

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, March 16, 2021 - 2:00 PM

Held via Videoconference
(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, AHSHA 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

Joint City, School District, and City College Select Committee
Supervisors Ronen, Safai, Haney (Alt), Trustee Davila, Williams, Selby (Alt)

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

Meeting Days

Wednesday
1:00 PM

Wednesday
10:30 AM

1st and 3rd Thursday
10:00 AM

2nd Friday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

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

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 through videoconferencing, and provided public comment through teleconferencing, on Tuesday, March 16, 2021, with President Shamann Walton presiding.

President Walton called the meeting to order at 2:00 p.m.

Remote Access to Information and Participation

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

On the call of the roll, Supervisors Chan, Haney, Mandelman, Mar, Melgar, Preston, Peskin, Ronen, Safai, Stefani, and Walton were noted present.

All Members 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, announced that due to the COVID-19 health emergency, Board Members will participate in the meeting remotely, through videoconference and to the same extent as if they were physically present. To the members of the public, when general public comment is called, you may contribute live comments for up to two minutes by dialing the provided telephone number. When you are connected, you will receive another prompt, dial * 3 to be added to the queue to speak. Make sure to call from a quiet location, speak clearly and slowly, and turn down your television or radio. Written comments may be submitted through email (bos@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

APPROVAL OF MEETING MINUTES

President Walton inquired whether any Member of the Board had any corrections to the February 9, 2021, Board Regular Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Peskin, seconded by Supervisor Preston, moved to approve the February 9, 2021, Board Regular 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.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

200947 [Administrative Code Waivers - SFMTA Potrero Yard Modernization Project - Project Delivery Procedure]

Sponsors: Mayor; Walton

Ordinance authorizing the San Francisco Municipal Transportation Agency to exempt certain design, construction, finance, maintenance, asset management, and related agreements for the development of the Potrero Yard Modernization Project, located at 2500 Mariposa Street, from Chapters 6, 14B, and 21 of the Administrative Code, but requiring the payment of prevailing wages, implementation of a local business enterprise utilization program, and compliance with the City's local hire policy and first source hiring ordinance, as applicable to such agreements, and permitting a best-value selection of the developer team if the City elects to proceed with the Project after completing its review under the California Environmental Quality Act.
(Fiscal Impact)

Ordinance No. 038-21

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee**201186 [Police Code - Grocery Store, Drug Store, Restaurant, and On-Demand Delivery Service Worker Protections]**

Sponsors: Haney; Walton, Peskin, Safai, Chan, Mar, Ronen, Preston and Mandelman
Ordinance amending the Police Code to require grocery store, drug store, restaurant, and on-demand delivery service employers to provide health and scheduling protections related to COVID-19 to workers; and to sunset an emergency ordinance with similar requirements.

Ordinance No. 039-21

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee**200660 [Zoning Map - Rezoning of 118-134 Kissling Street]**

Ordinance amending the Planning Code by revising Zoning Map Sheet No. ZN07 to rezone Assessor's Parcel Block No. 3516, Lot Nos. 039, 040, 041, and 042 (118-134 Kissling Street), from Residential Enclave District to Residential Enclave District - Mixed; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

Ordinance No. 037-21

FINALLY PASSED

210015 [Building Code - Expanded Compliance Control and Consumer Protections Where History of Significant Violations]

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

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

Ordinance No. 040-21

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

210180 [Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers]

Sponsors: Peskin; Safai

Ordinance amending the Business and Tax Regulations Code to extend through Fiscal Year 2021-2022 the temporary suspension of the application of the business registration and fee requirements for transportation network company drivers and taxi drivers.

