

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, September 29, 2020 - 2:00 PM

**Held via Videoconference**  
*(remote public access provided via teleconference)*  
[www.sfgovtv.org](http://www.sfgovtv.org)

### Regular Meeting

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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

<b>Budget and Appropriations Committee</b> Supervisors Fewer, Walton, Mandelman, Yee, Ronen	Wednesday 1:00 PM
<b>Budget and Finance Committee</b> Supervisors Fewer, Walton, Mandelman	Wednesday 10:30 AM
<b>Government Audit and Oversight Committee</b> Supervisors Mar, Peskin, Haney	1st and 3rd Thursday 10:00 AM
<b>Joint City, School District, and City College Select Committee</b> Supervisors Haney, Fewer, Mar (Alt), Commissioners Moliga, Collins, Cook (Alt), Trustees Randolph, Williams, Selby (Alt)	2nd Friday 10:00 AM
<b>Land Use and Transportation Committee</b> Supervisors Peskin, Safai, Preston	Monday 1:30 PM
<b>Public Safety and Neighborhood Services Committee</b> Supervisors Mandelman, Stefani, Walton	2nd and 4th Thursday 10:00 AM
<b>Rules Committee</b> Supervisors Ronen, Stefani, Mar	Monday 10:00 AM

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

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**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

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*The Board of Supervisors of the City and County of San Francisco met in regular session through videoconferencing, and provided public comment through teleconferencing, on Tuesday, September 29, 2020, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:02 p.m.*

### **Remote Access to Information and Participation**

*In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at <https://sfbos.org/remote-meeting-call>.*

*Members of the public may participate by phone or may submit their comments by email to: [bos@sfgov.org](mailto:bos@sfgov.org); all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>. As the COVID-19 disease progresses, please visit the Board's website ([www.sfbos.org](http://www.sfbos.org)) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.*

### **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 ([bos@sfgov.org](mailto:bos@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

President Yee informed the Board that SF is in the yellow and some businesses may be reopened.

Clerk Calvillo then informed the Board that an Americans with Disabilities Act (ADA) request for accommodations was received to allow a member of the public to provide public comment at the beginning of the meeting. President Yee requested the member of the public be provided the opportunity to deliver their public comment out of order.

Zach Karnazes; expressed concerns regarding visual access to meetings for those who with limited resources, the lack of disability access references on the Board's website, the closure of meetings for the Mayor's Office on Disability over the last several months, and the need for more resources for those with disabilities.

## APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the August 18, 2020, or August 25, 2020, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Fewer, seconded by Supervisor Peskin, moved to approve the August 18, 2020, and August 25, 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.

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

#### **200759 [Business and Tax Regulations Code - Tax Penalties and Interest; Administration of Cannabis Business Tax]**

Ordinance amending the Business and Tax Regulations Code to amend the penalties, and the provisions for waiver of penalties and interest, relating to taxes that are subject to the common administrative provisions of that Code, and to add provisions for administering the Cannabis Business Tax. (Treasurer-Tax Collector)  
(Fiscal Impact)

**Ordinance No. 207-20**

**FINALLY PASSED**

### Recommendation of the Land Use and Transportation Committee

#### **190971 [Street Vacation and Conveyance - India Basin Project]**

**Sponsor: Mayor**

Ordinance ordering the vacation of streets in the India Basin Project site, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline; reserving temporary public utility and access rights in favor of the City and temporary easement rights for existing Pacific, Gas and Electric (PG&E) gas and overhead electrical facilities; authorizing the City to quitclaim its interest in approximately 3.8 acres within Earl Street, Hudson Avenue, and Arelious Walker Drive to India Basin Investment LLC; authorizing the City to transfer approximately 1.1 acres within Arelious Walker Drive, Hudson Avenue, Earl Street, and Galvez Avenue to the State for purposes of having such property reconveyed to the City to be held by the Port, in trust, through implementation of the India Basin Public Trust Exchange; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein, including transmittal of the Ordinance by the Clerk of the Board of Supervisors to the Assessor Recorder for recording.

**Ordinance No. 206-20**

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

### **200913 [Administrative Code - Street-Level Drug Distribution Task Force]**

**Sponsor: Haney**

Ordinance amending the Administrative Code to extend by five months, to August 31, 2020, the deadline for the Street-Level Drug Distribution Task Force to submit its initial report to the Board of Supervisors and Mayor, and to revise the contents of that report, and subsequent reports issued every three months, to require a summary of the progress of the Task Force and its plans for the next three-month period.

**Ordinance No. 210-20**

**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**

## **UNFINISHED BUSINESS**

### **From the Board**

### **200815 [Redevelopment Plan Amendment - Mission Bay South Block 1 Hotel]**

**Sponsor: Haney**

Ordinance approving an amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project, which modifies the maximum number of hotel rooms permitted on Block 1 (also known as the site of the SOMA Hotel) at the intersection of Third Street and Channel Street; directing the Clerk of the Board of Supervisors to transmit a copy of this Ordinance upon its enactment to the Successor Agency; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b).

**Ordinance No. 209-20**

**FINALLY PASSED by the following vote:**

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

## **Recommendations of the Budget and Appropriations Committee**

*President Yee requested File Nos. 200567, 200568, 200831, 200832, 200833, 200834, 200835, 200836, 200837, 200838, 200839, 200840, 200841, 200842, 200843, 200844, and 200845 be called together.*

### **200567 [Budget and Appropriation Ordinance for Departments - FYs 2020-2021 and 2021-2022]**

**Sponsor: Mayor**

Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of July 31, 2020, for the Fiscal Years ending June 30, 2021, and June 30, 2022.  
(Fiscal Impact)

**Ordinance No. 165-20**

**FINALLY PASSED by the following vote:**

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

### **200568 [Annual Salary Ordinance - FYs 2020-2021 and 2021-2022]**

**Sponsor: Mayor**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Years ending June 30, 2021, and June 30, 2022, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.  
(Fiscal Impact)

**Ordinance No. 166-20**

**FINALLY PASSED by the following vote:**

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

### **200831 [Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling - 2020]**

**Sponsor: Mayor**

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2020.

**Ordinance No. 167-20**

**FINALLY PASSED by the following vote:**

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

**200832 [Appropriation - Proceeds from Revenue Bonds, State Loans/Grants, Wastewater Revenues/Capacity Fees - \$579,185,142; De-Appropriation and Re-Appropriation - Wastewater Capital Improvements - SFPUC - \$391,415,748 - FY2020-2021 and FY2021-2022]**

**Sponsor: Mayor**

Ordinance appropriating a total of \$579,185,142 of proceeds from revenue bonds, State of California Water Resources Control Board's revolving loan funds (State Loan Funds) or grant funds (State Grant Funds), wastewater revenue and capacity fees for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for Fiscal Year (FY) 2020-2021 at \$170,869,066 and for FY2021-2022 at \$408,316,076, de-appropriating and re-appropriating \$391,415,748, and placing \$349,919,252 in Revenue Bonds or State Loan or Grant Funds by project on Controller's Reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act Findings for projects, following review and consideration of completed project related environmental analysis, where required.  
(Fiscal Impact)

**Ordinance No.** 168-20

**FINALLY PASSED** by the following vote:

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

**200833 [Appropriation - Proceeds from Revenue Bonds, State Loan/Grant Funds, Water Revenues/Capacity Fees - \$344,846,164; De- and Re-Appropriation - Capital Improvement Projects - \$14,413,167; De-appropriation - Capital Projects - \$3,528,113 - FYs 2020-2022]**

**Sponsor: Mayor**

Ordinance appropriating a total of \$344,846,164 of proceeds from Revenue Bonds, State of California Water Resources Control Board's revolving loan funds (State Loan Funds) or grant funds (State Grant Funds), water revenues, and water capacity fees for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program for Fiscal Year (FY) 2020-2021 at \$132,133,926 and for FY2021-2022 at \$212,712,238; and de-appropriating \$3,528,113 Water Capital Project funding to Water's Fund balance in FY2020-2021; and de-appropriating and re-appropriating Water Capital Project appropriations of \$14,413,167 in FY2020-2021 and placing \$238,514,485 of Revenue Bond and State Loan Funds or State Grant Funds proceeds by project on Controller's Reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act findings for projects, following review and consideration of completed project related environmental analysis, where required.  
(Fiscal Impact)

