



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

Tuesday, September 28, 2021 - 2:00 PM

Regular Meeting

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

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

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

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), 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 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.

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) 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).

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. 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.

Remote Access to Information and Participation

Please visit the Board’s website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.

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) to stream the live meetings, or to watch meetings on demand.

Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at:

<https://sfbos.org/remote-meeting-call>. Members of the public may participate by phone or may submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>.

PUBLIC COMMENT CALL-IN

1 (415) 655-0001 / Meeting ID: 2484 179 5536 # #

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 14

Recommendation of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

1. [210809](#) **[Administrative Code - COVID 19 Commercial Rent Relief Fund]**
Sponsors: Safai; Haney, Mar, Mandelman, Chan, Preston, Stefani and Peskin
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.

09/21/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Chan, Mandelman

2. [210783](#) **[Settlement of Lawsuit - Juanita Stockwell, et al. - \$480,000]**
Ordinance authorizing settlement of the lawsuit filed by Guillermo Amigo, E.R. Balinton, Mike Bolte, Nikolaus Borthne, Edward Browne, Peter Busalacchi, Gary Castel, Philip Fleck, Severo Flores, George S. Fogarty, Malcolm Fong, Mary Godfrey, Jason Hui, Terrye Ivy, Jacklyn Jehl, Bartholomew Johnson, James Jones, Richard Jue, Robert Leung, Michael Lewis, Paul Lozada, D.H. Bud Massey, Bruce Meadors, Vince Neeson, Thomas O'Connor, Susan Rolovich, Juanita Stockwell, Jessie A. Washington, and Michael Wells against the City and County of San Francisco for \$480,000; the lawsuit was filed on December 17, 2015, in San Francisco Superior Court, Case No. CGC 15-549482; entitled Juanita Stockwell, et al. v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. [210784](#) **[Settlement of Lawsuit - Michael Devin - \$400,000]**
Ordinance authorizing settlement of the lawsuit filed by Michael Devin against the City and County of San Francisco for \$400,000; the lawsuit was filed on October 25, 2019, in San Francisco Superior Court, Case No. CGC-19-580276; entitled Michael Devin v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
4. [210785](#) **[Settlement of Lawsuit - Nadezhda Oshmansky - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Nadezhda Oshmansky against the City and County of San Francisco for \$100,000; the lawsuit was filed on June 25, 2020, in San Francisco County Superior Court, Case No. CGC-20-585036; entitled Nadezhda Oshmansky v. City and County of San Francisco et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
5. [210786](#) **[Settlement of Lawsuit - Mike Buckley and Mary Buckley - \$57,900]**
Ordinance authorizing settlement of the lawsuit filed by Mike Buckley and Mary Buckley against the City and County of San Francisco for \$57,900; the lawsuit was filed on November 16, 2017, in San Francisco Superior Court, Case No. CGC-17-562543; entitled Mike Buckley, an individual; and Mary Buckley, an individual v. City and County of San Francisco; the lawsuit involves property damaged by erosion. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
6. [210787](#) **[Settlement of Lawsuit - Stephanie Brunton - City to Receive \$40,000 from Walsh Construction Company]**
Ordinance authorizing settlement of the lawsuit filed by Stephanie Brunton against the City and County of San Francisco by payment of \$40,000 to the City by Walsh Construction Company; the lawsuit was filed on April 29, 2019, in San Francisco Superior Court, Case No. CGC-19-575558; entitled Stephanie Brunton v. City and County of San Francisco, et al; the underlying lawsuit involves alleged personal injury suffered as a result of an alleged dangerous condition on public property; other material terms of the settlement are that the City and County of San Francisco will dismiss its Cross-Complaint for indemnity and contribution against Walsh Construction Company. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
7. [210788](#) **[Settlement of Lawsuit - Cynthia Spears - \$137,500]**
Ordinance authorizing settlement of the lawsuit filed by Cynthia Spears against the City and County of San Francisco for \$137,500; the lawsuit was filed on May 5, 2020, in San Francisco Superior Court, Case No. CGC-20-584349; entitled Cynthia Spears v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City sidewalk tree basin. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

8. [210897](#) **[Settlement of Lawsuit - Christina McGovern - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Christina McGovern against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 10, 2020, in San Francisco Superior Court, Case No. CGC-20-583596; entitled Christina McGovern v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. [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?

