

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, February 15, 2022 - 2:00 PM

IN-PERSON MEETING

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

(remote access provided)

(remote public comment provided via teleconference)

www.sfgovtv.org

Regular Meeting

SHAMANN WALTON, PRESIDENT

CONNIE CHAN, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, MYRNA MELGAR,
AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AISHA SAFAI, CATHERINE STEFANI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Appropriations Committee

Supervisors Haney, Safai, Mar, Ronen, Walton

Wednesday

1:00 PM

Budget and Finance Committee

Supervisors Haney, Safai, Mar

Wednesday

10:30 AM

Government Audit and Oversight Committee

Supervisors Preston, Chan, Mandelman

1st and 3rd Thursday

10:00 AM

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Monday

1:30 PM

Public Safety and Neighborhood Services Committee

Supervisors Mar, Stefani, Haney

2nd and 4th Thursday

10:00 AM

Rules Committee

Supervisors Peskin, Mandelman, Chan

Monday

10:00 AM

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Melgar

2nd Friday

10:00 AM

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

Volume 117 Number 6

Members Present: Connie Chan, Matt Haney, Rafael Mandelman, Gordon Mar, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, and Shamann Walton

The Board of Supervisors of the City and County of San Francisco met in regular session, and provided public comment through teleconferencing, on Tuesday, February 15, 2022, with President Shamann Walton presiding.

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

Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors (Board) authorized their Board and Committee meetings to convene remotely and allow remote public comment via teleconference. Effective June 29, 2021, the Board and staff began to reconvene for in-person Board proceedings. Committee meetings will continue to convene remotely until further notice. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>. 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 Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton were noted present.

All Members of the Board were present.

President Walton presented the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula, pursuant to Board Rule 4.7.1.

COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes by dialing the provided telephone number. When connected, they 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.*

APPROVAL OF MEETING MINUTES

President Walton inquired whether any Member of the Board had any corrections to the January 11, 2022, Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Peskin, seconded by Supervisor Ronen, moved to approve the January 11, 2022, Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

211196 [Adding Territory to and Adopting Amendments to the Infrastructure Financing Plan for Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]

Sponsor: Mayor

Ordinance adding territory to and adopting amendments to the Infrastructure Financing Plan for City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) and project areas therein; and determining other matters in connection therewith, as defined herein.

Ordinance No. 029-22

FINALLY PASSED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Recommendation of the Budget and Finance Committee

220013 [Public Works Code - Mobile Food Facility Permit Renewal Fees Collection]

Sponsors: Mayor; Mar, Haney, Safai and Mandelman

Ordinance amending the Public Works Code to permit the Office of the Treasurer and Tax Collector to collect the Mobile Food Facility renewal fees on the unified license bill due annually on March 31.

Ordinance No. 030-22

FINALLY PASSED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Recommendation of the Government Audit and Oversight Committee

211221 [Settlement of Lawsuit - Dacari Spiers - \$700,000]

Ordinance authorizing settlement of the lawsuit filed by Dacari Spiers against the City and County of San Francisco for \$700,000; the lawsuit was filed on March 6, 2020, in United States District Court, Northern District of California, Case No. 20-cv-01357-JSC; entitled Dacari Spiers v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)

Ordinance No. 020-22

FINALLY PASSED by the following vote:

Ayes: 9 - Chan, Haney, Mar, Melgar, Peskin, Preston, Ronen, Safai, Walton

Noes: 2 - Mandelman, Stefani

Recommendation of the Public Safety and Neighborhood Services Committee

211172 [Administrative Code - Domestic Violence Data Reporting]

Sponsors: Stefani; Melgar, Safai, Haney, Mar, Mandelman, Ronen and Walton

Ordinance amending the Administrative Code to require the Police Department and the District Attorney to submit quarterly reports to the Board of Supervisors, the Mayor, and various City departments regarding the number of cases of domestic violence and cases involving certain types of abuse against minors, and to require the District Attorney to submit quarterly reports to the Board of Supervisors, the Mayor, and various City departments regarding the total number of crime victims to whom the District Attorney has provided or made documented efforts to provide services.

Ordinance No. 028-22

FINALLY PASSED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Recommendations of the Rules Committee

211286 [Charter Amendment - Building Inspection Commission]

Sponsors: Melgar; Peskin, Ronen, Mandelman, Safai and Mar

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to revise the duties, composition, and method of appointment for members of the Building Inspection Commission; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on June 7, 2022.

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

ORDERED SUBMITTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

211287 [Charter Amendment - Timelines for Recall Process; Filling Vacancies in Elected Offices]

Sponsors: Peskin; Walton, Ronen and Preston

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to extend the ban on the initiation of recall petitions from six to twelve months after the official has assumed office; prohibit the submission of a recall petition to the Department of Elections, if the subsequent recall election would be required to be held within twelve months of a regularly scheduled election for the office held by the official sought to be recalled; and provide that any interim officer appointed to fill a vacancy created by a recall election, held on or after June 7, 2022, may not be a candidate in the subsequent vacancy election; at an election to be held on June 7, 2022.

A revised Legislative Digest (Version 3) was submitted for the legislative file to clarify certain provisions.