Supervisor Safai 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

210162 [Grant Agreement Amendment - San Francisco-Marin Food Bank - COVID-19 Food Assistance Program - Not to Exceed \$15,526,825]

Resolution approving an amendment to the grant agreement between the City and County of San Francisco and San Francisco-Marin Food Bank, for the administration of the COVID-19 Food Assistance Program, to extend the grant term by nine months for a total term of July 1, 2020, through December 31, 2021, and to increase the grant amount by \$5,626,825 for a total not to exceed amount of \$15,526,825 to commence on March 16, 2021. (Human Services Agency) (Fiscal Impact)

Resolution No. 121-21

ADOPTED by the following vote:

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

210163 [Lease Amendment No. 1 - Green Beans Coffee Osteria - SFO Group - Boarding Area C Coffee Shop Lease No. 14-0046 - Reimbursement of \$357,225 - Term Extension]

Resolution approving Amendment No. 1 to the Boarding Area C Coffee Shop Lease No. 14-0046, between Green Beans Coffee Osteria - SFO Group, and the City and County of San Francisco, acting by and through its Airport Commission, for the relocation of Tenant's operation pre-security of Boarding Area C to a new facility in Harvey Milk Terminal 1 check-in lobby, reimbursement to Tenant of its unamortized costs relating to the original premises in the amount of \$357,225 and a lease extension of ten years, effective upon approval by the Board of Supervisors. (Airport Commission)

Resolution No. 122-21

ADOPTED by the following vote:

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

210187 [Ground Lease - MHDC Mariposa Gardens Associates LP - 2445 Mariposa Street - \$20,000 Annual Base Rent]**Sponsor: Mayor**

Resolution approving and authorizing a long term amended and restated ground lease with MHDC Mariposa Gardens Associates LP, on City owned land at 2445 Mariposa Street, Assessor's Parcel Block No. 4014, Lot No. 001, for a term of 38 years, to commence following approval by the Board of Supervisors, with one 44-year option to extend, and with an annual base rent of \$20,000 in order to rehabilitate a 100% affordable, 62-unit multifamily rental housing development (plus one staff unit) for low-income persons; adopting findings that the amended and restated ground lease is consistent with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property and Director of the Mayor's Office of Housing and Community Development to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Fiscal Impact)

Resolution No. 124-21**ADOPTED by the following vote:**

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

Recommendations of the Rules Committee**210166 [Appointment, Public Utilities Revenue Bond Oversight Committee - Lars Kamp]**

Motion appointing Lars Kamp, term ending November 12, 2024, to the Public Utilities Revenue Bond Oversight Committee. (Rules Committee)

Motion No. M21-043**APPROVED by the following vote:**

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

210176 [Appointments, Sugary Drinks Distributor Tax Advisory Committee - Vanessa Bohm, Maysha Bell, Marna Armstead, Frances Abigail Cabrera, Diana Lau, and Maureen Guerrero]

Motion appointing Vanessa Bohm (residency requirement waived), Maysha Bell, Marna Armstead, Francis Abigail Cabrera, Diana Lau, Laura Derosier, and Maureen Guerrero, terms ending December 31, 2022, to the Sugary Drinks Distributor Tax Advisory Committee. (Rules Committee)

Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 1 and 5, by striking 'Laura Derosier'; and Page 2, Lines 9-13, by striking 'Laura Derosier, Seat 15, succeeding Janna Cordeiro, term expired, must be a parent or guardian of a student enrolled in the San Francisco Unified School District at the time of appointment, nominated by the San Francisco Unified School District's Parent Advisory Council, and appointed by the Board of Supervisors, for a two-year term ending December 31, 2022;'. The motion carried by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton
Motion appointing Vanessa Bohm (residency requirement waived), Maysha Bell, Marna Armstead, Frances Abigail Cabrera, Diana Lau, and Maureen Guerrero, terms ending December 31, 2022, to the Sugary Drinks Distributor Tax Advisory Committee. (Rules Committee)

Motion No. M21-044**APPROVED AS AMENDED by the following vote:**

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

Supervisor Stefani Excused from Voting

Supervisor Safai, seconded by Supervisor Melgar, moved that Supervisor Stefani be excused from voting on File No. 210209. The motion carried by the following vote:

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

210209 [Reappointment, Golden Gate Bridge, Highway and Transportation District, Board of Directors - Supervisor Catherine Stefani]

