

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, March 22, 2022 - 2:00 PM

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

(remote access provided)
(remote public comment provided via teleconference)

www.sfgovtv.org

Regular Meeting

SHAMANN WALTON, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

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

Budget and Finance Committee
Supervisors Ronen, 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, Matt Haney, Rafael Mandelman, Gordon Mar, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, and Shamann Walton

Remote Access to Information and Participation

The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).

Members of the public 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. Committee agendas and their associated documents are available at <https://sfbos.org/meetings/42>.

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ROLL CALL AND PLEDGE OF ALLEGIANCE

On the call of the roll, Supervisors Chan, Haney, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton were noted present. Supervisor Mandelman was noted not present.

Supervisor Mandelman was noted present at 2:05 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 in-person or by dialing the provided telephone number. In-person public comment will be taken before remote public comment is called. Those who are providing public comment remotely must dial * 3 to be added to the remote queue to speak. 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 15, 2022, Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Peskin, seconded by Supervisor Ronen, moved to approve the February 15, 2022, Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

220127 [Public Employment - Amendment to the Salary Ordinance for the Human Services Agency - FY2021-2022]

Sponsor: Mayor

Ordinance amending Ordinance No. 109-21 (Salary Ordinance for Fiscal Years (FY) 2021-2022 and 2022-2023) to reflect the addition of eight class 2940 Protective Services Workers, two class 2944 Protective Services Supervisor, two class 2904 Human Services Technicians, one class 0923 Manager II, one class 1406 Senior Clerk, one class 2918 Human Services Agency Social Worker and one class 1823 Senior Administrative Analyst for a total of 16 positions (5.328 FTEs) in the Human Services Agency in FY2021-2022 for the period of April 1, 2022, to June 30, 2022. (Human Services Agency)

(Fiscal Impact)

FINALLY PASSED

220129 [Appropriation - General Reserve - Municipal Transportation Agency - Portsmouth Square Garage Parking and Transit Fares - \$554,000 - FY2021-2022]

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

Ordinance appropriating \$554,000 from the General Reserve to the Municipal Transportation Agency to support free parking in the Portsmouth Square Garage and transit fares in February of Fiscal Year (FY) 2021-2022.

(Fiscal Impact)

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

211299 [Planning Code - Group Housing Definition]

Sponsors: Peskin; Walton, Mandelman, Ronen, Melgar and Preston

Ordinance amending the Planning Code to revise the definition of Group Housing; 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.

FINALLY PASSED

Recommendation of the Rules Committee

211294 [Administrative Code - Office of Cyber Security - Chief Information Security Officer]

Sponsor: Mayor

Ordinance amending the Administrative Code to establish the Office of Cyber Security and the position of Chief Information Security Officer (CISO) who, in coordination with department technology professionals, is responsible for preventing, detecting, and remediating the damage to City infrastructure and information resources from cyber-related incidents; require departments to appoint a Department Information Security Officer; add the CISO as a permanent member of the Committee on Information Technology (COIT); name the City Administrator or designee as Chair of COIT; and provide that the City Administrator with the Mayor's concurrence appoints the Chief Information Officer (CIO).

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

UNFINISHED BUSINESS

From the Board

220086 [Declaring Results of Special Election - Improvement Area No. 1 of City and County of San Francisco Special Tax District No. 2022-1 (Power Station)]

Sponsors: Mayor; Walton

Resolution declaring the results of a special election and directing recording of notice of special tax lien for Improvement Area No. 1 of the City and County of San Francisco Special Tax District No. 2022-1 (Power Station); and determining other matters in connection therewith, as defined herein.

Supervisor Walton, seconded by Supervisor Peskin, moved that this Resolution be AMENDED AN AMENDMENT OF WHOLE BEARING SAME TITLE, by replacing 'Exhibit A – Canvass and Statement of Result of Election' with the final version that certified the results of the election and declared there was no majority protest. The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:

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

220084 [Levying Special Taxes - Special Tax District No. 2022-1 (Power Station)]

Sponsors: Mayor; Walton

Ordinance levying special taxes within the City and County of San Francisco Special Tax District No. 2022-1 (Power Station).