10. [210906](#) **[Settlement of Unlitigated Claims - Mizuho Securities USA LLC and Mizuho Americas LLC - \$531,910.34]**
Resolution approving the settlement of the unlitigated claims filed by Mizuho Securities USA LLC and Mizuho Americas LLC against the City and County of San Francisco for \$531,910.34; the claims were filed on May 6, 2021; the claims involve a refund of payroll expense, gross receipts, homelessness gross receipts, and early care and education commercial rents taxes. (City Attorney)

Question: Shall this Resolution be ADOPTED?

11. [210907](#) **[Settlement of Unlitigated Claim - Lever, Inc. - \$30,756.32]**
Resolution approving the settlement of the unlitigated claim filed by Lever, Inc. against the City and County of San Francisco for \$30,756.32; the claim was filed on April 15, 2021; the claim involves a refund of payroll expense and gross receipts taxes. (City Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

12. [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.

09/21/2021; 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

13. [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.

09/21/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Youth, Young Adult, and Families Committee

Present: Supervisors Ronen, Safai, Melgar

- 14. [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, Preston, Mandelman and Haney

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.

09/21/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Preston, Peskin

- 15. [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.

09/21/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Melgar, Preston, Peskin

16. [210601](#) **[Administrative Code - COVID-19 Tenant Protections]**
Sponsors: Preston; Walton, Ronen, Chan, Melgar, Haney, Safai, Peskin and Mandelman

Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that came due between October 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; providing that such amendments will take effect only to the extent state law is modified accordingly; 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.

09/21/2021; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/21/2021; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Youth, Young Adult, and Families Committee

Present: Supervisors Ronen, Safai, Melgar

17. [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.

09/21/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

18. [210654](#) **[Park Code - Parking Fees]**
Sponsor: Mayor
Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking rates at the Kezar Stadium Parking Lot and Golden Gate Park Underground Parking Facility in accordance with Park Code provisions that authorize SFMTA rate-setting on park property; making conforming edits to the Park Code; increasing parking rates for berth-holders at the Marina Small Craft Harbor; and affirming the Planning Department's determination under the California Environmental Quality Act.
Question: Shall this Ordinance be PASSED ON FIRST READING?
19. [210867](#) **[Accept and Expend Grant - Retroactive - The Board of State and Community Corrections - Proposition 64 Public Health and Safety Grant Program - Amendment to the Annual Salary Ordinance for FYs 2020-2021 and 2021-2022 - \$1,000,000]**
Sponsor: Melgar
Ordinance retroactively authorizing the Office of Cannabis to accept and expend a grant award in the amount of \$1,000,000 from the Board of State and Community Correction for the Proposition 64 Public Health and Safety Grant Program for a term of May 1, 2021, through October 31, 2024; 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 1823 Senior Administrative Analyst position (FTE 1.0) at the Office of Cannabis for the period of July 1, 2021, through June 30, 2022.
Question: Shall this Ordinance be PASSED ON FIRST READING?
20. [210818](#) **[Accept In-Kind Grant - TS Studio - Fillmore Turk Park Renovation Project - \$200,000]**
Sponsors: Mayor; Preston
Resolution authorizing the Recreation and Park Department to accept an in-kind grant of up to \$200,000 from TS Studio for design services for the Fillmore Turk Park renovation project, for the project term beginning upon the approval by the Board of Supervisors and until the Notice of Substantial Completion. (Recreation and Park Department)
Question: Shall this Resolution be ADOPTED?

21. [210909](#) **[Airport Professional Services Agreement - SP Plus Corporation - Curbside Management Program - Not to Exceed \$20,100,000]**
Resolution approving the Professional Services Agreement, Contract No. 50276 for the Curbside Management Program between SP Plus Corporation and the City and County of San Francisco, acting by and through its Airport Commission, for a three year term with one two-year option to extend in an amount not to exceed \$20,100,000 to commence November 1, 2021, through October 31, 2024. (Airport Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
22. [210911](#) **[Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$914,170]**
Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$914,170 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period of July 1, 2021, through June 30, 2022. (District Attorney)
- Question: Shall this Resolution be ADOPTED?**
23. [210945](#) **[Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2021-22]**
Sponsor: Haney
Resolution levying property taxes at a combined rate of \$1.18248499 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco County Office of Education, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District; and establishing a pass-through rate of \$0.0754 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year (FY) ending June 30, 2022.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
24. [210949](#) **[Issuance and Sale of Revenue Obligations - California Enterprise Development Authority - Chinese American International School - Not to Exceed \$17,000,000]**
Sponsor: Melgar
Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$17,000,000 to finance the acquisition and renovation of educational and related facilities to be owned and operated by Chinese American International School, a California nonprofit public benefit corporation.
- Question: Shall this Resolution be ADOPTED?**

