

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, February 8, 2022 - 2:00 PM

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

(remote public access 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

Budget and Appropriations Committee
Supervisors Haney, Safai, Mar, Ronen, Walton

Budget and Finance Committee
Supervisors Haney, Safai, Mar

Government Audit and Oversight Committee
Supervisors Preston, Chan, Mandelman

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee
Supervisors Mar, Stefani, Haney

Rules Committee
Supervisors Peskin, Mandelman, Chan

Youth, Young Adult, and Families Committee
Supervisors Ronen, Safai, Melgar

Meeting Days

Wednesday
1:00 PM

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

2nd Friday
10:00 AM

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

Members Present: Connie Chan, 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 8, 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, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, and Walton were noted present.

Supervisors Haney and Melgar were noted not present.

A quorum of the Board was 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.

Supervisor Melgar was noted present at 2:02 p.m.

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 4, 2022, Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Peskin, moved to approve the January 4, 2022, Board Meeting Minutes, as presented. Before the vote was taken and in order to excuse Supervisor Haney, Supervisor Mandelman withdrew his motion and Supervisor Peskin withdrew his second.

Supervisor Mandelman, seconded by Supervisor Peskin, moved to approve the January 4, 2022, Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

Supervisor Haney Excused from Attendance

Supervisor Mandelman, seconded by Supervisor Safai, moved that Supervisor Haney be excused from today's meeting. The motion carried by the following vote:

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

AGENDA CHANGES

There were no agenda changes.

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

220142 [Formal Policy Discussions - February 8, 2022]

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

1. Budget (District 5)

Mayor London N. Breed addressed the Board of Supervisors regarding the recent trip she took with members of San Francisco's tourism industry to Chicago and Washington D.C. and shared the concerns expressed regarding increasing tourism again, including high rental prices, increased violence, the homeless situation, and safety concerns. The Mayor further indicated the City is making decisions to bring tourism and conventions back to the City and asked for the Board's support as they implement policies to do that.

Mayor Breed then discussed the above referenced topic submitted by the District 5 Supervisor. Supervisor Preston (District 5) began the discussions by asking the following question: Will you commit to continue fully funding the tenant right to counsel program in the upcoming budget? Mayor Breed responded that she is committed and intends to fully fund the program, which she believes will not only assist tenant's right to counsel, but it will also assist with addressing the homeless problem in the City.

Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

211264 [Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - Centers for Disease Control and Prevention - Strengthening Sexually Transmitted Disease Prevention and Control for Health Departments - \$3,390,998]

Sponsors: Mayor; Mandelman

Ordinance retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$2,246,359 for a total amount of \$3,390,998 from the Centers for Disease Control and Prevention for participation in a program, entitled "Strengthening Sexually Transmitted Disease Prevention and Control for Health Departments (Sexually Transmitted Disease Prevention and Control for Health Departments)," for the period of January 1, 2021, through December 31, 2021; and amending Ordinance No. 166-20 (Annual Salary Ordinance File No. 200568 for Fiscal Years 2020-2021 and 2021-2022) to provide for the addition of eight grant-funded full-time positions in Class 0922 Manager I (1.0 FTE), Class 2593 Health Program Coordinator III (3.0 FTE), 2232 Senior Physician Specialist (1.0 FTE), Class 2803 Epidemiologist II (1.0 FTE), and 2119 Health Care Analyst (2.0 FTE). (Public Health Department)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

211220 [Settlement of Lawsuit - Peninsula Corridor Joint Powers Board - \$975,000]