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Budget and Finance Committee

220128 [Appropriation - State and Federal Revenues - Human Services Agency - Various Programs - \$37,627,023 - FY2021-2022]

Sponsor: Mayor

Ordinance appropriating \$37,627,023 of State and Federal Revenues to the Human Services Agency for various programs, including Shelter in Place housing and demobilization, Adult Protective Services, the Housing and Disability Advocacy Program, CalWORKS housing support, and the Transitional Housing Program and Housing Navigator Program support for former foster youth in Fiscal Year (FY) 2021-2022; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors pursuant to Charter, Section 9.113(c).
(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

(Fiscal Impact)

FINALLY PASSED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

211301 [Administrative, Public Works Codes - Permit Review, and Limits on Fines for Shared Spaces Violations]

Sponsors: Peskin; Melgar, Chan, Mar and Safai

Ordinance amending the Administrative and Public Works Codes to urge departments to review permits within 30 days, limit until April 1, 2023, the issuance of fines for violations of shared spaces requirements except to enforce access requirements for persons with disabilities or first responder personnel, pedestrian and vehicular safety, and removal of abandoned structures, and directing departments to wind down the temporary program no later than March 31, 2023, subject to earlier termination of the Local Emergency; affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

220057 [Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers]

Sponsors: Peskin; Ronen, Safai, Mar and Mandelman

Ordinance amending the Business and Tax Regulations Code to extend, through Fiscal Year 2022-2023, the temporary suspension of the application for the business registration and fee requirements applied to transportation network company drivers and taxi drivers. (Treasurer-Tax Collector)

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

PASSED ON FIRST READING by the following vote:

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

220079 [Appropriation - General Fund General Reserves - Fire Department Overtime - \$14,593,353 - FY2021-2022]

Sponsors: Mayor; Stefani, Chan and Mar

Ordinance appropriating \$14,593,353 of General Fund General Reserves to the Fire Department for overtime in Fiscal Year (FY) 2021-2022; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors pursuant to Charter, Section 9.113(c).

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)

Supervisors Chan and Mar requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

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

Supervisor Peskin Excused from Voting

Supervisor requested to excused from File No. 220094 due to possible conflict of interest.

Supervisor Safai, seconded by Supervisor Preston, moved to excuse Supervisor Peskin from voting on File No. 220094. The motion carried by the following vote:

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

220094 [Loan Agreement - CCDC Throughline, L.L.C. - 777 Broadway Street, 1525 Grant Avenue, and 1207 Mason Street - Not to Exceed \$26,286,000]

Sponsors: Mayor; Mar and Ronen

Resolution approving and authorizing the execution of a Loan Agreement with CCDC Throughline L.L.C., a California limited liability corporation, in an aggregate total amount not to exceed \$26,286,000 for a minimum term of 55 years for a portion of the loan amount and maximum terms of 40 years for other portions of the loan amount based on the requirements of the funding sources, to finance the acquisition and rehabilitation of three existing 100% affordable multifamily rental housing projects for low income households, known as "Throughline Apartments," consisting of 88 rental units and four commercial spaces in three buildings located at 777 Broadway, 1525 Grant Avenue, and 1207 Mason Street; and adopting findings that the Loan Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Fiscal Impact)

ADOPTED by the following vote:

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

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)

ADOPTED by the following vote:

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

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

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

ADOPTED by the following vote:

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

220150 [Accept and Expend Grant - Retroactive - San Francisco General Hospital Foundation - Enhanced Perinatal Services Funds: The Solid Start Initiative at Zuckerberg San Francisco General/Team Lily - \$1,005,562]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,005,562 from the San Francisco General Hospital Foundation for participation in a program, entitled "Enhanced Perinatal Services Funds: The Solid Start Initiative at Zuckerberg San Francisco General/Team Lily," for the period of July 1, 2021, through June 30, 2022. (Public Health Department)

ADOPTED by the following vote:

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

220151 [Accept and Expend Grant - Retroactive - The Gerson Bakar Foundation - San Francisco General Hospital Foundation - The Department of Psychiatry Inpatient Unit Improvements - \$1,900,000]

Sponsors: Mayor; Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,900,000 from the Gerson Bakar Foundation through the San Francisco General Hospital Foundation for participation in a program, entitled "The Department of Psychiatry Inpatient Unit Improvements," for the period of June 8, 2021, through August 31, 2022. (Public Health Department)

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

ADOPTED by the following vote:

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

220173 [Contract Amendment - Golden Gate Petroleum - Renewable Diesel Fuel - Not to Exceed \$68,000,000]

Resolution authorizing the Office of Contract Administration to execute Amendment No. 2 to Contract 1000013880 between the City and County of San Francisco and Golden Gate Petroleum, for the purchase of renewable diesel fuel for City departments; increasing the contract amount by \$23,000,000 for a total contract amount not to exceed \$68,000,000 and extending the term by two years and two months from March 31, 2022, for a total contract duration of five years from June 1, 2019, through May 31, 2024. (Office of Contract Administration)
(Fiscal Impact)

