



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

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#### PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001/ Meeting ID: 187 635 0207 # #](tel:14156550001)

Tuesday, March 9, 2021 - 2:00 PM

#### 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, AISHA SAFAI, CATHERINE STEFANI

Angela Calvillo, Clerk of the Board

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#### BOARD COMMITTEES

##### Committee Membership

###### **Budget and Appropriations Committee**

Supervisors Haney, Safai, Mar, Ronen, Walton

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

Supervisors Haney, Safai, Mar

###### **Government Audit and Oversight Committee**

Supervisors Preston, Chan, Mandelman

###### **Joint City, School District, and City College Select Committee**

Supervisors Ronen, Safai, Haney (Alt), Trustees Davila, Williams, Selby (Alt)

###### **Land Use and Transportation Committee**

Supervisors Melgar, Preston, Peskin

###### **Public Safety and Neighborhood Services Committee**

Supervisors Mar, Stefani, Haney

###### **Rules Committee**

Supervisors Peskin, Mandelman, Chan

##### Meeting Days

Wednesday  
1:00 PM

Wednesday  
10:30 AM

1st and 3rd Thursday  
10:00 AM

2nd Friday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
10:00 AM

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

### **Agenda Item Information**

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

### **Meeting Procedures**

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document displayed should provide in advance of the meeting to the Clerk of the Board ([bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

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**AGENDA PACKET:** Available on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

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PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

### **Americans with Disabilities Act (ADA)**

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Board and Committee meeting agendas and minutes are available on the Board's website ([www.sfbos.org](http://www.sfbos.org)) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 ([wilson.l.ng@sfgov.org](mailto:wilson.l.ng@sfgov.org)).

### **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org). Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>.

### **Ethics Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit [sfethics.org](http://sfethics.org).

## **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>.*

### **PUBLIC COMMENT CALL-IN**

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*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**

*Pursuant to Board Rule 4.7.1 the President shall present the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula.*

## **COMMUNICATIONS**

## **APPROVAL OF MEETING MINUTES**

*Approval of the [January 20, 2021](#), Special Board Meeting Minutes at the Public Safety and Neighborhood Services Committee, which constituted a quorum of the Board of Supervisors; and the [February 2, 2021](#), Regular Board Meeting Minutes.*

## **AGENDA CHANGES**

## **SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board**

*Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.*

*By eight (8) votes, the Board of Supervisors may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.*

*There were no questions submitted from Supervisors representing Districts 1, 2, 3, or 4. The Mayor may address the Board for up to five minutes.*

## **CONSENT AGENDA**

*All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.*

*Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.*

### **Items 1 through 4**

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

*Present: Supervisors Haney, Safai, Mar*

1. [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)

03/02/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Preston, Chan, Mandelman*

- 2.     [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)  
  
03/02/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
- 3.     [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)  
  
03/02/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
- 4.     [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)  
  
03/02/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### Recommendations of the Budget and Finance Committee

*Present: Supervisors Haney, Safai, Mar*

5. [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)
- 02/23/2021; CONTINUED ON FIRST READING.
- 03/02/2021; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 03/02/2021; PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**
6. [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.
- 02/23/2021; CONTINUED ON FIRST READING.
- 03/02/2021; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

7. [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)

03/02/2021; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Preston, Chan, Mandelman*

8. [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)

03/02/2021; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

03/02/2021; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**



## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Haney, Safai, Mar*

9. [200947](#) **[Administrative Code Waivers - SFMTA Potrero Yard Modernization Project - Project Delivery Procedure]**

**Sponsors: Mayor; Walton**

Ordinance authorizing the San Francisco Municipal Transportation Agency to exempt certain design, construction, finance, maintenance, asset management, and related agreements for the development of the Potrero Yard Modernization Project, located at 2500 Mariposa Street, from Chapters 6, 14B, and 21 of the Administrative Code, but requiring the payment of prevailing wages, implementation of a local business enterprise utilization program, and compliance with the City's local hire policy and first source hiring ordinance, as applicable to such agreements, and permitting a best-value selection of the developer team if the City elects to proceed with the Project after completing its review under the California Environmental Quality Act.