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

ORDERED SUBMITTED by the following vote:

Ayes: 7 - Chan, Haney, Mar, Peskin, Preston, Ronen, Walton

Noes: 4 - Mandelman, Melgar, Safai, Stefani

Referred Without Recommendation from the Rules Committee

220069 [Mayoral Reappointment, Juvenile Probation Commission - Andrea Shorter]

Motion approving/rejecting the Mayor's nomination for the reappointment of Andrea Shorter to the Juvenile Probation Commission, term ending January 15, 2026. (Clerk of the Board) (Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the 30 day period shall result in the appointee continuing to serve as appointed. Transmittal date: January 19, 2022.)

(Supervisor Mandelman dissented in committee.)

Clerk Calvillo informed the Board that confirmation was received, from the Mayor's Office and the Juvenile Probation Commission (Commission), indicating Andrea Shorter resigned from the Commission and withdrew her name from consideration for reappointment, as of February 11, 2022; this matter is now moot and shall be tabled by operation of law.

TABLED BY OPERATION OF LAW

NEW BUSINESS

Recommendations of the Budget and Finance Committee

211261 [Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - U.S. Department of Justice's Office of Violence Against Women - Domestic Violence High Risk Program - \$1,000,000]

Sponsors: Mayor; Stefani, Mandelman and Ronen

Ordinance retroactively authorizing the Department on the Status of Women to accept and expend a grant in the amount of \$1,000,000 through the United States (U.S.) Department of Justice's Office of Violence Against Women for the Domestic Violence High Risk Program, and amending Ordinance No. 109-21 (Annual Salary Ordinance File No. 210644 for Fiscal Years (FYs) 2021-2022, 2022-2023) to provide for the addition of one grant-funded Class 1820 Junior Administrative Analyst position (FTE 1.00) for the period of October 1, 2021, through September 30, 2024. (Department on the Status of Women)

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

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

211129 [Contract Amendment - Bayview Hunters Point Foundation for Community Improvement - Behavioral Health Services - Not to Exceed \$13,489,343]

Resolution approving Amendment No. 2 to the agreement between Bayview Hunters Point Foundation for Community Improvement and the Department of Public Health (DPH) for behavioral health services, to increase the agreement by \$3,689,230 for an amount not to exceed \$13,489,343; and to extend the term by fifteen months from March 31, 2022, to June 30, 2023, for a total agreement term of July 1, 2018, through June 30, 2023; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract. (Public Health Department)
(Fiscal Impact)

Resolution No. 051-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

211236 [Contract Amendment - 1231 Market Street Owner L.P. - Emergency Agreement - 1231 Market Street - Not to Exceed \$78,972,179]

Sponsor: Mayor

Resolution approving a fifth amendment to an emergency agreement between the Human Services Agency (HSA) and 1231 Market Street Owner L.P., for the City's continued use of 459 hotel rooms and associated services located at the Hotel Whitcomb on 1231 Market Street; increasing the contract amount by \$24,456,776 for a total amount not to exceed \$78,972,179; extending the booking period, which expires on March 1, 2022, for a potential total term of April 8, 2020, through December 1, 2022; and to authorize the Executive Director of HSA to enter into amendments or modifications to the contract that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution.
(Fiscal Impact)

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Peskin, seconded by Supervisor Chan, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 1, 2022. The motion carried by the following vote:

Ayes: 10 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Absent: 1 - Haney

211305 [Lease and Management Agreement Amendment - Botanical Garden Society - Botanical Garden, Japanese Tea Garden, and Conservatory of Flowers in Golden Gate Park]

Sponsor: Mayor

Resolution approving and authorizing an amendment to the Lease and Management Agreement between the Recreation and Park Department and the San Francisco Botanical Garden Society for the San Francisco Botanical Garden in Golden Gate Park, to also include the Japanese Tea Garden and the Conservatory of Flowers as part of the leased premises (which shall be known collectively as "the Gardens of Golden Gate Park"), to commence upon approval by the Board of Supervisors. (Recreation and Park Department)

Resolution No. 053-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220003 [Contract Amendment - Retroactive - Chinese Hospital Association - Skilled Nursing Services - Not to Exceed \$19,000,000]

Resolution retroactively approving Amendment No. 2 to the agreement between the Chinese Hospital Association and the Department of Public Health (DPH) for skilled nursing services to provide COVID-19 surge capacity, to increase the agreement by \$9,500,000 for a total not to exceed amount of \$19,000,000; and to extend the term by one year from December 31, 2021, for a total agreement term of December 1, 2020, through December 31, 2022; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract. (Public Health Department)
(Fiscal Impact)

Resolution No. 054-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

President Walton requested File Nos. 220004, 220005, 220006, and 220007 be called together. During the discussion on these matters, privilege of the floor was granted unanimously to Ben Rosenfield, Controller (Office of the City Controller), who responded to questions raised.