ADOPTED by the following vote:

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

Referred Without Recommendation from the Budget and Finance Committee**220143 [Cost Reimbursement Agreement - Pacific Gas and Electric Company - Management of Residual Petroleum Hydrocarbons - Pier 70]**

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

ADOPTED by the following vote:

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

Recommendations of the Land Use and Transportation Committee**211219 [Planning Code - Landmark Designation - Trocadero Clubhouse]
Sponsors: Mar; Peskin and Melgar**

Ordinance amending the Planning Code to designate Trocadero Clubhouse, located within Sigmund Stern Recreation Grove, northwest of 19th Avenue and Sloat Boulevard, in Assessor's Parcel Block No. 2488, Lot No. 001, 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. (Historic Preservation Commission)

Supervisor Melgar 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

220000 [Planning Code - Van Ness Special Use District - Exempting Institutional Community Use Development from Limitation on Nonresidential Uses - 1750 Van Ness Avenue]

Ordinance amending the Planning Code to exempt proposed new construction for an Institutional Community Use at 1750 Van Ness Avenue, Assessor's Parcel Block No. 0622, Lot No. 019, from nonresidential use limitations of the Van Ness Special Use District; 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. (Planning Commission)

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee

211151 [Public Works Code - Graffiti Abatement - Lifting Suspension of Issuance of Certain Violations; Reinstating Collection of Certain Fees and Fines]
Sponsors: Peskin; Mandelman and Safai

Ordinance lifting the suspension of certain provisions of the Graffiti Removal and Abatement Ordinance regarding issuance of certain violations, and reinstating the collection of certain assessed fees and fines; requiring notice to certain Community Benefits Districts, Business Improvement Districts, or Green Benefits Districts as those districts are defined in Article 15 and 15A of the Business and Tax Regulation Code; requiring Public Works to report to the Board of Supervisors within 60 days the forms necessary to implement the Graffiti Abatement Ordinance; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

211171 [Liquor License Transfer - 453 O'Farrell Street - Wally's Community Market and Deli]

Resolution determining that the transfer of a Type-48 on-sale general public premises liquor license to Xpress Market Inc., doing business as Wally's Community Market and Deli, located at 453 O'Farrell Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

220192 [Presidential Appointment, Planning Commission - Gabriella Ruiz]

Motion approving the President of the Board of Supervisors Shamann Walton's nomination of Gabriella Ruiz to the Planning Commission, for the unexpired portion of the term ending July 1, 2022, and additionally the next term beginning July 2, 2022 and ending July 1, 2026. (Clerk of the Board)

(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: February 28, 2022.)

Motion No. M22-041

APPROVED by the following vote:

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

220225 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Stephanie Cajina]

Motion approving the Mayor's nomination for the reappointment of Stephanie Cajina to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2026. (Clerk of the Board)

(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors, with no timeframe to confirm specified. Transmittal Date: March 1, 2022.)

Motion No. M22-042

APPROVED by the following vote:

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

220226 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Gwyneth Borden]

Motion approving the Mayor's nomination for the reappointment of Gwyneth Borden to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2026. (Clerk of the Board)

(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors, with no timeframe to confirm specified. Transmittal Date: March 1, 2022.)

Motion No. M22-043

APPROVED by the following vote:

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

220254 [Appointments, Citizen's Committee on Community Development - Azalea Renfield and Clinton Loftman]

Motion appointing Azalea Renfield and Clinton Loftman, terms ending February 23, 2023, to the Citizen's Committee on Community Development. (Rules Committee)

Motion No. M22-044

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

There was no recognition of commendations.

SPECIAL ORDER 3:00 P.M.

Supervisor Mandelman was noted absent at 3:15 p.m.

220232 [Hearing - Appeal of Tentative Map Approval - 0 Palo Alto Avenue]

Hearing of persons interested in or objecting to the decision of Public Works, dated February 25, 2022, approving a Tentative Map for a two lot Subdivision project at 0 Palo Alto Avenue, Assessor's Parcel Block No. 2724, Lot No. 002. (District 7) (Appellant: Katherine Bleich) (Filed March 4, 2022) (Clerk of the Board)

President Walton opened the public hearing and Supervisor Melgar provided brief remarks, indicating she would be making a motion to continue the Hearing and its associated Motions to a future date. The President then inquired as to whether any individual wished to address the Board regarding the proposed continuance. There were no other speakers. President Walton closed public comment on the continuance.