(Fiscal Impact)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

10. [200934](#) **[Agreement Amendment - HDR Engineering, Inc. - Construction Management Staff Augmentation Services for the New Headworks Facility Project - Not to Exceed \$27,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 1 to the New Headworks Facility Construction Management Staff Augmentation Services Agreement PRO.0028, for continued construction management staff augmentation services for the New Headworks Facility Project between the City and County of San Francisco and HDR Engineering, Inc., increasing the agreement by \$10,000,000 for a total not to exceed amount of \$27,000,000 and with a time extension of one year, for a total term of seven years, from June 12, 2017, through June 14, 2024, subject to the Board of Supervisors approval pursuant to Charter, Section 9.118. (Public Utilities Commission)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

11. [201179](#) **[Agreement Amendment - Retroactive - AT&T Corporation - Telecommunications Services - Total Not to Exceed \$140,695,756]**  
Resolution retroactively authorizing the Department of Technology to enter into the Fifth Amendment of an Agreement between the City and County of San Francisco and AT&T Corporation, to extend the term of the agreement by one year for a total term of February 26, 2010, through December 31, 2021, and to increase the not to exceed amount of the agreement by \$18,266,199 for a total amount of \$140,695,756 pursuant to Charter, Section 9.118. (Department of Technology)

(Fiscal Impact)

12/01/2020; RE-REFERRED to the Budget and Finance Committee.

**Question: Shall this Resolution be ADOPTED?**

12. [201427](#) **[Accept and Expend Grant - Retroactive - Federal Emergency Management Agency - Vehicle Acquisition - \$636,363.64]**  
**Sponsor: Mayor**  
Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$636,363.64 from the Federal Emergency Management Agency to purchase four mini-pumper apparatus, for the performance period of August 6, 2020, through August 5, 2021, and waiving indirect costs. (Fire Department)

**Question: Shall this Resolution be ADOPTED?**

13. [210079](#) **[Accept and Expend Grant - Retroactive - Federal Emergency Management Agency - Personal Protective Equipment - \$883,145.45]**  
**Sponsor: Mayor**  
Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$883,145.45 from the Federal Emergency Management Agency to purchase personal protective equipment, for the performance period of June 26, 2020, through June 25, 2021, and waiving indirect costs. (Fire Department)

**Question: Shall this Resolution be ADOPTED?**

14. [210144](#) **[Accept and Expend Grant - Retroactive - Kaiser Permanente - Adoption of Enterprise Electronic Health Record System - \$4,545,455]**  
**Sponsor: Mayor**  
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$4,545,455 from Kaiser Permanente through the San Francisco General Hospital Foundation to participate in a program, entitled "Adoption of Enterprise Electronic Health Record System," for the period of November 1, 2019, through October 31, 2021. (Public Health Department)

