

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, January 5, 2021 - 2:00 PM

Held via Videoconference
(remote public access provided via teleconference)

www.sfgovtv.org

Regular Meeting

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Fewer, Walton, Mandelman

Government Audit and Oversight Committee
Supervisors Mar, Peskin, Haney

Land Use and Transportation Committee
Supervisors Preston, Safai, Peskin

Public Safety and Neighborhood Services Committee
Supervisors Mandelman, Stefani, Walton

Rules Committee
Supervisors Ronen, Stefani, Mar

Meeting Days

Wednesday
10:30 AM

1st and 3rd Thursday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

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

Volume 116 Number 1

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

The Board of Supervisors of the City and County of San Francisco met in regular session through videoconferencing, and provided public comment through teleconferencing, on Tuesday, January 5, 2021, with President Norman Yee presiding.

President Yee called the meeting to order at 2:01 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) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at <https://sfbos.org/remote-meeting-call>.

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

All members were 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) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

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; shared concerns regarding homeless services and the various needs to consider when allocating the funds from the recently passed ballot measure.

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

201185 [Administrative Code - Permanent Supportive Housing - Rent Contribution Standard]

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

Ordinance amending the Administrative Code to establish a standard of 30% of the monthly adjusted household income as the maximum contribution to rent for households participating in Permanent Supportive Housing Programs operated by the City and County of San Francisco. (Fiscal Impact)

Ordinance No. 003-21

FINALLY PASSED

201278 [Amendments to Airport Concessions Leases - Forgive Tenant Rent During COVID-19 Pandemic]

Ordinance authorizing the Airport Commission, under the San Francisco International Airport's COVID-19 Emergency Rent Relief Program, to amend certain leases with Airport concession tenants without Board of Supervisors approval under Charter, Section 9.118, and waiving Administrative Code and Environment Code requirements enacted after the most recent modification of each lease for such lease amendments, to allow for expeditious rent forgiveness necessitated by Airport tenants' financial hardships caused by the public health emergency related to the COVID-19 pandemic. (Airport Commission)

Ordinance No. 005-21

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee**201279 [Settlement of Lawsuit - Bay Area Motivate, LLC - \$330,000]**

Ordinance authorizing settlement of the lawsuit filed by Bay Area Motivate, LLC against the City and County of San Francisco for \$330,000 and other mutually beneficial terms; the lawsuit was filed on June 7, 2019, in San Francisco Superior Court, Case No. CGC-19-576554; entitled Bay Area Motivate, LLC v. City and County of San Francisco, San Francisco Municipal Transportation Agency, and Does 1-50; the lawsuit involves claims for breach of contract and declaratory relief; other material terms of the settlement involve the San Francisco Municipal Transportation Agency's agreement to acknowledge Bay Area Motivate, LLC's contractual exclusivity while retaining the ability to utilize a second bike share operator in certain enumerated circumstances, and other programmatic and operational terms regarding the Bay Area Bike Share Program in San Francisco. (City Attorney)

Ordinance No. 006-21

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee**201060 [Planning Code - Light Manufacturing and Wholesale Storage Uses in the 24th Street-Mission Street Neighborhood Commercial Transit District]**

Sponsor: Ronen

Ordinance amending the Planning Code to allow Light Manufacturing and Wholesale Storage uses in the 24th Street-Mission Street Neighborhood Commercial Transit District, in specific circumstances; affirming the Planning Department's determination 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, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Ordinance No. 001-21

FINALLY PASSED

201184 [Summary Street Vacation for Various Streets - Hunters View Phase 3 Project]**Sponsors: Mayor; Walton**

Ordinance ordering the summary vacation of streets in the Hunters View project site, generally bounded by Evans Avenue on the north, Innes Avenue on the south, Hudson Avenue on the west, and Hunters Point Boulevard on the east, as part of the Hunters View Phase 3 Project in the Hunters Point neighborhood; authorizing the City to quitclaim its interest in the vacation areas (Assessor's Parcel Block No. 4624, Lot Nos. 442 and 443) to the San Francisco Housing Authority notwithstanding the requirements of Administrative Code, Chapter 23; affirming the Planning Commission'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.