220004 [Agreement Amendment - Retroactive - IMCO Parking, LLC - Garage Management Services - Not to Exceed \$46,478,944]

Resolution retroactively authorizing the San Francisco Municipal Transportation Agency to approve an agreement with IMCO Parking LLC for the management of the 5th and Mission Garage with total expenditures in the amount of \$42,959,252 from March 1, 2012, through January 31, 2022; and approving the Fourth Amendment to extend the contract term one year from March 1, 2022, for a total term of 11 years from March 1, 2012, through February 28, 2023, to correct the contract amount and increase the contract amount by \$3,519,692 for a total contract amount of \$46,478,944. (Municipal Transportation Agency)

Resolution No. 055-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220005 [Contract Amendment - Retroactive - Imperial Parking (U.S.), LLC - Garage Management Services - Not to Exceed \$65,588,907]

Resolution retroactively authorizing the San Francisco Municipal Transportation Agency to approve Contract No. SFMTA-2011/12-9 with Imperial Parking (U.S.) LLC for management of the Group A Garages comprising the Civic Center Garage, Sutter Stockton Garage, Lombard Street Garage, Performing Arts Garage, Pierce Street Garage, Mission Bartlett Garage, 16th & Hoff Streets Garage, and the 7th & Harrison Parking Lot with total expenditures of \$60,384,459 from February 1, 2012, through January 31, 2022; and approving the Fifth Amendment to extend the contract term one year from February 1, 2022, for a total term of 11 years from February 1, 2012, to January 31, 2023, to correct the contract amount and increase the contract amount by \$5,204,448 for a total contract amount of \$65,588,907. (Municipal Transportation Agency)

Resolution No. 056-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220006 [Contract Amendment - Retroactive - IMCO Parking, LLC - Garage Management Services - Not to Exceed \$45,684,255]

Resolution retroactively authorizing the San Francisco Municipal Transportation Agency to approve Contract No. SFMTA-2011/12-10 with IMCO Parking LLC for the management of the Group B garages comprising St. Mary's Square Garage, Portsmouth Square Garage, Golden Gateway Garage, and the Kezar Stadium Parking Lot with total expenditures in the amount of \$42,261,248 from February 1, 2012, through January 31, 2022; and approving the Seventh Amendment to extend the contract term one year from February 1, 2022, for a total term of 11 years from February 1, 2012, to January 31, 2023, to correct the contract amount and increase the contract amount by \$3,423,007 for total contract amount of \$45,684,255. (Municipal Transportation Agency)

Resolution No. 057-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220007 [Contract Amendment - Retroactive - LAZ Parking California, LLC - Garage Management Services - Not to Exceed \$92,377,245]

Resolution retroactively authorizing the San Francisco Municipal Transportation Agency to approve Contract No. SFMTA-2011/12-11 with LAZ Parking California LLC for the management of the Group C garages comprising the Union Square Garage, Moscone Center Garage, Ellis-O'Farrell Garage, Polk Bush Garage, North Beach Garage, Vallejo Street Garage, and the Zuckerberg-San Francisco General Hospital Garage with total expenditures in the amount of \$85,744,424 from February 1, 2012, through January 31, 2022; and approving the Fifth Amendment to extend the contract term one year from February 1, 2022, for a total term of 11 years from February 1, 2012, to January 31, 2023, to correct the contract amount and increase the contract amount by \$6,632,821 for a total contract amount of \$92,377,245. (Municipal Transportation Agency)

Resolution No. 058-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220010 [Airport Professional Services Contract Modification - Covenant Aviation Security, LLC - General Airport Security Services - Not to Exceed \$19,685,578]

Resolution approving Modification No. 2 to Contract No. 50178 with Covenant Aviation Security, LLC to exercise the last two-year option to extend the term through June 30, 2024, and increase the contract amount by \$7,900,324 for a new contract amount not to exceed \$19,685,578 pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

Resolution No. 059-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220044 [Master Agreement - California Department of Transportation - State-Funded Transportation Projects]**Sponsors: Mayor; Mandelman and Haney**

Resolution approving the execution of Master Agreement No. 04-6328S21 for State-Funded Projects between the City and County of San Francisco, through its Municipal Transportation Agency, and the State of California, through its Department of Transportation, for the funding of transportation-related projects.

Resolution No. 060-22**ADOPTED by the following vote:**

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220092 [Ground Lease and Loan Agreement - Octavia RSU Associates, L.P. - 78 Haight Street and 120 Octavia Street - 100% Affordable Housing - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$26,746,467]**Sponsors: Mayor; Preston**

Resolution 1) approving and authorizing the Director of Property and the Mayor's Office of Housing and Community Development ("MOHCD") to enter into a Ground Lease for real property owned by the City and located at 78 Haight Street and 120 Octavia Street ("Property") with the Octavia RSU Associates, L.P. for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 ("Ground Lease") in order to construct a 100% affordable, 63-unit multifamily rental housing development affordable to low-income households, including 32 units for Transitional Age Youth, of which 15 units will be targeted to residents who qualify as homeless households under the No Place Like Home Criteria, and including a childcare center (collectively, the "Project"); 2) approving and authorizing a Loan Agreement in an amount not to exceed \$26,746,467 for a minimum loan term of 57 years ("Loan Agreement") to finance the development and construction of the Project; 3) adopting findings declaring that the Property is "exempt surplus land" pursuant to the California Surplus Lands Act; 4) determining that the less than market rent payable under the Ground Lease will serve a public purpose by providing affordable housing for low-income households in need, in accordance with Section 23.3 of the Administrative Code; 5) adopting findings that the Project and proposed transactions are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 6) authorizing the Director of Property and/or the Director of MOHCD to execute the Ground Lease and the Loan Agreement, and make certain modifications to such agreements, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