**Ordinance No.** 169-20

**FINALLY PASSED** by the following vote:

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

**200834 [Appropriation - Proceeds from Revenue Bonds, Hetch Hetchy Revenue, Low Carbon Fuel Standard, Cap and Trade Allowance - \$260,351,806; De- and Re-Appropriation - Capital Projects - Hetch Hetchy Water/Power Capital Improvements - \$341,001 - FYs 2020-2022]**

**Sponsor: Mayor**

Ordinance appropriating a total of \$260,351,806 of Hetch Hetchy revenue, Low Carbon Fuel Standard, Cap and Trade Revenue and Power and Water Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Capital Improvement Program for Fiscal Year (FY) 2020-2021 at \$94,380,451 and for FY2021-2022 at \$165,971,355; and placing \$142,970,073 of Power Bonds and \$108,626,733 of Water Bonds by project on Controller's Reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act findings for projects, following review and consideration of completed project related environmental analysis, where required.

(Fiscal Impact)

**Ordinance No. 170-20**

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Stefani

**200835 [Appropriation - Proceeds from CleanPowerSF Revenue - CleanPowerSF Capital Improvements - \$4,331,326 - FY2020-2021 and FY2021-2022]**

**Sponsor: Mayor**

Ordinance appropriating \$4,331,326 CleanPowerSF revenue for the CleanPowerSF Capital Improvement Program for FY2020-2021 at \$1,898,497 and for FY2021-2022 at \$2,432,829. (Fiscal Impact)

**Ordinance No. 171-20**

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Stefani

**200836 [San Francisco Public Utilities Commission Power Revenue Bond Issuance - Various Capital Projects Benefitting the Power Enterprise - Not to Exceed \$142,970,073]**

**Sponsor: Mayor**

Ordinance authorizing the issuance and sale of tax-exempt or taxable Power Revenue Bonds and other forms of indebtedness by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed \$142,970,073 to finance the costs of various capital projects benefitting the Power Enterprise pursuant to Charter, Sections 9.107(6) and 9.107(8); authorization to issue Refunding Power Revenue Bonds and the retirement of outstanding Power Enterprise Commercial Paper; declaring the Official Intent of the Commission to Reimburse Itself with one or more issues of tax-exempt bonds; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

**Ordinance No. 172-20**

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Stefani

**200837 [San Francisco Public Utilities Commission Wastewater Revenue Bond Issuance - Various Capital Wastewater Projects Benefitting the Wastewater Enterprise - Not to Exceed \$349,919,252]**

**Sponsor: Mayor**

Ordinance authorizing the issuance and sale of tax-exempt or taxable Wastewater Revenue Bonds and other forms of indebtedness, as defined herein, by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed \$349,919,252 to finance the costs of various capital wastewater projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Wastewater Revenue Refunding Bonds and the retirement of outstanding Wastewater Enterprise Commercial Paper; declaring the Official Intent of the Commission to reimburse Itself with one or more issues of tax-exempt bonds or other forms of indebtedness, as defined herein; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

**Ordinance No. 173-20**

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Stefani

**200838 [San Francisco Public Utilities Commission Water Revenue Bond and Other Forms of Indebtedness Issuance - Various Capital Water Projects Benefitting the Water Enterprise - Not to Exceed \$347,141,218]**

**Sponsor: Mayor**

Ordinance authorizing the issuance and sale of tax-exempt or taxable Water Revenue Bonds and other forms of indebtedness, as defined herein, by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed \$347,141,218 to finance the costs of various capital water projects benefitting the Water Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Water Revenue Refunding Bonds and the retirement of outstanding Water Enterprise Commercial Paper; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt bonds or other forms of indebtedness, as defined herein; and ratifying previous actions taken in connection therewith, as defined herein. (Fiscal Impact)

**Ordinance No. 174-20**

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Stefani

**Recommendation of the Budget and Finance Committee**

**200839 [Administrative Code - Medical Examiner Fees]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to adjust fees of the Office of the Chief Medical Examiner to include post-mortem investigation services, remove references to obsolete services, and update fee amounts; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Ordinance No. 175-20**

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Stefani

**Recommendations of the Budget and Appropriations Committee**

**200840 [Administrative Code - Reproduction and Notary Fees - Department of Administrative Services]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to authorize the Department of Administrative Services to impose a fee for reproduction and notary services provided to the public.

**Ordinance No. 176-20**

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Stefani

**200841 [Authorizing Refunding Certificates of Participation - Multiple Capital Improvement Projects - Not to Exceed \$97,500,000]****Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series from time to time, evidencing and representing an aggregate principal amount of not to exceed \$97,500,000 ("Certificates") to prepay certain certificates of participation that financed and refinanced various capital improvement projects; approving the form of a Fourth Supplement to Trust Agreement between the City and County of San Francisco ("City") and U.S. Bank National Association, as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Fourth Supplement to Property Lease and a Fourth Supplement to Project Lease, each between the City and the Trustee, for the lease and lease back of all or a portion of certain real property and improvements owned by the City and located at 375 Laguna Honda Boulevard within the City and at 1 Moreland Drive, San Bruno, California, or other property as determined by the Director of Public Finance; approving the form of Escrow Agreement (including certain indemnities contained therein), between the City and U.S. Bank National Association, as escrow agent ("Escrow Agent"); approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of an Official Statement in preliminary and final form; approving the form of a purchase contract between the City and one or more initial purchasers of the Certificates; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith, as defined herein.  
(Fiscal Impact)

**Ordinance No. 177-20****FINALLY PASSED by the following vote:**

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

**200842 [Deappropriation - Series 2010A Refunding Certificates of Participation - \$4,636,200; Appropriation - Including Deappropriated Funds \$102,136,200 and Certificates of Participation Refunding Proceeds \$97,500,000 - FY2020-2021]****Sponsor: Mayor**

Ordinance deappropriating \$4,636,200 of Series 2010A Refunding Certificates of Participation prior reserve funds and appropriating \$102,136,200 of Refunding Certificates of Participation Series 2020-R1, including deappropriated funds and \$97,500,000 of one or more series of Refunding Certificates of Participation proceeds for Fiscal Year 2020-2021.  
(Fiscal Impact)

**Ordinance No. 178-20****FINALLY PASSED by the following vote:**

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

**200843 [Administrative Code - County Clerk Fee Amounts; Digital Signature Fee]****Sponsor: Mayor**

Ordinance amending the Administrative Code to update County Clerk fees to current amounts; and to authorize the County Clerk to impose a digital signature fee.

**Ordinance No.** 179-20

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Stefani

**200844 [Health Code - Patient Rates for FYs 2020-2021 and 2021-2022]****Sponsor: Mayor**

Ordinance amending the Health Code to set patient rates and rates for other services provided by the Department of Public Health, for Fiscal Years 2020-2021 and 2021-2022, starting July 1, 2020, through June 30, 2022.

**Ordinance No.** 180-20

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Stefani

**200845 [Administrative Code - Budget Savings Incentive Fund Expenditures]****Sponsor: Mayor**

Ordinance amending the Administrative Code to suspend the restrictions on expenditure of monies in the Budget Savings Incentive Fund during Fiscal Year (FY) 2020-2021 and FY2021-2022, and to authorize the use of monies in that Fund during those fiscal years for any purpose related to the City's response to the COVID-19 pandemic or the pandemic's economic impacts.

**Ordinance No.** 181-20

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Stefani

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

### **200764 [Health Code - Cleaning and Disease Prevention Standards in Tourist Hotels and Large Commercial Office Buildings]**

**Sponsors: Peskin; Safai and Preston**

Ordinance amending the Health Code to establish cleaning and disease prevention standards and practices in tourist hotels and large commercial office buildings to help contain COVID-19, or other contagious public health threats; to require training related to these standards for employees, provide certain protections to employees as they perform cleaning duties, and prohibit retaliation against employees for refusing to perform work under conditions they believe may be unsafe or for reporting such conditions or exercising rights protected by the Ordinance; authorizing the Office of Labor Standards Enforcement to enforce the employee rights and protections under the Ordinance; and to provide for administrative enforcement by the Department of Public Health, and for financial penalties and civil actions as authorized by City and state law.