**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Land Use and Transportation Committee**

*Present: Supervisors Melgar, Preston, Peskin*

15. [200660](#) **[Zoning Map - Rezoning of 118-134 Kissling Street]**  
Ordinance amending the Planning Code by revising Zoning Map Sheet No. ZN07 to rezone Assessor's Parcel Block No. 3516, Lot Nos. 039, 040, 041, and 042 (118-134 Kissling Street), from Residential Enclave District to Residential Enclave District - Mixed; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
16. [210015](#) **[Building Code - Expanded Compliance Control and Consumer Protections Where History of Significant Violations]**  
**Sponsors: Ronen; Peskin, Haney, Preston and Melgar**  
Ordinance amending the Building Code to implement expanded compliance control and consumer protection provisions for projects, individuals, agents, and entities with a history of significant violations; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
17. [201422](#) **[Urging Departments to Create a Permanent Shared Spaces Program]**  
**Sponsor: Haney**  
Resolution urging the Office of Economic and Workforce Development, Planning Department, Municipal Transportation Agency, Public Works, Fire Department, and Recreation and Park Department to develop a proposal for a permanent Shared Spaces Program; and affirming the Board of Supervisors' support for creating a permanent version of the program.
- Question: Shall this Resolution be ADOPTED?**
18. [210087](#) **[Initiating Landmark Designation - 2750-19th Avenue - Trocadero Clubhouse - Approval of 90-Day Extension for Historic Preservation Commission Review]**  
**Sponsors: Mar; Melgar, Peskin, Preston and Chan**  
Resolution initiating a landmark designation under Article 10 of the Planning Code for the Trocadero Clubhouse in Sigmund Stern Recreation Grove located at 2750-19th Avenue; and extending the prescribed time within which the Historic Preservation Commission may render its decision by 90 days, for a total of 180 days.
- Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Public Safety and Neighborhood Services Committee**

*Present: Supervisors Mar, Stefani, Haney*

19. [201418](#) **[Liquor License Transfer - 5299 3rd Street - Gratta Wines]**  
Resolution determining that the transfer of a Type-20 off-sale beer and wine liquor license to Barbara Jean Gratta, doing business as Gratta Wines, located at 5299 3rd Street (District 10), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4. (Public Safety and Neighborhood Services Committee)
- Question: Shall this Resolution be ADOPTED?**
20. [201426](#) **[Liquor License Transfer - 5601 Geary Boulevard - Mainland Market & Produce]**  
Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Dakhaz, Inc., doing business as Mainland Market & Produce, located at 5601 Geary Boulevard (District 1), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
- Question: Shall this Resolution be ADOPTED?**
21. [210018](#) **[Urging the City and County of San Francisco to Support and/or Fund SFUSD Class of 2021 Senior Activities]**  
**Sponsor: Safai**  
Resolution urging the Board of Supervisors to save San Francisco Unified School District (SFUSD) Senior Class of 2021 activities by providing support, funds and/or City resources; and, if allowable under current health orders, to be made available to SFUSD Seniors for senior specific activities.
- Question: Shall this Resolution be ADOPTED?**
22. [210121](#) **[Supporting California Assembly Constitutional Amendment 3 (Kamlager) - Involuntary Servitude]**  
**Sponsors: Haney; Walton, Mar and Stefani**  
Resolution supporting Assembly Constitutional Amendment 3, authored by Assembly Member Sydney Kamlager, and denouncing structural racism and any vestiges of slavery.
- Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Mandelman, Chan*

23. [210013](#) **[Appointments, Immigrant Rights Commission - Sarah Souza, Lucia Obregon Matzer, Jessy Ruiz Navarro, Haregu Gaime, Ryan Khojasteh, Luis Zamora, and Elahe Enssani]**

Motion appointing Sarah Souza and Lucia Obregon Matzer, terms ending June 6, 2021, and Jessy Ruiz Navarro (residency requirement waived), Haregu Gaime (residency requirement waived), Ryan Khojasteh, Luis Zamora (residency requirement waived), and Elahe Enssani, terms ending June 6, 2022, to the Immigrant Rights Commission. (Rules Committee)

**Question: Shall this Motion be APPROVED?**

*Present: Supervisors Peskin, Mandelman, Chan*

24. [210073](#) **[Mayoral Appointment, Police Commission - Larry Yee]**

Motion approving the Mayor's nomination for the appointment of Larry Yee to the Police Commission, for a term ending April 30, 2022. (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: January 25, 2021 and February 24, 2021.)