Ordinance No. 002-21**FINALLY PASSED****201261 [Planning Code - Cannabis Uses]****Sponsors: Mayor; Mandelman**

Ordinance amending the Planning Code to extend from January 1, 2021, to January 1, 2022, the sunset date for the provision allowing for the conversion of Medical Cannabis Dispensaries with Planning Commission approval to a Cannabis Retail Use; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and welfare findings under Planning Code, Section 302.

Ordinance No. 004-21**FINALLY PASSED****The foregoing items were acted upon by the following vote:**

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

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

201260 [Fee and Tax Relief for Certain Businesses]

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

Ordinance waiving certain license fees originally due on March 31, 2020, and March 31, 2021, business registration fees for the fiscal years beginning July 1, 2020, and July 1, 2021, and payroll expense taxes for the tax year beginning January 1, 2020, for businesses with no more than \$20,000,000 in San Francisco gross receipts holding a place of entertainment permit; waiving certain license fees originally due on March 31, 2020, business registration fees for the fiscal year beginning July 1, 2020, and payroll expense taxes for the tax year beginning January 1, 2020, for businesses with no more than \$750,000 in San Francisco gross receipts holding a restaurant permit; refunding any waived amounts paid to the City; extending the deadline to pay license fees originally due on March 31, 2020, and March 31, 2021, to November 1, 2021; extending the deadline to pay business registration fees originally due on June 1, 2020, to April 30, 2021; and extending the deadline to pay and file returns for certain business taxes for the 2020 tax year to April 30, 2021.

(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

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

200933 [Contract Amendment - Cross Country Staffing, Inc. - Registry Services - Not to Exceed \$25,928,000]

Resolution approving Amendment No. 2 to the agreement between Cross Country Staffing, Inc. and the Department of Public Health, for as-needed registry personnel to maintain mandated staffing levels, to increase the agreement amount by \$16,088,000 for a new not to exceed amount of \$25,928,000 to commence following Board approval, and to extend the term by one and one-half years, from January 1, 2021, for a total agreement term of July 1, 2019, through June 30, 2022.

(Public Health Department)

(Fiscal Impact)

Resolution No. 001-21

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

201219 [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]

Sponsor: Yee

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining disclosure requirements for designated officials and employees.

PASSED ON FIRST READING by the following vote:

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

201146 [Mayoral Appointment, Municipal Transportation Agency Board of Directors - Emanuel Yekutiel]

Motion approving the Mayor's nomination for appointment of Emanuel Yekutiel to the Municipal Transportation Agency Board of Directors, term ending March 1, 2024. (Clerk of the Board) (Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: October 5, 2020.)

Privilege of the floor was granted unanimously to Joel Ramos (Municipal Transportation Agency), Anne Pearson (Office of the City Attorney), and Sophia Kittler (Mayor's Office) who responded to questions raised throughout the discussion.

Motion No. M21-001

APPROVED by the following vote:

Ayes: 9 - Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

Noes: 2 - Fewer, Preston

201237 [Mayoral Appointment, Municipal Transportation Agency Board of Directors - Fiona Hinze]

Motion approving the Mayor's nomination for appointment of Fiona Hinze to the Municipal Transportation Agency Board of Directors, term ending March 1, 2024. (Clerk of the Board) (Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: October 29, 2020.)

Motion No. M21-002

APPROVED by the following vote:

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

201323 [Reappointments, Bicycle Advisory Committee - Marc Brandt and Kisai Henriquez]

Motion reappointing Marc Brandt and Kisai Henriquez, terms ending November 19, 2022, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M21-003

APPROVED by the following vote:

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

201338 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Kelly Kozak]

Motion appointing Kelly Kozak, term ending October 19, 2021, to the Eastern Neighborhoods Community Advisory Committee. (Rules Committee)

Motion No. M21-004

APPROVED by the following vote:

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

201341 [Appointment, South of Market Community Planning Advisory Committee - Mary Claire Amable]

Motion appointing Mary Claire Amable, term ending August 1, 2021, to the South of Market Community Planning Advisory Committee. (Rules Committee)