Ordinance authorizing settlement of the lawsuit filed by Peninsula Corridor Joint Powers Board against the City and County of San Francisco for \$975,000; the lawsuit was filed on February 14, 2019, in the Superior Court of California, County of San Francisco, Case No. CGC-19-573781; entitled Peninsula Corridor Joint Powers Board v. Golden Bay Fence Plus Iron Works, Inc., et al.; the lawsuit involves alleged trespass onto the Peninsula Corridor Joint Powers Board's real property and damage to that property, including the severing of subsurface fiber optic lines; other material terms of the settlement are the Peninsula Corridor Joint Powers Board, in exchange for the payment of the settlement sum, agrees to dismiss the lawsuit in its entirety with prejudice and negotiate in good faith a lease for the City's use of real property located at or near 1920 Evans Street in San Francisco. (City Attorney)

FINALLY PASSED

211222 [Settlement of Lawsuit - Brendan Mannix - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Brendan Mannix against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 16, 2018, in San Francisco Superior Court, Case No. CGC-18-568967; entitled Brendan Mannix v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

211224 [Settlement of Lawsuit - Noel Clay - \$70,750]

Ordinance authorizing settlement of the lawsuit filed by Noel Clay against the City and County of San Francisco for \$70,750; the lawsuit was filed on January 16, 2019, in San Francisco Superior Court, Case No. CGC-19-572858; entitled Noel Clay v. City and County of San Francisco, Etelvina Blanco; the lawsuit involves an alleged injury when plaintiff's vehicle collided with a Department of Public Works vehicle. (City Attorney)

FINALLY PASSED

211250 [Settlement of Lawsuit - Antoine Fisher, Jayel Whitted, Tonya Lett - \$135,000]

Ordinance authorizing settlement of the lawsuit filed by Antoine Fisher, Jayel Whitted, and Tonya Lett against the City and County of San Francisco, et al., for \$135,000; the lawsuit was filed on July 2, 2019, in San Francisco Superior Court, Case No. CGC 19-577331; entitled Antoine Fisher, et al., vs. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

220002 [Settlement of Lawsuit - Regina Tatevosyan - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Regina Tatevosyan against the City and County of San Francisco for \$60,000; the lawsuit was filed on March 7, 2019, in San Francisco Superior Court, Case No. CGC-19-574376; entitled Regina Tatevosyan v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

FINALLY PASSED

Recommendation of the Rules Committee

211298 [Administrative Code - Central SoMa Legacy Business and PDR Support Fund - Jackson Playground Park Fund - Planning Code Fee Credits - Real Property Conveyance for Affordable Housing Construction]

Sponsor: Peskin

Ordinance amending the Administrative Code to create the Central SoMa Legacy Business & PDR Support Fund and the Jackson Playground Park Fund; crediting payments to be made by KR Flower Mart, LLC under the Flower Mart Development Agreement against Eastern Neighborhoods Infrastructure Fees under Planning Code Section 423 and Transportation Sustainability Fees under Planning Code Section 411A; authorizing the City to accept land located at 71 Boardman Place and 356 Harriet Street (Assessor's Block 3779, Lots 084 and 112) for affordable housing; and providing KR Flower Mart, LLC credit against Jobs-Housing Linkage Fees under Planning Code Section 413 for the value of that land; authorizing the attachment of missing pages to the Transportation Demand Management exhibit of the Development Agreement; making findings under the California Environmental Quality Act, findings of conformity with the City's General Plan and with the eight priority policies of Planning Code Section 101.1(b), and public necessity, convenience, and welfare findings under Planning Code, Section 302.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Haney

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

President Walton requested File Nos. 211200 and 211196 be called together.

211200 [Declaring Results of Special Election - Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]

Sponsor: Mayor

Resolution declaring the results of a special landowner election for City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island); and determining other matters in connection therewith, as defined herein.