Resolution No. 062-22**ADOPTED by the following vote:**

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Recommendation of the Government Audit and Oversight Committee

201125 [Follow-Up Board Response - Civil Grand Jury Report - A Recycling Reality Check: What Actually Happens to Things We Put in Our Blue Recycling Bins]

Motion responding to the Civil Grand Jury's request to provide a status update on the Board of Supervisors' response to Recommendation No. R1, R2, and R3 contained in the 2019-2020 Civil Grand Jury Report, entitled "A Recycling Reality Check: What Actually Happens to Things We Put in Our Blue Recycling Bins." (Government Audit and Oversight Committee)

Motion No. M22-019

APPROVED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Recommendations of the Rules Committee

211096 [Administrative Code - Tenant Organizing]

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

Ordinance amending the Administrative Code to require residential landlords to allow tenant organizing activities to occur in common areas of the building; require certain residential landlords to recognize duly-established tenant associations, confer in good faith with said associations, and attend some of their meetings upon request; and provide that a landlord's failure to allow organizing activities or comply with their obligations as to tenant associations may support a petition for a rent reduction.

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

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

President Walton requested File Nos. 211231 and 220077 be called together.

211231 [Appointment, Treasury Oversight Committee - Nancy Hom]

Motion approving the Treasurer's nomination of Nancy Hom, for a term ending June 17, 2022, to the Treasury Oversight Committee. (Clerk of the Board)

Motion No. M22-020

APPROVED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220077 [Appointment, Treasury Oversight Committee - Jan Mazyck]

Motion approving the Treasurer's nomination of Jan Mazyck, for a term ending June 17, 2022, to the Treasury Oversight Committee. (Clerk of the Board)

Motion No. M22-021

APPROVED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

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

Supervisor Walton, seconded by Supervisor Haney, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest(s). The motion carried by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

BLACK HISTORY MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support, as referenced below:

President Walton recognized the Equity and Neighborhoods Team of the COVID Command Center, accepted by Larry McClendon and De'Anthony Jones;
Supervisor Haney recognized Cherie Davis (Hospitality House);
Supervisor Mandelman recognized Carnell Freeman;
Supervisor Mar recognized Jamae Tasker;
Supervisor Melgar recognized Ingleside Presbyterian Church and Community Center, accepted by Reverend Roland Gordon;
Supervisor Peskin recognized Joi Jackson-Morgan;
Supervisor Preston recognized Spencer Tolliver;
Supervisor Ronen recognized Elester Hubbard;
Supervisor Safai recognized INVEST Black Coalition of Lakeview/OMI Coalition, accepted by Renard Monroe, Mary Evelyn Thomas, Delia Fitzpatrick, Felisia Thibodeaux, Jeanette Wright, Monique Guidry, Alisa Fisher, Gale Rosboro, Brandon Wiley, Al Harris, Monique Morton, Kwanza Morton, Daniel Homsey, Patty Clement-Cihak, Maurice Rivers, and Gwen Brown;
Supervisor Stefani recognized Malachi Jackson; and
Supervisor Chan recognized Marria Evbuoma.

SPECIAL ORDER 3:00 P.M.

President Walton requested File Nos. 220031, 220032, 220033, and 220034 be called together.

Supervisor Safai was noted absent at 3:54 p.m.

220031 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 2000 Oakdale Avenue 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 Common Sense Exemption by the Planning Department on September 8, 2021, for the proposed project at 2000 Oakdale Avenue, Assessor's Parcel Block No. 5315, Lot No. 051, to establish a new Cannabis Retail storefront (approximately 628 square feet) within an existing cannabis Microbusiness that has a total size of 3,130 square feet. (District 10) (Appellant: Michael Lozeau of Lozeau Drury LLP, on behalf of Libkra Investments Corp.) (Filed January 5, 2022) (Clerk of the Board)

President Walton opened the public hearing and provided opening remarks, indicating he would be making a motion to continue this appeal to a future date. The President then inquired as to whether any individual wished to address the Board relating to the proposed continuance. There were no speakers. President Walton closed public comment on the continuance.

Supervisor Walton, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of March 1, 2022. The motion carried by the following vote:

Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani, Walton
Absent: 1 - Safai

220032 [Affirming the Exemption Determination - Proposed 2000 Oakdale Avenue Project]

Motion affirming the determination by the Planning Department that the proposed project at 2000 Oakdale Avenue is exempt from further environmental review. (Clerk of the Board)

Supervisor Walton, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 1, 2022. The motion carried by the following vote:

Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani, Walton
Absent: 1 - Safai

220033 [Conditionally Reversing the Exemption Determination - Proposed 2000 Oakdale Avenue Project]

Motion conditionally reversing the determination by the Planning Department that the proposed project at 2000 Oakdale Avenue is 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 Walton, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 1, 2022. The motion carried by the following vote:

Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani, Walton
Absent: 1 - Safai

220034 [Preparation of Findings to Reverse the Exemption Determination - Proposed 2000 Oakdale Avenue Project]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 2000 Oakdale Avenue is exempt from further environmental review. (Clerk of the Board)

Supervisor Walton, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 1, 2022. The motion carried by the following vote:

Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani, Walton

Absent: 1 - Safai

Supervisor Safai was noted present at 3:59 p.m.