Motion No. M21-005

APPROVED by the following vote:

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

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

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

COMMITTEE REPORTS**Recommendation of the Land Use and Transportation Committee****201316 [Street Encroachment Permit - Retroactive - Harlan Place - 300 Grant Avenue]**

Resolution retroactively granting revocable permission to A-Z300 Grant LLC, to occupy and maintain the pavers, benches, bollards, and raised crosswalk improvements within the public right-of-way on Harlan Place between Grant Avenue and Mark Lane fronting 300 Grant Avenue (Assessor's Parcel Block No. 0287, Lot No. 014) effective November 16, 2020; adopting environmental findings under the California Environmental Quality Act, and making findings of consistency with the priority policies of Planning Code, Section 101.1. (Public Works)

Resolution No. 002-21

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

Max; shared various experiences with the lack of efficient homeless services and medical treatment received at certain hospitals.

Barry Toronto; wished Supervisors Fewer and Yee well in their next endeavors and expressed concerns regarding the recent fatal hit-and-run.

Jackson; expressed concerns regarding transportation construction that disrupts the neighborhood and the need for the City to provide advanced notification.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

201401 [Urging City Departments to Prioritize Providing Aid to Independent Venues]

Sponsors: Haney; Walton, Ronen, Preston and Mandelman

Resolution urging the Controller, Office of Economic and Workforce Development, and Office of Small Business to work together and prioritize providing aid to independent venues in San Francisco to help them survive their forced temporary-closure due to the COVID-19 pandemic, and to help prevent them from closing permanently.

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

Resolution No. 003-21

ADOPTED

201402 [Urging the Reopening of the City College Civic Center Campus]

Sponsor: Haney

Resolution urging City College of San Francisco to reopen the Civic Center Campus, located at 750 Eddy Street, and maintain a presence in the central city.

Resolution No. 004-21

ADOPTED

201419 [Supporting Immediate Economic Relief for Small Businesses]

Sponsors: Haney; Walton and Safai

Resolution supporting the immediate prioritization of small business economic relief in the appropriation of discretionary funds.

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

Resolution No. 007-21

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Peskin requested that File Nos. 201362, 201376, 201403, 201421, and 201406 be severed so that they may be considered separately.

201362 [Commending Supervisor Norman Yee]**Sponsor: Board of Supervisors**

Resolution commending and honoring Supervisor Norman Yee for his distinguished service to the City and County of San Francisco, and as President and Member of the San Francisco Board of Supervisors.

Resolution No. 535-20

ADOPTED by the following vote:

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

201376 [Commending Supervisor Sandra Lee Fewer]**Sponsor: Board of Supervisors**

Resolution commending and honoring Supervisor Sandra Lee Fewer for her dedicated service to San Francisco and her venerable service as a Member of the San Francisco Board of Supervisors.

Resolution No. 534-20

ADOPTED by the following vote:

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

201403 [Commending Matthew Goudeau]**Sponsors: Mandelman; Ronen, Stefani, Peskin and Safai**

Resolution commending and honoring Matthew Goudeau for his 20 years of distinguished service with the City and County of San Francisco.

Supervisors Stefani, Peskin, and Safai requested to be added as co-sponsors.

Resolution No. 005-21

ADOPTED by the following vote:

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

Supervisor Walton requested that File No. 201405 be severed so that it may be considered separately.

201405 [Urging Grocery Stores to Provide All Employees an Additional Five Dollars Per Hour in Hazard Pay]

Sponsors: Walton; Haney, Ronen, Preston, Safai, Mandelman, Mar, Peskin, Yee and Fewer
Resolution urging Grocery Stores in San Francisco to provide all employees an additional five dollars per hour in hazard pay for the duration that the City and County of San Francisco is in the Purple, Red, or Orange level of Community Disease Transmission for COVID-19 under State Health orders.