25. [210950](#) **[Issuance by California Statewide Communities Development Authority Revenue Obligations - Hebrew Home for Aged Disabled - Not to Exceed \$35,000,000]**
Sponsor: Safai
Resolution approving for purposes Internal Revenue Code of 1986, Section 147(f), as amended, the issuance of tax-exempt obligations pursuant to a plan of finance by California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$35,000,000 for the purpose of financing (including reimbursing) the acquisition, construction, renovation, equipping and furnishing of senior residential and care services and certain other matters relating thereto, as defined herein.

Question: Shall this Resolution be ADOPTED?

26. [210952](#) **[Issuance by California Enterprise Development Authority Revenue Obligations - Presidio Hill School - Not to Exceed \$9,000,000]**
Sponsor: Stefani
Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$9,000,000 to finance and refinance the acquisition, construction, renovation, rehabilitation, improvement and/or equipping of educational and related facilities to be owned and operated by Presidio Hill School, a California nonprofit public benefit corporation, or its wholly-owned limited liability company.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Preston, Chan, Mandelman

27. [210827](#) **[Settlement of Lawsuit - Maurice Caldwell - \$8,000,000]**
Ordinance authorizing settlement of the lawsuit filed by Maurice Caldwell against the City and County of San Francisco for \$8,000,000; the lawsuit was filed on April 16, 2012, in United States District Court, Case No. 12-cv-1892 DMR; entitled Maurice Caldwell v. City and County of San Francisco, et al.; the lawsuit alleges fabrication of evidence in violation of the Fourteenth Amendment. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

28. [210565](#) **[Planning Code - Landmark Designation - “The Making of a Fresco Showing the Building of a City” - San Francisco Art Institute - 800 Chestnut Street]**
Sponsor: Peskin

Ordinance amending the Planning Code to designate the fresco titled “The Making of a Fresco Showing the Building of a City” in the Diego Rivera Gallery of the San Francisco Art Institute, located at 800 Chestnut Street, Assessor’s Parcel Block No. 0049, Lot No. 001, as a Landmark consistent with the standards set forth in 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. (Historic Preservation Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. [210914](#) **[Acceptance and Recording of Avigation Easement - SHAC Adrian Court Apartments LLC - 1 and 45 Adrian Court, Burlingame]**

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

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Peskin, Mandelman, Chan

30. [210938](#) **[Administrative Code - Due Date for Weights and Measurements Fees and Temporarily Waiving Fees for Taximeter Devices]**
Sponsors: Peskin; Chan and Mandelman

Ordinance amending the Administrative Code by setting March 31 as the annual due date to pay registration fees for weighing and measuring devices and automated point of sale stations used for commercial purposes; retroactively eliminating fees billed by the Tax Collector on or after January 1, 2019, through fees otherwise due prior to March 31, 2025, for each business with a taximeter device; refunding eliminated fees paid to the City, and any penalties paid on such fees; and updating administrative fees to conform with the State of California’s annual device administrative fee schedule.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. [210975](#) **[Reappointment, Association of Bay Area Governments, Executive Board Regional Planning Committee - Supervisor Myrna Melgar]**

Motion reappointing Supervisor Myrna Melgar, term ending September 23, 2023, to the Association of Bay Area Governments Executive Board Regional Planning Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

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

In accordance with the "Declaration of Local Health Emergency Regarding Novel Coronavirus Disease 2019 (COVID-19)," special commendations have been 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 June 29, 2021, and July 20, 2021.)

32. [210709](#) [Hearing - Appeal of Conditional Use Authorization Approval - 575 Vermont Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 209.1, 303, and 307 of the Planning Code, for a proposed project at 575 Vermont Street, Assessor's Parcel Block No. 4010, Lot No. 006, identified in Planning Case No. 2020-000886CUA, issued by the Planning Commission by Motion No. 20921, dated May 13, 2021, to allow demolition of an existing single family home and construction of a new, four-story, 40-foot tall residential building containing two dwelling units, one accessory dwelling unit, one off-street automobile parking space, and three class one bicycle parking spaces within the RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District. (District 10) (Appellants: Marion Parr, Scott Carr, Ron Altoonian, Victoria Carradero, and Chris Stephens) (Filed June 11, 2021) (Clerk of the Board)

06/29/2021; CONTINUED OPEN.