Motion reappointing Supervisor Catherine Stefani, term ending January 31, 2023, to the Golden Gate Bridge, Highway and Transportation District, Board of Directors. (Clerk of the Board)

Motion No. M21-045

APPROVED by the following vote:

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

210165 [Reappointments, Golden Gate Bridge, Highway and Transportation District, Board of Directors - Sabrina Hernandez, Bert Hill, Richard Grosboll, and Michael Theriault]

Motion reappointing Sabrina Hernandez, Bert Hill, Richard Grosboll, and Michael Theriault, terms ending January 31, 2023, to the Golden Gate Bridge, Highway and Transportation District, Board of Directors. (Rules Committee)

Motion No. M21-046

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

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

SPECIAL ORDER 3:00 P.M.

President Walton requested File Nos. 210093, 201387, 201385, and 201386 be called together.

Board of Supervisors Sitting as a Committee of the Whole

210093 [Hearing - Committee of the Whole - Consent to Provisions of a Variation Decision - March 16, 2021, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on March 16, 2021, at 3:00 p.m., to hold a public hearing to conditionally consent to the provisions of a variation decision by the Commission on Community Investment and Infrastructure modifying the on-site affordable housing requirement for 542-550 Howard Street (Transbay Parcel F), Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, consisting of four parcels located on the north side of Howard Street, between 1st and 2nd Streets, in the Transbay Redevelopment Project Area; scheduled pursuant to Motion No. M21-017, approved on February 2, 2021. (Clerk of the Board)

President Walton opened the public hearing, with the Board of Supervisors acting in its capacity as the Successor Agency to the former Redevelopment Agency, and Supervisor Haney provided opening remarks regarding the Resolution approving the provisions of a variation decision in the Transbay Redevelopment Project Area. The President then inquired as to whether any member of the public wished to address the Board. Sally Oerth (Office of Community Investment and Infrastructure) presented information on the hearing matter and answered questions raised throughout the discussion. Cynthia Gomez; Matthias Mormino; Rudy Gonzales; John Dougherty; Dan Flores; spoke in support of proposed Transbay Parcel F Project. Francisco Da Costa; spoke on various concerns relating to the proposed Transbay Parcel F Project. Cameron Falconer, Project Sponsor, provided additional information and answered questions raised throughout the discussion. President Walton closed public comment, declared the hearing heard and filed, adjourned as the Committee of the Whole acting in its capacity as the Successor Agency to the Redevelopment Agency, and reconvened as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

Referred Without Recommendation from the Land Use and Transportation Committee**201387 [Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 542-550 Howard Street (Transbay Parcel F) - Transbay Redevelopment Project Area]****Sponsor: Haney**

Resolution acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 542-550 Howard Street (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F) in the Transbay Redevelopment Project Area; and adopting findings under the California Environmental Quality Act.

Resolution No. 120-21**ADOPTED by the following vote:**

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

Noes: 1 - Peskin

201385 [Planning Code, Zoning Map - 542-550 Howard Street]**Sponsor: Haney**

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

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Peskin

201386 [Development Agreement - Parcel F Owner, LLC - 542-550 Howard Street Transbay Redevelopment Project Area]**Sponsor: Haney**

Ordinance approving a Development Agreement between the City and County of San Francisco and Parcel F Owner, LLC, for certain real property known as 542-550 Howard Street (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F), located in the Transbay Redevelopment Project Area, consisting of four parcels located on the north side of Howard Street between 1st and 2nd Streets; waiving certain provisions of Administrative Code, Chapter 56; adopting findings under the California Environmental Quality Act; and making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b), and findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Peskin

COMMITTEE REPORTS

Recommendation of the Rules Committee

President Walton recessed the meeting at 3:28 p.m. and reconvened at 3:33 p.m.

210234 [Authorizing Construction of an Observation Wheel Structure in Golden Gate Park]**Sponsors: Peskin; Chan**

Resolution retroactively approving, pursuant to Charter, Section 4.113, construction of an observation wheel structure in Golden Gate Park for a term starting February 28, 2020, and lasting for one year following the current permit expiration term, until February 7, 2022, with full removal required by March 15, 2022.