**Ordinance No. 208-20**

**FINALLY PASSED by the following vote:**

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

## **NEW BUSINESS**

## **Recommendations of the Budget and Finance Committee**

### **200786 [Temporary Waivers of Permit Fees for Café Tables and Chairs and Display Merchandise in the Public Right-of-Way, and Use Fees for Parklets]**

**Sponsors: Peskin; Mandelman, Ronen, Safai and Yee**

Ordinance waiving, for a two-year period, permit and renewal fees in the Public Works Code for café tables and chairs in public sidewalks and roadway areas, and for display of fruits and vegetables or nonfood merchandise on public sidewalks; and waiving fees for use of parklets. (Fiscal Impact)

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

**Supervisor Peskin requested that this Ordinance be DUPLICATED.**

*(See duplicated File No. 201131.)*

**Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 8, by changing 'Fees' to 'All fees, except Municipal Transportation Agency fees', and Line 23, by changing 'August 1' to 'April 15'; and Page 3, Lines 10-13, by adding 'Section 5. Municipal Transportation Agency Fees. The San Francisco Board of Supervisors urges the Municipal Transportation Agency Board of Directors to waive all fees for use of parklets by amending Division II of the San Francisco Transportation Code.' The motion carried by the following vote:**

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

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

**201131 [Temporary Waivers of Permit Fees for Café Tables and Chairs and Display Merchandise in the Public Right-of-Way, and Use Fees for Parklets]****Sponsors: Peskin; Mandelman, Ronen, Safai and Yee**

Ordinance waiving, for a two-year period, permit and renewal fees in the Public Works Code for café tables and chairs in public sidewalks and roadway areas, and for display of fruits and vegetables or nonfood merchandise on public sidewalks; and waiving fees for use of parklets. (Fiscal Impact)

*(Duplicated from File No. 200786.)*

**Supervisor Peskin, seconded by Supervisor Preston, moved that this Ordinance be REFERRED to the Budget and Finance Committee. The motion carried by the following vote:**

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

**200543 [Lease Agreement - Books Inc. - Terminal 2 Bookstore - \$220,000 Minimum Annual Guarantee]**

Resolution approving Terminal 2 Bookstore Lease No. 20-0049, between Books Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years, and a minimum annual guarantee of \$220,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 434-20**

**ADOPTED by the following vote:**

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

**200923 [Revolving Fund Agreement - Retroactive - California Victim Compensation Board - Emergency Expense of Crime Victims - \$75,000]****Sponsors: Walton; Safai**

Resolution retroactively authorizing the Office of the District Attorney of the City and County of San Francisco to renew its current agreement with the California Victim Compensation Board, an agent of the State of California, for a revolving fund in the amount of \$75,000 to establish a process to pay expenses on an emergency basis when the claimant would suffer substantial hardship if the payment was not made and when the payment would help the claimant with an immediate need for the period of July 1, 2020, through June 30, 2023. (District Attorney)

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

**Resolution No. 438-20**

**ADOPTED by the following vote:**

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

**200935 [Contract Amendment Approval - Retroactive - Allied Universal Security - Security Services - Not to Exceed \$17,222,088]**

Resolution retroactively approving a first amendment to the contract between the City and County of San Francisco, by and through its Human Services Agency, and Allied Universal Security for the provision of unarmed security services, to increase the amount of the contract by \$7,888,248 for a total amount not to exceed \$17,222,088 to commence July 15, 2020; and to revise the term end date from sixty calendar days after expiration of the Local Emergency as declared by the Mayor or her designee to December 31, 2020, for an amended agreement term of April 1, 2020, through December 31, 2020. (Human Services Agency)  
(Fiscal Impact)

**Resolution No.** 439-20

**ADOPTED by the following vote:**

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

*President Yee requested File Nos. 200936, 200938, 200939, and 200940 be called together.*

**200936 [Contract Amendment - CCT Technologies, Inc. dba Computerland of Silicon Valley - Technology Marketplace - Not to Exceed \$44,000,000]**

Resolution authorizing the Office of Contract Administration to enter into a Second Amendment for Technology Marketplace purchases between the City and County of San Francisco and CCT Technologies, Inc. dba Computerland of Silicon Valley, a Tier 1 contractor of the Technology Marketplace 2.0, to increase the contract amount by \$21,500,000 for a total contract amount not to exceed \$44,000,000 with no change to the three-year term to expire on December 31, 2021, with two one-year options to extend, at the sole and absolute discretion of the City. (Office of Contract Administration)  
(Fiscal Impact)

**Supervisor Fewer, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 7, by changing '\$21,500,000' to '\$21,000,000'. The motion carried by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee  
Resolution authorizing the Office of Contract Administration to enter into a Second Amendment for Technology Marketplace purchases between the City and County of San Francisco and CCT Technologies, Inc. dba Computerland of Silicon Valley, a Tier 1 contractor of the Technology Marketplace 2.0, to increase the contract amount by \$21,000,000 for a total contract amount not to exceed \$44,000,000 with no change to the three-year term to expire on December 31, 2021, with two one-year options to extend, at the sole and absolute discretion of the City. (Office of Contract Administration)  
(Fiscal Impact)

**Resolution No.** 440-20

**ADOPTED AS AMENDED by the following vote:**

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

**200938 [Contract Amendment - Insight Public Sector Inc. - Technology Marketplace - Not to Exceed \$28,000,000]**

Resolution authorizing the Office of Contract Administration to enter into a First Amendment for Technology Marketplace purchases between the City and County of San Francisco and Insight Public Sector Inc., a Tier 1 contractor of the Technology Marketplace 2.0, to increase the contract amount by \$8,000,000 for a total contract amount not to exceed \$28,000,000 with no change to the three-year term to expire on December 31, 2021, with two one-year options to extend, at the sole and absolute discretion of the City. (Office of Contract Administration)  
(Fiscal Impact)

**Resolution No. 441-20**

**ADOPTED by the following vote:**

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

**200939 [Contract Amendment - InterVision Systems, LLC - Technology Marketplace - Not to Exceed \$31,000,000]**

Resolution authorizing the Office of Contract Administration to enter into a First Amendment for Technology Marketplace purchases between the City and County of San Francisco and InterVision Systems, LLC, a Tier 1 contractor of the Technology Marketplace 2.0, to increase the contract amount by \$11,000,000 for a total contract amount not to exceed \$31,000,000 with no change to the three-year term to expire on December 31, 2021, with two one-year options to extend, at the sole and absolute discretion of the City. (Office of Contract Administration)  
(Fiscal Impact)

**Resolution No. 442-20**

**ADOPTED by the following vote:**

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

**200940 [Contract Amendment - XTech JV - Technology Marketplace - Not to Exceed \$80,000,000]**

Resolution authorizing the Office of Contract Administration to enter into a Second Amendment for Technology Marketplace purchases between the City and County of San Francisco and XTech JV, a Tier 1 contractor of the Technology Marketplace 2.0, to increase the contract amount by \$36,000,000 for a total contract amount not to exceed \$80,000,000 with no change to the three-year term to expire on December 31, 2021, with two one-year options to extend, at the sole and absolute discretion of the City. (Office of Contract Administration)  
(Fiscal Impact)

**Resolution No. 443-20**

**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**

### **191139 [Donation of Retired Ambulance to City College of San Francisco]**

**Sponsor: Mar**

Resolution authorizing the Fire Department to donate a retired ambulance to the City College of San Francisco's Emergency Medical Services Academy. (Fire Department)

**Resolution No. 432-20**

**ADOPTED by the following vote:**

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

*President Yee requested File Nos. 200644, 200820, and 200821 be called together.*