**Question: Shall this Motion be APPROVED?**

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

*In accordance with the "Declaration of Local Health Emergency Regarding Novel Coronavirus Disease 2019 (COVID-19)," special commendations have been suspended.*

## SPECIAL ORDER 3:00 P.M.

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

*Pending approval of the Motion contained in Item 40, File No. 210231.*

**PUBLIC COMMENT WILL BE TAKEN**

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25. [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)

**Question: Shall this Hearing be HEARD AND FILED?**

### Committee of the Whole Adjourn and Report

#### Referred from the Government Audit and Oversight Committee

*Present: Supervisors Preston, Chan, Mandelman*

26. [210181](#) **[Emergency Ordinance - COVID-Related Hazard Pay]**  
**Sponsors: Walton; Haney, Preston, Ronen, Safai, Chan and Mar**

Emergency ordinance to temporarily require certain grocery stores, retail locations that include pharmacies, and property service contractors for grocery stores and retail locations that include pharmacies to pay employees an additional five dollars per hour during the public health emergency related to COVID-19.

(Economic Impact; No Economic Impact Report)

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

**Question: Shall this Ordinance be FINALLY PASSED?**

## COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

*The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, March 4, 2021, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, March 9, 2021.*

27. [201186](#) **[Police Code - Grocery Store, Drug Store, Restaurant, and On-Demand Delivery Service Worker Protections]**  
**Sponsors: Haney; Walton, Peskin, Safai, Chan, Mar, Ronen, Preston and Mandelman**  
Ordinance amending the Police Code to require grocery store, drug store, restaurant, and on-demand delivery service employers to provide health and scheduling protections related to COVID-19 to workers; and to sunset an emergency ordinance with similar requirements.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*The following item will be considered by the Rules Committee at a Regular Meeting on Monday, March 8, 2021, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, March 9, 2021.*

28. [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)

**Question: Shall this Motion be APPROVED?**

## 29. ROLL CALL FOR INTRODUCTIONS

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

*(\* \* Item No. 30 was not generated due to a technical glitch, and intentionally left blank for numbering purposes.)*

## 31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a visual displayed should provide in advance of the meeting to the Clerk of the Board ([bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

### **PUBLIC COMMENT CALL-IN**

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## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

(PUBLIC COMMENT for Items 32 through 40 will be taken during Item 31 - General Public Comment.)

## Items 32 through 40

32. [210213](#) **[San Francisco Gender-Equitable Recovery Plan]**  
**Sponsors: Melgar; Chan, Ronen, Stefani, Haney, Preston, Safai and Walton**  
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.

03/02/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**



- 33. [210222](#) [Honoring Chinese American Women]**  
**Sponsors: Chan; Walton**  
Resolution honoring the historic contributions of Chinese American Women in San Francisco on the occasion of Women's History Month 2021.
- 03/02/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 34. [210224](#) [Urging the Office of Labor Standards Enforcement to Administer the Healthy Airport Ordinance in Accordance with Pending Amendments]**  
**Sponsors: Mandelman; Walton**  
Resolution urging the Office of Labor Standards Enforcement to exercise administrative discretion to administer the Healthy Airport Ordinance in accordance with pending amendments.
- 03/02/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 35. [210225](#) [Urging the United States Congress to Support Appointment of a National Director of Gun Violence Prevention]**  
**Sponsors: Stefani; Walton**  
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.
- 03/02/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 36. [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.
- 03/02/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 37. [210228](#) [Endometriosis Awareness Month - March]**  
**Sponsors: Walton; Ronen, Safai, Haney and Chan**  
Resolution recognizing every March as "Endometriosis Awareness Month" in the City and County of San Francisco.
- 03/02/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

- 38. [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)
- 03/02/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 39. [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.
- 03/02/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 40. [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.
- 03/02/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

## 41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

*[Serious Injury Finding]*

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

*[Purely Commendatory Finding]*

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

*[Brown Act Finding]*

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

*(PUBLIC COMMENT WILL BE TAKEN on any Imperative Agenda item introduced.)*  
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## 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 ORDINANCE**

**210206 [Settlement of Lawsuit - Jose Parra - \$115,000]**

Ordinance authorizing settlement of the lawsuit filed by Jose Parra against the City and County of San Francisco for \$115,000; the lawsuit was filed on January 27, 2020, in San Francisco Superior Court, Case No. CGC-20-582468; entitled Jose Parra v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City walkway. (City Attorney)

02/26/2021; RECEIVED FROM DEPARTMENT.

