

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, June 9, 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 10:30 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 10:00 AM
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

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

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 June 9, 2020, with President Norman Yee presiding.

President Yee called the meeting to order at 2:04 p.m.

Remote Access to Information and Participation

In accordance with the numerous 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 (www.sfbos.org) 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.

A quorum was present.

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 * 3 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.*

Clerk Calvillo further informed the Board that, at 2:15 p.m. today, she received a notification from the Office of the Mayor relaying that Geoffrey Gordon-Creed has withdrawn his name from consideration as a Mayoral nominee to the Police Commission (File No. 200392).

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the April 21, 2020, or April 28, 2020, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Preston, seconded by Supervisor Peskin, moved to approve the April 21, 2020, and April 28, 2020, Regular Board Meeting Minutes, 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.

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

200599 [Formal Policy Discussions - June 9, 2020]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topic submitted from the Supervisor representing District 5. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. COVID-19 Homeless Response (District 5)

Mayor London N. Breed addressed the Board of Supervisors regarding the hurt and pain people throughout the community are experiencing due to the injustices that have been occurring in our country for far too long. Mayor Breed thanked the Board for their collaboration on policy reforms that are needed to prioritize real change that is effective for African-Americans in our community. Mayor Breed then discussed the above referenced topic submitted by the District 5 Supervisor. Supervisor Preston began the discussions by asking the following question: *When will you present to this Board or the public a comprehensive plan to address homelessness during this state of emergency? Mayor Breed indicated that much has been done to address homelessness during this emergency, but an honest discussion is needed to balance the homeless concerns with the realistic challenges. The City has housed homeless in hotels and established tent sites, but consideration must also be taken for current residents who have been waiting for housing even before this pandemic began. Mayor Breed encouraged the Members of the Board to work with her on solutions by talking to social workers and non-profits that are in the community about is needed, instead of just making demands. Supervisor Preston then followed up by reiterating the question: When can we expect a more comprehensive plan to address this crisis? Mayor Breed reiterated that a block by block plan has already been put in place to address the needs of the various neighborhoods, and again encouraged the Members of the Board to work with her to address any needs that are overlooked in the current plan. Mayor Breed did not ask any follow-up questions related to this topic. Following public comment this matter was filed. No further action was taken.*

HEARD AND FILED

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

200396 [Emergency Ordinance - Delegation of Authority to Amend Certain Agreements]

Sponsor: Mayor

Emergency ordinance to delegate Board of Supervisors approval authority under Charter, Section 9.118, to City departments to amend certain existing agreements to comply with recommendations and requirements for potential reimbursement of funds from the Federal Emergency Management Agency or the California Governor's Office of Emergency Services for expenditures in response to the public health emergency related to 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.)

Roll call on the motion that this Ordinance be Passed on Final Reading was partially taken and interrupted before it was completed. Clerk Calvillo reminded the Board that, pursuant to Board Rule 5.23, a roll call vote shall not be interrupted as Members are expected to be attentive and prepared when a roll call begins.

Supervisor Fewer, seconded by Supervisor Peskin, moved to suspend the provisions of Board Rule 5.23 and rescind the partial vote. The motions to suspend the provisions of the Rules and rescind the partial vote carried without objection.

Supervisor Fewer, seconded by Supervisor Mandelman, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 10-18, by adding 'Section 4. Reporting Requirements. (a) Within seven business days of the execution of an amendment to an existing agreement under the authority of Section 3 of this emergency ordinance, the Purchaser or the department entering into the amendment, in consultation with the Controller, shall advise the Board of Supervisors of such amendment; (b) Within ten business days of the expiration of this emergency ordinance, the Purchaser, in consultation with the Controller, shall submit a report to the Board of Supervisors listing all agreements that were amended under the authority of Section 3 of this emergency ordinance.'; and making other clarifying and conforming changes. 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

President Yee requested File Nos. 200376 and 200521 be called together.

200376 [Accept and Expend Grants - Retroactive - Federal Aviation Administration - Noise Insulation Program Grant - Not to Exceed \$7,777,039]

Sponsor: Mayor

Resolution retroactively authorizing the Airport Commission to accept and expend grants in an amount not to exceed \$7,777,039 and any additional amounts up to 15% of the original grant, that may be offered from the Federal Aviation Administration for the continuation and expansion of the Noise Insulation Program, contingent on receipt by the Airport Commission of one or more grant offers from the Federal Aviation Administration for the period of October 1, 2019, through September 30, 2024.