SPECIAL ORDER 3:00 P.M.

President Walton requested File Nos. 220157, 211291, and 211290 be called together.

Board of Supervisors Sitting as a Committee of the Whole

220157 [Hearing - Committee of the Whole - General Obligation Bond Election - Muni Reliability and Street Safety - February 15, 2022, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on February 15, 2022, at 3:00 p.m., to hold a public hearing to consider an Ordinance (File No. 211290) calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 7, 2022, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded indebtedness of the City and County: \$400,000,000 to finance the costs of construction, acquisition, and improvement of certain transportation, street safety and transit related capital improvements, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code, Chapter 37; applying provisions of Administrative Code, Section 6.27, requiring certain funded projects to be subject to a Project Labor Agreement; providing for the levy and collection of taxes to pay both principal and interest on such bonds; incorporating the provisions of Administrative Code, Sections 5.30 through 5.36, setting certain procedures and requirements for the election; finding that the proposed bond is not a project under the California Environmental Quality Act (CEQA); and finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan consistency requirements of Charter, Section 4.105, and Administrative Code, Section 2A.53; and a Resolution (File No. 211291) determining and declaring that the public interest and necessity demand the subject General Obligation Bond and special election; scheduled pursuant to a motion made and approved on February 8, 2022, at the Board of Supervisor meeting, during consideration of File Nos. 211290 and 211291. (Clerk of the Board)

President Walton opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole regarding the General Obligation Bond to finance Muni reliability and street safety (File Nos. 211291 and 211290). Zachary Hertz; Bryan Hoffman; Christopher White; spoke in support of the General Obligation Bond. There were no other speakers. The President closed public comment, declared the Hearing heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Recommendations of the Budget and Finance Committee

211291 [General Obligation Bond Election - Muni Reliability and Street Safety]

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

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of transportation, street safety and transit related improvements, and other critical infrastructure and facilities for transportation system improvements and safety improvements and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code, Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such bonds; incorporating the provisions of Administrative Code, Sections 5.30-5.36; setting certain procedures and requirements for the election; finding that the proposed bond is not a project under the California Environmental Quality Act (CEQA); and finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53.

(Pursuant to California Government Code, Sections 43607 and 43608, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve passage of this Resolution.)

(Fiscal Impact)

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

Resolution No. 052-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

211290 [General Obligation Bond Election - Muni Reliability and Street Safety - \$400,000,000]**Sponsors: Mayor; Walton, Mandelman, Safai, Haney, Mar, Melgar, Ronen and Preston**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 7, 2022, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded indebtedness of the City and County: \$400,000,000 to finance the costs of construction, acquisition, and improvement of certain transportation, street safety and transit related capital improvements, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code, Chapter 37; applying provisions of Administrative Code, Section 6.27, requiring certain funded projects to be subject to a Project Labor Agreement; providing for the levy and collection of taxes to pay both principal and interest on such bonds; incorporating the provisions of Administrative Code, Sections 5.30 through 5.36, setting certain procedures and requirements for the election; finding that the proposed bond is not a project under the California Environmental Quality Act (CEQA); and finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan consistency requirements of Charter, Section 4.105, and Administrative Code, Section 2A.53.

(Pursuant to California Government Code, Sections 43607 and 43608, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)

(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

220131 [Administrative Code - COVID-19 Tenant Protections]**Sponsors: Preston; Chan, Peskin, Ronen, Walton, Melgar and Haney**

Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that came due on or after April 1, 2022, and was not paid due to the COVID-19 pandemic; and to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants.

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

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

220046 [Commemorative Street Name Designation - “Sister Vish-Knew Way” - 000 Block of Alert Alley]**Sponsors: Mandelman; Melgar, Preston and Haney**

Resolution adding the commemorative street name “Sister Vish-Knew Way” to the 000 Block of Alert Alley in recognition of activist Sister Vish-Knew, co-founder of the Sisters of Perpetual Indulgence, and her dedication to and lasting impact on San Francisco and the global LGBTQ+ community.

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

Resolution No. 061-22

ADOPTED by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Speaker; spoke in support of the Resolution commemorating the signing of Executive Order 9066, bringing awareness to the incarceration of Americans with Japanese ancestry during World War II (File No. 220153).

Dr. Emily Murase; spoke in support of the Resolution commemorating the signing of Executive Order 9066, bringing awareness to the incarceration of Americans with Japanese ancestry during World War II (File No. 220153).