03/09/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**PROPOSED RESOLUTION**

**210207 [Settlement of Unlitigated Claim - Sharon Eastman - \$99,000]**

Resolution approving the settlement of the unlitigated claim filed by Sharon Eastman against the City and County of San Francisco for \$99,000; the claim was filed on June 20, 2018; the claim involves property damage arising from sewer main pipe overflow as a result of heavy rain. (City Attorney)

02/26/2021; RECEIVED FROM DEPARTMENT.

03/09/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**210239 [Petitions and Communications]**

Petitions and Communications received from February 25, 2021, through March 4, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on March 9, 2021.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Department of Public Health, submitting Order of the Health Officer Nos. 2020-15e, 2020-05c, 2020-16f, 2020-19f, 2020-28d, 2020-22g, 2020-23d, 2020-30d, 2020-31c, 2020-32c, 2020-35b, 2021-01, 2020-29f and Health Orders No. C19-07t. Copy: Each Supervisor. (1)

From the Office of the Mayor, making the (re)nominations and reappointments to the following bodies. Copy: Each Supervisor. (2)

Nomination pursuant to Charter, Section 4.135:

- Historical Preservation Commission
  - o Christina Dikas - term ending December 31, 2024

(Re)nominations pursuant to Charter, Section 8A.102:

- Municipal Transportation Agency Board of Directors
  - o Sharon Lai - term ending March 1, 2025

Reappointments pursuant to Charter, Section 3.100(18):

- War Memorial Board of Trustees
  - o Charlotte Mailliard Shultz - term ending January 2, 2025
  - o Nancy Bechtle - term ending January 2, 2025
  - o Lt. Col. Wallace Levin - term ending January 2, 2025
  - o Gorretti Lo Lui - term ending January 2, 2025
  - o Diane "Dede" Wilsey - term ending January 2, 2025
  - o Paul F. Pelosi - term ending January 2, 2025
  - o Mrs. Eugenia Moscone - term ending January 2, 2025

From concerned citizens, regarding the proposed Resolution initiating a landmark designation for the Trocadero Clubhouse in Sigmund Stern Recreation Grove located at 2750-19th Avenue. File No. 210087. 14 letters. Copy: Each Supervisor. (3)

From concerned citizens, regarding the Observation Wheel located at Golden Gate Park. 35 letters. Copy: Each Supervisor. (4)

From concerned citizens, regarding the peace and respect of human rights in Tigray, Ethiopia. 68 letters. File No. 210189. Copy: Each Supervisor. (5)

From Shad Fenton, regarding various concerns with the Bayshore Navigation Center. 5 letters. Copy: Each Supervisor. (6)

From Palmer Chan, regarding the Planning Commission hearing on 321 Florida Street. Copy: Each Supervisor. (7)

From Deetje Boler, regarding removal of a tree located at 900 Van Ness Ave. Copy: Each Supervisor. (8)

From Helene Sautou, regarding the proposed Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing to establish a Safe Sleeping Sites Program to provide unsheltered persons with a safe place to sleep overnight. File No. 201187. Copy: Each Supervisor. (9)

From Brad Allred, regarding issues with a traffic light located at Lincoln and 19th Avenue. Copy: Each Supervisor. (10)

From Rachel Lem, regarding the transfer of real property from Wool Ranch to the East Bay Regional Park District. File No. 210051. Copy: Each Supervisor. (11)

From Patrick Dodson, regarding various experiences in San Francisco. Copy: Each Supervisor. (12)

From concerned citizens, regarding the Tentative Map for a six-unit condominium conversion at 424, 426, 428, 430, 432, and 434 Francisco Street. File No. 201379. Copy: Each Supervisor. (13)

From Antonio Pereira, regarding the permit application process in San Francisco. Copy: Each Supervisor. (14)

