

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, May 19, 2020 - 2:00 PM

Held via Videoconference
(remote public access provided)
www.sfgovtv.org

Regular Meeting

NORMAN YEE, PRESIDENT

SANDRA LEE FEWER, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI, SHAMANN WALTON
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Appropriations Committee

Supervisors Fewer, Walton, Mandelman, Yee, Ronen

Wednesday
1:00 PM

Budget and Finance Committee

Supervisors Fewer, Walton, Mandelman

Wednesday
10:00 AM

Government Audit and Oversight Committee

Supervisors Mar, Peskin, Haney

1st and 3rd Thursday
10:00 AM

Joint City, School District, and City College Select Committee

Supervisors Haney, Fewer, Mar (Alt), Commissioners Moliga, Collins, Cook (Alt), Trustees Randolph, Williams, Selby (Alt)

~~2nd Friday~~

Land Use and Transportation Committee

Supervisors Peskin, Safai, Preston

Monday
1:30 PM

Public Safety and Neighborhood Services Committee

Supervisors Mandelman, Stefani, Walton

2nd and 4th Thursday
10:00 AM

Rules Committee

Supervisors Ronen, Stefani, Mar

Monday
10:00 AM

Members Present: Sandra Lee Fewer, Matt Haney, Rafael Mandelman, Gordon Mar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, Shamann Walton, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session through videoconferencing on Tuesday, May 19, 2020, with President Norman Yee presiding.

President Yee called the meeting to order at 2:01 p.m.

Remote Access to Information and Participation

Remote Access to Information and Participation

In accordance with Governor Gavin Newsom's statewide order for all residents to "Stay at Home" - and the numerous preceding local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus.

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely and allow for remote public comment; therefore, Board of Supervisors meetings that are held through videoconferencing will allow remote public comment. Visit the SFGovTV website (www.sfgovtv.org) to stream the live meetings or watch them on demand.

As the COVID-19 disease progresses, please visit the Board's website regularly to be updated on the current situation as it affects the legislative process and the Board of Supervisors.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisor Safai was noted not present.

A quorum was present.

Supervisor Safai was noted present (on-line) at 2:03 p.m.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, announced that due to the COVID-19 health emergency, Board Members will participate in the meeting remotely, through videoconference and to the same extent as if they were physically present. To the members of the public, when general public comment is called, you may contribute live comments for up to two minutes by dialing the provided telephone number. When you are connected, you will receive another prompt, dial "1-0" to be added to the queue to speak. Make sure to call from a quiet location, speak clearly and slowly, and turn down your television or radio. Written comments may be submitted through email (board.of.supervisors@sfgov.org) or the US Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the April 7, 2020, Regular Board Meeting Minutes; or the April 1, 2020, Special Meeting Minutes at the Budget and Finance Committee Meeting, or the April 1, 2020, Special Meeting Minutes at the Budget and Appropriations Committee Meeting, which constituted quorums of the Board of Supervisors, as presented. There were no corrections requested from any Member of the Board.

Supervisor Peskin, seconded by Supervisor Ronen, moved to approve the April 7, 2020, Regular Board Meeting Minutes; and the April 1, 2020, Special Meeting Minutes at the Budget and Finance Committee Meeting, and the April 1, 2020, Special Meeting Minutes at the Budget and Appropriations Committee Meeting, which constituted quorums of the Board of Supervisors, as presented. The motion carried by the following vote, following general public comment:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

200401 [Annual Salary Ordinance Amendment - COVID-19 Military Service Qualifying for Supplementation of Military Pay]

Sponsor: Stefani

Ordinance amending Ordinance No. 170-19, the Annual Salary Ordinance FYs 2019-2020 and 2020-2021, to add active military service related to the COVID-19 pandemic to the enumerated events that qualify for supplementation of military pay.

(Fiscal Impact)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

200260 [Settlement of Lawsuit - Henry McKenzie - \$400,000]

Ordinance authorizing settlement of the lawsuit filed by Henry McKenzie against the City and County of San Francisco for \$400,000; the lawsuit was filed on November 24, 2018, in the United States District Court Northern District of California, Case No. 4:18-cv-7141 DMR; entitled Henry McKenzie v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute.

