



# 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: 2492 715 3068 # #**

**Tuesday, September 21, 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

**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.

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PAUNAWA: Mayroong serbisyon 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.

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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.

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### **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).

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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: 2492 715 3068 # #](tel:14156550001)

## **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**

## **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.*

### **1. [210978](#) [Formal Policy Discussions - September 21, 2021]**

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topic submitted from the Supervisor representing District 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. Commercial Rent Delinquency (District 11)

**Discussion: The Mayor shall DISCUSS eligible topic(s) with the Board of Supervisors.**

## 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 2 through 5

#### Recommendations of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

2. [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)  
  
09/14/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
3. [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)  
  
09/14/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

4. [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)

09/14/2021; PASSED ON FIRST READING.

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

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

*Present: Supervisors Melgar, Preston, Peskin*

5. [210535](#) **[Planning Code - Conditional Use Authorization Requirements Regarding Residential Care Facilities]**  
**Sponsors: Mandelman; Ronen, Preston, Peskin and Melgar**  
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.

09/14/2021; 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*

6. [210838](#) **[Contract Modification - Siemens Mobility, Inc. - Option for 30 Light Rail Vehicles - \$130,409,780 Plus Escalation Costs]**  
**Sponsors: Mayor; Mandelman, Melgar and Mar**  
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)

09/14/2021; CONTINUED.

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

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

*Present: Supervisors Melgar, Preston, Peskin*

7. [210601](#) **[Administrative Code - COVID-19 Tenant Protections]**  
**Sponsors: Preston; Walton, Ronen, Chan, Melgar, Haney, Safai and Peskin**  
Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that came due between July 1, 2021, and December 31, 2021, that was not paid due to the COVID-19 pandemic, provided the tenant has paid at least 25 percent of the rent owed; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; and making findings as required by the California Tenant Protection Act of 2019.

06/22/2021; PASSED ON FIRST READING.

06/29/2021; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

06/29/2021; PASSED ON FIRST READING AS AMENDED.

07/13/2021; CONTINUED ON FINAL PASSAGE.

09/07/2021; CONTINUED ON FINAL PASSAGE.

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



## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Haney, Safai, Mar*

8. [210809](#) **[Administrative Code - COVID 19 Commercial Rent Relief Fund]**  
**Sponsors: Safai; Haney and Mar**  
Ordinance amending the Administrative Code to establish the COVID-19 Commercial Rent Relief Fund to provide financial support to landlords of certain Commercial Tenants where the tenant was unable to pay rent due to the COVID-19 pandemic, and setting a sunset date of 24 months from the effective date of the legislation.  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
- Present: Supervisors Haney, Safai*
9. [210635](#) **[Lease Amendment No. 2 - Stellar Partners, Inc. - Boarding Area F Specialty Store Lease No. 12-0086 - Term Extension]**  
Resolution approving Amendment No. 2 to the Boarding Area F Specialty Store Lease No. 12-0086, between Stellar Partners, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for an extension of the term for no later than June 30, 2023, with a condition that the Airport Director, at his sole and absolute discretion, may terminate earlier by providing six months' advance written notice, with no change to the current minimum annual guarantee, subject to adjustment in accordance with the terms and conditions of the Lease, effective upon approval by the Board of Supervisors. (Airport Commission)  
**Question: Shall this Resolution be ADOPTED?**
10. [210735](#) **[Lease Extension Modification - 2011 Lease and Use Agreement - TACA International Airlines, S.A. - Estimated Rent \$4,301,668]**  
Resolution approving a Lease Modification to 2011 Lease and Use Agreement No. 10-0096 between the City and County of San Francisco, acting by and through its Airport Commission, and TACA International Airlines, S.A., which extends the term through June 30, 2023, with an estimated rent of \$4,301,668 during the extension term, to commence upon approval by the Board of Supervisors. (Airport Commission)  
**Question: Shall this Resolution be ADOPTED?**

Present: Supervisors Haney, Safai, Mar

11. [210714](#) **[Agreement - MacKay Meters, Inc. - Parking Meter Procurement and Support Services - Not to Exceed \$70,557,894]**

Resolution authorizing the Director of Transportation to execute Contract No. SFMTA 2020-46, for Procurement of Single- and Multi-Space Parking Meter Hardware and Support Services with MacKay Meters, Inc., to replace existing hardware in an amount not to exceed \$70,557,894 and for a term of five years, to commence following Board approval, with the option to extend for five additional years. (Municipal Transportation Agency)

(Fiscal Impact)

07/27/2021; RE-REFERRED to the Budget and Finance Committee.

