

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, April 13, 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

Meeting Days

Budget and Appropriations Committee

Supervisors Haney, Safai, Mar, Ronen, Walton

Wednesday
1:00 PM

Budget and Finance Committee

Supervisors Haney, Safai, Mar

Wednesday
10:30 AM

Government Audit and Oversight Committee

Supervisors Preston, Chan, Mandelman

1st and 3rd Thursday
10:00 AM

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Monday
1:30 PM

Public Safety and Neighborhood Services Committee

Supervisors Mar, Stefani, Haney

2nd and 4th Thursday
10:00 AM

Rules Committee

Supervisors Peskin, Mandelman, Chan

Monday
10:00 AM

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Melgar

2nd Friday
10:00 AM

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, April 13, 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, Peskin, Preston, 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 March 9, 2021, Board Regular Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Preston, moved to approve the March 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.

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

210366 [Formal Policy Discussions - April 13, 2021]

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 opening of a drug sobering center in order to help those experiencing homelessness and mental health issues.

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 join Budget Chair Haney and commit to funding rent relief and the Housing Stability Fund from Proposition "I" revenue, so long as you are the Mayor? Mayor Breed acknowledged that the housing issues being experienced in our City is a significant crisis that needs attention and funding is imperative. However, Proposition "I" did not designate the uses for the revenue generated and as Mayor she must assume the funding is going to the General Fund and will make the tough decisions to allocate the monies responsibly.

Supervisor Preston then followed up with the following question: I did not hear a commitment to using Proposition "I" funds as voters intended, so long as you are Mayor; short of that, will you commit that Proposition "I" funds will be used for rent relief and the Housing Stability Fund in your upcoming budget proposal? Mayor Breed responded that she was clear on her intentions to allocate the funding responsibly.

Mayor Breed did not ask any follow-up questions related to this topic. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

210206 [Settlement of Lawsuit - Jose Parra - \$115,000]

Ordinance authorizing settlement of the lawsuit filed by Jose Parra against the City and County of San Francisco for \$115,000; the lawsuit was filed on January 27, 2020, in San Francisco Superior Court, Case No. CGC-20-582468; entitled Jose Parra v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City walkway. (City Attorney)

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

201326 [Planning Code - Chinatown Mixed Use Districts]

Sponsors: Mayor; Peskin, Safai and Chan

Ordinance amending the Planning Code to prohibit retail workspace in Chinatown Mixed-Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity and convenience under Planning Code, Section 302.

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

FINALLY PASSED

Recommendation of the Public Safety and Neighborhood Services Committee

201283 [Police Code - Gun Violence Restraining Orders]

Sponsors: Stefani; Mar, Haney, Mandelman and Safai

Ordinance amending the Police Code to require peace officers who request a temporary emergency gun violence restraining order to serve and file a copy with the court as specified and to apply the California Penal Code provision penalizing violations of different types of gun violence restraining orders under California law to persons who are subject to parallel gun violence restraining orders issued by an out-of-state jurisdiction.

FINALLY PASSED

Recommendation of the Rules Committee

210140 [Administrative, Campaign and Governmental Conduct Codes - Office of the Chief Medical Examiner]

Sponsor: Peskin

Ordinance amending the Administrative Code and Campaign and Governmental Conduct Code to establish the position of Executive Director of the Office of Chief Medical Examiner, and to establish a division of responsibilities in that Office between the Executive Director and the Chief Medical Examiner.

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

Severed from the Consent Agenda

Supervisor Ronen requested that File No. 210160 be severed so that it may be considered separately.

210160 [Settlement of Lawsuit - Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen against the City and County of San Francisco for \$30,000; the lawsuit was filed on May 20, 2019, in United States District Court - Northern District of California, Case No. 19-cv-02722; entitled Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen v. San Francisco County Sheriff's Department, et al.; the lawsuit involves claims that the sleep schedule and frequent sleep disruptions at County Jails 4 and 5 created unconstitutional conditions of confinement for the inmates; other material terms of the settlement are that the court approve the settlement. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 9 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Stefani, Walton

Noes: 2 - Ronen, Safai

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

210324 [Appropriation - Property Tax Revenue - \$15,000,000 to the Department of Children, Youth and Their Families - Youth Learning Initiatives - FY2020-2021]

Sponsors: Mayor; Stefani, Walton, Ronen, Haney, Safai, Mandelman, Mar, Melgar and Chan
Ordinance appropriating \$15,000,000 of property tax revenue to the Department of Children Youth and Their Families for Youth Learning Initiatives in Fiscal Year (FY) 2020-2021.
(Fiscal Impact)