From Clair Farley, regarding a reappointment to the Immigrant Rights Commission. File No. 190202. Copy: Each Supervisor. (15)

From Sophia De Anda, regarding ADA compliancy. Copy: Each Supervisor. (16)

From the Office of the Chief Medical Examiner, regarding an inquiry submitted by Supervisor Melgar. Copy: Each Supervisor. (17)

From Dee Dee Workman, regarding the proposed Resolution urging the Office of Economic and Workforce Development, Planning Department, Municipal Transportation Agency, Public Works, Fire Department, and Recreation and Park Department to develop a proposal for a permanent Shared Spaces Program. File No. 201422. Copy: Each Supervisor. (18)

From concerned citizen, regarding sidewalk tree planting on Harold Avenue. Copy: Each Supervisor. (19)

From Barbara St. Marie, regarding summer camps for kids. Copy: Each Supervisor. (20)

From Jamey Frank, regarding suggestions for improving the Municipal Transportation Agency. Copy: Each Supervisor. (21)

From Jordan Davis, regarding an appointment to the Immigrant Rights Commission. File No. 210013 Copy: Each Supervisor. (22)

From Rachel Ball-Jones, regarding the toxic environment on Treasure Island. Copy: Each Supervisor. (23)

From Elizabeth Levett, regarding vaccines for teachers. Copy: Each Supervisor. (24)

From concerned citizen, regarding various quality of life concerns. Copy: Each Supervisor. (25)

From Patrick Monette-Shaw, regarding Laguna Honda Hospital's visitation policies. Copy: Each Supervisor. (26)

From Tim James, regarding the proposed Emergency Ordinance to temporarily require certain grocery stores, drug stores, and property service contractors for grocery stores and drug stores to pay employees an additional five dollars per hour during the public health emergency. File No. 210181. Copy: Each Supervisor. (27)

From Allen Jones, regarding comments made by a San Francisco Police Commissioner. Copy: Each Supervisor. (28)

From Norman Degelman, regarding the financial plight of entertainment institutions. Copy: Each Supervisor. (29)

From the Department of Elections, submitting a memorandum regarding the Voter's Choice Act. File No. 200400. Copy: Each Supervisor. (30)

From the San Francisco Chamber of Commerce, regarding the proposed 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. File No. 210138. Copy: Each Supervisor (31)

From Peter Monks, regarding the reopening of Twin Peaks to vehicular traffic. Copy: Each Supervisor. (32)

From Emily L. Brough, regarding the proposed 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. File No. 210201. Copy: Each Supervisor. (33)

From Chris Kline, regarding surveillance issues. Copy: Each Supervisor. (34)

From Teresa Donnelly, regarding funding for small mom and pop businesses. Copy: Each Supervisor. (35)

From Hal Paul, regarding the reopening of gyms. Copy: Each Supervisor. (36)

From Mabel Green, regarding the violence against the Asian Community. Copy: Each Supervisor. (37)

From the Office of the Public Defender, regarding Cameo House. Copy: Each Supervisor. (38)

From Samuel Svenningsen, regarding the housing shortage and affordability in San Francisco. Copy: Each Supervisor. (39)

From concerned citizens, regarding the proposed Ordinance waiving business registration fees for the fiscal year commencing July 1, 2020, and certain license fees originally due on March 31, 2020. 2 letters. File No. 201415. Copy: Each Supervisor. (40)

From the Office of the Clerk of the Board, regarding the results on a poll for Outside Boards and Commissions. Copy: Each Supervisor. (41)

From the San Francisco Tenants Union, regarding the proposed Ordinance amending the Building Code to waive specified fees for certain accessory dwelling unit projects through June 30, 2023, and requiring the Department of Building Inspection to annually report on such waivers. File No 210030. Copy: Each Supervisor. (42)

From Kathy Kojimoto, regarding businesses in San Francisco's Chinatown and Japantown. Copy: Each Supervisor. (43)

## ADJOURNMENT