(City Attorney)

PASSED ON FIRST READING

- 200330 [Settlement of Lawsuit - The Hertz Corporation, Enterprise Rent-A-Car Co. of San Francisco LLC, Avis Budget Car Rental, LLC, and Sixt Rent A Car LLC - \$500,000]**
Ordinance authorizing settlement of the lawsuit filed by The Hertz Corporation, Enterprise Rent-A-Car Co. of San Francisco LLC, Avis Budget Car Rental, LLC, and Sixt Rent A Car LLC, against the City and County of San Francisco for \$500,000 (payment to Sixt Rent A Car LLC only); the lawsuit was filed on September 24, 2019, in San Mateo Superior Court, Case No. 19-CIV-05663; entitled The Hertz Corporation et al. v. City and County of San Francisco et al.; the lawsuit involves a challenge to the City's application of prevailing wage requirements for City-owned off-street parking lots, garages, and vehicle storage facilities to leases for the use of the Rental Car Center at the San Francisco International Airport, and the Airport Commission's failure to seek approval by the Board of Supervisors of leases that do not require such payment of prevailing wages applicable to. (City Attorney)
- PASSED ON FIRST READING**

Recommendation of the Land Use and Transportation Committee

- 200142 [Planning Code - Conditional Use Authorizations for Demonstrably Unaffordable Housing]**
Sponsors: Mandelman; Peskin, Fewer and Yee
Ordinance amending the Planning Code to require conditional use authorization for applications to demolish a single-family residential building on a site zoned as RH-1 (Residential, House District, One Family) or RH-1(D) (Residential, House District, One Family-Detached), when the building is demonstrably not affordable or financially accessible housing; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.
- FINALLY PASSED**

Recommendation of the Rules Committee

- 200424 [Administrative Code - Balboa Reservoir Community Advisory Committee]**
Sponsor: Yee
Ordinance amending the Administrative Code to extend the sunset date for the Balboa Reservoir Community Advisory Committee (Advisory Committee) from May 8, 2020, to July 1, 2021; and to require the Advisory Committee to provide community input after development entitlements have been issued.
- FINALLY PASSED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Yee requested File Nos. 200208 and 200268 be called together.

200208 [Professional Services Agreement Modification - SFO Hotel Shuttle, Inc. - Airport Shuttle Bus Services - Not to Exceed \$116,181,617]

Resolution approving Modification No. 6 to Airport Contract No. 9254, Airport Shuttle Bus Services, with SFO Hotel Shuttle, Inc., to increase the contract amount by \$20,900,000 for a new not to exceed amount of \$116,181,617; and to exercise the final two-year option to extend the term from July 1, 2020, for a total term of December 1, 2012, through June 30, 2022, pursuant to Charter, Section 9.1189(b). (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200268 [Accept and Expend Grant - California Air Resources Board - Carl Moyer Memorial Air Quality Standards Attainment Program Grant - Up to \$2,746,298]

Sponsors: Mayor; Mandelman

Resolution authorizing the San Francisco Airport Commission to accept and expend a grant in the amount up to \$2,746,298 and any additional amounts up to 15% of the original grant that may be offered from the California Air Resources Board, for the Carl Moyer Memorial Air Quality Standards Attainment Program Grant, to purchase and install electrical ground service equipment charging stations and supporting infrastructure for the proposed project period of June 2020 through June 2021; and affirming the Planning Department's determination under the California Environmental Quality Act. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200274 [Accept and Expend Funds - Retroactive - California Secretary of State - Voting System and Election Management System Replacement - \$1,949,859.50]

Sponsor: Stefani

Resolution retroactively authorizing the Department of Elections to accept and expend funds allocated by the California Secretary of State in an amount not to exceed \$1,949,859.50 to fund voting system and election management system replacement, for the period of February 1, 2019, through June 30, 2022. (Elections Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200298 [Apply for Grants - 2020 Emergency Preparedness Grants]**Sponsor: Mayor**

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any actions necessary for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the Federal Fiscal Year 2020 Urban Areas Security Initiative Grant, the Federal Fiscal Year 2020 State Homeland Security Grant Program, the 2020 Emergency Management Performance Grant, the 2020 Local Government Oil Spill Contingency Plan Grant, and the 2020 Hazard Mitigation Grant Program.

