to Exceed \$29,832,138]**

Resolution approving Amendment No. 1 to the agreement between Community Forward SF Inc. and the Department of Public Health, for Substance Use Disorder and Mental Health Services, to increase the agreement by \$20,284,030 for an amount not to exceed \$29,832,138; to extend the term by five years from June 30, 2022, for a total agreement term of July 1, 2018, through June 30, 2027; and to authorize the Department of Public Health to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Public Health Department)

04/25/22; RECEIVED FROM DEPARTMENT.

05/03/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220444 [Grant Agreement Amendment - Self-Help for the Elderly - Congregate Nutrition Services for Older Adults - Not to Exceed \$10,665,010]**

Resolution approving an amendment to the grant agreement between the City and County of San Francisco and the non-profit Self-Help for the Elderly, for the administration of the Congregate Nutrition Services for Older Adults Program, to increase the grant amount by \$1,150,820 for a total not to exceed amount of \$10,665,010 to commence following Board approval, with no change to the grant period of July 1, 2021, through June 30, 2025. (Human Services Agency)

04/25/22; RECEIVED FROM DEPARTMENT.

05/03/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220445 [Settlement of Unlitigated Claims - Zoom Video Communications, Inc. - \$5,929,448.66]**

Resolution approving the settlement of the unlitigated claims filed by Zoom Video Communications, Inc. against the City and County of San Francisco for the City's release of \$5,929,448.66 in outstanding telephone users tax liabilities and related penalties, interest, and fees for tax periods January 1, 2014, through April 30, 2021, and Zoom Video Communications, Inc.'s payment to the City of \$6,275,000 in additional telephone users taxes for said tax periods; the claims were filed on February 19, 2021, and January 18, 2022; the claims involve a refund of telephone user taxes. (City Attorney)

04/25/22; RECEIVED FROM DEPARTMENT.

05/03/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 6:00 p.m.*