(Fiscal Impact)

ADOPTED by the following vote:

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

200521 [Accept and Expend Grant - Retroactive - Federal Aviation Administration - CARES Act - Operating Expenses - FY2019-2020 through FY2023-2024 - \$254,780,449]

Sponsor: Mayor

Resolution retroactively authorizing the Airport Commission to accept and expend a grant in the amount of \$254,780,449 plus additional amounts up to 15% of the original grant amount that may be offered, from the Federal Aviation Administration for any lawful airport purpose for the period of January 20, 2020, through January 19, 2024, contingent on receipt by the Airport Commission of one or more grant offers from the Federal Aviation Administration. (Airport Commission)

ADOPTED by the following vote:

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

President Yee requested File Nos. 200484, 200485, and 200486 be called together.

200484 [Multifamily Housing Revenue Bonds - 55 Mason Street, 216 Eddy Street - Not to Exceed \$71,000,000]

Sponsor: Mayor

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$71,000,000 for 55 Mason Street and 216 Eddy Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$71,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

200485 [Multifamily Housing Revenue Bonds - 480 Eddy Street, 75 Dore Street - Not to Exceed \$60,000,000]**Sponsor: Mayor**

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$60,000,000 for 480 Eddy Street and 75 Dore Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$60,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

200486 [Multifamily Housing Revenue Bonds - 2340 San Jose Avenue (Balboa Park Upper Yard) - Not to Exceed \$80,000,000]**Sponsors: Mayor; Safai**

Resolution approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$80,000,000 for 2340 San Jose Avenue (Balboa Park Upper Yard); authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee**200126 [Supporting Activists Facing Prosecution in Sonoma County - Conditions of Animals in Factory Farms]****Sponsors: Haney; Preston**

Resolution supporting the non-violent activists facing prosecution in Sonoma County over their attempt to expose the conditions of animals in factory farms.

ADOPTED by the following vote:

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

President Yee requested File Nos. 200170 and 200353 be called together.

200170 [Liquor License Transfer - 301 Howard Street - East Cut Traders]

Resolution determining that the premise-to-premise transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to SoMa Wines and Spirits Inc., doing business as East Cut Traders, located at 301 Howard Street, Suite 120 (District 6), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

200353 [Liquor License Transfer - 375-32nd Avenue/3132 Clement Street - Andronico's Community Market]

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Safeway, Inc., doing business as Andronico's Community Market, located at 375-32nd Avenue/3132 Clement Street (District 1), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

200420 [Business and Tax Regulations, Administrative Codes - Temporary Suspension of Vacancy Tax]

Sponsor: Peskin

Ordinance amending the Business and Tax Regulations Code and Administrative Code to temporarily suspend the imposition of the Vacancy Tax, through December 31, 2021.

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Line 5, by striking '2024' and adding '2023', and Line 6, by striking '2023' and adding '2022'; and on Page 6, Line 1, by striking '2024' and adding '2023', and striking '2023' and adding '2022', and Lines 20-23, by adding 'Section 6.

Supermajority Vote Required. In accordance with Section 2909 of Article 29 of the Business and Tax Regulations Code passed by the voters at the March 3, 2020 election, passage of this ordinance by the Board of Supervisors requires an affirmative vote of two-thirds of the Board of Supervisors.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

200392 [Mayoral Appointment, Police Commission - Geoffrey Gordon-Creed]

Motion rejecting the Mayor's nomination for the appointment of Geoffrey Gordon-Creed to the Police Commission, for a four-year term ending April 30, 2024. (Clerk of the Board)
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: April 16, 2020)

(Supervisor Stefani dissented in Committee.)

Supervisor Mandelman, seconded by Supervisor Stefani, moved that this Motion be TABLED. The motion carried by the following vote:

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

200393 [Mayoral Appointment, Police Commission - Nancy Tung]

Motion rejecting the Mayor's nomination for the appointment of Nancy Tung to the Police Commission, for a four-year term ending April 30, 2024. (Clerk of the Board)
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: April 16, 2020)

(Supervisor Stefani dissented in Committee.)

Motion No. M20-064

APPROVED by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Walton, Yee
Noes: 1 - Stefani

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

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

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 200503, 200504, 200505, and 200506 be called together.