### **200644 [Ocean Avenue Community Benefit District - FY2018-2019 Annual Report]**

**Sponsors: Yee; Safai**

Resolution receiving and approving an annual report for the Ocean Avenue Community Benefit District for Fiscal Year 2018-2019, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

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

**Resolution No. 435-20**

**ADOPTED by the following vote:**

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

### **200820 [Castro/Upper Market Community Benefit District - Annual Report - FY2018-2019]**

**Sponsor: Mandelman**

Resolution receiving and approving an annual report for the Castro/Upper Market Community Benefit District for FY2018-2019, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

**Resolution No. 436-20**

**ADOPTED by the following vote:**

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

### **200821 [Noe Valley Community Benefit District - Annual Report - FY2018-2019]**

**Sponsor: Mandelman**

Resolution receiving and approving an annual report for the Noe Valley Community Benefit District for FY2018-2019, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

**Resolution No. 437-20**

**ADOPTED by the following vote:**

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

**200956 [Resolution of Intention - Disestablishment - Top of Broadway Community Benefit District - Annual Report FY2018-2019]****Sponsor: Peskin**

Resolution declaring the intention of the Board of Supervisors to receive and approve a final annual report for the property-based business improvement district (community benefit district) known as the "Top of Broadway Community Benefit District" for Fiscal Year 2018-2019, to disestablish the District, and to remove a multi-year assessment on all parcels in 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 November 17, 2020, at 3:00 p.m., on the proposed disestablishment; approving the form of the Notice of Public Hearing; and directing environmental findings.

**Resolution No. 444-20****ADOPTED by the following vote:**

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

**200738 [Urging the City to Expand the Vulnerable Population Definition]****Sponsors: Preston; Ronen, Walton, Haney and Mar**

Resolution urging the City and County of San Francisco to expand the definition of vulnerable populations for services for people experiencing homelessness during the COVID-19 crisis.

**Supervisor Preston, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 20, 2020. The motion carried by the following vote:**

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

**Recommendations of the Rules Committee****Supervisor Mandelman Excused from Voting**

**Supervisor Peskin, seconded by Supervisor Fewer, moved that Supervisor Mandelman be excused from voting on File No. 201031. The motion carried by the following vote:**

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

Excused: 1 - Mandelman

**201031 [Appointment, California State Association of Counties - Supervisor Rafael Mandelman]**

Motion appointing Supervisor Rafael Mandelman, term ending December 1, 2021, to the California State Association of Counties. (Clerk of the Board)

**Motion No. M20-130****APPROVED by the following vote:**

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

Excused: 1 - Mandelman

*President Yee requested File Nos. 201040 and 201041 be called together.*

**201040 [Mayoral Appointment, Public Utilities Commission - Tim Paulson]**

Motion approving the Mayor's nomination for the appointment of Tim Paulson to the Public Utilities Commission, for a term ending August 1, 2024. (Clerk of the Board)  
(Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: September 14, 2020.)

**Motion No. M20-131**

**APPROVED by the following vote:**

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

**201041 [Mayoral Appointment, Public Utilities Commission - Ed Harrington]**

Motion approving the Mayor's nomination for the appointment of Ed Harrington to the Public Utilities Commission, for a term ending August 1, 2024. (Clerk of the Board)  
(Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: September 14, 2020.)

**Motion No. M20-132**

**APPROVED by the following vote:**

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

**201043 [Appointment, Food Security Task Force - Cissie Bonini]**

Motion appointing Cissie Bonini, for an indefinite term, to the Food Security Task Force. (Rules Committee)

**Motion No. M20-133**

**APPROVED by the following vote:**

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

**201044 [Appointments, Mental Health SF Implementation Working Group - Amy Wong, Philip Jones, Andrea Salinas, Sara Shortt, Steve Fields, and Monique LeSarre]**

Motion appointing Amy Wong, Philip Jones (residency requirement waived), Andrea Salinas, and Sara Shortt, terms ending June 1, 2021, and Steve Fields (residency requirement waived) and Monique LeSarre, terms ending June 1, 2022, to the Mental Health SF Implementation Working Group. (Rules Committee)

**Motion No. M20-134**

**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.*

## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

**201101 [Hearing - Committee of the Whole - Emergency Ordinance - Eviction of Commercial Tenants During COVID-19 Pandemic - September 29, 2020, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on September 29, 2020, at 3:00 p.m., to hold a public hearing to consider the proposed Emergency Ordinance (File No. 201057) to temporarily restrict landlords from evicting commercial tenants for non-payment of rent that was not paid due to the COVID-19 pandemic; pending approval of the Motion contained in File No. 201100. (Clerk of the Board)

*(The Motion contained in File No. 201100, under the For Adoption Without Committee Reference agenda, was Tabled; therefore, File No. 201101 was rendered moot and File No. 201057 was not called from committee.)*

### Committee of the Whole Adjourn and Report

#### Called from the Land Use and Transportation Committee

**201057 [Emergency Ordinance - Eviction of Commercial Tenants During COVID-19 Pandemic]**

**Sponsors: Peskin; Preston, Mar, Ronen and Walton**

Emergency ordinance to temporarily restrict landlords from evicting commercial tenants for non-payment of rent that was not paid due to the COVID-19 pandemic.

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

*(The Motion contained in File No. 201100, under the For Adoption Without Committee Reference agenda, was Tabled; therefore, File No. 201101 was rendered moot and File No. 201057 was not called from committee.)*

**SPECIAL ORDER 3:00 P.M.**

*President Yee requested File Nos. 200746, 200747, 200748, 200749, 200750, 200751, 200752, and 200753 be called together.*

**200746 [Hearing - Appeal of Determination of Exemption From Environmental Review 1846 Grove Street]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on February 12, 2019, for the proposed project at 1846 Grove Street, Assessor's Parcel Block No. 1187, Lot No. 003H; for the construction of four two-story single-family dwelling units on a vacant lot within an RH-2 (Residential, House - Two Family) and RH-3 (Residential, House - Three Family) Zoning District and a 40-X Height and Bulk District. (District 5) (Appellant: Brian Kingan) (Filed May 9, 2020) (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. Henry Tang (CEQA Appellant), and Elliot Gittleman and Brandon Keefe (CU Appellants) provided an overview of the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Speaker; Speaker; Speaker; Tess Wellborn; Jean Kellogg; Speaker; John Markeketta; Abigail Kennan; Meg Grey; Speaker; Susan; spoke in support of the appeal. Aaron Starr, Matt Dito and Wade Wietgreffe (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Troy Kashanipour (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Speaker; Charmaine Curtis; Sarah Kudrow; Scott; Andrew Sullivan; Speaker; Speaker; Speaker; Speaker; Speaker; Sam Rightson; Robert Fuqman; Speaker; Oglesby; Speaker; Speaker; Speaker; Joshua Wolf; James Larsen; Speaker; Martin; Ben Dorsey; Speaker; Mike Chen; Michael Proctor; Dan Perez; Speaker; Speaker; Brian Zito; Rich Seno; Gerald; Peter Church; Eugene Cask; Speaker; Ramon; Gin Taylor; Rick Hills; Randy David Phoenix; Speaker; spoke in support of the project and in opposition to the appeal. Henry Tang (CEQA Appellant), and Elliot Gittleman and Brandon Keefe (CU Appellants) provided rebuttal and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

**200747 [Affirming the Categorical Exemption Determination - 1846 Grove Street]**

Motion affirming the determination by the Planning Department that the proposed project at 1846 Grove Street is categorically exempt from further environmental review. (Clerk of the Board)

**Motion No. M20-135**

**Supervisor Preston, seconded by Supervisor Peskin, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**200748 [Conditionally Reversing the Categorical Exemption Determination - 1846 Grove Street]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 1846 Grove Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Preston, 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

**200749 [Preparation of Findings to Reverse the Categorical Exemption Determination - 1846 Grove Street]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project 1846 Grove Street is categorically exempt from further environmental review. (Clerk of the Board)