Supervisor Melgar, seconded by Supervisor Mar, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of April 5, 2022. The motion carried by the following vote:

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

Absent: 1 - Mandelman

220233 [Approving Decision of Public Works and Approving Tentative Map - 0 Palo Alto Avenue]

Motion approving the decision of Public Works and approving the Tentative Map for a two lot Subdivision project at 0 Palo Alto Avenue, Assessor's Parcel Block No. 2724, Lot No. 002; 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 Melgar, seconded by Supervisor Mar, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 5, 2022. The motion carried by the following vote:

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

Absent: 1 - Mandelman

220234 [Conditionally Disapproving Decision of Public Works and Disapproving Tentative Map - 0 Palo Alto Avenue]

Motion conditionally disapproving the decision of Public Works and disapproving the Tentative Map for a two lot Subdivision project at 0 Palo Alto Avenue, Assessor's Parcel Block No. 2724, Lot No. 002, subject to the Board of Supervisors' adoption of written findings in support of the disapproval. (Clerk of the Board)

Supervisor Melgar, seconded by Supervisor Mar, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 5, 2022. The motion carried by the following vote:

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

Absent: 1 - Mandelman

220235 [Preparation of Findings Related to the Tentative Map - 0 Palo Alto Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a two lot Subdivision project at 0 Palo Alto Avenue, Assessor's Parcel Block No. 2724, Lot No. 002. (Clerk of the Board)

Supervisor Melgar, seconded by Supervisor Mar, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 5, 2022. The motion carried by the following vote:

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

Absent: 1 - Mandelman

Supervisor Mandelman was noted present at 3:19 p.m.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

200777 [Hearing - Committee of the Whole - Update on Findings and Recommendations Regarding Law Enforcement Practices - March 22, 2022, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on March 22, 2022, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive updates on the progress and implementation status of the United States Department of Justice recommendations regarding reforms within the Police Department; scheduled pursuant to Motion No. M20-125, approved on September 15, 2020. (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 relating to the update on findings and recommendations regarding law enforcement practices. (File No. 200777). William Scott, Police Chief (Police Department); Debra Kirby (Hillard Heintz); provided an overview of law enforcement practices and answered questions raised throughout the discussion. William Palmer (Black After Next); Speaker; Paulette Brown; Ace Washington; Gilbert Crisswell; Citizen 22; Jordan Davis; spoke on various concerns relating to law enforcement practices. There were no other speakers. The President closed public comment, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Supervisor Walton, seconded by Supervisor Chan, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of May 24, 2022. The motion carried by the following vote:

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

Absent: 1 - Melgar

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

220200 [Accept and Expend Grant - Retroactive - California Department of Public Health Substance and Addiction Prevention Branch - Overdose Prevention Initiative - \$312,966]

Sponsor: Peskin

Ordinance retroactively authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of \$312,966 from the California Department of Public Health, Substance and Addiction Prevention Branch; and authorizing the addition of one grant-funded temporary Class 2456 Forensic Toxicologist, for the period beginning February 1, 2022, through August 31, 2023. (Medical Examiner/Coroner)

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Land Use and Transportation Committee

Supervisor Peskin Excused from Voting

Supervisor Peskin requested to be excused from File No. 220159 due to possible conflict of interest.

Supervisor Safai, seconded by Supervisor Mandelman, moved to excuse Supervisor Peskin from voting on File No. 220159. The motion carried by the following vote:

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

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

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

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

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

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

There was no public comment.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

220278 [Closed Session - Labor Negotiations - March 22, 2022]

Closed Session for the Board of Supervisors to convene on March 22, 2022, to confer with the Mayor's Office and the Department of Human Resources under California Government Code, Section 54957.6, and San Francisco Administrative Code, Section 67.10(e), regarding negotiations with labor unions representing City employees; scheduled pursuant to Motion in File No. 220277, to be considered on March 22, 2022. (Clerk of the Board)

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 6:03 p.m. to convene in closed session pursuant to the approval of the Motion contained in File No. 220277, approved on March 22, 2022.

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

Persons in attendance: Anne Pearson and Jonathan Rolnick, Deputy City Attorneys (Office of the City Attorney); Carol Isen, Director, Mawuli Tugbenyoh, and Ardis Graham (Department of Human Resources); Sean Elsbernd, Chief of Staff, Ashley Groffenberger, Budget Director, and Tom Paulino, Liaison to the Board (Mayor's Office); Alisa Somera, Legislative Deputy Director, and Erica Major, Assistant Clerk (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 7:18 p.m.