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

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

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

Ordinance authorizing the City Administrator to amend certain leases and forgive rent due between April 2020 and December 2020 with nonresidential tenants, and waiving Administrative Code and Environmental Code requirements enacted after the most recent modification of each lease, in order to allow for expeditious rent forgiveness necessitated by the financial hardship caused by the public health emergency related to the COVID-19 pandemic. (City Administrator)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

210159 [Transmission Facilities Agreement - Pacific Gas and Electric Company - Electric Grid Interconnection - \$21,165,000]

Ordinance approving a Transmission Facilities Agreement with Pacific Gas and Electric Company to interconnect City-owned transmission facilities to the electric grid for a total cost of \$21,165,000 and a term of four years and three months commencing in April 2021 and ending in June 2025, and waiving certain provisions of the Administrative and Environment Codes. (Public Utilities Commission)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

210069 [Lease Amendment No. 2 - Retroactive - Airport Travel Agency, Inc - Airport Amenities and Business Services - Term Extension]

Resolution retroactively approving Amendment No. 2 to the Airport Amenities and Business Services Lease No. 13-0202 between Airport Travel Agency, Inc. and the City and County of San Francisco, acting by and through its Airport Commission, to extend the Lease by two years and six months, beginning January 1, 2021, for a total term of January 1, 2014, through June 30, 2023, with a condition that the Airport Director, at his sole and absolute discretion, may terminate earlier by providing six months' advance written notice, with no change to the current minimum annual guarantee, subject to adjustment in accordance with the terms and conditions of the Lease, effective upon the approval of the Board of Supervisors. (Airport Commission)

ADOPTED by the following vote:

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

210175 [Contract Amendment - Retroactive - TEGSCO, LLC, dba San Francisco AutoReturn - Vehicle Towing, Storage and Disposal Services for Abandoned and Illegally-Parked Vehicles - Not to Exceed \$88,200,000]

Resolution retroactively approving the third amendment with TEGSCO, LLC, dba San Francisco AutoReturn, for services related to the towing, storage, and disposal of abandoned and illegally-parked vehicles, to authorize an increase to the contract amount by \$11,200,000 for the first year of the five-year extension, with the option to increase the contract amount by an additional \$11,600,000 in the second year of the extension, for a total amount not to exceed \$88,200,000 to commence on April 1, 2021. (Municipal Transportation Agency)
(Fiscal Impact)

ADOPTED by the following vote:

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

210190 [Lease Amendment - Increasing City Allowance Provided for Tenant Improvements - Volunteers in Medicine - 35 Onondaga Avenue - Reimbursement of Up to \$1,660,000]

Sponsor: Safai

Resolution authorizing the Director of Property to execute a first amendment to a restated ten-year commercial lease, with two five-year extension options, between the City and County of San Francisco, as landlord, and Volunteers in Medicine, DBA Clinic By the Bay, as tenant, for the City-owned property located at 35 Onondaga Avenue; authorizing the reimbursement of up to a total of \$1,660,000 for tenant improvements, to commence following Board approval upon execution of the lease.
(Fiscal Impact)

ADOPTED by the following vote:

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

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)

ADOPTED by the following vote:

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

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.

Supervisor Chan, seconded by Supervisor Melgar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 1-4, by adding 'FURTHER RESOLVED, That the Board of Supervisors requests a monthly written report from the Mayor's Office of Housing and Community Development to the Clerk of the Board on the amount of federal rent relief funds received by each landlord in San Francisco, until all funds have been distributed; and, be it'.

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

Recommendation of the Budget and Appropriations Committee**210221 [Five-Year Information and Communication Technology Plan - FYs 2022-2026]****Sponsor: Mayor**

Resolution adopting the City's five-year Information and Communication Technology Plan for Fiscal Years (FYs) 2022-2026, pursuant to Administrative Code, Section 22A.6.

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**210064 [Planning Code - Landmark Designation - 1830 Sutter Street (aka Japanese YWCA/Issei Women's Building)]****Sponsors: Preston; Mandelman, Peskin, Chan, Mar and Safai**

Ordinance amending the Planning Code to designate 1830 Sutter Street (aka Japanese YWCA/Issei Women's Building), Assessor's Parcel Block No. 0676, Lot No. 035, as a Landmark under 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)

Supervisors Mar and Safai 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

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

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 the 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 five 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.)