**Supervisor Preston, 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

**SPECIAL ORDER 3:00 P.M.****200750 [Hearing - Appeal of Conditional Use Authorization - 1846 Grove Street]**

Hearing of persons interested in or objecting to the certification of Conditional Use Authorization pursuant to Planning Code, Sections 207, 209.1, and 303, for a proposed project at 1846 Grove Street, Assessor's Parcel Block No. 1187, Lot No. 003H, identified in Planning Case No. 2018-011441CUA, issued by the Planning Commission by Motion No. 20681, dated April 9, 2020, for residential density of one unit per 1,500 square feet of lot area to permit the construction of four two-story single-family dwelling units on a vacant lot within an RH-2 (Residential, House - Two Family) and RH-3 (Residential, House - Three Family) Zoning District and a 40-X Height and Bulk District. (District 5) (Appellant: Malinda Kai Tuazon) (Filed May 11, 2020) (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. Henry Tang (CEQA Appellant), and Elliot Gittleman and Brandon Keefe (CU Appellants) provided an overview of the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Speaker; Speaker; Speaker; Tess Wellborn; Jean Kellogg; Speaker; John Markeketta; Abigail Kennan; Meg Grey; Speaker; Susan; spoke in support of the appeal. Aaron Starr, Matt Dito and Wade Wietgreffe (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Troy Kashanipour (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Speaker; Charmaine Curtis; Sarah Kudrow; Scott; Andrew Sullivan; Speaker; Speaker; Speaker; Speaker; Speaker; Sam Rightson; Robert Fuqman; Speaker; Oglesby; Speaker; Speaker; Speaker; Speaker; Speaker; James Larsen; Speaker; Martin; Ben Dorsey; Speaker; Mike Chen; Michael Proctor; Dan Perez; Speaker; Speaker; Brian Zito; Rich Seno; Gerald; Peter Church; Eugene Cask; Speaker; Ramon; Gin Taylor; Rick Hills; Randy David Phoenix; Speaker; spoke in support of the project and in opposition to the appeal. Henry Tang (CEQA Appellant), and Elliot Gittleman and Brandon Keefe (CU Appellants) provided rebuttal and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

**200751 [Approving Conditional Use Authorization - 1846 Grove Street]**

Motion approving the decision of the Planning Commission by its Motion No. 20681, approving a Conditional Use Authorization, identified as Planning Case No. 2018-011441CUA, for a proposed project located at 1846 Grove 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)

**Supervisor Preston, 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

**200752 [Conditionally Disapproving Conditional Use Authorization - 1846 Grove Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20681, approving a Conditional Use Authorization, identified as Planning Case No. 2018-011441CUA, for a proposed project at 1846 Grove 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.)

**Motion No. M20-136**

**Supervisor Preston, seconded by Supervisor Peskin, moved that this Motion be APPROVED, to conditionally disapprove the decision of the Planning Commission and conditionally approve a Conditional Use Authorization for the same Planning Case and property with different conditions to include, among other things, a limit of two units and a maximum occupancy limit up to 16, subject to the adoption of written findings in support of this determination. The motion carried by the following vote:**

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

**200753 [Preparation of Findings Related to Conditional Use Authorization Appeal - 1846 Grove 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. 2018-011441CUA, for a proposed project at 1846 Grove Street. (Clerk of the Board)

**Motion No. M20-137**

**Supervisor Preston, seconded by Supervisor Peskin, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

## SPECIAL ORDER 3:00 P.M.

*President Yee requested File Nos. 200825, 200826, 200827, and 200828 be called together.*

### **200825 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 617 Sanchez Street Project]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on April 8, 2019, for the proposed project at 617 Sanchez Street, Assessor's Parcel Block No. 3600, Lot No. 055; to demolish an existing two-story, one family house and construct a new four-story single family dwelling approximately 30 feet in height and consisting of 4,149 square feet within the RH-1 (Residential House, One-Family-Detached) Zoning District and a 40-X Height and Bulk District. (District 8) (Appellant: Sue Hestor, on behalf of Joerg Rathenberg) (Filed March 23, 2020) (Clerk of the Board)

*President Yee opened the public hearing and indicated a motion may be considered to continue this Appeal Hearing and associated Motions to a later date. The President then inquired as to whether any individual wished to address the Board on the anticipated continuance. There were no speakers. President Yee closed public on the continuance.*

**Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of October 27, 2020. The motion carried by the following vote:**

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

### **200826 [Affirming the Categorical Exemption Determination - 617 Sanchez Street]**

Motion affirming the determination by the Planning Department that the proposed project at 617 Sanchez Street is categorically exempt from further environmental review. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 27, 2020. The motion carried by the following vote:**

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

### **200827 [Conditionally Reversing the Categorical Exemption Determination - 617 Sanchez Street]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 617 Sanchez Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 27, 2020. The motion carried by the following vote:**

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

### **200828 [Preparation of Findings to Reverse the Categorical Exemption Determination - 617 Sanchez Street]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 617 Sanchez Street is categorically exempt from further environmental review. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 27, 2020. The motion carried by the following vote:**

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

## SPECIAL ORDER 3:00 P.M.

*President Yee requested File Nos. 200891, 200892, 200893, and 200894 be called together.*

### **200891 [Hearing - Appeal of Determination of Community Plan Evaluation - Proposed 1088 Howard Street Project]**

Hearing of persons interested in or objecting to a Community Plan Evaluation by the Planning Department under the California Environmental Quality Act issued on December 18, 2019, for the proposed project at 1088 Howard Street, Assessor's Parcel Block No. 3726, Lot Nos. 030 and 031; to merge two adjacent lots, to demolish the existing single-story with mezzanine level industrial building on-site, and to construct a seven-story, 71 foot tall mixed-use residential and commercial building with 24 two-bedroom units and 2,560 square feet of ground-floor commercial space. (District 6) (Appellants: Tanaka Gaines, Ron Dagcaoil, and Julian A. Castaneda, on behalf of 195 7th St. HOA) (Filed July 6, 2020) (Clerk of the Board)

*President Yee opened the public hearing and indicated a motion may be considered to continue this Appeal Hearing and associated Motions to a later date. The President then inquired as to whether any individual wished to address the Board on the anticipated continuance. There were no speakers. President Yee closed public on the continuance.*

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of October 6, 2020. The motion carried by the following vote:**

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

### **200892 [Affirming the Community Plan Evaluation - 1088 Howard Street]**

Motion affirming the determination by the Planning Department that the proposed project at 1088 Howard Street is exempt from further environmental review under a Community Plan Evaluation.

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 6, 2020. The motion carried by the following vote:**

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

### **200893 [Conditionally Reversing the Community Plan Evaluation - 1088 Howard Street]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 1088 Howard Street is exempt from further environmental review under a Community Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 6, 2020. The motion carried by the following vote:**

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

### **200894 [Preparation of Findings to Reverse the Community Plan Evaluation - 1088 Howard Street]**

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Evaluation determination by the Planning Department that a proposed project at 1088 Howard Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 6, 2020. The motion carried by the following vote:**

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

**SPECIAL ORDER 3:00 P.M.****200903 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed MTA's Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and Bikeways Project]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Statutory and Categorical Exemption by the Planning Department on June 10, 2020, for the proposed Municipal Transportation Agency's Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and Bikeways project. (Appellants: David Pilpel; Mary Miles, on behalf of the Coalition for Adequate Review) (Filed July 30, 2020) (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. David Pilpel and Mary Miles (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Bob Planthold; spoke in support of the appeal(s). Lauren Bihl and Jenny Delumo (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Sarah Jones, Michael Rhodes, Elizabeth Chen, Ian Trout, and Shannon Hake (Municipal Transportation Agency, Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Jordan Wing; Stacy Randecker; Winston Paresns; Mike Chen; Zach Dyros; Dave Alexander; Hayden Miller; Jake Bayne; Mary Eliza; spoke in support of the project and in opposition to the appeal(s). David Pilpel and Mary Miles (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearings heard and filed.*

**HEARD AND FILED**

**200904 [Affirming the Statutory and Categorical Exemption Determination - MTA's Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and Bikeways Project]**