200503 [Hearing - Appeal of Tentative Map Approval - 3000-3012 Larkin Street and 898 North Point Street]

Hearing of persons interested in or objecting to the decision of Public Works, dated May 6, 2020, approving a Tentative Map for a four lot vertical subdivision with proposed Lot 1 being five new residential condominium units, proposed Lot 2 being one new commercial space, proposed Lot 3 being three new commercial condominium units, and proposed Lot 4 comprised of two existing residential apartment projects at 3000-3012 Larkin Street and 898 North Point Street, Assessor's Parcel Block No. 0025, Lot No. 024. (District 2) (Appellant: Serge Etcheverry) (Filed May 15, 2020) (Clerk of the Board)

President Yee opened the public hearing, indicated that a request has been submitted by the appellant to withdraw this appeal, and inquired as to whether any individual wished to address the Board relating to the appeal of the Tentative Map approval and the proposed withdrawal. Peggy Berlese (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the appeal be withdrawn. Bruce Storrs (Public Works) responded to questions raised throughout the discussion. There was one speaker who was allowed privilege to provide general public comment pursuant to an ADA request (see Public Comment), but there were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Hearing be TABLED. The motion carried by the following vote:

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

200504 [Approving Decision of Public Works and Approving Tentative Map - 3000-3012 Larkin Street and 898 North Point Street]

Motion approving the decision of Public Works and approving the Tentative Map for a four lot vertical subdivision with proposed Lot 1 being five new residential condominium units, proposed Lot 2 being one new commercial space, proposed Lot 3 being three new commercial condominium units, and proposed Lot 4 comprised of two existing residential apartment projects at 3000-3012 Larkin Street and 898 North Point Street, Assessor's Parcel Block No. 0025, Lot No. 024; 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)

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Motion be TABLED. The motion carried by the following vote:

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

200505 [Conditionally Disapproving Decision of Public Works and Disapproving Tentative Map - 3000-3012 Larkin Street and 898 North Point Street]

Motion conditionally disapproving the decision of Public Works and disapproving the Tentative Map for a four lot vertical subdivision with proposed Lot 1 being five new residential condominium units, proposed Lot 2 being one new commercial space, proposed Lot 3 being three new commercial condominium units, and proposed Lot 4 comprised of two existing residential apartments projects at 3000-3012 Larkin Street and 898 North Point Street, Assessor's Parcel Block No. 0025, Lot No. 024, subject to the Board of Supervisors' adoption of written findings in support of the disapproval. (Clerk of the Board)

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Motion be TABLED. The motion carried by the following vote:

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

200506 [Preparation of Findings Related to the Tentative Map - 3000-3012 Larkin Street and 898 North Point Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a four lot vertical subdivision with proposed Lot 1 being five new residential condominium units, proposed Lot 2 being one new commercial space, proposed Lot 3 being three new commercial condominium units, and proposed Lot 4 comprised of two existing residential apartment projects at 3000-3012 Larkin Street and 898 North Point Street, Assessor's Parcel Block No. 0025, Lot No. 024. (Clerk of the Board)

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Motion be TABLED. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

200113 [Planning, Building Codes - Reauthorization and Extension of Fee Waiver - Legalization of Unauthorized Dwelling Units]

Sponsor: Mar

Ordinance amending the Planning and Building Codes to reauthorize the waiver of fees related to granting legal status to existing dwelling units constructed without required permits and extending the waiver through December 31, 2024; requiring annual reports on the fee waiver program; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Land Use and Transportation Committee

200375 [Administrative Code - COVID-19 Tenant Protections]

Sponsors: Preston; Ronen, Haney and Walton

Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that was not paid due to the COVID-pandemic; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; and making findings as required by the California Tenant Protection Act of 2019.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Walton, Yee

Noes: 1 - Stefani

200488 [Freeway Maintenance Agreement Amendment - Caltrans - Incorporate Alemany Boulevard Bicycle Lane Improvements at State Route 101/280 Interchange]

Sponsors: Mayor; Ronen

Resolution approving the First Amendment to the Freeway Maintenance Agreement between the City and County of San Francisco and the California Department of Transportation, to include City's maintenance of bicycle lanes and paths and cycle tracks along Alemany Boulevard at the Freeway Interchange at State Routes 101 and 280.

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

200576 [Emergency Ordinance - Public Health Emergency Leave]

Sponsor: Mar

Reenactment of emergency ordinance (Ordinance No. 59-20) to temporarily require private employers with 500 or more employees to provide public health emergency leave during the public health emergency related to 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.)