ADOPTED by the following vote:

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

Excused: 1 - Haney

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.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Haney

Recommendation of the Government Audit and Oversight Committee**211223 [Settlement of Lawsuit - Leadwell Global Property LLC - Stipulated Assessed Value of \$152,600,000]**

Ordinance authorizing settlement of the lawsuit filed by Leadwell Global Property LLC against the City and County of San Francisco for a stipulated assessed value of the real property located at 1 Nob Hill Circle, aka 999 California Street, San Francisco, CA (Assessor's Parcel Block No. 0255, Lot No. 002) (the "Subject Property") of \$152,600,000 as of February 28, 2017, contingent upon the Assessment Appeals Board's approval; the lawsuit was filed on June 26, 2020, in San Francisco Superior Court, Case No. CGC-20-585163; entitled Leadwell Global Property LLC v. City and County of San Francisco, et al.; the lawsuit involves the assessed value of the Subject Property for property tax purposes as of the February 28, 2017, change in ownership date. (City Attorney)

FINALLY PASSED by the following vote:

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

Excused: 1 - Haney

NEW BUSINESS

Recommendations of the Budget and Finance Committee

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

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

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

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 Ronen requested to be added as a co-sponsor.

Supervisor Chan, seconded by Supervisor Melgar, moved that this Resolution be CONTINUED to a Committee of the Whole hearing at the Board of Supervisors meeting of February 15, 2022. The motion carried by the following vote:

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

Excused: 1 - Haney

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

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 Ronen requested to be added as a co-sponsor.

Supervisor Chan, seconded by Supervisor Melgar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 9, by changing 'Strong' to 'A strong', and changing 'systems' to 'system', Lines 10-11, by adding 'reducing mobility gaps across the City as documented in the MUNI Service Equity Strategy', Line 16, by adding 'equitable', Lines 16-18, by adding 'expand job access and connectivity for underserved communities into the outer neighborhoods of the City, and in this way the City's transportation investment will', and Lines 20-22, by adding 'L. The Board further recognizes that sustainable transportation includes inclusive investments that support the City's transit and transportation workforce and the participation of the City's local and disadvantaged business enterprises.'; on Page 5, Lines 5-7, by adding 'and applying the provisions of Administrative Code Section 6.27, requiring certain funded projects to be subject to a Project Labor Agreement'; on Page 8, Line 2, by adding 'Board of Supervisors'. The motion carried by the following vote:

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

Excused: 1 - Haney

(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 Chan, seconded by Supervisor Melgar, moved that this Ordinance be CONTINUED ON FIRST READING AS AMENDED to a Committee of the Whole hearing at the Board of Supervisors meeting of February 15, 2022. The motion carried by the following vote:

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

Excused: 1 - Haney

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.

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Haney

President Walton requested File Nos. 211266 and 211269 be called together.

211266 [Loan Agreement - Sunnydale Infrastructure Phase 1A3 LLC - Sunnydale HOPE SF - Infrastructure Improvements - Not to Exceed \$25,072,111]**Sponsors: Mayor; Walton and Safai**

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute an Amended and Restated Loan Agreement with Sunnydale Infrastructure Phase 1A3 LLC, a California limited liability company, for a total loan amount not to exceed \$25,072,111 to finance the second phase of infrastructure improvements and housing development related to the revitalization and master development of up to 1,770 units of replacement public housing, affordable housing and market rate housing, commonly known as the Sunnydale HOPE SF Development ("Sunnydale Project"); and adopting findings that the loan agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the priority policies of Planning Code, Section 101.1. (Fiscal Impact)

ADOPTED by the following vote:

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

Excused: 1 - Haney

211269 [Accept and Expend Grants - Sunnydale Infrastructure, LLC - Herz Playground Recreation Center - \$10,000,000]**Sponsors: Mayor; Walton and Safai**

Resolution authorizing the Recreation and Park Department to accept and expend cash and/or in-kind grants valued at \$10,000,000 from Sunnydale Infrastructure, LLC, to design and construct the Herz Playground Recreation Center, for a term to commence upon approval by the Board of Supervisors through June 30, 2024. (Recreation and Park Department) (Fiscal Impact)

ADOPTED by the following vote:

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

Excused: 1 - Haney

211306 [Grant Agreement - Urban Alchemy - Emergency Shelter - Not to Exceed \$18,736,820]**Sponsors: Mayor; Safai**