Radley Davidson; spoke in support of the Resolution commemorating the signing of Executive Order 9066, bringing awareness to the incarceration of Americans with Japanese ancestry during World War II (File No. 220153); and the Resolution urging the release of Leonard Peltier from federal custody (File No. 220154).

Speaker; shared the story and experiences of a homeless individual in the City.

Paul Osaki; spoke in support of the Resolution commemorating the signing of Executive Order 9066, bringing awareness to the incarceration of Americans with Japanese ancestry during World War II (File No. 220153).

Speaker; shared concerns regarding actions taken by the Police Department.

Speaker; shared concerns regarding the state of the City due to the incompetence of City officials.

David Pilpel; shared concerns regarding the Closed Session and existing litigation with the Pacific Gas and Electric Company (File No. 220025).

Speaker; expressed concerns regarding roadwork being done during peak hours and the need to require contractors to complete work during non-peak hours.

Birdie Santiago; spoke in support of the Resolution urging the release of Leonard Peltier from federal custody and declaring February 24, 2022, as a Day of Solidarity (File No. 220154).

RJ Sloan; expressed support of the newly introduced letter of inquiry regarding the Police Department and the number of excessive force cases.

Alice Kawasaki; spoke in support of the Resolution commemorating the signing of Executive Order 9066, bringing awareness to the incarceration of Americans with Japanese ancestry during World War II (File No. 220153).

Kristy Alivio; shared concerns regarding the public safety hazards caused by homeless individuals, including the amount of fires that were started by garbage in homeless encampments.

Antonio Gonzales; spoke in support of the Resolution urging the release of Leonard Peltier from federal custody and declaring February 24, 2022, as a Day of Solidarity (File No. 220154).

CLOSED SESSION

Supervisor Haney was noted absent at 5:40 p.m. and for the remainder of the meeting.

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

220025 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - February 15, 2022]

Closed Session for the Board of Supervisors to convene on February 15, 2022, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1313, petition for review filed August 17, 2020, consolidated with No. 20-1458, petition for review filed November 16, 2020; City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1084, petition for review filed March 23, 2020; consolidated with No. 20-1297, petition for review filed August 3, 2020; In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. ER22-620-00, filed December 13, 2021; Federal Energy Regulatory Commission Case No. TX21-04-000, filed August 20, 2021; Federal Energy Regulatory Commission Case No. ER20-2878, filed September 15, 2020; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER 20-2878-000 et al, filed September 15, 2020; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. A.20-04-023, filed April 30, 2020; and California Public Utilities Commission Case No. P. 21-07-012, filed July 27, 2021; scheduled pursuant to Motion No. M22-004 (File No. 220024), approved on January 11, 2022. (Clerk of the Board)

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 6:15 p.m. to convene in closed session pursuant Motion No. M22-0004 (File No. 220024), approved on January 11, 2022, and continued to February 1, 2022.

The following Supervisors were noted present: Supervisors Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton

The following Supervisor was noted not present: Supervisor Haney

Persons in attendance: Jon Givner, Theresa Mueller, Theresa Cho, Chris Chou, Suzy Hong, Peter Milijanich, and William Sanders (Office of the City Attorney); Barbara Hale and Pamela Husing (Public Utilities Commission); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

HEARD IN CLOSED SESSION

The matter was heard in closed session, no action was taken, and the hearing was filed.

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 6:59 p.m.

The following Supervisors were noted present: Supervisors Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton

The following Supervisor was noted not present: Supervisor Haney

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Peskin, seconded by Supervisor Mandelman, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 10 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton
Absent: 1 - Haney

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Haney was noted absent at 5:40 p.m. and for the remainder of the meeting.

Supervisor Chan requested that File No. 220153 be severed so it they may be considered separately.

220153 [Commemorating the 80th Anniversary of the Signing of Executive Order 9066 - Day of Remembrance - February 19, 2022]

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

Resolution commemorating the 80th Anniversary of the signing of Executive Order 9066 and declaring February 19, 2022, as a Day of Remembrance; recognizing the need for increased public awareness of the events surrounding the incarceration of Americans of Japanese ancestry during World War II; and recognizing the role the City and County of San Francisco actively engaged in one of the most blatant acts of civil and constitutional wrongs in our country's history.

Supervisors Haney, Mandelman, Mar, Melgar, Stefani, Safai, and Ronen requested to be added as co-sponsors.

Supervisor Chan, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 12, by changing 'fabricated and' to 'and fabricated'; on Page 2, Line 18, by striking 'it'; and on Page 3, Line 11, by adding 'and incarcerated' and 'American'. The motion carried by the following vote:

Ayes: 10 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton
Absent: 1 - Haney

Resolution No. 063-22

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton
Absent: 1 - Haney

Supervisor Ronen requested that File No. 220154 be severed so it they may be considered separately.

220154 [Urging Release of Leonard Peltier from Federal Custody - Declaring February 24, 2022 as a Day of Solidarity with Leonard Peltier]

Sponsors: Ronen; Preston, Mar and Peskin

Resolution urging the Federal Government to release Leonard Peltier and grant clemency after many years of unjust confinement as a political prisoner and to declare February 24, 2022, as a Day of Solidarity with Leonard Peltier in the City and County of San Francisco.