Supervisor Fewer, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 19, by striking 'and', and Line 20, by striking 'Program' and adding 'and 2020 Hazard Mitigation Grant Program.' The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200356 [Airport Professional Services Agreement - T1 Partners - Program Management Support Services for the Terminal 1/Boarding Area B Redevelopment Program - Further Modifications Not to Exceed \$38,000,000]

Resolution approving Modification No. 14 to Airport Contract No. 9185.9, Program Management Support Services for the San Francisco International Airport, Terminal 1/Boarding Area B Redevelopment Program, with T1 Partners, a Joint Venture consisting of The Allen Group, LLC, and EPC Consultants, Inc., to increase the Contract amount by \$6,000,000 for a new not to exceed amount of \$38,000,000 for services, and extending the term through July 7, 2023, to commence following Board approval, pursuant to Charter, Section 9.118(b). (Airport Commission) (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendations of the Government Audit and Oversight Committee**200400 [Municipal Elections Code - Expanded Vote-by-Mail for the November 3, 2020 Election - Voter's Choice Act]**

Sponsors: Ronen; Haney, Preston, Walton, Mar, Yee, Fewer and Safai

Ordinance amending the Municipal Elections Code to require the Department of Elections to expand use of vote-by-mail ballots at the November 3, 2020, Consolidated General Election; to report to the Board of Supervisors regarding planning for that election; and to report to the Board regarding implementation of the Voter's Choice Act in future San Francisco elections. (Fiscal Impact)

Supervisors Yee, Fewer, and Safai requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

President Yee requested File Nos. 200331, 200332, 200333, and 200334 be called together.

200331 [Lease Agreement - Avis Budget Car Rental, LLC - On-Airport Rental Car Operations - \$11,076,378 Minimum Annual Guarantee]

Resolution approving the On-Airport Rental Car Operations Lease No. 18-0343, between Avis Budget Car Rental, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of five years with two two-year options to extend, and a minimum annual guarantee of \$11,076,378 for the first year of the Lease, to commence upon Board approval. (Airport Commission)

Supervisor Mar, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of June 2, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200332 [Lease Agreement - Enterprise Rent-A-Car Co of San Francisco, LLC - On-Airport Rental Car Operations - \$16,087,548 Minimum Annual Guarantee]

Resolution approving the On-Airport Rental Car Operations Lease No. 18-0342, between Enterprise Rent-A-Car Co of San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of five years with two two-year options to extend, and a minimum annual guarantee of \$16,087,548 for the first year of the Lease, to commence following Board approval. (Airport Commission)

Supervisor Mar, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of June 2, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200333 [Lease Agreement - The Hertz Corporation - On-Airport Rental Car Operations - \$16,501,462 Minimum Annual Guarantee]

Resolution approving the On-Airport Rental Car Operations Lease No. 18-0341, between The Hertz Corporation, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of five years with two two-year options to extend, and a minimum annual guarantee of \$16,501,462 for the first year of the Lease, to commence following Board approval. (Airport Commission)

Supervisor Mar, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of June 2, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200334 [Lease Agreement - Sixt Rent a Car, LLC - On-Airport Rental Car Operations - \$3,501,004.32 Minimum Annual Guarantee]

Resolution approving the On-Airport Rental Car Operations Lease No. 18-0344, between Sixt Rent a Car, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of five years with two two-year options to extend, and a minimum annual guarantee of \$3,501,004.32 for the first year of the Lease, to commence following Board approval. (Airport Commission)

Supervisor Mar, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of June 2, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

President Yee requested File Nos. 200379 and 200380 be called together.

200379 [Resolution of Intention - Renewal and Expansion - Castro Community Benefit District]

Sponsor: Mandelman

Resolution declaring the intention of the Board of Supervisors to renew and expand a property-based business improvement district known as the "Castro Community Benefit District" and levy a multi-year assessment on all parcels in the district; approving the management district plan and engineer's report and proposed boundaries map for the district; ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on July 14, 2020, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting, as required by law.

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200380 [Resolution of Intention - Renewal and Expansion - Fisherman's Wharf Landside Community Benefit District]

Sponsor: Peskin

Resolution declaring the intention of the Board of Supervisors to renew and expand a property-based business improvement district known as the "Fisherman's Wharf Landside Community Benefit District" and levy a multi-year assessment on all parcels in the district; approving the management district plan and engineer's report and proposed boundaries map for the district; ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on July 14, 2020, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting, as required by law.