(Pursuant to Charter, Section 4.113, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage)

Privilege of the floor was granted unanimously to Anne Pearson (Office of the City Attorney) and Dana Ketcham (Recreation and Park Department) who responded to questions raised throughout the discussion.

NOT ADOPTED by the following vote:

Ayes: 5 - Chan, Mar, Peskin, Preston, Walton

Noes: 6 - Haney, Mandelman, Melgar, Ronen, Safai, Stefani

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Linda Chapman; expressed concerns regarding vacant residential units and the need to provide additional affordable housing.

Francisco Da Costa; expressed concerns regarding the COVID-19 pandemic and the need to assist essential workers and their families.

Anonymous; expressed concerns regarding public corruption and text messages between Public Utilities Commission staff.

Peter Warfield; expressed concerns regarding the Public Library and information disseminated that may not be accessible, the lack of response to phone inquiries, and services and programs that cannot be accessed by those without internet.

Cynthia; expressed concerns regarding funding assistance for residential debt that should not be provided to corporate landlords.

Barry Toronto; expressed concerns regarding shared spaces and the need to ensure they are accessible to local businesses and the public.

Maria Dodson; expressed the need to return students to in-person learning part-time by the Spring and full-time by the Fall.

Dan Masumi; expressed concerns regarding funding assistance for residential debt that should not be provided to corporate landlords.

Gilbert Crisswell; expressed concerns regarding the need to expand Muni services during the COVID-19 pandemic and offer free transit rides.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

210263 [Supporting California State Assembly Bill No. 1400 (Kalra) - Guaranteed Health Care for All]

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

Resolution supporting California Assembly Bill No. 1400, authored by Assembly Member Ash Kalra, and co-authored by Assembly Members Alex Lee and Miguel Santiago, to establish the CalCare Act that would state the intent of the legislature to enact legislation that would establish a comprehensive universal single-payer health care coverage program and a health care cost control system for the benefit of all residents of the state.

Resolution No. 125-21

ADOPTED

210266 [Findings to Reverse the Common Sense Exemption - 2675 Geary Boulevard]

Motion adopting findings to reverse the determination by the Planning Department that the proposed project at 2675 Geary Boulevard is exempt from further environmental review. (Clerk of the Board)

Motion No. M21-047

APPROVED

210251 [Final Map 10297 - Treasure Island]

Motion approving Final Map 10297 relating to portions of Treasure Island, the merger of Lots 3 and 4 of Final Map 9235 and the resubdivision of Lots 5 and 9 of Final Map 9235, resulting in up to 464 residential condominium units, 18 commercial condominium units, and 464 parking space condominium units, subject to specified conditions; and acknowledging findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M21-048

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Melgar requested that File Nos. 210273 and 210274 be severed so that they may be considered separately.

210273 [Urging to Fully Appoint and Strengthen the Office of Early Care and Education Citizens Advisory Committee and the Child Care Planning Advisory Council]

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

Resolution committing the Board of Supervisors to expeditiously fill vacancies on the Office of Early Care and Education Citizens Advisory Committee (OECE CAC) and forthcoming expiring seats on the Child Care Planning Advisory Council (CPAC); urging the Office of Early Care and Education to strengthen the engagement and support for the OECE CAC and CPAC by providing sufficient staffing, increased collaboration, and timely information-sharing on policy developments, budget, and new spending plans on revenue outside the annual budget process; and urging the OECE CAC and CPAC to improve on collaboration and engagement of mutual goals to fulfill the vision of the Early Care and Education for All Initiative.

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

Resolution No. 126-21

ADOPTED by the following vote:

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

210274 [Urging to Establish a Homeownership Down Payment Assistance Program for Family Child Care Home Operators]

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

Resolution urging the Mayor's Office of Housing and Community Development to collaborate with the Office of Early Care and Education, Office of Economic and Workforce Development, Low Income Investment Fund (LIIF), Homeownership SF, and other partners to establish a homeownership down payment assistance pilot program for licensed, quality family child care home operators.