Resolution approving a grant agreement between Urban Alchemy and the Department of Homelessness and Supportive Housing for emergency shelter operations and support services serving approximately 250 adults experiencing homelessness at the property located at 711 Post Street, for a total term of February 1, 2022, through June 30, 2024, for a total not to exceed amount of \$18,736,820 pursuant to Charter, Section 9.118(b); affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

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

ADOPTED by the following vote:

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

220016 [Accept, and Expend Grant - California Department of Housing and Community Development - Local Housing Trust Fund Program - \$5,000,000]**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute the Standard Agreement with the California Department of Housing and Community Development under the Local Housing Trust Fund Program for a total award of \$5,000,000 for the period starting on the execution date of the Standard Agreements to June 30, 2035.

(Fiscal Impact)

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee**220054 [Adopting the Final Mitigated Negative Declaration - 1236 Carroll Avenue]****Sponsor: Walton**

Motion adopting findings pursuant to the California Environmental Quality Act ("CEQA"), and the CEQA Guidelines including findings of fact and decision, evaluation of mitigation measures, the adoption of a mitigation, monitoring and reporting program, and adoption of the Final Mitigated Negative Declaration in connection with the proposed San Francisco Fire Department Training Facility at 1236 Carroll Avenue, a site consisting of two city blocks bounded by Carroll Avenue, Hawes Street, Armstrong Avenue, and Griffith Street, totaling approximately 7.28 acres.

Motion No. M22-016**APPROVED by the following vote:**

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

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.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Haney

Recommendation of the Rules Committee

220078 [Appointments, Housing Stability Fund Oversight Board - Saki Bailey and Anabell Ibanez]

Motion appointing Saki Bailey (residency requirement waived), term ending December 13, 2022, and Anabell Ibanez, term ending December 13, 2024, to the Housing Stability Fund Oversight Board. (Rules Committee)

Motion No. M22-017

APPROVED by the following vote:

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

Excused: 1 - Haney

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.)

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 15, 2022. The motion carried by the following vote:

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

Noes: 3 - Mandelman, Safai, Stefani

Excused: 1 - Haney

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

There were no commendations recognized.

SPECIAL ORDER 3:00 P.M.

President Walton requested File Nos. 211187, 211188, 211189, and 211190 be called together.

211187 [Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 209.2, 253, 303, and 317, of the Planning Code, for a proposed project at 3832-18th Street, Assessor's Parcel Block No. 3580, Lot No. 018, identified in Planning Case No. 2020-001610CUA, issued by the Planning Commission by Motion No. 21016, dated October 14, 2021, to allow demolition of a single-family residence and approval of an individually requested state density bonus project pursuant to Planning Code, Section 206.6 (using the State Density Bonus Law (California Government Code, Sections 65915-65918)), for the project invoking waivers from the development standards for rear yard (Planning Code, Section 134), dwelling unit exposure (Planning Code, Section 140), and maximum height limit (Planning Code, Section 260) that would construct a new five-story, 50-foot tall, residential building (approximately 10,023 square feet) with 19 group housing units located within the RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height and Bulk District. (District 8) (Appellant: Athanassios Diacakis) (Filed November 12, 2021) (Clerk of the Board)

President Walton opened the public hearing and Supervisor Mandelman provided opening remarks and indicated 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. Speaker; spoke on various concerns related to the proposed continuance. There were no other speakers. President Walton closed public comment on the continuance.