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendations of the Rules Committee

200449 [Appointments, SOMA Community Stabilization Fund Community Advisory Committee - Marke Bieschke and Lorenzo Listana]

Motion appointing Marke Bieschke and Lorenzo Listana, terms ending December 1, 2023, to the SOMA Community Stabilization Fund Community Advisory Committee. (Rules Committee)

Motion No. M20-056

APPROVED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200450 [Presidential Appointment, Planning Commission - Deland Chan]

Motion approving the President of the Board of Supervisors Norman Yee's nomination of Deland Chan to the Planning Commission, for a term ending July 1, 2022. (Clerk of the Board) (Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: May 5, 2020.)

Motion No. M20-057

APPROVED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

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

President Yee suspended all commendations during the declaration of local health emergency.

COMMITTEE REPORTS**Recommendations of the Land Use and Transportation Committee****200397 [Summary Street Vacation - 25th Street - Continued Operation of Temporary Navigation Center for Homeless Residents]**

Sponsors: Mayor; Walton

Ordinance ordering the summary vacation of a portion of 25th Street, which is generally bounded by Assessor's Parcel Block No. 4241, Lot No. 002 to the north, Seawall Lot No. 355 (portions of Assessor's Parcel Block No. 4298, Lot No. 002, Assessor's Parcel Block No. 4299, Lot No. 001, and Assessor's Parcel Block No. 4300, Lot No. 001) to the south, Michigan Street to the west, and Seawall Lot No. 356 to the east, to enable extended operation of a temporary Navigation Center for homeless residents; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in furtherance of this Ordinance, as defined herein.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200453 [Emergency Ordinance - Emergency Response In Parks]

Sponsors: Fewer; Mar

Emergency ordinance authorizing the use of park property for temporary shelter and other measures in response to the COVID-19 pandemic; directing the Recreation and Park Department to report to the Board of Supervisors with a list of potential locations for such uses; and waiving contrary provisions in Administrative Code, Chapters 79 and 79A, and Charter, Section 4.113, if and to the extent applicable.

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

(This item was not sent as a committee report.)

President Yee requested File Nos. 200456 and 200457 be called together.

200456 [Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19 Pandemic]

Sponsors: Peskin; Haney, Ronen, Safai, Fewer, Preston, Walton and Yee

Emergency ordinance to establish protections for occupants of residential hotels ("SRO Residents") during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19 to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19. (Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

Supervisors Safai, Fewer, Preston, Walton, and Yee requested to be added as co-sponsors.

Supervisor Peskin, seconded by Supervisor Walton, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 9-12, by striking 'a suitable' and 'more than one black from the Residential Hotel', and adding 'at an' and 'determined by DPH, in consultation with the SRO Collaboratives, to be suitable, accessible, and located in the neighborhood of the Residential Hotel in which the SRO Resident who has tested positive for COVID-19 resides', and Lines 14-15, by adding 'As soon as feasible but not more than 12 hours after receiving such confirmation,'; on Page 6, Line 24, through Page 7, Line 3, by adding '(4) As soon as feasible but not more than 12 hours after receiving such confirmation, provide necessary face coverings to all SRO Residents who occupy or access parts of the Residential Hotel that have been occupied or accessed by people who may have had exposure to COVID-19 within the prior 14 days, and to all workers who access the same areas to provide services on-site.'; and on Page 7, Lines 19-20, by striking 'The City shall provide face coverings to all SRO Residents and Residential Hotel employees who lack face coverings.' The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee (Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

FINALLY PASSED AS AMENDED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200457 [Administrative Code - COVID-19 Tenant Protections For SRO Residents]

Sponsors: Peskin; Safai, Fewer, Walton and Yee

Ordinance amending the Administrative Code to prohibit landlords of residential hotel units (SROs) from evicting tenants for non-payment of rent that was not paid due to the COVID-19 pandemic, and from imposing late fees, penalties, or similar charges on such tenants; to establish a COVID-19 SRO Relief Fund to cover such rent payments; and making findings as required by the California Tenant Protection Act of 2019.

Supervisors Safai, Fewer, Walton, and Yee requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Ronald Gonzalez; expressed support of the newly introduced Charter Amendment establishing a Workforce Education and Recovery Fund for City College.

Charlie Segal; expressed support of the newly introduced Charter Amendment establishing a Workforce Education and Recovery Fund for City College.