Motion affirming the determination by the Planning Department that the proposed Municipal Transportation Agency's Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and Bikeways Project is statutorily and categorically exempt from environmental review. (Clerk of the Board)

**Motion No. M20-138**

**Supervisor Peskin, seconded by Supervisor Ronen, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**200905 [Conditionally Reversing the Statutory and Categorical Exemption Determination - MTA's Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and Bikeways Project]**

Motion conditionally reversing the determination by the Planning Department that the proposed Municipal Transportation Agency's Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and Bikeways Project is statutorily and categorically exempt from environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Haney, 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

**200906 [Preparation of Findings to Reverse the Statutory and Categorical Exemption Determination - MTA's Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and Bikeways Project]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed Municipal Transportation Agency's Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and Bikeways Project is statutorily and categorically exempt from environmental review. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Ronen, 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

## **SPECIAL ORDER 3:00 P.M.**

**200987 [Hearing - Appeal of Determination of Statutory Exemption From Environmental Review - Proposed MTA's Panhandle Social Distancing and Safety Project]**

Hearing of persons interested in or objecting to the determination by the Planning Department on July 16, 2020, that the proposed Municipal Transportation Agency's Panhandle Social Distancing and Safety project is statutorily exempt from the California Environmental Quality Act. (District 5) (Appellant: Mary Miles, on behalf of Coalition for Adequate Review) (Filed August 14, 2020) (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. David Pilpel and Mary Miles (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Bob Planthold; spoke in support of the appeal(s). Lauren Bihl and Jenny Delumo (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Sarah Jones, Michael Rhodes, Elizabeth Chen, Ian Trout, and Shannon Hake (Municipal Transportation Agency, Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Jordan Wing; Stacy Randecker; Winston Paresns; Mike Chen; Zach Dyros; Dave Alexander; Hayden Miller; Jake Bayne; Mary Eliza; spoke in support of the project and in opposition to the appeal(s). David Pilpel and Mary Miles (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearings heard and filed.*

**HEARD AND FILED**

**200988 [Affirming the Statutory Exemption Determination - MTA's Panhandle Social Distancing and Safety Project]**

Motion affirming the determination by the Planning Department that the Municipal Transportation Agency's Panhandle Social Distancing and Safety Project is statutorily exempt from environmental review. (Clerk of the Board)

**Motion No. M20-139**

**Supervisor Haney, seconded by Supervisor Ronen, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**200989 [Conditionally Reversing the Statutory Exemption Determination - MTA's Panhandle Social Distancing and Safety Project]**

Motion conditionally reversing the determination by the Planning Department that the proposed Municipal Transportation Agency's Panhandle Social Distancing and Safety Project is statutorily exempt from environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Ronen, 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

**200990 [Preparation of Findings to Reverse the Statutory Exemption Determination - MTA's Panhandle Social Distancing and Safety Project]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed Municipal Transportation Agency's Panhandle Social Distancing and Safety Project is statutorily exempt from environmental review. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Ronen, 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

**SPECIAL ORDER 3:00 P.M.****201000 [Hearing - Appeal of Statutory Exemption From Environmental Review - MTA Department Operations Center (DOC) COVID-19 Emergency Temporary Street Changes Program]**

Hearing of persons interested in or objecting to the determination of statutory exemption from environmental review under the California Environmental Quality Act, by the Planning Department on July 15, 2020, for the proposed Municipal Transportation Agency's Department Operations Center (DOC) COVID-19 Emergency Temporary Street Changes Program. (Appellant: David Pilpel) (Filed: August 20, 2020) (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. David Pilpel and Mary Miles (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Bob Planthold; spoke in support of the appeal(s). Lauren Bihl and Jenny Delumo (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Sarah Jones, Michael Rhodes, Elizabeth Chen, Ian Trout, and Shannon Hake (Municipal Transportation Agency, Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Jordan Wing; Stacy Randecker; Winston Paresns; Mike Chen; Zach Dyros; Dave Alexander; Hayden Miller; Jake Bayne; Mary Eliza; spoke in support of the project and in opposition to the appeal(s). David Pilpel and Mary Miles (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearings heard and filed.*

**HEARD AND FILED**

**201001 [Affirming the Statutory Exemption Determination - MTA's Department Operations Center (DOC) COVID-19 Emergency Temporary Street Changes Program]**

Motion affirming the determination by the Planning Department that the proposed Municipal Transportation Agency's Department Operations Center (DOC) COVID-19 Emergency Temporary Street Changes Program is statutorily exempt from environmental review. (Clerk of the Board)

**Motion No. M20-140**

**Supervisor Preston, seconded by Supervisor Mandelman, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**201002 [Conditionally Reversing the Statutory Exemption Determination - MTA's Department Operations Center (DOC) COVID-19 Emergency Temporary Street Changes Program]**

Motion conditionally reversing the determination by the Planning Department that the proposed Municipal Transportation Agency's Department Operations Center (DOC) COVID-19 Emergency Temporary Street Changes Program is statutorily exempt from environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Preston, 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

**201003 [Preparation of Findings to Reverse the Statutory Exemption Determination - MTA's Department Operations Center (DOC) COVID-19 Emergency Temporary Street Changes Program]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed Municipal Transportation Agency's Department Operations Center (DOC) COVID-19 Emergency Temporary Street Changes Program is statutorily exempt from environmental review. (Clerk of the Board)

**Supervisor Preston, 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

**SPECIAL ORDER 3:00 P.M.****201024 [Hearing - Appeal of Statutory and Categorical Exemption From Environmental Review - MTA Slow Streets, Phase 3]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued a Statutory and Categorical Exemption by the Planning Department on July 1, 2020, for the proposed Municipal Transportation Agency's Slow Streets, Phase 3 project. (Appellant: Mary Miles, on behalf of the Coalition for Adequate Review) (Filed: August 20, 2020) (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. David Pilpel and Mary Miles (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Bob Planthold; spoke in support of the appeal(s). Lauren Bihl and Jenny Delumo (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Sarah Jones, Michael Rhodes, Elizabeth Chen, Ian Trout, and Shannon Hake (Municipal Transportation Agency, Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Jordan Wing; Stacy Randecker; Winston Paresns; Mike Chen; Zach Dyros; Dave Alexander; Hayden Miller; Jake Bayne; Mary Eliza; spoke in support of the project and in opposition to the appeal(s). David Pilpel and Mary Miles (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearings heard and filed.*

**HEARD AND FILED**

**201025 [Affirming the Statutory and Categorical Exemption Determination - MTA's Slow Streets Phase 3]**

Motion affirming the determination by the Planning Department that the Municipal Transportation Agency's Slow Streets Phase 3 Project is statutorily and categorically exempt from environmental review. (Clerk of the Board)

**Motion No. M20-141**

**Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**201026 [Conditionally Reversing the Statutory and Categorical Exemption Determination - MTA's Slow Streets Phase 3]**

Motion conditionally reversing the determination by the Planning Department that the proposed Municipal Transportation Agency's Slow Streets Phase 3 Project is statutorily and categorically exempt from environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Ronen, 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

**201027 [Preparation of Findings to Reverse the Statutory and Categorical Exemption Determination - MTA's Slow Streets Phase 3]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed Municipal Transportation Agency's Slow Streets Phase 3 Project is statutorily and categorically exempt from environmental review. (Clerk of the Board)

**Supervisor Ronen, 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

## COMMITTEE REPORTS

### Recommendation of the Land Use and Transportation Committee

**201069 [Supporting California State Proposition 21 - Keep Families in Their Homes - November 3, 2020 Ballot]**

**Sponsors: Ronen; Preston, Haney, Walton, Peskin, Fewer and Mandelman**

Resolution supporting California State Proposition 21, Keep Families in Their Homes, on the November 3, 2020, ballot.