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of March 15, 2022. The motion carried by the following vote:

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

211188 [Approving Conditional Use Authorization - 3832-18th Street]

Motion approving the decision of the Planning Commission by its Motion No. 21016, approving a Conditional Use Authorization, identified as Planning Case No. 2020-001610CUA, for a proposed project located at 3832-18th Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 15, 2022. The motion carried by the following vote:

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

211189 [Conditionally Disapproving the Conditional Use Authorization - 3832-18th Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 21016, approving a Conditional Use Authorization, identified as Planning Case No. 2020-001610CUA, for a proposed project at 3832-18th Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)
(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 15, 2022. The motion carried by the following vote:

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

Excused: 1 - Haney

211190 [Preparation of Findings Related to Conditional Use Authorization - 3832-18th Street]

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2020-001610CUA, for a proposed project at 3832-18th Street. (Clerk of the Board)

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 15, 2022. The motion carried by the following vote:

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

Excused: 1 - Haney

Board of Supervisors Sitting as a Committee of the Whole

President Walton requested File Nos. 211323 and 211324 be called together.

Appointment of President Pro Tempore

At the request of President Walton, Supervisor Ronen assumed the chair at 3:32 p.m.

President Walton was noted absent at 3:32 p.m. and present at 5:02 p.m.

The President resumed the chair at 5:02 p.m.

211323 [Hearing - Committee of the Whole - Proclamation of Local Emergency - Drug Overdoses in the Tenderloin - February 8, 2022, at 3:00 p.m]

Hearing of the Board of Supervisors convening as a Committee of the Whole on February 8, 2022, at 3:00 p.m., to hold a public hearing on Mayor London N. Breed's December 17, 2021, Proclamation of a Local Emergency Relating to Drug Overdoses in the Tenderloin; scheduled pursuant to Motion No. M22-002, approved on January 4, 2022. (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 proclamation of a local emergency in connection with the sudden increase in drug overdoses in the Tenderloin (File No. 211324). Maryellen Carroll, Director, and Francis Zamora (Department of Emergency Management), Dr. Hillary Kunins (Department of Public Health), Emily Cohen (Department of Homelessness and Supportive Housing), Chief William Scott (Police Department), Jennifer Friedenbach (Coalition on Homelessness), and Ben Rosenfield, Controller (Office of the City Controller) presented information on the local emergency and responded to questions raised throughout the discussion. Fred Wingard; William Jake; Nicos; Marco; Speaker; David Elliott Lewis; Carolyn Kennedy; Sara DeJesus; Sheila Vandeeta; Noah; Speaker; ; spoke in support of concurring with the local emergency. Summer; spoke in support of withdrawing concurrence in the local emergency. Wesley Saber; Laura Thomas; Celly; Del Seymour; Kristen Evans; Gloria Stava; Speaker; Gilbert Crisswell; Gil Runston; Mark Nagel; Johnny Rockstar; Francisco Da Costa; Speaker; Speaker; Miguel Herrera; Speaker; Kayleena; Lydia Branson; Amania; Belinda Dobbs; Vicka Eisen; Nia Brown; Rachel; Amy Parawais; Nick; Mary Kay Baklawa; Tom Wolfe; Speaker; Speaker; Jen Tse; spoke on various concern relating to the local emergency. 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.

President Walton rescinded his declaration that this Hearing has been heard and filed.

Supervisor Peskin, seconded by Supervisor Chan, moved that this Committee of the Whole Hearing be CONTINUED to the Board of Supervisors meeting of March 15, 2022. The motion carried by the following vote:

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

Excused: 1 - Haney

Committee of the Whole Adjourn and Report

211324 [Proclamation of Local Emergency - Drug Overdoses in the Tenderloin]**Sponsor: Peskin**

Motion concurring/withdrawing concurrence in the December 17, 2021, Proclamation by the Mayor Declaring the Existence of a Local Emergency in connection with the sudden increase in drug overdoses in the Tenderloin.