Joyce Coffee; expressed support of the newly introduced Charter Amendment establishing a Workforce Education and Recovery Fund for City College.

Maureen Newman; expressed support of the newly introduced Charter Amendment establishing a Workforce Education and Recovery Fund for City College.

Francisco Da Costa; expressed the need for public comment at the beginning of the meeting and limiting the length of Roll Call for Introductions.

Thomas; shared concerns regarding a decapitated body and the circumstances around its discovery.

Dane Johnson; expressed concerns regarding the treatment of the homeless and the need to provide food and services.

Speaker; shared concerns regarding the City's response to the health emergency.

Debbie Lehrman; expressed support of the Resolution urging the Mayor and City Departments to prioritize public access and transparency during the COVID-19 emergency (File No. 200489).

Anastasia Anapolis; expressed support of the actions taken to protect SRO tenants, the newly proposed Charter Amendment to create the Office of the Public Advocate, and the newly introduced Charter Amendment regarding Police Department staffing levels.

Cliff Barker; expressed concerns regarding transportation around the City, their disappointment that Cristina Rubke not reappointed to the MTA Board, and opposition to the Charter Amendment regarding Municipal Railway fare changes.

Jenny Fay; expressed support of the Resolution urging the Mayor and City Departments to prioritize public access and transparency during the COVID-19 emergency (File No. 200489).

Speaker; their disappointment that Cristina Rubke not reappointed to the MTA Board, and opposition to the Charter Amendment regarding Municipal Railway fare changes.

Alisa Messer; expressed support of the newly introduced Charter Amendment establishing a Workforce Education and Recovery Fund for City College.

Maye; expressed support of the newly introduced Charter Amendment establishing a Workforce Education and Recovery Fund for City College.

Leah Edwards; expressed support of the Resolution urging the Mayor and City Departments to prioritize public access and transparency during the COVID-19 emergency (File No. 200489).

Dana Holtz; expressed support of the newly introduced Charter Amendment establishing a Workforce Education and Recovery Fund for City College.

Linda Chapman; expressed the need for investigations by the Inspector General and a reallocation of focus on the health emergency that would involve outsidies entities.

Barry Toronto; expressed concerns regarding MTA and the need to use taxis for delivery services during this health emergency.

Eric Chan; expressed support of the newly introduced Charter Amendment establishing a Workforce Education and Recovery Fund for City College.

Peter Warfield; expressed the need to extend library hours and services for those without internet access.

Marcos Cruz; expressed support of the newly introduced Charter Amendment establishing a Workforce Education and Recovery Fund for City College.

Morton; expressed the need to expand the bike lane infrastructure and other concerns regarding the Municipal Transportation Agency.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

200489 [Urging Mayor and City Departments to Prioritize Public Access and Transparency During COVID-19 Emergency]

Sponsors: Fewer; Peskin, Mar, Walton, Haney and Yee

Resolution urging the Mayor and City departments to prioritize implementation of key strategies for public access and transparency during the COVID-19 emergency, by publishing information about public meetings and policy decisions, and holding public budget meetings for select departments.

ADOPTED

200491 [Urging the Governor to Waive California Redemption Value Fines for Small Businesses]

Sponsors: Haney; Walton, Safai and Mandelman

Resolution urging the Governor to waive fees administered to small businesses operating in unserved California Redemption Value (CRV) convenience zones and to forgive the outstanding balances of small businesses unable to pay fees related to operating in unserved CRV convenience zones.

Supervisors Walton, Safai, and Mandelman requested to be added as co-sponsors.

ADOPTED

200493 [Approval of a 90-Day Extension for Planning Commission Review of Arts Activities and Social Service or Philanthropic Facilities as Temporary Uses (File No. 200215)]

Sponsor: Ronen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 200215) amending the Planning Code to allow Arts Activities and Social Service or Philanthropic Facilities as a temporary use in vacant ground-floor commercial space; affirming the Planning Department's determination under California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

ADOPTED

200495 [Urging Congress to Support \$100 Billion Relief Funding for Child Care in the Next COVID-19 Relief Package]

Sponsors: Yee; Safai, Fewer, Peskin, Mandelman, Stefani and Walton

Resolution urging Congress to support the Federal House of Representatives recommendation supporting \$100 billion to aid in the relief, recovery, and revitalization of the child care sector in the wake of the coronavirus pandemic, authored by Congresswoman Katherine Clark, Congressmembers Jahana Hayes, Jimmy Panneta, Suzanne Bonamici, Danny Davis, and Tom Malinowski, and signed by 84 House Congress members.