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

Present: Supervisors Haney, Safai

12. [210797](#) **[Performance Contract Agreement - Retroactive - California Department of Health Care Services - Mental Health Services Act and Various Programs]**

Resolution retroactively authorizing the Department of Public Health to enter into Performance Contract No. 21-10108, with the California Department of Health Care Services, incorporating the Mental Health Services Act, Lanterman-Petris-Short Act, Projects for Assistance in Transition from Homelessness, Community Mental Health Services Block Grant, Substance Abuse Treatment and Prevention Block Grant, and Crisis Counseling Assistance and Training Program for the period of July 1, 2021, through June 30, 2024. (Public Health Department)

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

13. [210798](#) **[Agreement Amendment - Retroactive - California Department of Health Care Services - Whole Person Care Pilot Program - Not to Exceed \$197,589,948]**

Resolution retroactively authorizing the Director of Health to sign an amended agreement with the California Department of Health Care Services for the Whole Person Care Pilot program to fund coordination of health, behavioral health, and social services in a patient-centered manner with the goal of improved beneficiary health and wellbeing through more efficient and effective use of resources, extending the program by one year, from January 1, 2021, through December 31, 2021, for a total agreement term of January 1, 2016, through December 31, 2021; and increasing the agreement amount by \$35,839,948 for a total amount of \$197,589,948. (Public Health Department)

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

14. [210831](#) **[Notice of Potential Retroactive Approvals of Contracts for Energy-Related Products in 2021 - Public Utilities Commission]**

Resolution acknowledging notice from the General Manager of the Public Utilities Commission pursuant to Resolution No. 580-20 of the potential need to seek retroactive Board of Supervisors approval under Charter, Section 9.118, for contracts with costs of \$10,000,000 or more, revenues of \$1,000,000 or more, or terms in excess of ten years, or contracts requiring binding arbitration for the purchase and sale of energy-related products necessary to meet regulatory compliance obligations in 2021. (Public Utilities Commission)

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

15. [210833](#) **[Grant Agreement Amendment - 181 Fremont Street, LLC. - SFPUC Onsite Water Reuse System Grant Program - Term Extension]**  
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute Amendment No. 1 to the existing grant agreement with 181 Fremont Street, LLC for an Onsite Water Reuse System at 181 Fremont Street, extending the term of the agreement by seven years to January 5, 2032, for a total duration of seventeen years. (Public Utilities Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
16. [210871](#) **[Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 (Transbay Transit Center) - Not to Exceed \$35,000,000]**  
**Sponsors: Mayor; Mandelman**  
Resolution authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) in the aggregate principal amount not to exceed \$35,000,000; approving related documents, as defined herein, including an Official Statement, Third Supplement to Fiscal Agent Agreement, Bond Purchase Agreement and Continuing Disclosure Undertaking; and determining other matters in connection therewith, as defined herein.
- Question: Shall this Resolution be ADOPTED?**
17. [210872](#) **[Authorizing Issuance of Tax Exempt and/or Taxable Lease Revenue Commercial Paper Notes - Equipment Financing for Vehicles - Not to Exceed \$2,425,000]**  
**Sponsor: Mayor**  
Resolution authorizing the execution and delivery from time to time of tax-exempt and/or taxable Commercial Paper Notes in an aggregate principal amount not to exceed \$2,425,000 to provide financing for the costs of the acquisition of vehicles, and authorizing other related actions, as defined herein.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
18. [210878](#) **[Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - PS21-2103: Integrated Viral Hepatitis Surveillance and Prevention Funding for Health Depts - \$315,000]**  
**Sponsor: Mayor**  
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$315,000 from the Centers for Disease Control and Prevention for participation in a program, entitled "PS21-2103: Integrated Viral Hepatitis Surveillance and Prevention Funding for Health Depts," for the period of May 1, 2021, through April 30, 2022.
- Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Preston, Peskin*

19. [210423](#) **[Planning Code - Landmark Designation - Ingleside Terraces Sundial and Sundial Park]**  
**Sponsor: Peskin**  
Ordinance amending the Planning Code to designate Ingleside Terraces Sundial and Sundial Park, Assessor's Parcel Block No. 6917B, Lot No. 001, situated within Entrada Court, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

