



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

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

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**PUBLIC COMMENT CALL-IN**  
[1 \(415\) 655-0001/ Meeting ID: 2484 049 5457 # #](tel:4156550001)

**Tuesday, September 14, 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, AHSHA 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

**Land Use and Transportation Committee**  
Supervisors Melgar, Preston, Peskin

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

**Rules Committee**  
Supervisors Peskin, Mandelman, Chan

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

##### **Meeting Days**

Wednesday  
1:00 PM

Wednesday  
10:30 AM

1st and 3rd Thursday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
10:00 AM

2nd Friday  
10:00 AM

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.

**AVISO EN ESPAÑOL:** Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

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**

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.

On March 17, 2020, the Board of Supervisors (Board) authorized their Board and Committee meetings to convene remotely and will allow remote public comment via teleconference. Effective June 29, 2021, the Board and staff began to reconvene for in-person Board proceedings. Committee meetings will continue to convene remotely until further notice. Visit the SFGovTV website at ([www.sfgovtv.org](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**

[1 \(415\) 655-0001 / Meeting ID: 2484 049 5457 # #](tel:4156550001)

## **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**

## **AGENDA CHANGES**

## 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. [210762](#) **[Administrative Code - Eviction of Commercial Tenants for Unpaid Rent Due to COVID-19 Financial Impacts]**

**Sponsors: Safai; Haney, Mar and Mandelman**

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

09/07/2021; PASSED ON FIRST READING.

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

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

*Present: Supervisors Melgar, Preston, Peskin*

2. [201151](#) **[Various Codes - Construction and Demolition Debris Recovery]**  
**Sponsors: Safai; Walton and Mandelman**  
Ordinance amending the Environment, Public Works, Health, and Administrative Codes to require transporters of construction and demolition debris to obtain a temporary or annual permit from the Department of Environment for each vehicle and debris box used for such transport and to comply with permit conditions; to require facilities that process such debris to comply with updated registration conditions; to require each person who conducts full demolition projects as permitted by the Department of Building Inspection and submits to the Director of the Department of Environment a material reduction and recovery plan to provide for at least 75% recovery away from disposal instead of 65% as required under existing law, and to verify this recovery rate after completing the project; to authorize the Director to impose administrative penalties for violations; and affirming the Planning Department's determination under the California Environmental Quality Act.
- 09/07/2021; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Mar, Stefani, Haney*

3. [210540](#) **[Police Code - "Ghost Guns"]**  
**Sponsors: Stefani; Mandelman, Mar, Haney, Safai, Melgar, Ronen and Walton**  
Ordinance amending the Police Code to prohibit any person other than a licensed manufacturer or importer from possessing, selling, offering for sale, transferring, purchasing, transporting, receiving, or manufacturing an unfinished firearm frame or receiver that has not been imprinted with a serial number, subject to certain exceptions; and prohibiting any person from manufacturing or assembling a firearm that has not been imprinted with a serial number, subject to certain exceptions.
- 09/07/2021; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Rules Committee**

*Present: Supervisors Peskin, Mandelman, Chan*

- 4. [210677](#) **[Administrative Code - Composition of Committee on Information Technology (COIT)]**  
**Sponsors: Walton; Preston, Haney, Mar, Chan, Ronen, Peskin, Mandelman and Safai**  
Ordinance amending the Administrative Code to add the Clerk of the Board of Supervisors and the Executive Director of the Human Rights Commission as permanent members of the Committee on Information Technology (COIT).  
  
09/07/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**REGULAR AGENDA**

**UNFINISHED BUSINESS**

**Recommendation of the Budget and Finance Committee**

*Present: Supervisors Haney, Safai, Mar*

- 5. [210815](#) **[Accept and Expend Grant - Retroactive - Department of Homeland Security Federal Emergency Management Agency - FY2020 Port Security Grant Program - \$1,161,830]**  
**Sponsor: Mayor**  
Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$1,161,830 from the Department of Homeland Security Federal Emergency Management Agency for the Fiscal Year (FY) 2020 Port Security Grant Program to upgrade the existing 3D Sonar System, purchase a Vessel Mounted Thermal Camera System, send members to Advanced Underwater Remotely Operated Vehicle (ROV) Operations Training, refurbish and perform deck safety upgrades on the existing response vessel, and purchase a response vessel for the period of September 1, 2020, through August 31, 2023, and waiving indirect costs. (Police Department)  
  
09/07/2021; CONTINUED.  
  