ADOPTED

200496 [Asian American and Pacific Islander Day - May 18, 2020]

Sponsors: Yee; Ronen, Peskin, Mandelman, Stefani, Walton, Fewer, Preston, Haney, Safai and Mar

Resolution declaring May 18, 2020, as Asian American and Pacific Islander Day Against Bullying and Hate in the City and County of San Francisco.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mandelman requested that File No. 200492 be severed so that it may be considered separately.

200492 [Public Works Week - May 18, 2020, through May 22, 2020]

Sponsors: Mandelman; Safai

Resolution commending the women and men of San Francisco Public Works and declaring May 18, 2020, through May 22, 2020, as Public Works Week in the City and County of San Francisco.

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

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Supervisor Safai requested that File No. 200494 be severed so that it may be considered separately.

200494 [Urging California to Take Immediate Action to Support Early Care Educators to Prevent Permanent Closures as a Result of COVID-19]

Sponsors: Safai; Yee and Walton

Resolution urging Governor Gavin Newsom to immediately release the \$350,000,000 received from the CARES Act to provide urgent support to early care providers to prevent permanent closure and to support families negatively impacted by the COVID-19 crisis.

Supervisor Walton requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

President Yee requested that File No. 200498 be severed so that it may be considered separately.

200498 [Concurring in Actions to Meet Local Emergency - Coronavirus Response]

Sponsor: Yee

Motion concurring in actions taken by the Mayor in the Thirteenth Supplement to the Proclamation of Emergency, released on May 11, 2020, to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic.

Privilege of the floor was granted unanimously to Severin Campell (Office of the Budget and Legislative Analyst) who responded to questions raised throughout the discussion.

Motion No. M20-058

APPROVED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

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

200475 [California Code of Civil Procedure Section 998 - Offer to Compromise Litigation - Mohammad Joiyah - \$65,000]

Ordinance authorizing the service of an Offer to Compromise under Code of Civil Procedure Section 998 in the lawsuit filed by Mohammad Joiyah against the City and County of San Francisco, to include a payment from the City and County of San Francisco of up to \$65,000 plus reasonable attorneys' fees and costs to be determined by the Court; the lawsuit was filed on August 6, 2018, in San Francisco Superior Court, Case No. CGC-18-568689; entitled Mohammad Joiyah v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

05/05/20; RECEIVED FROM DEPARTMENT.

05/19/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200476 [Settlement of Lawsuit - Deshaun Roberts, by and through his Guardian ad Litem, Jasmine Robinson - \$55,000]

Ordinance authorizing settlement of the lawsuit filed by Deshaun Roberts, by and through his Guardian ad Litem, Jasmine Robinson against the City and County of San Francisco for \$55,000; the lawsuit was filed on August 23, 2019, in United States District Court, Case No. 3:19-cv-5280-SK; entitled Deshaun Roberts, by and through his Guardian ad Litem, Jasmine Robinson v. City of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

05/05/20; RECEIVED FROM DEPARTMENT.

05/19/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 4:59 p.m.

BRIEFING WITH THE COUNTY HEALTH OFFICER

Pursuant to Governor Newsom's Executive Order that allows policy bodies to receive updates from local officials relevant to the declared emergency - provided that the members do not take action nor discuss any items of business within the subject matter jurisdiction of their body - the Board of Supervisors received an update of the COVID-19 health emergency from Dr. Naveena Bobba, Deputy Director of Health, and Dr. Tomas Aragon, San Francisco County Deputy Health Officer, Director Disease Prevention and Control (Department of Public Health).

Dr. Bobba provided a status update on the City's response to the COVID-19 health emergency, including Departmental Operations Center (DOC) priorities, the role of the Department of Public Health, and the implementation of strategies. In order to protect the health of people experiencing homelessness during the pandemic, four strategies are being employed: 1) prevent new COVID-19 infections; 2) contain known COVID-19 infections to prevent outbreaks; 3) test for COVID-19 as needed; and 4) adapt street outreach and behavioral health services. Dr. Bobba and Dr. Aragon then presented additional information, and answered questions previously provided and those raised throughout the discussions.