FINALLY PASSED 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

Jack Karnaces (granted privilege to provide general public comment under the Special Order hearing (File No. 200503) due to an ADA request); expressed concerns regarding the accessibility of Board meetings for those with disabilities and requested accommodations be made to ensure they are able to participate.

Sharon Shiu; expressed support of the Resolution findings that the proposed Portsmouth Square Improvements project is fiscally feasible (File No. 200589).

Francisco Da Costa; expressed concerns regarding a lack of support and services to senior citizens and the vulnerable populations.

Erica G.; expressed support of the Resolution findings that the proposed Portsmouth Square Improvements project is fiscally feasible (File No. 200589).

Speaker; shared concerns regarding social injustices and the need for checks and balances to hold departments accountable.

Sara Wen; expressed support of the Resolution findings that the proposed Portsmouth Square Improvements project is fiscally feasible (File No. 200589).

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

200584 [Supporting Expanded Access to Safe Drinking Water through Hydration Stations]

Sponsors: Fewer; Mandelman

Resolution reaffirming the Board of Supervisors' support for public access to clean drinking water, and for increasing the availability of hydration stations in City-owned buildings and public spaces in San Francisco.

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

ADOPTED

200586 [Urging the State and Federal Government to Include Large Nonprofits in Upcoming COVID-19 Relief Packages]

Sponsor: Mar

Resolution urging the United States Senate to pass the \$3 trillion Health and Economic Recovery Omnibus Emergency Solutions Act (HEROES Act), and urging federal leadership to include larger social enterprises with over 500 employees in upcoming COVID-19 relief funding packages.

ADOPTED

200589 [Findings of Fiscal Feasibility - Proposed Portsmouth Square Improvements]

Sponsor: Peskin

Resolution finding that the proposed Portsmouth Square Improvements project is fiscally feasible and responsible under Administrative Code, Chapter 29.

ADOPTED

200591 [Supporting California State Assembly Bill No. 2054 (Kamlager) - Community Response Initiative to Strengthen Emergency Systems (C.R.I.S.E.S.) Act]**Sponsors: Ronen; Mandelman**

Resolution supporting California State Assembly Bill No. 2054, authored by Assembly Member Sydney Kamlager of District 54, to establish the Community Response Initiative to Strengthen Emergency Systems (C.R.I.S.E.S.) Act pilot grant program, which will promote community-based responses to local emergency situations.

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

ADOPTED**200594 [Committee of the Whole - Amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project - July 21, 2020, at 3:00 p.m.]****Sponsor: Haney**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 21, 2020, at 3:00 p.m., to hold a public hearing to consider amendments to the Redevelopment Plan for the Mission Bay South Redevelopment Project in regard to Blocks 29-32 (also known as the site of Chase Center).

Motion No. M20-065**APPROVED****200596 [Revision to Board of Supervisors Regular Meeting Schedule - 2020]****Sponsor: Yee**

Motion revising the 2020 Board of Supervisors Regular Meeting Schedule pursuant to Board of Supervisors Rules of Order, Sections 4.2 and 4.2.1, by partially rescinding the approval to cancel all Regular Board of Supervisors and Committee meetings during the summer break, only cancelling Regular Board and Committee meetings from August 1, 2020, through August 7, 2020, and reauthorizing Board and Committee meetings to meet between August 8, 2020, through September 7, 2020.

Motion No. M20-066**APPROVED**

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 Haney requested that File Nos. 200550 and 200551 be severed so that they may be considered separately.

200550 [Authorizing the Shelter Monitoring Committee to Hold Public Meetings]**Sponsors: Haney; Preston and Ronen**

Motion authorizing the Shelter Monitoring Committee to meet remotely during the COVID-19 Shelter in Place Order.

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

Supervisor Haney, seconded by Supervisor Fewer, moved that this Motion be TABLED. The motion carried by the following vote:

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

200551 [Authorizing the Local Homelessness Coordinating Board to Hold Public Meetings]**Sponsors: Haney; Walton, Ronen and Preston**

Motion authorizing the Local Homelessness Coordinating Board to meet remotely during the COVID-19 Shelter in Place Order.

Supervisor Haney, seconded by Supervisor Fewer, moved that this Motion be TABLED. The motion carried by the following vote:

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

President Yee requested that File Nos. 200552, 200593, and 200600 be severed so that they may be considered separately.

200552 [Authorizing the Sunshine Ordinance Task Force to Meet in June 2020]**Sponsors: Yee; Preston**

Motion authorizing the Sunshine Ordinance Task Force to schedule up to two meetings via teleconference during June 2020.