07/20/2021; 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.

33. [210710](#) **[Approving Conditional Use Authorization - 575 Vermont Street]**
Motion approving the decision of the Planning Commission by its Motion No. 20921, approving a Conditional Use Authorization, identified as Planning Case No. 2020-000886CUA, for a proposed project located at 575 Vermont 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)

06/29/2021; CONTINUED.

07/20/2021; CONTINUED.

Question: Shall this Motion be APPROVED?

34. [210711](#) **[Conditionally Disapproving Conditional Use Authorization - 575 Vermont Street]**
Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20921, approving a Conditional Use Authorization, identified as Planning Case No. 2020-000886CUA, for a proposed project at 575 Vermont 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.)

06/29/2021; CONTINUED.

07/20/2021; CONTINUED.

Question: Shall this Motion be APPROVED?

35. [210712](#) **[Preparation of Findings Related to Conditional Use Authorization - 575 Vermont 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. 2020-000886CUA, for a proposed project at 575 Vermont Street. (Clerk of the Board)

06/29/2021; CONTINUED.

07/20/2021; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

(PUBLIC COMMENT WILL BE TAKEN)

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(Continued open from September 7, 2021.)

36. [210858](#) **[Hearing - Appeal of Conditional Use Authorization Approval - 450-474 O'Farrell Street and 532 Jones Street]**
Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 303, 304, 415, 166, and 155 of the Planning Code, for a proposed project at 450-474 O'Farrell Street and 532 Jones Street, Assessor's Parcel Block No. 0317, Lot Nos. 007, 009, and 011, identified in Planning Case No. 2013.1535CUA-02, issued by the Planning Commission by Motion No. 20935, dated June 24, 2021, to amend the Conditions of Approval Nos. 24, 25, 26, and 32 of Planning Commission Motion No. 20281, adopted on September 13, 2018, for a revised project scope to include demolition of three buildings, construction of a 13-story mixed-use building with similar massing, ground floor commercial and a new church, and up to 316 group housing rooms instead of 176 residential units located in a RC-4 (Residential-Commercial, High Density) Zoning District, North of Market Residential Special Use District and 80-130-T Height and Bulk District. (District 6) (Appellants: Pratibha Tekkey, on behalf of the Tenderloin Housing Clinic, and Michael Shonafelt and Gregory Tross of Newmeyer & Dillion LLP, on behalf of the Pacific Bay Inn, Inc.) (Filed July 21, 2021) (Clerk of the Board)

09/07/2021; 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.

37. [210859](#) **[Approving Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]**
Motion approving the decision of the Planning Commission by its Motion No. 20935, approving a Conditional Use Authorization, identified as Planning Case No. 2013.1535CUA-02, for a proposed project located at 450-474 O'Farrell Street and 532 Jones Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

09/07/2021; CONTINUED.

Question: Shall this Motion be APPROVED?

38. [210860](#) **[Conditionally Disapproving the Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]**

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

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

09/07/2021; CONTINUED.

Question: Shall this Motion be APPROVED?

39. [210861](#) **[Preparation of Findings Related to Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]**

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

09/07/2021; 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 Land Use and Transportation Committee at a Regular Meeting on Monday, September 27, 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 28, 2021.

40. [210962](#) **[Emergency Ordinance - Extension of Temporary Tenant Protections Due to COVID-19]**

Sponsors: Preston; Peskin, Walton, Ronen, Chan, Mandelman, Haney and Melgar
Emergency ordinance to temporarily extend the COVID-19 based limit on residential evictions, which allows evictions only if based on the non-payment of rent or violence or health and safety issues, and which is currently set to expire on September 30, 2021.

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

Question: Shall this Ordinance be FINALLY PASSED?

41. 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.

42. 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

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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 43 through 50 will be taken during Item 42 - General Public Comment.)

Items 43 through 50

43. [211011](#) **[Urging the Governor to Sign California State Assembly Bill No. 701 (Gonzalez) and Enhance Safety Protections for Warehouse Workers]**
Sponsors: Chan; Walton

Resolution urging Governor Gavin Newsom to sign California State Assembly Bill No. 701, authored by Assembly Member Lorena Gonzalez, to create the nation's first transparency requirements and protections against dangerous warehouse quota systems.