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

Supervisor Walton, seconded by Supervisor Fewer, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 3, Line 10, by striking '12' and adding '40', and Lines 19-20, by adding 'that are considered Formula Retail Establishments'. The motion carried by the following vote:

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

Resolution No. 006-21

ADOPTED AS AMENDED by the following vote:

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

201421 [Supporting California State Assembly Bill Nos. 15 and 16 (Chiu) - Eviction Protections]

Sponsors: Peskin; Haney, Walton, Fewer, Mandelman, Safai, Yee, Ronen and Preston
Resolution supporting California State Assembly Bill Nos. 15 and 16, introduced on December 7, 2020, by Assembly Member David Chiu (AD-17), which would extend certain eviction protections through December 31, 2021, and establish a fund and framework for distribution of financial support to ensure long-term stability for renters, small landlords, and affordable housing providers, protect tenants during the ongoing public health crisis, and ensure an equitable, broadly shared recovery.

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

Supervisor Peskin, seconded by Supervisor Preston, moved that this Resolution be **AMENDED** on Page 3, Line 11, by striking 'bet' and adding 'be'. The motion carried by the following vote:

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

Supervisor Preston, seconded by Supervisor Peskin, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 3, Lines 12-14, by adding 'FURTHER RESOLVED, That the San Francisco Board of Supervisors urges that Assembly Bill No. 15 be amended to remove any preemption of local tenant protections during the pandemic; and, be it'. The motion carried by the following vote:

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

Resolution No. 008-21

ADOPTED AS AMENDED by the following vote:

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

201406 [Appointment, Health Officer - Grant Nash Colfax, MD]**Sponsors: Peskin; Safai**

Motion appointing Grant Nash Colfax, MD, to the position of Health Officer for the City and County of San Francisco.

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

Supervisor Peskin, seconded by Supervisor Walton, moved that this Motion be REFERRED to the Rules Committee. The motion carried by the following vote:

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

Supervisor Fewer requested that File No. 201416 be severed so that it may be considered separately.

201416 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-Second Supplement]**Sponsor: Yee**

Motion concurring in actions taken by the Mayor in the Thirty-Second Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by authorizing the Mayor, upon the request of a department, to provide an extension of up to 30 days to submit and post the department's racial equity action plan, upon a showing by the department that it is unable to meet the deadline because the current surge in COVID-19 cases has required it to divert resources to the emergency response.

Privilege of the floor was granted unanimously to Sophia Kittler (Mayor's Office) who responded to questions raised throughout the discussion.

Motion No. M21-006**APPROVED by the following vote:**

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

ORDINANCES

201385 [Planning Code, Zoning Map - 542-550 Howard Street]

Sponsor: Haney

Ordinance amending the Planning Code and Zoning Map to rezone and reclassify a portion of the 542-550 Howard Street project site (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F) and as shown on Figure 1 of the Transit Center District Plan, specifically to rezone a portion of the project site from the split P (Public) District/C-3-O (SD) to the C-3-O (SD) Downtown Office Special Development District and to reclassify the height and bulk district designations for a portion of the project site; waiving certain provisions of the Planning Code to allow the project to satisfy its affordable housing requirement through payment of an in-lieu affordable housing fee to the Office of Community Investment and Infrastructure for use within the Transbay Redevelopment Project Area, to modify timing for payment of fees, and to permit the footprint of the portion of the project site dedicated to dwellings to exceed 15,000 square feet; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

12/15/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/14/2021.

01/05/21; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

210014 [Appropriation - COVID Contingency Reserve - Human Services Agency - Restaurant and Food Service Businesses in Chinatown - \$1,900,000 - FY2020-2021 - Authorizing the Controller to Reduce COVID Contingency Reserve Appropriations and Return Funds]

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

Ordinance appropriating \$1,900,000 from the COVID Contingency Reserve in the Human Services Agency to provide assistance to restaurant and food service businesses in Chinatown in Fiscal Year (FY) 2020-2021; and authorizing the Controller to reduce appropriations and return funds to the COVID Contingency Reserve to the extent that State and/or Federal funds are available for reimbursement.

(Fiscal Impact)

01/05/21; ASSIGNED to Budget and Finance Committee.