Supervisor Fewer, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:

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

200593 [Opposing Governor Newsom's May Revision Proposal to Eliminate Adult Day Health Care and Community-Based Adult Services]**Sponsors: Yee; Walton, Preston, Safai, Fewer, Mandelman, Mar and Peskin**

Resolution opposing Governor Newsom's FY2020-2021 May Revision proposal to eliminate Adult Day Health Care and Community-Based Adult Services.

Supervisors Mandelman, Mar, and Peskin requested to be added as co-sponsors.

ADOPTED by the following vote:

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

200600 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Sixteenth Supplement]**Sponsor: Yee**

Motion concurring in actions taken by the Mayor in the Sixteenth Supplement to the Proclamation of Emergency, released on May 29, 2020, to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic.

APPROVED by the following vote:

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

Supervisor Fewer, seconded by Supervisor Mandelman, moved to rescind the previous vote. The motion carried by the following vote:

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

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

Motion No. M20-067

APPROVED by the following vote:

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

IMPERATIVE AGENDA

[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."

Supervisor Ronen, seconded by Supervisor Preston, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

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

[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.

Supervisor Ronen, seconded by Supervisor Preston, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

Opposing California Department of Finance Proposal - Local Property Taxes and ERAF Provisions in the Education Omnibus Trailer Bill

President Yee opened discussions on the Imperative Agenda item opposing the California Department of Finance proposal regarding local property taxes and ERAF provisions in the Education Omnibus Trailer Bill, and inquired as to whether any individual wished to address the Board. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

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

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

200556 [Zoning Map - Van Ness and Market Residential Special Use District]

Sponsor: Mayor

Ordinance amending the Zoning Map of the Planning Code to amend the boundaries of the Van Ness and Market Residential Special Use District, and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with amendments to the Market and Octavia Area Plan, encompassing an area generally bounded by Haight Street from Octavia Boulevard to Gough Street, Gough Street from Haight Street to Page Street, Franklin Street from Page Street to Fell Street, Fell Street from Franklin Street to Van Ness Avenue, Van Ness Avenue from Fell Street to Hayes Street, Hayes Street from Van Ness Avenue to Larkin Street, Market Street from Ninth Street to 10th Street, midblock between 10th Street and 11th Street from Market Street to Mission Street, Mission Street from 10th Street to Washburn Street, a portion of Washburn Street, Minna Street from 10th Street to just past Lafayette Street (with certain lots excluded), midblock between Lafayette Street and 12th Street to Howard Street, Howard Street just north of 12th and 13th Streets, and 13th Street to Octavia Boulevard and Haight Street; and making environmental findings, including adopting a statement of overriding considerations, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Commission)

05/29/20; RECEIVED FROM DEPARTMENT.

06/09/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/9/2020.

200557 [General Plan - Amendments to the Market and Octavia Area Plan]

Sponsor: Mayor

Ordinance amending the General Plan to amend the Market and Octavia Area Plan; making conforming amendments to the Arts Element and the Housing Element; and making environmental findings, including adopting a statement of overriding considerations, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section, 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Department)

05/29/20; RECEIVED FROM DEPARTMENT.

06/09/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/9/2020.

200558 [Business and Tax Regulations, Planning Codes - Hub Housing Sustainability District]**Sponsor: Mayor**

Ordinance amending the Business and Tax Regulations and Planning Codes to create the Hub Housing Sustainability District, encompassing an area generally bounded by Haight Street from Octavia Boulevard to Gough Street, Gough Street from Haight Street to Page Street, Franklin Street from Page Street to Fell Street, Fell Street from Franklin Street to Van Ness Avenue, Van Ness Avenue from Fell Street to Hayes Street, Hayes Street from Van Ness Avenue to Larkin Street, Market Street from Ninth Street to 10th Street, midblock between 10th Street and 11th Street from Market Street to Mission Street, Mission Street from 10th Street to Washburn Street, a portion of Washburn Street, Minna Street from 10th Street to just past Lafayette Street (with certain lots excluded), midblock between Lafayette Street and 12th Street to Howard Street, Howard Street just north of 12th and 13th streets, and 13th Street to Octavia Boulevard and Haight Street, to provide a streamlined and ministerial approval process for certain housing projects within the District meeting specific labor, on-site affordability, and other requirements; creating an expedited Board of Appeals process for appeals of projects within the District; and making approval findings under the California Environmental Quality Act, findings of public convenience, necessity, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

05/29/20; RECEIVED FROM DEPARTMENT.