*Present: Supervisors Melgar, Preston, Peskin*

20. [210805](#) **[Master Major Encroachment Permit - Hunters View HOPE SF Phase 1]**  
**Sponsor: Mayor**  
Ordinance granting revocable permission to HV Community Association, Inc., to occupy and maintain the irrigation system (other than street trees), sidewalks, curbs and ramps for ADA-compliant passenger loading, and a portion of a retaining wall footing, with all such encroachments located generally along portions of Fairfax Avenue, Acacia Avenue, Ironwood Way, Catalina Street, and Middle Point Road fronting Hunters View Phase 1, 1101 Fairfax Avenue, (Assessor's Parcel Block No. 4624, Lot Nos. 23 through 32); waiving the annual public right-of-way occupancy assessment fee under Public Works Code, Section 786.7, for all phases of the Hunters View project; adopting environmental findings under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

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

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

*Present: Supervisors Mar, Stefani, Haney*

**21. [210536](#) [Health, Business and Tax Regulations Codes - Alternate Water Sources for Non-Potable Applications]**

**Sponsors: Mandelman; Mar, Melgar, Ronen and Haney**

Ordinance amending the Health Code to 1) lower the threshold, from 250,000 to 100,000 square feet of gross floor area, for requiring that new buildings be constructed, operated, and maintained using specified alternate water sources for required non-potable uses; 2) exempt certain affordable housing projects and property uses from that requirement; 3) require that certain categories of new buildings use specific sources of nonpotable water for specific purposes; 4) modify certain administrative review fees; 5) require the payment of excess use charges and penalties for failure to properly use and maintain alternate water source systems; and 6) the completion of reports on purified water, recycled water, and Non-potable District Systems; amending the Business and Tax Regulations Code to update certain annual license fee amounts for operating alternate water source systems; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

**22. [210826](#) [Liquor License - 2519 & 2521 Mission Street - Teatro Tin Tan]**

Resolution determining that the issuance of a Type-64 special on-sale general theater liquor license to Bigote de Gato Arts and Music, Inc., doing business as Teatro Tin Tan, located at 2519 & 2521 Mission Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco; 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?**

**23. [210853](#) [Liquor License Transfer - 2695 San Bruno Avenue - La Loma Produce #7]**

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to La Loma #7, Inc., doing business as La Loma Produce #7, located at 2695 San Bruno Avenue (District 9), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose a condition on the issuance of the license. (Public Safety and Neighborhood Services Committee)

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

**Recommendation of the Rules Committee**

*Present: Supervisors Peskin, Mandelman, Chan*

24. [210480](#) **[Appointments, Shelter Monitoring Committee - Cris Plunkett, Diana Almanza, Traci Watson, and Gabriela Avalos]**  
Motion appointing Cris Plunkett, Diana Almanza (residency requirement waived), and Traci Watson, terms ending July 1, 2022, and Gabriela Avalos, term ending July 1, 2023, to the Shelter Monitoring Committee. (Rules Committee)

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

**Recommendations of the Youth, Young Adult, and Families Committee**

*Present: Supervisors Ronen, Safai, Melgar*

25. [210494](#) **[Administrative Code - Consultation Regarding Filing of Juvenile Delinquency Cases]**  
**Sponsor: Ronen**  
Ordinance amending the Administrative Code to require the Police Department to consult with the District Attorney ("DA") on all juvenile delinquency cases under California Welfare and Institutions Code, Section 651, and provide the DA the opportunity to commence proceedings in the juvenile delinquency court in the San Francisco Superior Court.

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

26. [210586](#) **[Administrative Code - Policies Authorizing Parental Leave and Teleconferencing During Leave by Members of the Board of Supervisors and City Boards and Commissions]**  
**Sponsors: Melgar; Chan, Ronen, Stefani, Walton, Safai, Mar and Preston**  
Ordinance amending the Administrative Code to authorize the Board of Supervisors to adopt a parental leave policy for its members, which policy shall, among other things, authorize members to participate in public meetings by teleconferencing to the extent permitted by State law when the member is not able to attend in person due to pregnancy, childbirth, or a related condition, and which may authorize members to participate in public meetings by teleconferencing to the extent permitted by State law when the member is absent to care for the member's child after birth of the child or after placement of the child with the member for adoption or foster care; and adopt a parental leave policy for other City boards and commissions, including authorization to participate in public meetings by teleconferencing under the same conditions.

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

**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 temporarily suspended; however, the President will reinstate special commendations at the October 5, 2021 Board of Supervisors meeting.*

## SPECIAL ORDER 3:00 P.M.

### APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

### PUBLIC COMMENT WILL BE TAKEN

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(Continued open from July 27, 2021.)