Supervisor Peskin, seconded by Supervisor Chan, moved that this Motion be CONTINUED to the Committee of the Whole hearing at the Board of Supervisors meeting of March 15, 2022. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendations of the Rules Committee

211285 [Charter Amendment - Split Appointment Authority for Boards and Commissions; Powers and Duties of the City Administrator]**Sponsors: Chan; Ronen, Peskin and Preston**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to 1) split the power to make appointments to the following bodies between the Mayor and the Board of Supervisors: Airport Commission, Arts Commission, Asian Art Commission, Civil Service Commission, Commission on the Environment, Commission on the Status of Women, Disability and Aging Services Commission, Fire Commission, Health Commission, Historic Preservation Commission, Human Rights Commission, Human Services Commission, Juvenile Probation Commission, Library Commission, Municipal Transportation Agency Board of Directors, Public Utilities Commission, Recreation and Park Commission, and War Memorial and Performing Arts Center Board of Trustees; subject Mayoral appointments to those bodies and to the Building Inspection Commission and the Small Business Commission to approval by the Board of Supervisors; provide that the appropriate appointing authority (Mayor or Board of Supervisors, as applicable) may initiate removal of commissioners; and specify that the terms of members of the Asian Art Commission, Building Inspection Commission, Civil Service Commission, and Fine Arts Museums Board of Trustees shall be for four years; and 2) specify the types of functions that the City Administrator may oversee; require that any agencies under the City Administrator be designated by ordinance; authorize the City Administrator to review City programs and services, and employment practices, and to make recommendations to the Mayor, Board of Supervisors, and departments based on those reviews; prohibit the Mayor from placing functions under the City Administrator without authorization by ordinance; and authorize the City Administrator to recommend removal of any department head to the Mayor or a commission, and require the Mayor or commission to act on the recommendation within 30 days; at an election to be held on June 7, 2022.

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

211286 [Charter Amendment - Building Inspection Commission]**Sponsors: Melgar; Peskin, Ronen, Mandelman and Safai**

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 Safai requested to be added as a co-sponsor.

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of February 15, 2022. The motion carried by the following vote:

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

Excused: 1 - Haney

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.

Supervisor Melgar requested to be removed as a co-sponsor.

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of February 15, 2022. The motion carried by the following vote:

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

Excused: 1 - Haney

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Gilbert Crisswell; expressed concerns regarding Muni and the need to expand services throughout the City.

David Elliott Lewis; expressed concerns regarding funding for the homeless and supportive housing.

Amy Parawais; expressed concerns regarding supportive housing that is supposed to be available.

Speaker; expressed concerns regarding hackers and those who enjoy City services.

Speaker; expressed concerns regarding drug use and police oversight.

Speaker; expressed concerns regarding supportive housing and how other countries address their homeless issues.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

President Walton requested File Nos. 220141 and 211221 be called together.

220141 [Closed Session - Existing Litigation - Dacari Spiers - February 8, 2022]

Closed Session for the Board of Supervisors to convene on February 8, 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 for an 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; scheduled pursuant to a motion made and approved on February 1, 2022, during consideration at the Board of Supervisors meeting of File No. 211221. (Clerk of the Board)

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 7:40 p.m. to convene in closed session pursuant a motion made and approved on February 1, 2022, during action at the Board of Supervisors meeting for File No. 211221.

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

The following Supervisor was noted excused: Supervisor Haney

Persons in attendance: Anne Pearson, Meredith Osborn, and Ray Rollan, Deputy City Attorneys (Office of the City Attorney); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

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

HEARD IN CLOSED SESSION

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 8:04 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 excused: 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 Mandelman, seconded by Supervisor Peskin, 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

Excused: 1 - Haney

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)

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Chan, Mar, Melgar, Peskin, Preston, Ronen, Safai, Walton

Noes: 2 - Mandelman, Stefani

Excused: 1 - Haney

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

220134 [Urging the Department of Public Health and Health Commission to Name a Facility After the Late Health Commissioner David J. Sanchez, Jr., PhD]

Sponsors: Melgar; Ronen, Mandelman and Safai

Resolution urging the Department of Public Health (DPH) Director of Health and the Health Commission to work with the Board of Supervisors to name or rename a DPH facility after the late David J. Sanchez, Jr., PhD in honor of his lifelong leadership and contributions to vulnerable residents of the City and County of San Francisco.