09/21/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. [211012](#) **[Urging the Governor to Sign California State Senate Bill No. 62 (Durazo) - the Garment Worker Protection Act]**

Sponsors: Chan; Walton

Resolution urging Governor Gavin Newsom to sign California State Senate Bill No. 62, authored by Senator Maria Elena Durazo, the Garment Worker Protection Act, to eliminate obstacles to workers being paid minimum wage and protecting their health and safety.

09/21/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. [211013](#) **[Urging Support for Afghan Refugees]**

Sponsors: Haney; Walton

Resolution urging our state and federal leaders to bring in more at-risk and vulnerable Afghan people to the United States, and that Afghan evacuees and their families be supported in their transition to American life and granted access to significant opportunities and benefits.

09/21/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. [211015](#) **[Latinx Heritage Month - September 15th through October 15th Annually]**

Sponsors: Melgar; Ronen, Chan and Walton

Resolution declaring September 15, 2021, through October 15, 2021, and every year thereafter, as "Latinx Heritage Month" in the City and County of San Francisco.

09/21/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. [211016](#) **[Naming the San Francisco City Hall Press Room "The Barbara A. Taylor Press Room"]**

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

Resolution naming the San Francisco City Hall press room, in its current and any future location, "The Barbara A. Taylor Press Room," in honor of legendary reporter Barbara Ann Taylor (1947 - 2020), whose significant contributions to journalism and San Francisco civic life while serving as the KCBS City Hall bureau chief for more than 30 years have set the standard for integrity and professionalism.

09/21/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. [211017](#) **[Urging the Pause of the COVID Booster Administration to the General Population and Supporting Patent Waiver and Technology Information Transfer of Vaccines to Countries that Do Not Have Access]**
Sponsor: Ronen
Resolution urging President Joe Biden to pause distribution of COVID vaccine boosters to the general population and to take a leadership role in supporting the Trade-Related Intellectual Property Rights (TRIPS) waiver while promoting technology information transfer as it relates to vaccinations to low-to-middle income countries in order to end this global pandemic.

09/21/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. [211005](#) **[Reappointment, Bicycle Advisory Committee - Diane Serafini]**
Motion reappointing Diane Serafini, term ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board)

09/20/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

50. [211006](#) **[Appointment, Child Care Planning and Advisory Council - Ivy Ng]**
Motion appointing Ivy Ng, term ending March 19, 2024, to the Child Care Planning and Advisory Council. (Clerk of the Board)

09/21/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

51. 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.

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 ORDINANCES

210982 [Settlement of Attorney's Fee Claim - Contest Promotions, LLC - City to Receive \$580,000]

Ordinance authorizing settlement by payment of \$580,000 to the City and County of San Francisco, of the City's claim for attorney's fees and costs arising from the lawsuit that Contest Promotions, LLC filed against the City; the lawsuit was filed on August 26, 2015, in San Francisco Superior Court, Case No. CGC-15-547630; entitled Contest Promotions, LLC vs. City and County of San Francisco; San Francisco Superior Court Case No. CPF-16-514771 was filed on February 9, 2016, and the actions were consolidated; the lawsuit involves a dispute about the City's compliance with a prior settlement agreement between the parties, and the constitutionality of sections of the Planning Code regulating on-site and off-site commercial signs. (City Attorney)

09/16/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210983

[Settlement of Lawsuit - 2170 Folsom LLC - \$525,000]

Ordinance authorizing partial settlement of the lawsuit filed by 2170 Folsom LLC against the City and County of San Francisco for \$525,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff 2170 Folsom LLC, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210984

[Settlement of Lawsuit - Baikonur 1701 LLC - \$410,000]

Ordinance authorizing partial settlement of the lawsuit filed by Baikonur 1701 LLC against the City and County of San Francisco for \$410,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Baikonur 1701 LLC, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210985

[Settlement of Lawsuit - Malcolm Davis - \$215,000]

Ordinance authorizing partial settlement of the lawsuit filed by Malcolm Davis against the City and County of San Francisco for \$215,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Malcolm Davis, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210986

[Settlement of Lawsuit - Malcolm Davis - \$470,000]

Ordinance authorizing partial settlement of the lawsuit filed by Malcolm Davis against the City and County of San Francisco for \$470,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Malcolm Davis, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210987**[Settlement of Lawsuit - John and Janice Gumas - \$225,000]**