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

Resolution No. 127-21

ADOPTED by the following vote:

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

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

210284 [Administrative, Public Works, and Transportation Codes - Shared Spaces]

Sponsors: Mayor; Mandelman, Safai, Stefani and Haney

Draft Ordinance 1) amending the Administrative Code to modify the Places for People Program to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way; streamline the application process; specify minimum programmatic requirements such as public access; temporarily waive permit application fees; and provide for the conversion of existing Parklet and Shared Spaces permittees to the Places for People Program; 2) amending the Public Works Code to create a Places for People Curbside permit fee; provide for public notice and comment on permit applications, and hearings for occupancy of longer-term street closures; and supplement enforcement actions by Public Works; and 3) amending Division I, Article 6 of the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway People Places as part of the Places for People Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; amending Division I, Article 7 to add Section 7.2.55 to prohibit parking in a zone on any street, alley or portion of a street or alley that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.

(3/19/2021 - Economic Impact Pending Further Review)

03/16/21; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Transportation Committee.

210285 [Planning, Business and Tax Regulations, Police Codes - Small Business Recovery Act]**Sponsor: Mayor**

Ordinance amending the Planning, Business and Tax Regulations, and Police Codes to adopt and implement the Small Business Recovery Act by, among other things: 1) expanding streamlined review and inspection procedures to principally permitted storefront uses Citywide; 2) deleting separate definitions of "Cat Boarding," "Gym," "Trade Shop," and "Services, Instructional" from the Planning Code; 3) allowing permitted conditional uses to continue after three years of abandonment; 4) allowing Outdoor Activity Areas on rooftops; 5) allowing accessory catering uses in Restaurants; 6) allowing accessory dwelling units on the ground floor in Neighborhood Commercial, Chinatown Business, and Chinatown Visitor Districts; 7) allowing temporary outdoor entertainment, arts and recreation activities; 8) deleting certain conditional use finding requirements for Nighttime Entertainment use; 9) deleting conditional use findings related to formula retail concentrations in certain districts; 10) requiring expedited permit processing for commercial uses on the ground floor; 11) shortening the time for the Historic Preservation Commission to request review of minor alteration permits and certificates of appropriateness; 12) extending time for limited live performances from 10 p.m. to 11 p.m.; 13) allowing additional One-Time Entertainment Permits and One-Time Outdoor Amplified Sound Permits; 14) exempting single individual performances without amplification from permit requirements; 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.
(3/19/2021 - Economic Impact Pending Further Review)

03/16/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/15/2021.

201132 [Campaign and Governmental Conduct Code - Behested Payments]**Sponsors: Haney; Peskin and Chan**

Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of interested party, to include City contractors and persons seeking to influence City officers and employees, and to prohibit appointed department heads, commissioners, and designated employees from soliciting behested payments from interested parties.

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

10/09/20; REFERRED TO DEPARTMENT.

03/16/21; SUBSTITUTED AND ASSIGNED to Rules Committee.

210286 [Planning Code - Landmark Designation - Lyon-Martin House, 651 Duncan Street]**Sponsors: Mandelman; Preston**

Ordinance amending the Planning Code to designate Lyon-Martin House, 651 Duncan Street, Assessor's Parcel Block No. 6604, Lot No. 036, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/16/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/15/2021.

210287 [Planning Code - Temporary Closure of Liquor Stores in Polk Street Neighborhood Commercial District]**Sponsor: Peskin**

Ordinance amending the Planning Code to provide that temporary closure of liquor stores in the Polk Street Neighborhood Commercial District (NCD) as a result of a major capital improvement project is not an abandonment of such use, and that relocation of such use to another location in the Polk Street NCD does not require a new Conditional Use permit; 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 convenience, necessity, and welfare under Planning Code, Section 302.

03/16/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/15/2021.