**Question: Shall this Resolution be ADOPTED?**



**Recommendation of the Rules Committee**

*Present: Supervisors Peskin, Mandelman, Chan*

**6. 210604 [Municipal Elections Code - Expanded Vote-by-Mail for Exclusively Municipal Elections]**

**Sponsor: Safai**

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

09/07/2021; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

09/07/2021; PASSED ON FIRST READING AS AMENDED.

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

**NEW BUSINESS**

**Recommendations of the Budget and Finance Committee**

*Present: Supervisor Haney, Safai, Mar*

**7. 210742 [Accept and Expend Grant - Retroactive - John D. and Catherine T. MacArthur Foundation - Safety and Justice Challenge - Amendment to the Annual Salary Ordinance for FYs 2020-2021 and 2021-2022 - \$2,000,000]**

**Sponsor: Ronen**

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$2,000,000 from the John D. and Catherine T. MacArthur Foundation to support San Francisco's participation as an implementation site in the Safety and Justice Challenge, and amending Ordinance No. 166-20 (Annual Salary Ordinance File No. 200568 for Fiscal Years (FYs) 2020-2021 and 2021-2022) to provide for the addition of one grant funded Class 1824 Principal Administrative Analyst position (FTE 1.0) at the Office of the District Attorney for the period of January 1, 2021, through December 31, 2022. (District Attorney)

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

**8. 210743 [Accept and Expend Grant - Retroactive - U.S. Department of Justice - Justice Reinvestment Initiative - Amendment to Annual Salary Ordinance - FYs 2020-2021 and 2021-2022 - \$1,000,000]**

**Sponsor: Walton**

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$1,000,000 from the U.S. Department of Justice to fund the Justice Reinvestment Initiative; and amending Ordinance No. 166-20 (Annual Salary Ordinance File No. 200568 for Fiscal Years (FYs) 2020-2021 and 2021-2022) to provide for the addition of two grant funded Class 8133 Victim/Witness Investigator III positions (FTE 2.0) in the Office of the District Attorney for the period of October 1, 2020, through September 30, 2023. (District Attorney)

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



9. [210828](#) **[Business and Tax Regulations Code - Administrative Provisions]**  
Ordinance amending the Business and Tax Regulations Code to revise its common administrative provisions and other provisions to implement Proposition F amending the gross receipts tax and repealing the payroll expense tax and Proposition L imposing the overpaid executive gross receipts tax, approved at the November 3, 2020, election, and make clarifying and other nonsubstantive changes. (Treasurer-Tax Collector)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
10. [210164](#) **[Lease Agreement - HG SFO Retailers 2017 JV, a joint venture dba Green Apple Books - Harvey Milk Terminal 1 Retail Concession Lease No.12 - \$460,000 Minimum Annual Guarantee]**  
Resolution approving the Harvey Milk Terminal 1 Retail Concession Lease No. 12 - Lease No. 20-0047, between HG SFO Retailers 2017 JV, a joint venture dba Green Apple Books, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of twelve years, and a minimum annual guarantee of \$460,000 for the first year of the Lease, to commence upon Board approval. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
11. [210675](#) **[Lease Agreement - Genesco Partners Joint Ventures #11 - Harvey Milk Terminal 1 Retail Concession - \$365,000 Minimum Annual Guarantee]**  
Resolution approving the Harvey Milk Terminal 1 Retail Concession Lease No. 11 - Lease No. 20-0046, between Genesco Partners Joint Ventures #11, a joint venture of Genesco, Inc. and Corliss Stone-Littles, LLC, as joint tenants, dba Johnston & Murphy, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years, and a minimum annual guarantee of \$365,000 for the first year of the Lease, to commence upon Board approval. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
12. [210676](#) **[Lease Agreement - Culinary Heights Hospitality - Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 13, Lease No. 20-0043 - \$385,000 Minimum Annual Guarantee]**  
Resolution approving the Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 13, Lease No. 20-0043 between Culinary Heights Hospitality, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with one two-year option to extend at the Airport's sole discretion, and a minimum annual guarantee of \$385,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
13. [210736](#) **[Lease Agreement - ProperFood SFO Airport, LLC - Harvey Milk Terminal 1 Food and Beverage Concession Lease in Phases 3 and 4 - Lease 10, Lease No. 20-0041 - \$275,000 Minimum Annual Guarantee]**  
Resolution approving the Harvey Milk Terminal 1 Food and Beverage Concession Lease in Phases 3 and 4 - Lease 10, Lease No. 20-0041 between ProperFood SFO Airport, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with one two-year option to extend at the Airport's sole discretion, to commence upon approval by the Board of Supervisors, and a minimum annual guarantee of \$275,000 for the first year of the Lease. (Airport Commission)