Ordinance authorizing partial settlement of the lawsuit filed by John and Janice Gumas against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs John and Janice Gumas, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210988**[Settlement of Lawsuit - Hans Art dba Hans Art Automotive - \$500,000]**

Ordinance authorizing partial settlement of the lawsuit filed by Hans Art dba Hans Art Automotive against the City and County of San Francisco for \$500,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Hans Art dba Hans Art Automotive, and does not include claims for property loss or for attorney's fees, costs and interest. (Clerk of the Board)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210989**[Settlement of Lawsuit - Chris Hickey - \$1,150,000]**

Ordinance authorizing partial settlement of the lawsuit filed by Chris Hickey against the City and County of San Francisco for \$1,150,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Chris Hickey, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210990**[Settlement of Lawsuit - Kwok Shing Import Export, Inc. - \$440,000]**

Ordinance authorizing partial settlement of the lawsuit filed by Kwok Shing Import Export, Inc. against the City and County of San Francisco for \$440,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Kwok Shing Import Export, Inc., and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210991**[Settlement of Lawsuit - Francis and Julio Osorio - \$225,000]**

Ordinance authorizing partial settlement of the lawsuit filed by Francis and Julio Osorio against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Francis and Julio Osorio, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210992**[Settlement of Lawsuit - San Francisco Motorcycle Club - \$310,000]**

Ordinance authorizing partial settlement of the lawsuit filed by San Francisco Motorcycle Club against the City and County of San Francisco for \$310,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff San Francisco Motorcycle Club, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210993**[Settlement of Lawsuit - Angela Sinicropi and Marin Takigawa - \$288,180]**

Ordinance authorizing partial settlement of the lawsuit filed by Angela Sinicropi and Marin Takigawa against the City and County of San Francisco for \$288,180; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Angela Sinicropi and Marin Takigawa, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210994**[Settlement of Lawsuit - Monte Stott - \$188,300]**

Ordinance authorizing partial settlement of the lawsuit filed by Monte Stott against the City and County of San Francisco for \$188,300; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Monte Stott, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210995 **[Settlement of Lawsuit - John Williams and Aimee Williams - \$340,000]**
Ordinance authorizing settlement of the lawsuit filed by John Williams and Aimee Williams against the City and County of San Francisco for \$340,000; the lawsuit was filed on April 18, 2018, in San Francisco Superior Court, Case No. CGC-18-565870; entitled John Williams and Aimee Williams v. First California Investments, et al.; the lawsuit alleges that a building was in a dangerous condition. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210996 **[Settlement of Lawsuit - Taryn Saldivar - \$190,000]**
Ordinance authorizing settlement of the lawsuit filed by Taryn Saldivar against the City and County of San Francisco for \$190,000; the lawsuit was filed on August 6, 2020, in United States District Court - Northern District of California, Case No. 20-cv-05474; entitled Taryn Saldivar v. City and County of San Francisco, et al.; the lawsuit involves unlawful detention and arrest. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210997 **[Settlement of Lawsuit - Stephanie Brunton - \$165,000]**
Ordinance authorizing settlement of the lawsuit filed by Stephanie Brunton against the City and County of San Francisco for \$165,000; the lawsuit was filed on April 29, 2019, in San Francisco Superior Court, Case No. CGC-19-575558; entitled Stephanie Brunton v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City crosswalk. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

210998 **[Settlement of Lawsuit - Valerie A. Stevenson - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Valerie A. Stevenson against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 1, 2020, in San Francisco Superior Court, Case No. CGC-20-585157; entitled Valerie A. Stevenson v. City and County of San Francisco; the lawsuit involves an alleged trip and fall on uneven pavement. (City Attorney)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

210999 [Grant Agreement Amendment - San Francisco-Marin Food Bank - COVID-19 Food Assistance Program - Not to Exceed \$24,504,508]

Resolution approving a second amendment to the grant agreement between the City and County of San Francisco and San Francisco-Marin Food Bank, for the administration of the COVID-19 Food Assistance Program, to extend the grant term by six months for a total term of July 1, 2020, through June 30, 2022, and to increase the grant amount by \$8,977,683 for a total not to exceed amount of \$24,504,508 to commence on October 15, 2021. (Human Services Agency)

09/13/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

211000 [Accept and Expend In-Kind Gift - Retroactive - San Francisco General Hospital Foundation - ZEISS Forum Software Licenses - \$59,949]