210288 [Emergency Ordinance - Enforcement of Workplace Ventilation Standards - COVID-19]**Sponsors: Safai; Walton, Melgar, Chan, Preston, Haney and Ronen**

Emergency ordinance to require property owners of high-rise buildings with 50,000 square feet or more of nonresidential floor area that use mechanical ventilation systems, to certify that such systems are operating in compliance with applicable laws; to require businesses operating within those buildings to post certification within their work spaces; and to require the Department of Public Health and Department of Building Inspection to post information on their websites about how to file complaints about noncompliance with workplace ventilation standards, and to coordinate to ensure that all such complaints are inspected within three business days.

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

03/16/21; ASSIGNED to Land Use and Transportation Committee.

RESOLUTIONS

210289 [Accept and Expend Grant - Retroactive - California Department of Justice - Tobacco Grant Program Award - \$1,780,842]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,780,842 from the California Department of Justice for participation in a program, entitled "Tobacco Grant Program Award," for the period of January 1, 2021, through December 31, 2023. (Public Health Department)

03/16/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210290 [Accept and Expend Grants - Retroactive - California Department of Parks and Recreation - Rossi Pool Renovation - \$1,622,072]**Sponsors: Mayor; Chan**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend grant funding in the amount of \$1,622,072 from the California Department of Parks and Recreation for the Rossi Pool Renovation Project for the project performance period of July 1, 2018, through June 30, 2024; and approving the grant contract which requires the Recreation and Park Department to maintain the project for the duration of the contract performance period from July 1, 2018, through June 30, 2048, pursuant to Charter, Section 9.118(a). (Recreation and Park Department)

(Fiscal Impact)

03/16/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210291 [Accept and Expend Grant - Retroactive - U.S. Department of the Treasury - Emergency Rental Assistance Program - \$26,209,982.70]

Sponsors: Mayor; Safai, Haney and Mar

Resolution retroactively authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's Emergency Rental Assistance funding from the U.S. Department of the Treasury, in the amount of \$26,209,982.70 for a period beginning January 8, 2021, through December 31, 2021.

03/16/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210292 [Urging Prioritization of Small Property Owners and Affordable Housing Providers in the Distribution of Rent Relief Funds]

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

Resolution urging the Mayor's Office of Housing and Community Development to prioritize small property owners and affordable housing providers in the distribution of rent relief funds through speedy review and approval timelines, technical assistance, high-quality customer service, and in-language support to non-English speakers; urging large corporate landlords to voluntarily reserve these funds for small property owners and affordable-housing providers; and requesting a monthly report from the Mayor's Office of Housing and Community Development on the amount of federal rent relief funds received by each landlord in San Francisco.

03/16/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

210298 [Supporting California State Senate Bill No. 17 (Pan) - California Office of Racial Equity Bill]

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

Resolution supporting California Senate Bill No. 17, authored by Senator Richard Pan, to establish the Office of Racial Equity and the Racial Equity Advisory and Accountability Council.

210293 [Recognizing Problem Gambling Awareness Month - March]

Sponsor: Mar

Resolution recognizing March as Problem Gambling Awareness Month in the City and County of San Francisco.

03/16/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

210294 [Hearing - Impacts of Proposed Cuts to Courses and Staff Layoffs at City College of San Francisco]

Sponsor: Ronen

Hearing to discuss the implications of the proposed cuts to City College of San Francisco's (CCSF) staff and course offerings, and explore ways that the City and County of San Francisco could offer additional support to CCSF to address these challenges; and requesting the CCSF Administration, CCSF Board of Trustees, American Federation of Teachers (AFT) Local 2121, and CCSF elected student leaders to report.

03/16/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

210295 [Hearing - Residential Vacancies in San Francisco]**Sponsors: Preston; Ronen**

Hearing to address concerns on residential vacancies, data regarding vacancies, causes, and potential policy solutions to activate vacant units for residential use; and requesting the Budget and Legislative Analyst to report.

03/16/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

210296 [Hearing - Current State of Commercial Office Space and Economic Recovery]**Sponsor: Safai**

Hearing to review the economic impact of vacant office buildings in San Francisco, specifically in the Financial District, SOMA, and Embarcadero, due to the initial shelter-in-place ordinance, private company policies that promote working from home, and safety measures put in place to promote a return to in-person business; and requesting the Office of Economic and Workforce Development, Department of Public Health, Department of Building Inspection, Controller's Office, Small Business Commission and the City's Economist to report.