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

Supervisor Safai, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to the Board of Supervisors meeting of April 20, 2021. The motion carried by the following vote:

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

Recommendations of the Rules Committee**210115 [Administrative Code - Shelter Monitoring Committee]****Sponsor: Mayor**

Ordinance amending the Administrative Code to reinstitute the Shelter Monitoring Committee and change the date on which it expires, from December 31, 2020, to July 1, 2022.

PASSED ON FIRST READING by the following vote:

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

210218 [Administrative, Police Codes - Waiving Employer Requirements to Report on 2020 Compliance with Health Care Security Ordinance and Fair Chance Ordinance]**Sponsor: Stefani**

Ordinance amending the Administrative Code to waive the requirement for employers to report compliance with the Health Care Security Ordinance for 2020, codifying the previous waiver of such requirement for 2019, amending the Police Code to waive the requirement for employers to report compliance with the Fair Chance Ordinance for 2020, and codifying the previous waiver of such requirement for 2019.

PASSED ON FIRST READING by the following vote:

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

210211 [Mayoral Appointment, Historic Preservation Commission - Christina Dikas]

Motion rejecting the Mayor's nomination for appointment of Christina Dikas to the Historic Preservation Commission, term ending December 31, 2024. (Clerk of the Board)
(Charter, Section 4.135, 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 of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: March 1, 2021.)

Clerk Calvillo informed the Board of Supervisors that she was in receipt of a communication from the Mayor's Office, dated April 13, 2021, forwarding Christina Dikas' letter withdrawing her name from consideration.

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:

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

210339 [Appointments, Student and Families RISE Working Group - Leslie Hu, Rafael Picazo, Efrain Barrera, Carol Hill, Joyce Dorado, Jacob Leos-Urbel, Emily Garvie, and Marcus Wong]

Motion appointing Leslie Hu, Rafael Picazo (residency requirement waived), Efrain Barrera, Carol Hill, Joyce Dorado (residency requirement waived), Jacob Leos-Urbel, Emily Garvie, and Marcus Wong, terms ending April 8, 2022, to the Student and Families RISE (Recovery and Inclusive Successful Enrichment) Working Group. (Rules Committee)

Motion No. M21-059

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. 210235, 210236, 210237, and 210238 be called together.

210235 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 476 Lombard Street Project]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on July 15, 2020, for the proposed project at 476 Lombard Street, Assessor's Parcel Block No. 0062, Lot No. 017A, for construction of a horizontal addition, a new elevator, and roof deck to an existing three-story, 3,192 square foot single family residence within the RH-3 (Residential House, Three-Family) Zoning District and a 40-X Height and Bulk District. (District 3) (Appellant: Susan Brandt-Hawley of Brandt-Hawley Law Group, on behalf of Barbara and Arrigo Sturla) (Filed February 25, 2021) (Clerk of the Board)

President Walton opened the public hearing and Supervisor Peskin provided opening remarks regarding the proposed project and appeal. The President then inquired as to whether any individual wished to address the Board. Susan Brandt-Hawley and Katherine Petrin (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. There were no speakers in spoke in support of the appeal. Justin Zucker and Hannah Lise Simonson (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Lisa Gibson, Charles Enchill and Claudine Asbagh (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Jack Shaw; spoke in support of the project and in opposition to the appeal. Susan Brandt-Hawley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Walton closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

210236 [Affirming the Exemption Determination - 476 Lombard Street]

Motion affirming the determination by the Planning Department that the proposed project at 476 Lombard Street is exempt from further environmental review. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Preston, moved that this Motion be TABLED. The motion carried by the following vote:

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

Noes: 1 - Melgar

210237 [Conditionally Reversing the Exemption Determination - 476 Lombard Street]

Motion conditionally reversing the determination by the Planning Department that the proposed project at 476 Lombard Street is exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Motion No. M21-060

Supervisor Peskin, seconded by Supervisor Preston, moved that this Motion be APPROVED. The motion carried by the following vote:

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

Noes: 1 - Melgar

210238 [Preparation of Findings to Reverse the Exemption Determination - 476 Lombard Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 476 Lombard Street is exempt from further environmental review. (Clerk of the Board)

Motion No. M21-061

Supervisor Peskin, seconded by Supervisor Preston, moved that this Motion be APPROVED. The motion carried by the following vote:

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

Noes: 1 - Melgar

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Peter Warfield; suggested the need to hold a hearing on the accessibility of City services and information during the pandemic, and concerns on the poor quality of service being provided by the Public Library.