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

ADOPTED

220135 [Supporting California State Assembly Bill No. 616 (Stone) - The Agricultural Labor Relations Voting Choice Act]

Sponsors: Ronen; Walton, Mandelman, Chan, Preston and Safai

Resolution urging the California State Legislature and Governor to support California State Assembly Bill No. 616, introduced by California Assembly Member Mark Stone, The Agricultural Labor Relations Voting Choice Act in 2022, and allow expanded access to union voting for agriculture workers in California.

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

ADOPTED

220137 [Findings to Allow Teleconferenced Meetings During Declared Emergency]

Motion making findings to allow teleconferenced meetings under California Government Code, Section 54953(e). (Clerk of the Board)

Motion No. M22-018

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 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.

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

Introduced at the Request of a Department

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

PROPOSED RESOLUTIONS

220121 [Grant Agreement Amendment - Meals on Wheels of San Francisco - Home-Delivered Meal (HDM) Nutrition Services to Older Adults - Not to Exceed \$31,480,409]

Resolution approving an amendment to the grant agreement between the City and County of San Francisco and the non-profit Meals on Wheels of San Francisco, for the administration of the Home-Delivered Meal (HDM) Nutrition Services to Older Adults program; to extend the grant term by three years to commence July 1, 2022, for a total agreement term of July 1, 2021, through June 30, 2025, and to increase the grant amount by \$22,908,619 for a total not to exceed amount of \$31,480,409. (Human Services Agency)

01/26/22; RECEIVED FROM DEPARTMENT.

02/08/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220122 [Grant Agreement Amendment - Children's Council of San Francisco - Early Care and Education Integrated Services - Not to Exceed \$393,732,732]

Resolution approving a second modification of the grant between the City and County of San Francisco and Children's Council of San Francisco for the provision of Early Care and Education Integrated Services to support the City's implementation of the San Francisco Citywide Plan For Early Care and Education increasing the amount by \$17,680,287 for a revised total grant amount not to exceed \$393,732,732 to commence following Board approval, with no change to the term period of July 1, 2017, through June 30, 2022. (Human Services Agency)

01/26/22; RECEIVED FROM DEPARTMENT.

02/08/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220123 [Grant Agreement Amendment - Wu Yee Children's Services - Early Care and Education Integrated Services - \$81,044,162]

Resolution approving a third modification of the grant between the City and County of San Francisco and Wu Yee Children's Services, for the provision of Early Care and Education Integrated Services to support the City's implementation of the San Francisco Citywide Plan For Early Care and Education to increase the grant amount by \$5,234,074 resulting in a revised total grant amount of \$81,044,162 to commence following Board approval, with no changes to the grant period of July 1, 2017, through June 30, 2022. (Human Services Agency)

01/26/22; RECEIVED FROM DEPARTMENT.

02/08/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220124 [Accept and Expend Grant - Retroactive - The Regents of the University of California - Justice Driven Data Science for Prosecutorial Impact Project - \$149,000]

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$149,000 from the Regents of the University of California for the Justice Driven Data Science for Prosecutorial Impact Project for the initial performance period from November 1, 2021, through October 31, 2022, and an anticipated full performance period from November 1, 2021, through October 31, 2023. (District Attorney)

01/28/22; RECEIVED FROM DEPARTMENT.

02/08/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

220125 [Airport Professional Services Agreement - South San Francisco Scavenger Co., Inc.- Solid Waste Management Services for San Francisco International Airport - Not to Exceed \$10,700,000]

Resolution approving Modification No. 4 to Airport Contract No. 50073.76 with South San Francisco Scavenger Co., Inc. for solid waste management services to the San Francisco International Airport, to increase the contract amount by \$900,000 for a new total not to exceed contract amount of \$10,700,000 with no change to the term from June 15, 2021, through June 30, 2022, to be effective upon approval by the Board of Supervisors. (Airport Commission)

01/31/22; RECEIVED FROM DEPARTMENT.

02/08/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 8:41 p.m.