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

Resolution No. 064-22

ADOPTED by the following vote:

Ayes: 10 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton
Absent: 1 - Haney

Supervisor Peskin requested that File No. 220155 be severed so it they may be considered separately.

220155 [Concurring in Actions to Meet Local Emergency - Drug Overdoses in the Tenderloin - Second Supplement]

Sponsor: Haney

Motion concurring in actions taken by the Mayor in the Second Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the sudden increase in drug overdoses in the Tenderloin by authorizing City departments to use expedited procurement procedures to enter into agreements related to the City's response to the emergency, with terms not to extend beyond June 30, 2022; waiving Civil Service Commission approval of such agreements, and authorizing the Mayor to transfer funds to cover the costs of such agreements.

Privilege of the floor was granted unanimously to Tom Paulino and Andres Power (Mayor's Office) who responded to questions raised throughout the discussion.

Motion No. M22-022

APPROVED by the following vote:

Ayes: 10 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton

Absent: 1 - Haney

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

211292 [Various Codes - Street Vendor Regulation]

Sponsors: Mayor; Safai, Ronen, Mar and Haney

Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.

(Fiscal Impact)

(Racial Equity Impact)

12/14/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/13/2022.

12/17/21; REFERRED TO DEPARTMENT.

12/20/21; RESPONSE RECEIVED.

12/27/21; REFERRED TO DEPARTMENT.

12/27/21; RESPONSE RECEIVED.

01/11/22; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

01/18/22; REFERRED TO DEPARTMENT.

01/20/22; RESPONSE RECEIVED.

01/20/22; TRANSFERRED to Budget and Finance Committee.

01/24/22; RESPONSE RECEIVED.

02/15/22; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

211092 [Planning Code - Automotive Uses; Housing Density]**Sponsor: Mayor**

Ordinance amending the Planning Code to increase density on lots with auto-oriented uses where housing is permitted, but which do not currently have any residential use or a legacy business, and remove the Conditional Use requirement to change the use of an Automobile Service Station or Automotive Use to another use, and amend zoning control tables to reflect this change; 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 findings of public necessity, convenience, and welfare as required by Planning Code, Section 302.

10/19/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/18/2021.

10/22/21; REFERRED TO DEPARTMENT.

12/20/21; RESPONSE RECEIVED.

02/15/22; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

210866 [Planning, Administrative, Subdivision Codes; Zoning Map - Density Exception in Residential Districts]**Sponsors: Mandelman; Haney**

Ordinance amending the Planning Code to rezone all Residential, One Family (RH-1) zoning districts to Residential, Two Family (RH-2) zoning districts, and to provide a density limit exception to permit up to four dwelling units per lot, and up to six dwelling units per lot in Corner Lots, in all RH (Residential, House) zoning districts, subject to certain requirements, including among others the replacement of protected units; amending the Subdivision Code to authorize a subdivider that is constructing new dwelling units pursuant to the density exception to submit an application for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 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.

07/27/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/26/2021.

08/03/21; REFERRED TO DEPARTMENT.

10/29/21; REMAIN ACTIVE.

01/07/22; RESPONSE RECEIVED.

02/15/22; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

RESOLUTIONS

220152 [Agreement - Complete Coach Works - Perform Mid-Life Overhaul Services for 219 Coaches - Not to Exceed \$101,659,122.25]

Sponsors: Mayor; Safai, Mar and Haney

Resolution approving an agreement between the City and County of San Francisco, by and through the Municipal Transportation Agency (MTA) and Complete Coach Works, to perform mid-life overhaul services to replace and rehabilitate systems for up to 48 standard (40 feet) Hybrid Electric New Flyer Coaches, 111 articulated (60 feet) Hybrid Electric New Flyer Coaches, and 60 articulated (60 feet) Electric Trolley Coaches, in an amount not to exceed \$101,659,122.25 for a term not to exceed five years, to commence upon execution of the agreement by the Director of Transportation after Board approval; and to authorize the MTA to enter into amendments or modifications to the contract that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract or this Resolution. (Municipal Transportation Agency)
(Fiscal Impact)

02/15/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220158 [Accept In-Kind Gift - Retroactive - Tipping Point Community - Strategic and Operational Consulting Services - Value Not to Exceed \$67,500]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Homelessness and Supportive Housing ("HSH") to accept an in-kind gift for continued strategic and operational consulting services related to the HSH's Shelter-in-Place Winddown and Rehousing Process ("SIP Rehousing Process") in a value not to exceed \$67,500 from Tipping Point Community for a term from January 1, 2022, through September 30, 2022. (Department of Homelessness and Supportive Housing)

02/15/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220159 [Interim Zoning Controls - Conditional Use Authorization for Parcel Delivery Service Uses]

Sponsors: Walton; Preston, Ronen and Chan

Resolution imposing interim zoning controls for 18 months to require a Conditional Use authorization and specified findings for proposed Parcel Delivery Service uses; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and Planning Code, Section 306.7.

02/15/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/17/2022.