Gilbert Crisswell; expressed the need to expend certain funds to expand Muni services in certain neighborhoods during the pandemic.

John Holden; expressed the need to fill the appointments on the Golden Gate Bridge, Highway and Transportation District, Board of Directors.

Barry Toronto; expressed support of providing free Muni and concerns regarding the safety of Muni employees.

Francisco Da Costa; expressed the need to make public participation easily accessible and concerns regarding suffering during the pandemic.

Daniel Landry; expressed the need to expand Muni services in certain neighborhoods and shared instances of racial profiling at certain businesses.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**210347 [Supporting the California Nutrition Incentive Program Budget Coalition Request for Funding of the California Nutrition Incentive Program, Including Programs Like the Statewide Market Match]**

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

Resolution supporting the California Nutrition Incentive Program Budget Coalition request for Fiscal Year (FY) 2021-2022 funding of \$20,000,000 for the California Nutrition Incentive Program at California Department of Food and Agriculture Office of Farm to Fork, including programs like the statewide Market Match; and urging the California Assembly and Senate budget committees to include in the FY2021-2022 Budget Act a one-time appropriation of \$20,000,000 for the California Nutrition Incentive Program.

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

ADOPTED 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 Mar requested that File No. 210347 be severed so that it may be considered separately.

210353 [Supporting California State Senate Bill No. 37 (Cortese) - Contaminated Sites]

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

Resolution supporting California State Senate Bill No. 37, Contaminated Sites: The Hazardous Waste Site Cleanup and Safety Act, authored by Senator David Cortese, expressly prohibiting the use of the common sense exemption to be applied to construction projects located on contaminated sites identified on the state's Cortese List.

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

Supervisor Mar 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 RESOLUTIONS**210341 [Settlement of Unlitigated Claim - Grace International Consortia, Inc. - \$316,250]**

Resolution approving the settlement of the unlitigated claim filed by Grace International Consortia, Inc. against the City and County of San Francisco for \$316,250; the claim was filed on May 8, 2020; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney)

03/30/21; RECEIVED FROM DEPARTMENT.

04/13/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210342 [Lease Amendment No. 3 - World Duty Free Group North America, LLP - Terminal 2 Newsstands, Coffee and Specialty Stores - Term Extension]

Resolution approving Amendment No. 3 to the Terminal 2 Newsstands, Coffee and Specialty Stores Lease No. 10-0232, between World Duty Free Group North America, LLP, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for an extension of the term for no later than June 30, 2023, with a condition that the Airport Director, at his sole and absolute discretion, may terminate earlier by providing six months' advance written notice, with no change to the current minimum annual guarantee, subject to adjustment in accordance with the terms and conditions of the Lease, effective upon approval by the Board of Supervisors. (Airport Commission)

04/01/21; RECEIVED FROM DEPARTMENT.

04/13/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210343 [Designating Various Departments as Health Care Components of the City and County of San Francisco - Hybrid Entity Under HIPAA]

Resolution accepting the report of the City Administrator and designating the Department of Public Health, Fire Department, Health Service System, City Attorney, Treasurer-Tax Collector and Department of Technology as Health Care Components under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), pursuant to Administrative Code, Chapter 22H. (City Administrator)

04/02/21; RECEIVED FROM DEPARTMENT.

04/13/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

210344 [Grant Agreement Amendment - Institute on Aging - Community Living Fund - Not to Exceed \$22,408,928]

Resolution approving a third amendment to the grant agreement between the City and County of San Francisco and the Institute on Aging for the provision of the Community Living Fund, to extend the grant term by two years from the period of July 1, 2021, for a total term of July 1, 2019, to June 30, 2023, and to increase the amount of the grant by \$10,767,634 for a revised total amount not to exceed \$22,408,928. (Human Services Agency)

04/02/21; RECEIVED FROM DEPARTMENT.

04/13/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210345 [Contract Amendment - Baker Places - Behavioral Health Respite Services - Not to Exceed \$27,233,566]

Resolution approving Amendment No. 2 to the agreement between the Baker Places and the Department of Public Health for behavioral health respite services, to increase the agreement amount by \$17,263,699 for an amount not to exceed \$27,233,566; and to extend the term by five years from July 1, 2021, for a total agreement term of January 1, 2019, through June 30, 2026. (Public Health Department)

04/05/21; RECEIVED FROM DEPARTMENT.

04/13/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 5:44 p.m.