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

14. [210796](#) **[Airport Professional Services Agreement Modification - Vanderlande Industries Inc. - Operate, Maintain and Repair Airport-Owned Passenger Boarding Bridges and Baggage Handling Systems - Not to Exceed \$16,610,647]**

Resolution approving Modification No. 3 to Airport Contract No. 50030.01, Vanderlande Industries Inc., to increase the contract amount by \$3,862,816 for a new not to exceed contract amount of \$16,610,647 to operate, maintain, and repair Airport-owned passenger boarding bridges and baggage handling systems in the domestic terminals; and to extend the contract term by one-year from October 1, 2021, through September 30, 2022, pursuant to Charter, Section 9.1189(b), to commence following Board approval. (Airport Commission)

(Fiscal Impact)

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

15. [210774](#) **[Real Property Lease Extension - BC Capp, LLC - Homeless Resource Center - 165 Capp Street - \$270,685 Annual Base Rent]**

**Sponsors: Mayor; Ronen**

Resolution authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing, to exercise a Lease Extension Option for the real property located at 165 Capp Street, with BC Capp, LLC for continued operation of an approximately 6,500 square foot building as a neighborhood drop-in and referral center and administrative offices serving people experiencing homelessness, for an approximately five-year term commencing on September 22, 2021, through September 30, 2026, at the monthly base rent of \$22,557 for a total annual base rent of \$270,685 with no rent payable for the month of October 2021.

(Fiscal Impact)

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

16. [210813](#) **[Lease Agreement - Pilara Family Foundation - Pier 24 Annex - Minimum Base Rent of \$92,857.40 Per Month]**

**Sponsor: Mayor**

Resolution authorizing a new lease between the Port of San Francisco and the Pilara Family Foundation for the premises located at Pier 24 Annex on The Embarcadero for a term of approximately three years and ten months to commence following Board approval at a monthly rent of \$92,857.40 with a monthly rent credit of \$87,122.09 in respect of previously completed capital improvements to the property. (Port)