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

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Mandelman was noted not present at 5:52 p.m. and present at 5:58 p.m.

220274 [Urging Expedited Processing of Eligible Special Immigrant Juvenile Visas and Ensure the Provision of Employment Documents for All Abused, Neglected, or Abandoned Children and Youth]

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

Resolution urging the Biden Administration to expedite the processing of all eligible Special Immigrant Juvenile visas and to ensure the provision of employment documents for all abused, neglected, or abandoned children and youth.

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

ADOPTED

220279 [Burma Human Rights (Ko Phone Maw) Day - March 13th]

Sponsors: Melgar; Haney and Mandelman

Resolution declaring March 13th as Burma Human Rights (Ko Phone Maw) Day in the City and County of San Francisco.

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

ADOPTED

220276 [Concurring in Actions to Meet Local Emergency - Drug Overdoses in the Tenderloin - Third Supplement]

Sponsor: Haney

Motion concurring in actions taken by the Mayor in the Third Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the sudden increase in drug overdoses in the Tenderloin by authorizing the Human Resources Director to continue the assignment of employees currently serving as disaster service workers at the Linkage Center until such time as regularly assigned employees can maintain the current level of services, but no longer than June 30, 2022.

Motion No. M22-045

APPROVED

220277 [Closed Session - Labor Negotiations - March 22, 2022]

Sponsor: Walton

Motion that the Board of Supervisors convene in closed session on March 22, 2022, to confer with the Mayor's Office and the Department of Human Resources, pursuant to California Government Code, Section 54957.6 and San Francisco Administrative Code, Section 67.10(e), regarding negotiations with labor unions representing City employees.

Motion No. M22-046

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Mandelman

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chan requested that File No. 220272 be severed so it they may be considered separately.

220272 [Denouncing Anti-Asian American and Pacific Islander Rhetoric]

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

Resolution denouncing anti-Asian rhetoric and the use of racial campaign antics.

ADOPTED by the following vote:

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

Supervisor Melgar requested that File No. 220273 be severed so it they may be considered separately.

220273 [Supporting California State Assembly Bill No. 2053 (Lee) - Social Housing Act]

Sponsors: Haney; Mandelman

Resolution supporting California State Assembly Bill No. 2053, the Social Housing Act, introduced by Assembly Member Alex Lee, which establishes the California Housing Authority to produce and acquire social housing developments.

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

Supervisor Preston requested this Resolution be REFERRED to the Land Use and Transportation Committee

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 ORDINANCES

220257 [Settlement of Lawsuit - Penny Mims - \$150,000]

Ordinance authorizing settlement of the lawsuit filed by Penny Mims against the City and County of San Francisco and individual defendant Dorian Carr for \$150,000; the lawsuit was filed on March 3, 2020, in San Francisco Superior Court, Case No. CGC-20-583388; entitled Penny Mims v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

03/10/22; RECEIVED FROM DEPARTMENT.

03/22/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

220258 [Settlement of Lawsuit - I.H., a Minor - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by I. H. against the City and County of San Francisco for \$100,000; the lawsuit was filed on September 4, 2020, in United States District Court, Case No. 20-cv-06155-AGT; entitled I.H. v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations at the Juvenile Justice Center. (City Attorney)

03/14/22; RECEIVED FROM DEPARTMENT.

03/22/22; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

220251 [Annual Fundraising Drive - 2022]

Resolution designating those agencies qualified to participate in the 2022 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

03/14/22; RECEIVED FROM DEPARTMENT.

03/22/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**220259 [Contract Amendment - Project Open Hand - Food and Nutrition Services
Low-Income People Living with HIV/AIDS - Not to Exceed \$18,800,344]**

Resolution approving Amendment No. 3 to the agreement between Project Open Hand and the Department of Public Health (DPH), to secure food and nutrition services for low-income people living with HIV/AIDS who reside in San Francisco, to increase the agreement by \$9,442,639 for an amount not to exceed \$18,800,344; to extend the term by four years and nine months, from June 30, 2022, for a total agreement term of April 1, 2017, through March 31, 2027; and to authorize DPH to enter into amendments or modifications to the contract prior to its final execution by all parties that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the contract. (Public Health Department)

03/09/22; RECEIVED FROM DEPARTMENT.

03/22/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 7:19 p.m.