Resolution retroactively authorizing the Department of Public Health to accept and expend an in-kind gift of perpetual software licenses of the ZEISS forum ophthalmology application valued in the amount of \$59,949 from the San Francisco General Hospital Foundation for the Department of Public Health to provide eye care and eye disease management for the project period of July 8, 2016, through June 16, 2025. (Public Health Department)

09/16/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

211001 [Real Property Sale Agreement - State of California - Portions of SFPUC Parcel No. 65 - State Route 84 / Interstate 680 Widening Project in Alameda County - \$152,952]

Resolution 1) approving and authorizing the General Manager of the San Francisco Public Utilities Commission ("SFPUC") and/or the Director of Property, on behalf of the City and County of San Francisco ("City"), to sell certain real property located along State Route 84 and Interstate 680 in unincorporated Alameda County to the State of California, acting through its California Department of Transportation ("Caltrans"), and the Alameda County Transportation Commission ("Alameda CTC" and together with Caltrans, the "Buyers"); 2) approving and authorizing an Agreement for Sale of Real Estate ("Sale Agreement") for the sale of the Property to the Buyers, which includes a liquidated damages clause in case of default by the City; 3) authorizing the SFPUC General Manager and/or City's Director of Property to execute the Sale Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Sale Agreement, as defined herein; 4) adopting findings declaring that the real property is "surplus land" and "exempt surplus land" pursuant to the California Surplus Lands Act; 5) determining that a competitive bidding process for the conveyance of the Property is impractical and not in the public interest, in accordance with Section 23.3 of the Administrative Code; 6) affirming the Planning Department's determination under the California Environmental Quality Act and adopting the findings required by Section 15091 of the CEQA Guidelines previously adopted by Caltrans in conjunction with the Project; and 7) adopting the Planning Department's findings that the Sale Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Utilities Commission)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

211002 [Agreement Amendment - California Independent System Operator - Planning Coordinator Services - Not to Exceed \$500,000]

Resolution authorizing the General Manager of the Public Utilities Commission to execute a Second Amendment to the Planning Coordinator (CS-399) Agreement between the City and County of San Francisco Public Utilities Commission and the California Independent System Operator, extending the agreement term by 10 years from November 11, 2021, for a total duration of approximately sixteen years of May 14, 2015, through November 10, 2031, pursuant to Charter, Section 9.118, and for a total cumulative amount not to exceed \$500,000; and delegating to the General Manager authority to approve certain non-material amendments. (Public Utilities Commission)

09/17/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

211003 [Contract Modification - MSC Industrial Supply Company Inc. - Purchase of Industrial Supplies - Term Extension - Not to Exceed \$15,700,000]

Resolution authorizing the Office of Contract Administration to enter into a Sixth Modification to the contract between the City and County of San Francisco and MSC Industrial Supply Company Inc. for the purchase of industrial supplies for City departments, increasing the contract amount by \$5,800,000 for a total contract amount not to exceed \$15,700,000, and extending the term by one year and two months for a total term of May 1, 2017, through June 30, 2023. (Office of Contract Administration)

09/20/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

211004

[Contract Modification - Buckles-Smith Electric Co. - Purchase of Electrical Supplies and Fixtures - Not to Exceed - \$15,300,000]

Resolution authorizing the Office of Contract Administration to enter into a Fifth Amendment (Modification No. 5) to the contract between the City and County of San Francisco and Buckles-Smith Electric Co. for the purchase of electrical supplies and fixtures for City departments; increasing the contract amount by \$5,400,000 for a total not to exceed amount of \$15,300,000 and extending the term by one year from June 30, 2022, for a total contract duration of six years of July 5, 2017, through June 30, 2023. (Office of Contract Administration)

09/20/2021; RECEIVED FROM DEPARTMENT.

09/28/2021; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

211020 [Petitions and Communications]

Petitions and Communications received from September 16, 2021, through September 23, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 28, 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 Mayor, submitting memo regarding the September 15, 2021, meeting of the State Legislation Committee, and approved minutes from the July 14, 2021 meeting. Copy: Each Supervisor. (1)

From Pacific Gas and Electric, regarding request to increase rates. Copy: Each Supervisor. (2)

From Concerned Citizens of Alameda County, regarding the hiring of David Rocha. Copy: Each Supervisor. (3)

From California State Pipe Trades Council and Plumbers and Pipefitters UA Local 38, regarding proposal for expansion of requirements for alternate water sources for non-potable applications. File No. 210536. Copy: Each Supervisor. (4)