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

17. [210837](#) **[Apply for Grant - Department of Housing and Community Development Infill Infrastructure Program - Balboa Reservoir Project]**  
**Sponsors: Mayor; Melgar**  
Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Infill Infrastructure ("IIG") Program for the project area located generally north of the Ocean Avenue commercial district, west of City College of San Francisco Ocean Campus, east of the Westwood Park neighborhood, and south of Archbishop Riordan High School ("Balboa Reservoir"); authorizing the City to assume liability for completion of the project required by the terms of any grant awarded under the IIG Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31.
- Question: Shall this Resolution be ADOPTED?**
18. [210838](#) **[Contract Modification - Siemens Mobility, Inc. - Option for 30 Light Rail Vehicles - \$130,409,780 Plus Escalation Costs]**  
**Sponsors: Mayor; Mandelman and Melgar**  
Resolution approving Modification No. 10 to Municipal Transportation Agency Contract No. 2013-19: Procurement of New Light Rail Vehicles, with Siemens Mobility, Inc., to exercise an option to procure 30 additional light rail vehicles in the amount of \$130,409,780 plus applicable escalation costs, with cancellation provisions through June 2025, with no increase in the total Contract price or in the term of the Contract.  
(Municipal Transportation Agency)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
19. [210875](#) **[Accept and Expend Grant - California Department of Housing and Community Development - Permanent Local Housing Allocation Program - \$52,308,210]**  
**Sponsor: Mayor**  
Resolution authorizing the Mayor's Office of Housing and Community Development (MOHCD), on behalf of the City and County of San Francisco, to execute the annual Standard Agreements with the California Department of Housing and Community Development under the Permanent Local Housing Allocation Program for a total award of \$52,308,210 for the period starting on the execution date of the Standard Agreements through June 30, 2030, and authorizing MOHCD to accept and expend the grant of \$52,308,210 for programming approved by the California Department of Housing and Community Development.
- Question: Shall this Resolution be ADOPTED?**

20. [210876](#) **[Accept and Expend Grant - California Department of Housing and Community Development - Housing for Healthy California Program - \$6,798,810]**

**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development (MOHCD), on behalf of the City and County of San Francisco, to execute the Standard Agreement with the California Department of Housing and Community Development (HCD) under the Housing for Healthy California Program for a total award of \$6,798,810 for the period starting on the execution date of the Standard Agreement through June 30, 2024, and authorizing MOHCD to accept and expend the grant of \$6,798,810 for programming approved by HCD.

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

## 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.*

## COMMITTEE REPORTS

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

*The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, September 13, 2021, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, September 14, 2021.*

21. [210535](#) **[Planning Code - Conditional Use Authorization Requirements Regarding Residential Care Facilities]**

**Sponsors: Mandelman; Ronen**

Ordinance amending the Planning Code to eliminate the requirement of Conditional Use Authorization for Residential Care Facilities for seven or more people in Residential, House (RH) Districts; require Conditional Use Authorization for a change of use or demolition of a Residential Care Facility, and consideration of certain factors in determining whether to grant Conditional Use Authorization; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

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

## 22. 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.*

## 23. 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 document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

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

[1 \(415\) 655-0001 / Meeting ID: 2484 049 5457 # #](tel:14156550001)

## CLOSED SESSION

### CONFERENCE WITH CITY ATTORNEY - Existing Litigation

*(Scheduled pursuant to a motion made and approved on July 27, 2021, during action at the Board of Supervisors meeting for File No. 210528.)*

#### 24. [210895](#) **[Closed Session - Settlement of Unlitigated Claims - Wing Lok (“Walter”) Wong; W. Wong Construction, et al. - City to Receive Settlement Payments and Credits Totaling \$1,772,271.64 - September 14, 2021]**

Closed Session for the Board of Supervisors to convene on September 14, 2021, for the purpose of conferring with, or receiving advice from the City Attorney, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(1), regarding approving a settlement of unlitigated claims against Wing Lok “Walter” Wong; W. Wong Construction; Alternate Choice, LLC; Jaidin Consulting Group, LLC; and Jaidin International Ventures, LLC, (collectively “the Wong Parties”) for payments and credits totaling \$1,772,271.64; the claims involve allegations that the Wong Parties provided gifts to officials of the City and County of San Francisco (“the City”) in exchange for the unlawful award of City contracts to the Wong Parties, failure to report contacts with City officials, and failure to report contributions to political campaigns as required under City law; other material terms of the settlement are that the Wong Parties will not do business with the City, including as permit expeditors, for five years; scheduled pursuant to a motion made and approved on July 27, 2021, during action at the Board of Supervisors meeting for File No. 210528. (Clerk of the Board)