*Supervisors Fewer and Mandelman requested to be added as co-sponsors.*

**Resolution No. 451-20**

**ADOPTED by the following vote:**

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

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

### **200354 [Liquor License - 1401 Howard Street - Saint Joseph's Arts Foundation]**

Resolution determining that the issuance of a Type-99 on-sale general for special use liquor license to the Saint Joseph's Arts Foundation located at 1401 Howard Street (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)

**Resolution No. 433-20**

**ADOPTED 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**

*David Pilpel; shared in the In Memoriam presented and various other passing's of notable individuals.*

*Joe Kosler; expressed support of the Resolution condemning antisemitic and homophobic attacks on Senator Scott Wiener (File No. 201072).*

*Zack; expressed support of the Resolution condemning antisemitic and homophobic attacks on Senator Scott Wiener (File No. 201072).*

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

### **201095 [Urging Congress to Pass Senate Bill No. 4258 (Cornyn, Klobuchar) - Save Our Stages Act of 2020]**

**Sponsors: Haney; Ronen, Walton, Preston and Mandelman**

Resolution urging the United States Congress to expeditiously pass Senate Bill No. 4258, the Save Our Stages Act, introduced by United States Senators John Cornyn and Amy Klobuchar, establishing a grant program and providing \$10 billion in aid to small live venue operators.

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

**Resolution No. 453-20**

**ADOPTED**

**201096 [Transit Week - October 4 through October 10, 2020]****Sponsors: Mandelman; Stefani, Preston, Haney, Peskin, Walton, Mar, Ronen, Fewer, Yee and Safai**

Resolution declaring October 4, 2020, through October 10, 2020, as the Fifth Annual San Francisco Transit Week in the City and County of San Francisco.

**Resolution No. 454-20****ADOPTED****201097 [Supporting California State Proposition 17 - Free the Vote - November 3, 2020, Ballot]****Sponsors: Ronen; Walton, Preston, Haney, Fewer, Mandelman and Safai**

Resolution supporting California State Proposition 17, Free the Vote, on the November 3, 2020, ballot.

*Supervisors Mandelman and Safai requested to be added as co-sponsors.***Resolution No. 455-20****ADOPTED****201102 [Waiver Permitting City Employees to Assist the Department of Elections with the November 3, 2020, Consolidated General Election]****Sponsor: Yee**

Motion granting a waiver from the prohibition imposed by Charter, Section 13.104.5, to permit City employees to assist the Department of Elections with the November 3, 2020, Consolidated General Election.

**Motion No. M20-142****APPROVED****201107 [Committee of the Whole - Economic Recovery Task Force Report - October 27, 2020, 3:00 p.m.]****Sponsors: Mandelman; Preston and Yee**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on Tuesday, October 27, 2020, at 3:00 p.m., during the Regular Board of Supervisors Meeting, to hold a public hearing on the findings and recommendations from the San Francisco Economic Recovery Task Force Report as it relates to the economic impacts of the COVID-19 health emergency, supporting local businesses and employment, mitigating economic hardships, and ensuring a more resilient and equitable recovery.

**Motion No. M20-143****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 Peskin requested that File Nos. 201072 and 20110 be severed so that they may be considered separately.*

### **201072 [Condemning Antisemitic and Homophobic Attacks on Senator Scott Wiener]**

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

Resolution condemning the antisemitic and homophobic attacks on Senator Scott Wiener; and urging social media platforms to protect their users from hate speech.

*Supervisors Haney and Preston requested to be added as co-sponsors.*

Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 4, by changing 'urging' to 'condemning', and adding 'for failing' and 'intervene and', Line 7, by adding 'WHEREAS, San Francisco's national identity as a bastion of progressive values and diversity of elected representation have historically made its public servants the target of racist, homophobic and misogynistic hate speech, violent threats and xenophobia; and WHEREAS, The San Francisco Bay Area is also the regional hometown of several tech companies that operate lucrative and largely unregulated social media platforms, including Facebook, YouTube and Twitter, that use algorithms to target messaging and user activity, but have done little to intervene and crack down on the dissemination of incendiary lies, hate speech and doxing by right-wing abusers of these high-profile information sites, which has caused irreparable damage to individuals and vulnerable communities of concern; and' and Page 3, Line 24, by adding 'and condemns these social media platforms for failing to intervene and protect their users from hate speech; and, be it FURTHER RESOLVED, That the San Francisco Board of Supervisors directs the Clerk of the Board to send a copy of this resolution to the Chief Executive Officers of Facebook, Twitter, YouTube and Instagram upon its final adoption.' The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee  
Resolution condemning the antisemitic and homophobic attacks on Senator Scott Wiener, and condemning social media platforms for failing to intervene and protect their users from hate speech.

**Resolution No. 452-20**

**ADOPTED AS AMENDED by the following vote:**

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

*Supervisor Stefani requested that File Nos. 201098 and 201103 be severed so that they may be considered separately.*

### **201098 [Korean Chuseok Day - October 1, 2020]**

**Sponsors: Stefani; Walton, Peskin, Mandelman, Safai, Yee, Ronen and Preston**

Resolution recognizing October 1, 2020, as Korean Chuseok Day and honoring the Korean Center, Inc. for its contributions to the Korean American community in the City and County of San Francisco.

*Supervisors Walton, Peskin, Mandelman, Safai, Yee, Ronen, and Preston requested to be added as co-sponsors.*

**Resolution No. 456-20**

**ADOPTED by the following vote:**

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

**201106 [Condemning Anti-Armenian Acts of Hate]**

**Sponsors: Stefani; Yee, Haney, Walton, Peskin, Ronen, Mandelman, Mar, Preston and Safai**  
Resolution condemning anti-Armenian acts of hate and supporting San Francisco's Armenian community.

*Supervisors Haney, Walton, Peskin, Ronen, Mandelman, Mar, Preston, and Safai requested to be added as co-sponsors.*

Supervisor Yee, seconded by Supervisor Peskin, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**, on Page 1, Lines 4-5, by adding ' ; and urging California Attorney General Xavier Becerra to investigate', Lines 7-8, by changing 'in Parkmerced' to 'on Brotherhood Way'; and Page 2, Lines 14-17, by adding 'and, be it **FURTHER RESOLVED**, That the Board of Supervisors join Assemblymembers Nazarian, Chiu, Ting and Senator Wiener in requesting Attorney General Xavier Becerra to initiate a thorough investigation into the hate crimes and to prosecute those found responsible to the extent of the law.' The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee  
Resolution condemning anti-Armenian acts of hate and supporting San Francisco's Armenian community; and urging California Attorney General Xavier Becerra to investigate.

**Resolution No. 457-20**

**ADOPTED AS AMENDED** by the following vote:

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

**201100 [Waive Provisions of Board Rule 3.37 - Calling from Committee - Committee of the Whole - Emergency Ordinance to Extend Commercial Eviction Protections (File No. 201057) - September 29, 2020, at 3:00 p.m.]**

**Sponsor: Peskin**

Motion waiving certain provisions of Board Rule 3.37 and calling from the Land Use and Transportation Committee, pursuant to Board Rule 3.37, the proposed Emergency Ordinance temporarily restricting landlords from evicting commercial tenants for non-payment of rent that was not paid due to the COVID-19 pandemic (File No. 201057); and scheduling the Board of Supervisors to sit as a Committee of the Whole on September 29, 2020, at 3:00 p.m. to hold a public hearing to consider the proposed Emergency Ordinance.  
(Pursuant to waiver of Board Rule 3.37, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

Supervisor Peskin, 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

**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.*

## ORDINANCES

### 201132 [Campaign and Governmental Conduct Code - Behested Payments]

**Sponsors: Haney; Peskin**

Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of interested party, to prohibit appointed department heads from soliciting certain behested payments, and to require department heads to report solicitation of certain behested payments.

09/29/20; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/29/2020.

### 201133 [Administrative Code - Health Care Requirements for Certain Employers at San Francisco International Airport]

**Sponsors: Mandelman; Walton, Mar, Haney, Peskin, Safai, Ronen and Preston**

Ordinance amending the Administrative Code to require employers of employees covered by the Quality Standards Program at the San Francisco International Airport to provide family health insurance to such employees, or to make contributions on the employees' behalf to an account established under Section 14.2 of the Administrative Code.

(Fiscal Impact)

09/29/20; ASSIGNED to Rules Committee.