## 27. [210801](#) [Hearing - Appeal of Conditional Use Authorization Approval - 5801 Mission Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 202.2, 303, and 720 of the Planning Code, for a proposed project at 5801 Mission Street, Assessor's Parcel Block No. 6472, Lot No. 001, identified in Planning Case No. 2020-007152CUA, issued by the Planning Commission by Motion No. 20933, dated June 10, 2021, to allow cannabis retail use measuring approximately 2,055 square feet, with no on-site smoking or vaporizing of cannabis products, on the first floor of an existing two-story mixed use building within the Excelsior Outer Mission Street Neighborhood Commercial Zoning District, the Fringe Financial Services Restricted Use District, and a 40-X Height and Bulk District. (District 11) (Appellant: Pastor Roderick Gittens, on behalf of the San Francisco Christian Center) (Filed July 12, 2021) (Clerk of the Board)

07/27/2021; CONTINUED OPEN.

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

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.



**Only one of the following two Motions should be approved.**

28. [210802](#) **[Approving Conditional Use Authorization - 5801 Mission Street]**  
Motion approving the decision of the Planning Commission by its Motion No. 20933, approving a Conditional Use Authorization, identified as Planning Case No. 2020-007152CUA, for a proposed project located at 5801 Mission Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

07/27/2021; CONTINUED.

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

29. [210803](#) **[Conditionally Disapproving the Conditional Use Authorization - 5801 Mission Street]**  
Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20933, approving a Conditional Use Authorization, identified as Planning Case No. 2020-007152CUA, for a proposed project at 5801 Mission Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

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

07/27/2021; CONTINUED.

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

30. [210804](#) **[Preparation of Findings Related to Conditional Use Authorization - 5801 Mission Street]**  
Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2020-007152CUA for a proposed project at 5801 Mission Street. (Clerk of the Board)

07/27/2021; CONTINUED.

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

## 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 Special Meeting on Friday, September 17, 2021, at 2:00 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, September 21, 2021.*

31. [210899](#) **[Settlement of Unlitigated Claim - San Francisco Bay Regional Water Quality Control Board - Regulatory Enforcement Action]**

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

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

*The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, September 20, 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 21, 2021.*

32. [210944](#) **[Creation of a "Beach to Bay" Car-Free Connection and Equitable Access to Golden Gate Park]**

**Sponsors: Chan; Walton and Peskin**

Resolution calling for the creation of a "Beach to Bay" car-free connection and urging the Recreation and Park Department and San Francisco Municipal Transportation Agency to improve park accessibility and create equitable access to Golden Gate Park.

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

## 33. 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.*

## 34. 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 35 through 37 will be taken during Item 34 - General Public Comment.)

### Items 35 through 37

35. [210968](#) [International Day of the Victims of Enforced Disappearances - August 30, 2021]

**Sponsors: Melgar; Walton**

Resolution retroactively declaring August 30 as International Day of the Victims of Enforced Disappearances, and observing this date every year thereafter, and condemning enforced disappearances in El Salvador.

09/14/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

36. [210969](#) **[Supporting the Green New Deal for Public Schools Act]**  
**Sponsors: Ronen; Melgar and Walton**  
Resolution supporting the Green New Deal for Public Schools Act of 2021 (H.R. 4442), to invest \$1.43 trillion to provide green renovations and retrofits to public schools to meet health, accessibility, safety needs, identify and alleviate educational and economic disparities among students, and provide funding for special education services.

09/14/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

37. [210970](#) **[Recognizing Korean Chuseok Day - September 21, 2021]**  
**Sponsors: Stefani; Walton**  
Resolution recognizing September 21, 2021, as Korean Chuseok Day and honoring the Korean Center, Inc. for its contributions to the Korean American community in the City and County of San Francisco.

09/14/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

### 38. 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 by the President at the Request of a Department

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

## PROPOSED RESOLUTIONS

### 210959

#### **[Agreement Amendment - Blythe Solar IV, LLC - CleanPowerSF Power Purchase - Energy Storage Capability - Not to Exceed \$220,280,744]**

Resolution approving amendments to CleanPowerSF's power purchase agreement with Blythe Solar IV, LLC, to add energy storage capability to the existing solar energy facility and increase the contract amount by \$83,096,000 for a total not to exceed cost of \$220,280,744 to commence in October 2022, with no change to the term. (Public Utilities Commission)

09/10/2021; RECEIVED FROM DEPARTMENT.

09/21/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

### 210960

#### **[Grant Agreement Amendment - Retroactive - Japanese Community Youth Council - Mayor's Youth Employment and Education Program - Not to Exceed \$37,705,052]**

Resolution retroactively approving the second amendment to the grant agreement for Contract No. 100009982 for the Mayor's Youth Employment and Education Program between the Japanese Community Youth Council and the City and County of San Francisco, acting by and through its Department of Children, Youth and Their Families, to extend the grant term by one year for a total term of July 1, 2018, through June 30, 2024, and to increase the grant amount by \$6,993,652 for a total not to exceed amount of \$37,705,052 effective July 1, 2021. (Department of Children, Youth & Their Families)

09/10/2021; RECEIVED FROM DEPARTMENT.