06/09/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/9/2020.

200559 [Planning Code - Amendments to the Van Ness and Market Downtown Residential Special Use District]**Sponsor: Mayor**

Ordinance amending the Planning Code to amend the Van Ness and Market Downtown Residential Special Use District, to encourage additional housing and uses that support neighborhood residents and businesses, and to give effect to amendments to the Market and Octavia Area Plan; amending Planning Code, Sections 145.4, 151.1, 155, 207.6, 249.33, 260, 261.1, 263.19, 270, 270.2, 309, 341.5, 401, 411A.5, 416.3, 421.5, 424.1, 424.3, 424.4, and 424.5; and making environmental findings, including adopting a statement of overriding considerations, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Commission)

05/29/20; RECEIVED FROM DEPARTMENT.

06/09/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/9/2020.

200560 [Settlement of Lawsuit - Sandra Hernandez, Clarisse Hernandez, Diego Hernandez, and David Hernandez - \$214,000]

Ordinance authorizing settlement of the lawsuit filed by Sandra Hernandez, Clarisse Hernandez, Diego Hernandez, and David Hernandez against the City and County of San Francisco for \$214,000; the lawsuit was filed on June 7, 2017, in San Francisco Superior Court, Case No. CGC-17-559385; entitled Sandra Hernandez, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from collision with City vehicle. (City Attorney)

06/01/20; RECEIVED FROM DEPARTMENT.

06/09/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

200561 [Settlement of Unlitigated Claim - State Farm Insurance as Subrogee for Richard I. Klein - \$34,495.14]

Resolution approving the settlement of the unlitigated claim filed by State Farm Insurance as subrogee for Richard I. Klein against the City and County of San Francisco for \$34,495.14; the claim was filed on December 10, 2019; the claim involves a cast iron water main break that caused significant flooding to the property. (City Attorney)

05/26/20; RECEIVED FROM DEPARTMENT.

06/09/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200562 [Outreach Community Advertising and Neighborhood Outreach Advertising - El Reportero; Bay Area Reporter; Jasmine Blue Media LLC, dba Marina Times; The Potrero View; World Journal SF LLC; San Francisco Bay Times - FY2020-2021]

Resolution designating El Reportero to be the outreach periodical of the City and County of San Francisco for the Hispanic community; World Journal SF LLC to be the outreach periodical of the City and County of San Francisco for the Chinese community; Bay Area Reporter and San Francisco Bay Times to be the outreach periodical of the City and County of San Francisco for the Lesbian, Gay, Bisexual and Transgender community; Jasmine Blue Media LLC (dba Marina Times) to be the neighborhood outreach periodical of the City and County of San Francisco for the Marina, Cow Hollow, North Beach, and Chinatown neighborhoods; The Potrero View to be the neighborhood outreach periodical of the City and County of San Francisco for the Potrero Hill, Dogpatch, Mission Bay and Eastern SoMa neighborhoods; and to provide outreach advertising for FY2020-2021. (Office of Contract Administration)

05/29/20; RECEIVED FROM DEPARTMENT.

06/09/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

200563 [Official Advertising - San Francisco Print Media Co. (dba The San Francisco Examiner) - FY2020-2021]

Resolution designating San Francisco Print Media Co. (dba The San Francisco Examiner) to be the official newspaper of the City and County of San Francisco for all official advertising for FY2020-2021. (Office of Contract Administration)

05/29/20; RECEIVED FROM DEPARTMENT.

06/09/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

200564 [Agreement Amendment - Carollo Engineers, Inc. - Planning and Engineering Services - Southeast Water Pollution Control Plant - Not to Exceed \$54,500,000]

Resolution authorizing the General Manager of the Public Utilities Commission to execute Amendment No. 2 to Planning and Engineering Project Design Services Agreement No. CS-389 for specialized planning and engineering services for the proposed new headworks facility at the Southeast Water Pollution Control Plant between the City and County of San Francisco and Carollo Engineers, Inc., increasing the agreement by \$21,000,000 for a total not to exceed agreement amount of \$54,500,000 and with a time extension of two years, for a total agreement term of eleven years, from December 1, 2014, through November 30, 2025, subject to the Board of Supervisors approval pursuant to Charter, Section 9.118. (Public Utilities Commission)

06/01/20; RECEIVED FROM DEPARTMENT.

06/09/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 5:24 p.m.