## RESOLUTIONS

### 201134 [Accept In-Kind Gift - Tipping Point Community - Diversity Equity Inclusion Consultant Services - Value Not to Exceed \$249,999]

**Sponsor: Mayor**

Resolution authorizing the Department of Homelessness and Supportive Housing ("HSH") to accept an in-kind gift for Diversity Equity Inclusion consultant services in a value not to exceed \$99,999 from Tipping Point Community to support the first phase of the development of racial equity action plans for HSH and Homelessness Response System ("Project"); and authorizing HSH to accept an additional in-kind gift of consultant services in a value not to exceed \$150,000 for a second phase of this Project, for a total value not to exceed \$249,999 and for the total term to commence upon Board approval and to expire no later than June 30, 2021.

09/29/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201135 [Contract Agreement - Thales Transport & Security, Inc. - ATCS Specific Technical Services, Equipment, and Software Upgrades - Not to Exceed \$30,000,000]****Sponsor: Mayor**

Resolution approving Municipal Transportation Agency Contract No. 2020-20: Train Control Services and Equipment Purchases Agreement, with Thales Transport & Security, Inc. to provide specialized ATCS-specific technical services, equipment and software upgrades in an amount not to exceed \$30,000,000, for an initial term of seven years with option to extend two years, to commence following Board approval.

(Fiscal Impact)

09/29/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201136 [Supporting California State Proposition 16 - Opportunities for All - November 3, 2020, Ballot]****Sponsors: Haney; Mandelman, Yee, Walton, Preston, Ronen and Safai**

Resolution supporting California State Proposition 16, Opportunities for All, a proposition on the November 3, 2020, ballot which will repeal Proposition 209 and reinstate Affirmative Action in public contracting, hiring, and public education.

09/29/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**201137 [Accept and Expend Grant - Retroactive - Health Resources and Services Administration - Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B - \$1,000,000]****Sponsor: Mandelman**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,000,000 from the Health Resources and Services Administration for participation in a program, entitled "Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B," for the period of March 1, 2020, through February 28, 2021.

09/29/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201138 [Initiating Landmark Designation - Phyllis Lyon and Del Martin House]****Sponsors: Mandelman; Peskin, Preston and Safai**

Resolution initiating a landmark designation under Article 10 of the Planning Code for 649-651 Duncan Street, the longtime home of pioneering lesbian activists Phyllis Lyon and Del Martin.

09/29/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**201139 [California Clean Air Day - October 7, 2020]****Sponsors: Mandelman; Peskin, Stefani, Walton, Mar, Fewer, Preston, Ronen, Yee and Safai**

Resolution declaring October 7, 2020, as California Clean Air Day in the City and County of San Francisco.

09/29/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**201140 [Supporting Small Business Success with Shared Spaces]****Sponsors: Mar; Haney, Walton, Ronen, Preston and Fewer**

Resolution supporting small businesses and the Shared Spaces Program through speedy review and approval timelines, technical assistance, and high-quality customer service; through equitable citywide participation in the program prioritizing disadvantaged communities and support to non-English speaking business owners; and through extension of Shared Spaces permits.

09/29/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**201141 [Opposing California State Proposition 20 - Criminal Sentencing, Parole, and DNA Collection Initiative - November 3, 2020, Ballot]****Sponsors: Walton; Peskin, Haney, Fewer, Ronen, Preston, Yee, Safai and Mandelman**

Resolution opposing California State Proposition 20, Criminal Sentencing, Parole, and DNA Collection Initiative, on the November 3, 2020, ballot.

09/29/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**201142 [Execution of Tax-Exempt Loan - California Municipal Finance Authority - Pacific Primary School - Not to Exceed \$3,700,000]****Sponsor: Preston**

Resolution approving, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (Code), the execution of a tax-exempt loan or loans by the California Municipal Finance Authority (Authority) in one or more series pursuant to a plan of financing and in an aggregate principal amount not to exceed \$3,700,000 (Authority Loan), the proceeds of which will be loaned by the Authority (Borrower Loan) to Pacific Primary School, a California nonprofit public benefit corporation and an organization described in, and exempt from tax under, Section 501(c)(3) of the Code (Borrower), to (i) prepay and refinance in full all of the outstanding principal amount of Association of Bay Area Governments (ABAG) Finance Authority for Nonprofit Corporations 2013 Tax-Exempt Loan (Pacific Primary), originally issued in the principal amount of \$4,100,000 the proceeds of which were used to redeem in full all of the then outstanding principal amount of ABAG Finance Authority for Nonprofit Corporations Variable Rate Demand Revenue Bonds (Pacific Primary) Series 2008, originally issued in the principal amount of \$4,550,000 the proceeds of which were used for the construction, acquisition, improvement, capital maintenance, equipment acquisition and other related capital expenditures at the Borrower's facilities located at 1500 and 1501 Grove Street, San Francisco, California and (ii) pay certain expenses incurred in connection with the delivery of the Borrower Loan (collectively, the Project).

09/29/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## MOTION

### **201143 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Twenty-Seventh and Twenty-Eighth Supplements]**

**Sponsor: Yee**

Motion concurring in actions taken by the Mayor in the Twenty-Seventh Supplement to the Proclamation of Emergency that authorizes the Entertainment Commission to create a permit program to allow outdoor entertainment, waives public notice requirements for City projects related to the COVID-19 emergency response, and extends the paid furlough program for City employees; and the Twenty-Eighth Supplement to the Proclamation of Emergency that revises and replaces the temporary moratorium on evictions for non-payment of rent by commercial tenants directly impacted by the COVID-19 crisis, and authorizes the use of student housing for occupancy as temporary housing during the emergency, to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic.

09/29/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

### **200957 [Hearing - Committee of the Whole - Disestablishment - Top of Broadway Community Benefit District - November 17, 2020, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on November 17, 2020, at 3:00 p.m., to consider the disestablishment of a property-based business improvement district known as the Top of Broadway Community Benefit District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code, Article 15; scheduled pursuant to the Resolution contained in File No. 200956, adopted on September 29, 2020. (Clerk of the Board)

09/29/20; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

### **201108 [Hearing - Committee of the Whole - Economic Recovery Task Force Report - October 27, 2020, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, October 27, 2020, at 3:00 p.m., to hold a public hearing on the findings and recommendations from the San Francisco Economic Recovery Task Force Report as it relates to the economic impacts of the COVID-19 health emergency, supporting local businesses and employment, mitigating economic hardships, and ensuring a more resilient and equitable recovery; scheduled pursuant to Motion No. M20-143 (File No. 201107) approved on September 29, 2020. (Clerk of the Board)

09/29/20; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**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 RESOLUTIONS****201082 [Lease Agreement - Minute Suites Travelers Retreat SFO, LLC - \$150,000 Minimum Annual Guarantee]**

Resolution approving Lease No. 20-0045, between Minute Suites Travelers Retreat SFO, LLC, as tenant, and the City and County of San Francisco, as landlord, acting by and through its Airport Commission, at the Harvey Milk Terminal 1 Retail Concession, for a term of 12 years, and a minimum annual guarantee of \$150,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission)

09/14/20; RECEIVED FROM DEPARTMENT.

09/29/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201083 [Lease Amendment - 100 Blanken Avenue - Celestina Jimenez and Alan Salvador Jimenez, Co-Trustees - \$90,000 Per Year in Base Rent]**

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to amend the lease of real property located at 100 Blanken Avenue from Celestina Jimenez and Alan Salvador Jimenez, Co-Trustees of the Trust of Salvador-Jimenez and Celestina Jimenez-Surviving Spouses Trust, at a base rent of \$90,000 per year with 3% annual increases, for an initial term commencing upon approval of this Resolution and expiring on September 30, 2023, plus two one-year options to extend; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the First Amendment, the Lease and this Resolution, as defined herein. (Real Estate Department)

09/21/20; RECEIVED FROM DEPARTMENT.

09/29/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriam**

*Robert Passmore - Entire Board*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 9:06 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on November 3, 2020.*

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Angela Calvillo, Clerk of the Board