09/21/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**210977 [Petitions and Communications]**

Petitions and Communications received from September 9, 2021, through September 16, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 21, 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 Office of the Controller, submitting Public Integrity Review Preliminary Assessment Report of the Department of Building Inspection's Permitting and Inspections Process. Copy: Each Supervisor. (1)

From the Office of Small Business, submitting a letter of support for a proposed Ordinance amending the Administrative Code to establish the COVID-19 Commercial Rent Relief Fund. File No. 210809. Copy: Each Supervisor. (2)

From the San Francisco Police Department, pursuant to Administrative Code, Chapter 96A, submitting the Second Quarter 2021 Quarterly Activity and Data Report. Copy: Each Supervisor. (3)

From the Office of the Treasurer & Tax Collector, pursuant to California State Government Code, Section 53646, submitting the Investment Report for the month of August 2021. Copy: Each Supervisor. (4)

From the State of California Fish and Game Commission, submitting Notice of Findings regarding the petition to list Clara Hunt's milkvetch (*Astragalus claranus*) as endangered/threatened under the California Endangered Species Act. Copy: Each Supervisor. (5)

From the State of California Gambling Control Commission Gaming Policy Advisory Committee (GPAC), submitting notice of upcoming vacancies to GPAC. Copy: Each Supervisor. (6)

From the Office of the Controller, pursuant Section 31.1 of the Annual Appropriation Ordinance, submitting Fiscal Year 2020-2021 Emergency Response Appropriations. Copy: Each Supervisor. (7)

From concerned citizens, regarding a proposed Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of interested party. File No. 201132. 2 Letters. Copy: Each Supervisor. (8)

From concerned citizens, regarding a proposed 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. File No. 210540. 13 Letters. Copy: Each Supervisor. (9)

From concerned citizens, regarding the opening of the Great Highway. 19 Letters Copy: Each Supervisor. (10)

From concerned citizens, regarding bicyclists blocking the Great Highway. 132 Letters. Copy: Each Supervisor. (11)

From a concerned citizen, regarding the closing of Walgreen stores. Copy: Each Supervisor. (12)

From Bram Goodwin, regarding a Hearing on the approval of Conditional Use

Authorization for a proposed project at 5801 Mission Street. File No. 210801. Copy: Each Supervisor. (13)

From Anonymous, regarding various subjects pertaining to closed sessions of Board of Supervisors meetings. 2 Letters. Copy: Each Supervisor. (14)

From Ela Strong, regarding a Hearing for an Appeal of Conditional Use Authorization for the proposed project at 450-474 O'Farrell Street. File No. 210858. Copy: Each Supervisor. (15)

From Aaron Goodman, regarding SFMTA 2022 Muni Service Plan. 2 Letters. Copy: Each Supervisor. (16)

From Amy Squeglia, regarding congestion pricing in San Francisco. Copy: Each Supervisor. (17)

From Cythia Huie, submitting a letter of support for the appointment of Vanita Louie to the Recreation and Park Commission. Copy: Each Supervisor. (18)

From Grover Cleveland Democratic Club, regarding the acquisition of hotels for use by disadvantaged persons. Copy: Each Supervisor. (19)

From Martin Alperen, regarding the intersection of 19th Avenue at Judah Street. Copy: Each Supervisor. (20)

From Shelia Stuart, regarding proposed parking fees at beach parking lots. Copy: Each Supervisor. (21)

From Judi Gorski, regarding the San Francisco County Transportation Authority (SFCTA) District 4 Mobility Study. Copy: Each Supervisor. (22)

From Roger Dawson, regarding Accessory Dwelling Unit Controls at 801 Corbett Avenue. Copy: Each Supervisor. (23)

From the League of California Cities, submitting notice of proposed bylaws amendments to be considered at their General Assembly. Copy: Each Supervisor. (24)

From Francesca Pastine, regarding the safe sleeping area at 1515 South Van Ness Avenue. Copy: Each Supervisor. (25)

From the Office of the Clerk of the Board, submitting a Letter of Inquiry from the Planning Department and the Department of Building Inspection on behalf of Supervisor Aaron Peskin. Copy: Each Supervisor. (26)

From the Office of the Clerk of the Board, submitting Outside Boards and Commissions Poll Results. Copy: Each Supervisor. (27)

## **ADJOURNMENT**