03/16/21; 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 ORDINANCES**210245 [Settlement of Lawsuit - Frank Villa - \$64,250]**

Ordinance authorizing settlement of the lawsuit filed by Frank Villa against the City and County of San Francisco for \$64,250; the lawsuit was filed on May 14, 2019, in San Francisco Superior Court, Case No. CGC-19-575979; entitled Frank Villa v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a fall in a City parking lot. (City Attorney)

03/05/21; RECEIVED FROM DEPARTMENT.

03/16/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210246 [Settlement of Lawsuit - Luis Angel Garcia Valencia - \$41,000]

Ordinance authorizing settlement of the lawsuit filed by Luis Angel Garcia Valencia against the City and County of San Francisco for \$41,000; the lawsuit was filed on November 30, 2018, in San Francisco Superior Court, Case No. CGC-18-571714; entitled Luis Angel Garcia Valencia v. City and County of San Francisco, et. al; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

03/05/21; RECEIVED FROM DEPARTMENT.

03/16/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210247 [Settlement of Lawsuit - Jennifer Galarza - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Jennifer Galarza against the City and County of San Francisco for \$100,000; the lawsuit was filed on September 7, 2018, in San Francisco Superior Court, Case No. CGC-18-569532; entitled Jennifer Galarza v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

03/05/21; RECEIVED FROM DEPARTMENT.

03/16/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

210248 [Settlement of Unlitigated Claim - Shipt, Inc. - \$215,000]

Resolution approving the settlement of the unlitigated claim filed by Shipt, Inc. against the City and County of San Francisco for \$215,000; the claim was filed on July 24, 2020; the claim involves a refund of gross receipts taxes, penalties, and interest. (City Attorney)

03/05/21; RECEIVED FROM DEPARTMENT.

03/16/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210249 [Settlement of Unlitigated Claim - Katherine Ripley - \$75,000]

Resolution approving the settlement of the unlitigated claim filed by Katherine Ripley against the City and County of San Francisco for \$75,000; the claim was filed on January 31, 2020; the claim involves alleged personal injury arising from the use of the South Sunset Athletic Field. (City Attorney)

03/05/21; RECEIVED FROM DEPARTMENT.

03/16/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210250 [Contract Amendment - Central City Hospitality House - Behavioral Health Services - Not to Exceed \$15,093,612]

Resolution approving Amendment No. 1 to the agreement between Central City Hospitality House and the Department of Public Health, for behavioral health services, to increase the agreement by \$6,289,377 for an amount not to exceed \$15,093,612; and to extend the term by one and one-half years from June 30, 2021, for a total agreement term of July 1, 2018, through December 31, 2022. (Public Health Department)

(Fiscal Impact)

03/04/21; RECEIVED FROM DEPARTMENT.

03/16/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210252 [Emergency Contract - A. Ruiz Construction Co. & Assoc., Inc - Steam Pipe Repair at Larkin and McAllister - Contract Amount \$275,271.70]

Resolution approving an emergency public work contract under Administrative Code, Section 6.60, between Public Works and A. Ruiz Construction Co. & Assoc., Inc. to make repairs on the Civic Center Steam Loop for a total contract amount of \$275,271.70. (Public Works)

(Fiscal Impact; No Budget and Legislative Analyst Report)

03/08/21; RECEIVED FROM DEPARTMENT.

03/16/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

*Anne Halsted - Supervisors Peskin and Ronen
Atilana Santa Ana Cook Calloway - Supervisor Melgar
Jewlia Eisenberg - Supervisors Melgar, Mandelman and Ronen
Sami Bsisso - Supervisor Mandelman
Stephen Bechtel - Supervisor Stefani*

ADJOURNMENT

There being no further business, the Board adjourned at the hour 5:49 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 April 20, 2021.

Angela Calvillo, Clerk of the Board