210015 [Building Code - Expanded Compliance Control and Consumer Protections Where History of Significant Violations]**Sponsors: Ronen; Peskin, Haney, Preston and Melgar**

Ordinance amending the Building Code to implement expanded compliance control and consumer protection provisions for projects, individuals, agents, and entities with a history of significant violations; and affirming the Planning Department's determination under the California Environmental Quality Act.

01/05/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/4/2021.

RESOLUTIONS**210016 [Initiating Landmark Designation - 800 Chestnut Street - Diego Rivera Mural "The Making of a Fresco Showing the Building of a City"]****Sponsors: Peskin; Melgar and Ronen**

Resolution initiating a landmark designation under Article 10 of the Planning Code for Diego Rivera's fresco, titled "The Making of a Fresco Showing the Building of a City," painted in 1931 and located at 800 Chestnut Street.

01/05/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

210017 [Urging California Regents to Consider the Proposed UCSF Parnassus Expansion Plan EIR]**Sponsor: Preston**

Resolution urging the California Regents to move consideration of the proposed University of California at San Francisco (UCSF) Parnassus Expansion Plan Environmental Impact Report (EIR) and Amendment to the 2014 Long Range Development Plan (LRDP) from their January 2021 meeting to their March 2021 meeting.

01/05/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

210018 [Urging the City and County of San Francisco to Support and/or Fund SFUSD Class of 2021 Senior Activities]**Sponsor: Safai**

Resolution urging the Board of Supervisors to save San Francisco Unified School District (SFUSD) Senior Class of 2021 activities by providing support, funds and/or city resources; and if allowable under current health orders, to be made available to SFUSD Seniors for senior specific activities.

01/05/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

MOTIONS

200686 [Budget and Legislative Analyst Performance Audit - Operational Overlap on Sewer Repair Between Public Works and the Public Utilities Commission]

Sponsor: Ronen

Motion directing the Budget and Legislative Analyst to conduct a limited scope performance audit of sewer repair to determine if savings could be achieved through a restructuring of sewer repair work orders between Public Works and the Public Utilities Commission.

06/23/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

07/01/20; REFERRED TO DEPARTMENT.

01/05/21; REACTIVATED PURSUANT TO RULE 3.42 to Government Audit and Oversight Committee.

210012 [Mayoral Appointment, Public Utilities Commission - Newsha Ajami]

Motion approving/rejecting the Mayor's nomination for appointment of Newsha Ajami 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. Transmittal date: January 3, 2021.)

01/05/21; RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

210019 [Hearing - Social and Emotional Support Under School Distance Learning]

Sponsor: Ronen

Hearing to discuss how the City can better assist the San Francisco Unified School District (SFUSD) in expanding the availability of social and emotional supports for students and families by taking inventory of the existing social and emotional support programs available to district families under distance learning and identifying specific unmet needs or gaps in the capacity of these programs (i.e., the need to fund additional school social worker positions to be able to visit and work with more families in need); and requesting the SFUSD, Department of Children, Youth and Their Families, Board of Education, and United Educators of San Francisco to report.

01/05/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

210020 [Hearing - Analyzing Crime Rates, Possible Loopholes, and System Failures for People on Parole, County Probation, Federal Probation and Pre-Trial Diversion]

Sponsors: Safai; Stefani and Melgar

Hearing to analyze possible loopholes or areas of failure in our criminal justice system for individuals with active criminal justice cases and/or individuals presently under state, federal, or local supervision; to analyze the frequency in which people on parole, county probation, federal probation and pre-trial diversion are being re-incarcerated in a given year; determine whether these additional arrests are a result of substance abuse use and/or addiction; and requesting the Office of the District Attorney, Adult Probation Department, Police Department, Sheriff's Department, California Department of Corrections and Rehabilitation, and Federal Probation Department to report.

01/05/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

210021 [Hearing - Public Safety Statistics and Policies on Parole, Rearrest, and Interagency Responsibilities]**Sponsors: Stefani; Mandelman**

Hearing on the statistics, policies, and agency responsibilities regarding parolees, instances of rearrest, and responses to data requests in the Letter of Inquiry; and requesting the Police Department, Sheriff's Office, District Attorney, Adult Probation, and Juvenile Probation to report.