**Closed Session: The Board of Supervisors shall confer with the City Attorney.**

*[Elect To Disclose]*

*Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.*

*[Elect Not to Disclose]*

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

*After a closed session, if one occurs, pending approval of above action to disclose, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.*

### **Referred Without Recommendation from the Government Audit and Oversight Committee**

*Present: Supervisors Preston, Mandelman*

25. **210528** **[Settlement of Unlitigated Claims - Wing Lok (“Walter”) Wong; W. Wong Construction; Alternate Choice, LLC; Jaidin Consulting Group, LLC; and Jaidin International Ventures, LLC - City to Receive Settlement Payments and Credits Totaling \$1,772,271.64]**

Resolution approving settlement of unlitigated claims against Wing Lok “Walter” Wong; W. Wong Construction; Alternate Choice, LLC; Jaidin Consulting Group, LLC; and Jaidin International Ventures, LLC, (collectively “the Wong Parties”) for payments and credits totaling \$1,772,271.64; the claims involve allegations that the Wong Parties provided gifts to officials of the City and County of San Francisco (“the City”) in exchange for the unlawful award of City contracts to the Wong Parties, failure to report contacts with City officials, and failure to report contributions to political campaigns as required under City law; other material terms of the settlement are that the Wong Parties will not do business with the City, including as permit expeditors, for five years. (City Attorney)

07/27/2021; CONTINUED.

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

**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 26 through 31 will be taken during Item 23 - General Public Comment.)*

**Items 26 through 31**

26. [210947](#) **[Urging the California Supreme Court to Restore LGBTQ Anti-Discrimination Protections]**  
**Sponsors: Mandelman; Stefani, Melgar, Mar, Chan and Walton**  
Resolution urging the California Supreme Court to review the Third District Court of Appeals ruling in Taking Offense v. California and restore anti-discrimination protections for LGBTQ residents of long-term care facilities.  
  
09/07/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
27. [210948](#) **[Urging Uniform Standards for Healthcare Facilities to Fulfill Vaccine Mandate]**  
**Sponsor: Mar**  
Resolution urging the Department of Public Health to set uniform standards for healthcare facilities to fulfill the California Department of Public Health order mandating vaccinations for health care staff, and for healthcare providers to provide support for their workers including on-site vaccinations and supplemental paid time off.  
  
09/07/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
28. [210951](#) **[Urging Full Compliance for California Proposition 12 - Prevention of Cruelty to Farm Animals]**  
**Sponsor: Safai**  
Resolution urging full compliance of California's 2018 Proposition 12, the Prevention of Cruelty to Farm Animals; and urging compliance by January 1, 2022.  
  
09/07/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**



29. [210953](#) **[FemTruth Young Womxn's Health Awareness Month - September 2021]**  
**Sponsors: Walton; Ronen, Stefani, Melgar and Chan**  
Resolution recognizing September 2021 as FemTruth Young Womxn's Health Awareness Month.

09/07/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

30. [210955](#) **[Recognizing Abortion as Healthcare - Condemning Texas Senate Bill 8]**  
**Sponsors: Melgar; Ronen, Stefani, Chan, Walton, Safai, Mandelman and Haney**  
Resolution recognizing Abortion as Healthcare, objecting to Texas Senate Bill 8 and urging approaches that uplift autonomy for women and other birthing people; urging the Biden Administration and Congress to pass legislation protecting Reproductive Rights; and declaring the City and County of San Francisco a Champion of Reproductive Freedom and Justice.

09/07/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

31. [210900](#) **[Appointment, Bicycle Advisory Committee - Ariel Earnhardt]**  
Motion appointing Ariel Earnhardt, term ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board)

Ariel Earnhardt, Seat 4, succeeding Maelig Morvan, resigned, must be a nominee of the District 4 Supervisor, to serve for a two-year term ending November 19, 2022, or for the tenure of the nominating Supervisor, whichever is shorter in duration.