MOTIONS

220163 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Forty-Fifth Supplement]

Sponsor: Walton

Motion concurring in actions taken by the Mayor in the Forty-Fifth Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by requiring City decision making boards and commissions created in the Charter to hold in-person meetings starting on March 7, 2022, and creating rules for such meetings, and requiring other City boards, commissions, and advisory bodies to continue to meet remotely; and authorizing the Human Services Agency to extend certain emergency contracts for the City's use of hotel rooms.

02/15/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

220147 [Appointment, Commission on the Aging Advisory Council - Eva Aber]

Motion appointing Eva Aber, term ending March 31, 2024, to the Commission on the Aging Advisory Council. (Clerk of the Board)

02/08/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

220148 [Appointment, Park, Recreation and Open Space Advisory Committee - John Raul Somoza]

Motion appointing John Raul Somoza, term ending February 1, 2024, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board)

02/08/22; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUEST FOR HEARING

220164 [Hearing - Permitted and Illicit Cannabis Cultivation, Public Safety, and Fire Hazard Impacts - Promotion of Permitted Cultivation in Appropriate Locations]

Sponsor: Mar

Hearing on permitted and illicit cannabis cultivation in San Francisco, the City's efforts to address public safety and fire hazard impacts, and to incentivize permitted cannabis cultivation in appropriate locations; and requesting the Office of Cannabis, Police Department, Fire Department, Department of Building Inspection, and Planning Department to report.

02/15/22; RECEIVED AND ASSIGNED to Land Use and Transportation 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 RESOLUTIONS

220138 [Use Agreement - BH/AB Productions, LLC - Development of Documentary Television Project with San Francisco Animal Care and Control]

Resolution authorizing San Francisco Animal Care and Control ("SFACC") to enter into a Use Agreement with BH/AB Productions, LLC to develop and produce a documentary television project about SFACC's animal emergency rescue calls and Animal Control Officers; and grant all necessary trademark licenses and the exclusive right for a term of no longer than one year and one week to traditional and digital networks, to commence upon approval by the Board of Supervisors. (City Administrator)

02/02/22; RECEIVED FROM DEPARTMENT.

02/15/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220143 [Cost Reimbursement Agreement - Pacific Gas and Electric Company - Management of Residual Petroleum Hydrocarbons - Pier 70]

Resolution approving the Cost Reimbursement Agreement between the Port and Pacific Gas and Electric Company for management of residual petroleum hydrocarbons on Port property within the shoreline and submerged land near the former Potrero Power Plant Site and Pier 70, for a 20-year term or reimbursement of \$5,000,000 whichever comes first, to commence upon Board approval. (Port)

02/07/22; RECEIVED FROM DEPARTMENT.

02/15/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220144 [Contract Agreement - Rebuilding Together San Francisco - Fix Lead SF - Not to Exceed \$14,300,000]

Resolution authorizing the Department of the Environment to execute a contract between the City and County of San Francisco, acting by and through its Department of the Environment, and Rebuilding Together San Francisco for the provision of the administration of the City and County's Fix Lead SF Program, a program to reduce childhood lead poisoning in San Francisco residences, for the five-year period of March 1, 2022, through February 28, 2027, in the amount not to exceed \$14,300,000 with three one-year options to extend. (Environment)

(Fiscal Impact)

02/07/22; RECEIVED FROM DEPARTMENT.

02/15/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220145 [Agreements - Long Duration Storage - Tumbleweed Energy Storage, LLC - CleanPowerSF - Not to Exceed \$65,000,000]

Resolution authorizing the Public Utilities Commission to purchase long duration energy storage from Tumbleweed Energy Storage LLC by 1) entering into the Buyer Liability Pass Through Agreement; 2) entering into the Tumbleweed Energy Storage Project Participation Share Agreement; and 3) entering into the Tumbleweed Coordinated Operations Agreement, all of which are agreements between California Community Power, CleanPowerSF, and six community choice aggregators to enable the City and County of San Francisco to purchase long duration energy storage to serve customers of CleanPowerSF with a not to exceed amount of \$65,000,000 for a 15-year term to commence upon commercial operation of the project, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

02/07/22; RECEIVED FROM DEPARTMENT.

02/15/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Hillary Ronen

To: Chief Scott of the San Francisco Police Department

Requesting: A response to Supervisor Ronen's letter regarding the SFPD's crime and clearance rates. The inquiry also requests the SFPD's crime and clearance rates be sent to the Office of the Mayor, the Department of Police Accountability, and the San Francisco Police Commission.

From: Supervisor Hillary Ronen

Requesting: A report on Mayor London Breed's 2019 Teacher Retention Stipend Pilot Program answering following questions:

- How has the stipend pilot program affected retention?*
- What has been the reception of this program from teachers and principals of the schools that were a part of the pilot program? Has the sunset of the program affected teacher retention or morale?*
- What would it cost to do a similar program again through the City?*
- If the City were to continue/restart this program, would the dollar amount of the stipend per teacher per year need to be adjusted, or was the initially allocated dollar amount considered effective?*

In Memoriam

Qing Zhi Deng - Supervisor Aaron Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour 7:01 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 March 22, 2022.

Angela Calvillo, Clerk of the Board