01/05/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES**210001 [Amendments to Real Property Leases - Forgive Tenant Rent During COVID-19 Pandemic]**

Ordinance authorizing the City Administrator to amend certain leases and forgive rent due between April 2020 and December 2020 with nonresidential tenants, and waiving Administrative Code and Environmental Code requirements enacted after the most recent modification of each lease, in order to allow for expeditious rent forgiveness necessitated by the financial hardship caused by the public health emergency related to the COVID-19 pandemic; authorizing the City Administrator to further amend leases and forgive rent due between January 2021 and June 2021, and waiving Administrative Code and Environmental Code requirements enacted after the most recent modification of each lease, without further Board of Supervisors approval under Charter, Section 9.118, and Administrative Code, Chapter 23. (City Administrator)
(Fiscal Impact; No Budget and Legislative Analyst Report)

12/28/20; RECEIVED FROM DEPARTMENT.

01/05/21; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/4/2021.

210002 [Settlement of Lawsuit - Pacific Bell Telephone Company - \$72,036]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$72,036; the lawsuit was filed on November 25, 2019, in San Francisco Superior Court, Case No. CGC-19-581035; entitled Pacific Bell Telephone Company v. City and County of San Francisco; the lawsuit involves alleged property damage arising from flooding. (City Attorney)

12/18/20; RECEIVED FROM DEPARTMENT.

01/05/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210003 [Settlement of Lawsuit - Jane Doe - City to Receive \$100,000 from The Regents of The University of California]

Ordinance authorizing settlement of the lawsuit filed by Jane Doe against the City and County of San Francisco for payment of \$100,000 by The Regents of The University of California to the City and County of San Francisco; the lawsuit was filed on April 22, 2016, in San Francisco Superior Court, Case No. CGC-16-551618; entitled Jane Doe v. The City and County of San Francisco, et al.; the lawsuit involves an alleged unauthorized disclosure of medical information. (City Attorney)

12/18/20; RECEIVED FROM DEPARTMENT.

01/05/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210004 [Settlement of Lawsuit - Sibyl Moore, Charlene Roberts, Antonio Rucker, and Thomas Anderson - \$1,200,000]

Ordinance authorizing settlement of the lawsuit filed by Sibyl Moore, Charlene Roberts, Antonio Rucker, and Thomas Anderson against the City and County of San Francisco for \$1,200,000; the lawsuit was filed on June 28, 2019, in San Francisco Superior Court, Case No. CGC-19-577141; entitled Sibyl Moore, et al. v. City and County of San Francisco, et al.; the lawsuit involves the alleged wrongful death of Ruby Anderson, Plaintiffs' mother, who was a resident of the Residential Care for the Elderly (RCFE) located at the San Francisco Behavioral Health Center (BHC). (City Attorney)

12/18/20; RECEIVED FROM DEPARTMENT.

01/05/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

210005 [Settlement of Unlitigated Claim - Special Situations Investing Group II, LLC - \$45,539]

Resolution approving the settlement of the unlitigated claim filed by Special Situations Investing Group II, LLC against the City and County of San Francisco for \$45,539; the claim was filed on July 27, 2020; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney)

12/14/20; RECEIVED FROM DEPARTMENT.

01/05/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210006 [Settlement of Unlitigated Claim - Chyna Miller - \$150,000]

Resolution approving the settlement of the unlitigated claim filed by Chyna Miller against the City and County of San Francisco for \$150,000; the claim was filed on October 8, 2018; the claim involves an allegation of civil rights violation by a Human Services Agency contractor; additional material terms of the settlement are that the contractor's insurer will pay \$450,000. (City Attorney)

12/18/20; RECEIVED FROM DEPARTMENT.

01/05/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210007 [Amended and Restated Trust Agreement - Airport Hotel Special Facility Bonds]

Resolution approving the form of an Amended and Restated Trust Agreement providing for the restructuring of the Airport Commission's \$260,000,000 aggregate principal amount of outstanding Special Facility Revenue Bonds (San Francisco International Airport Hotel), Series 2018; and approving certain related matters, as defined herein. (Airport Commission)
(Fiscal Impact)

12/14/20; RECEIVED FROM DEPARTMENT.