09/07/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

## 32. 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.)  
[1 \(415\) 655-0001 / Meeting ID: 2484 049 5457 # #](#)

## 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 RESOLUTION

### 210931 [Accept and Expend Grant - Retroactive - California Victim Compensation Board - Compensation for Crime Victims - \$2,530,990.23]

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$2,530,990.23 from the California Victim Compensation Board for a project, entitled "Joint Powers Agreement," to assist victims and witnesses with compensation claims for the period July 1, 2021, through June 30, 2024. (District Attorney)

09/02/2021; RECEIVED FROM DEPARTMENT.

09/14/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**210956 [Petitions and Communications]**

Petitions and Communications received from September 2, 2021, through September 9, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 14, 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 Juvenile Probation Commission, submitting the Juvenile Probation Commission's monthly report. Copy: Each Supervisor. (1)

From the San Francisco International Airport, submitting Lease Agreement for Cellular Service Partner. File No. 210482. Copy: Each Supervisor. (2)

From the Office of the City Administrator, submitting Gift Report for Fiscal Year 2020-2021. Copy: Each Supervisor. (3)

From the Department of General Services Building Standards Commission, submitting Letter of Determination regarding Ordinance No. 77-21. File No. 210259. Copy: Each Supervisor. (4)

From the California Department of Parks and Recreation Office of Historic Preservation, pursuant to Federal Regulation 36 CFR Part 60.6(c), submitting a of a letter regarding San Francisco-Oakland Bay Bridge be place on the National Register of Historic Places and pursuant to Executive Order N-29-20 submitting meeting notice for the State Historical Resources Commission Quarterly Meeting. Copy: Each Supervisor. (5)

From John Smith, regarding various subjects. 3 Letters. Copy: Each Supervisor. (6)

From concerned citizens, regarding the opening of the Great Highway. 21 Letters. Copy: Each Supervisor. (7)

From concerned citizens, regarding bicyclists blocking the Great Highway. 174 Letters. Copy: Each Supervisor. (8)

From concerned citizens, regarding a Hearing for an Appeal of Conditional Use Authorization for the proposed project at 450-474 O'Farrell Street. File No. 210858. 8 Letters. Copy: Each Supervisor. (9)

From concerned citizens, regarding a proposed Ordinance amending the Health, Business and Tax Regulations Codes. File No. 210536. 31 Letters. Copy: Each Supervisor. (10)

From Phoenix, regarding various subjects. Copy: Each Supervisor. (11)

From Connie Hendrix, regarding various subjects. Copy: Each Supervisor. (12)

From David Romano, requesting that the Board of Supervisors ban the use of gas-powered leaf blowers. Copy: Each Supervisor. (13)

From Jacqueline Holen, regarding a Hearing for an Appeal of Conditional Use Authorization Approval for the proposed project at 249 Texas Street. File No. 210791. Copy: Each Supervisor. (14)

From Don Staley, regarding various subjects. Copy: Each Supervisor. (15)

From Jan Ma, regarding crime in the City. Copy: Each Supervisor. (16)

From Francesca Pastine, regarding various subjects about the intersection of Shotwell Street and 26th Street. Copy: Each Supervisor. (17)

From Roger Dawson, regarding various subjects. Copy: Each Supervisor. (18)

From concerned citizens, submitting email letters supporting the appointment of Vanita Louie to the Recreation and Park Commission. 2 Letters. Copy: Each Supervisor. (19)

From Roger Dawson, regarding the Planning Commission Hearing regarding Case No. 2021-006353 PCA. Copy: Each Supervisor. (20)

From concerned citizens, regarding John F. Kennedy Drive. 2 Letters. Copy: Each Supervisor. (21)

From Patricia Arack, regarding disabled persons and the covid vaccine. Copy: Each Supervisor. (22)

From Loreen Bernardini, regarding various subjects. Copy: Each Supervisor. (23)

From concerned citizens, regarding a Hearing for Sub-Acute Care in San Francisco. File No. 190725. 2 Letters. Copy: Each Supervisor. (24)

From We the People of the Republic for the United States of America, regarding various subjects. Copy: Each Supervisor. (25)

## **ADJOURNMENT**