From Bay Area Chapter of Americans for Safe Access, regarding proposed cannabis gross receipt tax legislation. Copy: Each Supervisor. (5)

From Unite Here, Local 2, regarding Appeal of Final Mitigated Negative Declaration - Proposed 530 Sansome Street Project. File No. 210923. Copy: Each Supervisor. (6)

From the State of California Building Standards Commission, regarding determination of findings for Ordinance No. 77-21. Copy: Each Supervisor. (7)

From the State of California Office of Historic Preservation, regarding the listing of the Hobart Building in the National Register of Historic Places. Copy: Each Supervisor. (8)

From the Parent Teacher Community Council of the Japanese Bilingual Bicultural Program at Rosa Parks Elementary School, regarding the sale and conversion of Hotel Buchanan. 2 letters. Copy: Each Supervisor. (9)

From concerned organizations, regarding proposed purchase of light rail vehicles. File No. 210838. 2 letters. Copy: Each Supervisor. (10)

From concerned citizens, regarding the Great Highway. 5 letters. Copy: Each Supervisor. (11)

From concerned citizens, regarding proposed Creation of a "Beach to Bay" Car-Free Connection and Equitable Access to Golden Gate Park legislation. File No. 210944. 164 letters. Copy: Each Supervisor. (12)

From concerned citizens, regarding bicyclists blocking the Great Highway. 10 letters. Copy: Each Supervisor. (13)

From Fifth Church of Christ, Scientist, regarding Appeal of Conditional Use Authorization Approval - 450 O'Farrell project. File No. 210858. Copy: Each Supervisor. (14)

From Bay Area ASA, regarding Appeal of Conditional Use Authorization Approval - 5801 Mission Street. File No. 210801. Copy: Each Supervisor. (15)

From League of Women Voters of San Francisco, regarding the Redistricting Task Force. Copy: Each Supervisor. (16)

From Public Utilities Commission, submitting San Francisco Administrative Code, Chapters 12B and 14B, Waiver Requests. Copy: Each Supervisor. (17)

From California Apartment Association, regarding proposed COVID-19 tenant protections legislation. File Nos. 210962 and 210963. Copy: Each Supervisor. (18)

From Small Business Commission, regarding proposed legislation amending the Planning Code to allow business signs on awnings or marquees in addition to projecting signs in various neighborhood commercial and residential-commercial districts. File No. 210810. Copy: Each Supervisor. (19)

From Marvis Phillips, regarding Safer Tenderloin Streets. Copy: Each Supervisor. (20)

From API Cultural Center, regarding proposed legislation Small Business Zoning Controls in Chinatown and North Beach and on Polk Street. File No. 210600. Copy: Each Supervisor. (21)

From Angus McCarthy, regarding assessment of the Controller's DBI Public Integrity Review report. Copy: Each Supervisor. (22)

From the Office of the Director of Planning, submitting response to the inquiry made by Supervisor Peskin at the Board meeting of September 7, 2021. Copy: Each Supervisor. (23)

From concerned citizens, regarding water recycling. 2 letters. Copy: Each Supervisor. (24)

From Francesca Pastine, regarding encampments. 2 letters. Copy: Each Supervisor. (25)

From Black Employee Alliance, regarding various concerns. 4 letters. Copy: Each Supervisor. (26)

From San Francisco Christian Center, regarding proposed 5801 Mission Street project. File No. 210801. Copy: Each Supervisor. (27)

From Emily Block, regarding proposed project at 249 Texas Street. File No. 210791 Copy: Each Supervisor. (28)

From Bay Area Council, regarding proposed legislation Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 (Transbay Transit Center) - Not to Exceed \$35,000,000. File No. 210871. 9 letters. Copy: Each Supervisor. (29)

From concerned citizens, regarding project at 1525 Pine Street. File No. 210901. 103 letters. Copy: Each Supervisor. (30)

From State of California Fish and Game Commission, regarding Notice of Final Consideration concerning the Pacific leatherback sea turtle. Copy: Each Supervisor. (31)

From State of California Fish and Game Commission, regarding Notice of Proposed Changes in Regulations concerning the Experimental Fishing Permit Program. Copy: Each Supervisor. (32)

From John Smith, regarding various concerns. 2 letters. Copy: Each Supervisor. (33)

From concerned citizen, regarding civic concerns. Copy: Each Supervisor (34)

ADJOURNMENT