01/05/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210008 [Emergency Declaration - Replacement and Repair of Fences - Total Cost Not to Exceed \$4,250,000]

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission (SFPUC) pursuant to Administrative Code, Section 6.60, to replace and repair fences on SFPUC watershed land in Alameda watershed damaged by the SCU Lightning Complex Fire, with a total cost not to exceed \$4,500,000. (Public Utilities Commission)
(Fiscal Impact)

12/14/20; RECEIVED FROM DEPARTMENT.

01/05/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210009 [Contract Agreement - Retroactive - HealthRIGHT 360 - Fiscal Intermediary Check-Writing Services - Not to Exceed \$93,056,085]

Resolution retroactively approving a contract agreement between HealthRIGHT 360 and the Department of Public Health for fiscal intermediary check-writing services, in an amount not to exceed \$93,056,085 for a contract term of five years from January 1, 2021, through December 31, 2025. (Public Health Department)
(Fiscal Impact; No Budget and Legislative Analyst Report)

12/14/20; RECEIVED FROM DEPARTMENT.

01/05/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210010 [Performance Contract Amendment - California Department of Health Care Services - County of San Francisco - Mental Health Services Act and Various Programs]

Resolution retroactively authorizing the Department of Public Health to enter into Performance Contract No. 18-95270, with the California Department of Health Care Services, incorporating the Mental Health Services Act, Lanterman-Petris-Short Act, Projects for Assistance in Transition from Homelessness, Community Mental Health Services Block Grant, Substance Abuse Treatment and Prevention Block Grant, and Crisis Counseling Assistance and Training Program for the period of July 1, 2018, through June 30, 2021. (Public Health Department)

12/28/20; RECEIVED FROM DEPARTMENT.

01/05/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Stefani

To: District Attorney; Chief Scott; Sheriff Miyamoto; Chief Fletcher; Chief Miller

Requesting/Inquiring: I am writing to you all in response to recent reports of serial repeat offenders whose release from custody precipitated dangerous incidents in which innocent bystanders were killed. In the most egregious example, this past New Year's Eve, Hanako Abe and Elizabeth Platt were struck and killed by an individual who was arrested for serious offenses in April, June, August, October, November, and December of last year. The District Attorney has indicated that the suspect in this case was referred to parole, rather than being charged with additional offenses, because that was reportedly the most likely avenue for intervention to occur, yet the individual appears to have been referred to parole several times in the past year without intervention. The public needs to understand exactly what happens when an individual on parole is arrested for new offenses. I am formally requesting data on the number of individuals who are arrested while on parole and whether any charges were filed for these individuals over the past three years. I would also like to better understand what policies or recent policy changes have governed these decisions. In June, Kelvin Chew was shot and killed during an attempted robbery. During the preceding months, his assailant was arrested and booked on a number of serious firearms charges before being released. I would also like to formally request data on the rearrest rates in San Francisco. Of all arrests that have been made over the past three years, how many individuals had previously been arrested? Additionally, what percentage of the individuals involved in these arrests resided outside of San Francisco? I would like this information to include burglary, motor vehicle theft, arson, drug sales, and drug possession for sales. Each of you, as leaders of our public safety departments, has a part in collecting and maintaining this information and, more importantly, in working together to advance the goals of public safety, including equity, fairness, and transparency. The lack of clarity around these cases and who is ultimately responsible for their outcomes has undermined public confidence in our ability to meaningfully preserve San Franciscans' health and safety. Those responsible for violence should be held accountable to the fullest extent of the law. In addition to this letter, I have called for a hearing at the Board of Supervisors to review and discuss your responses publicly, and I will likewise invite the California Department of Corrections and Rehabilitation to present or provide a response. Thank you for your cooperation.

In Memoriams

Judy Yung - Supervisor Peskin

Hanako Abe - President Yee

Elizabeth Platt - President Yee

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:00 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 February 9, 2021.

Angela Calvillo, Clerk of the Board