

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, April 27, 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

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

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 27, 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 23, 2021, Board Regular Meeting Minutes or the March 23, 2021, Joint Special Meeting with the Public Utilities Commission Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Chan, moved to approve the March 23, 2021, Board Regular Meeting Minutes and the March 23, 2021, Joint Special Meeting with the Public Utilities Commission 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

210179 [Accept and Expend Grant - Amend the Annual Salary Ordinance - Retroactive - Crankstart Foundation - Kelson Foundation - Clean Slate Program Grant - \$250,000 and \$35,000 Respectively]

Sponsors: Melgar; Safai, Mar and Haney

Ordinance retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of \$250,000 from the Crankstart Foundation, and a grant in the amount of \$35,000 from Kelson Foundation, to expand by 25-30% the capacity of the Clean Slate Unit to meet the increased demand for Clean Slate services for the period of January 1, 2021, through December 31, 2021; and to amend the Annual Salary Ordinance No. 166-20 (Annual Salary Ordinance, File No. 200568 for Fiscal Years 2020-2021 and 2021-2022) to provide for the addition of two grant-funded positions, one FTE in Class 8177 Attorney and one FTE in Class 8173 Legal Assistant. (Public Defender)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

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)

PASSED ON FIRST READING

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)

PASSED ON FIRST READING

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)

PASSED ON FIRST READING

210330 [Settlement of Lawsuit - Elena Ruiz-Diaz and Mercedes Arroyo - \$600,000]

Ordinance authorizing settlement of the lawsuit filed by Elena Ruiz-Diaz and Mercedes Arroyo against the City and County of San Francisco for \$600,000; the lawsuit was filed on July 30, 2020, in San Francisco Superior Court, Case No. CGC-20-585869; entitled Elena Ruiz-Diaz, by and through her attorney-in-fact, Mercedes Arroyo, and Mercedes Arroyo, individually v. City and County of San Francisco, et al.; the lawsuit involves allegations of medical negligence, elder neglect/abuse, violations of the Patient's Bill of Rights, and negligent infliction of emotional distress concerning Ms. Ruiz-Diaz's care at Laguna Honda Hospital and Rehabilitation Center. (City Attorney)

PASSED ON FIRST READING

210331 [Settlement of Lawsuit - Armin Abdollahvand - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Armin Abdollahvand against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 27, 2019, in San Francisco Superior Court, Case No. CGC-19-578732; entitled Armin Abdollahvand v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury in a rear-end automobile collision involving a City employee. (City Attorney)

PASSED ON FIRST READING

210332 [Settlement of Lawsuit - Ramsey Abouremeleh - \$275,000]

Ordinance authorizing settlement of the lawsuit filed by Ramsey Abouremeleh against the City and County of San Francisco, et al. for \$275,000; the lawsuit was filed on January 5, 2021, in the Superior Court of California, County of San Francisco, Case No. CGC-21-588689; entitled Ramsey Abouremeleh v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

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)

ADOPTED

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)

ADOPTED

210333 [Settlement of Unlitigated Claim - Luis Hernandez - \$65,602]

Resolution approving the settlement of the unlitigated claim filed by Luis Hernandez against the City and County of San Francisco for \$65,602; the claim was filed on February 18, 2020; the claim involves a cast iron water main break that caused flooding to the property. (City Attorney)

ADOPTED

210334 [Settlement of Unlitigated Claim - Farmers Insurance Exchange - \$60,000]

Resolution approving the settlement of the unlitigated claim filed by Farmers Insurance Exchange against the City and County of San Francisco for \$60,000; the claim was filed on January 17, 2020; the claim involves property damage arising from sewer main pipe overflow as a result of heavy rain, which resulted in loss of business income. (City Attorney)

ADOPTED

Recommendation of the Public Safety and Neighborhood Services Committee**210258 [Public Works Code - Graffiti Abatement - Suspension on Issuance of Certain Violations; Waiver of Certain Unpaid Fees and Fines]**

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

Ordinance suspending provisions of the Graffiti Removal and Abatement Ordinance regarding issuance of certain violations and waiving certain unpaid assessed fees and fines due to the COVID-19 pandemic emergency, subject to specific conditions; and affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED

Recommendation of the Rules Committee

210260 [Administrative Code - Electric Facilities at Development Projects]

Sponsors: Walton; Ronen, Mandelman and Safai

Ordinance amending the Administrative Code to authorize the Public Utilities Commission to contract with developers that are installing infrastructure, pursuant to a development agreement, to install electric equipment that the Public Utilities Commission would otherwise be required to install without competitive bidding, subject to specified conditions.

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

Recommendation of the Land Use and Transportation Committee

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.)

Supervisor Safai, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to the Board of Supervisors meeting of May 4, 2021. The motion carried 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

210184 [Small Business Emergency Relief Program - Retroactive - Not to Exceed \$7,300,000 Funding/Loan Agreements - California Rebuilding Fund, LLC - Expected Amount \$4,200,000 - Funding/Grant Agreements - Kiva Microfunds - Expected Amount \$3,100,000]

Sponsors: Mayor; Stefani and Mandelman

Resolution retroactively authorizing the establishment of a small business emergency financial relief program to be administered by the Office of Economic and Workforce Development (OEWD), and authorizing the Director of OEWD to enter into agreements not to exceed \$7,300,000, for terms beginning April 1, 2021, through June 30, 2027, including one or more funding/loan agreements with the California Rebuilding Fund, LLC in an expected amount of \$4,200,000 to facilitate the origination of loans to certain small businesses in the City but which may vary depending on available program terms and demand; and one or more funding/grant agreements with Kiva Microfunds in an expected amount of \$3,100,000 to provide monies for an interest buydown fund for loans facilitated by the California Rebuilding Fund to certain small businesses in the City but which may vary depending on available program terms and demand, and to take necessary actions in connection therewith, as defined herein.

(Fiscal Impact)

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

Privilege of the floor was granted unanimously to Luke Brewer (Office of the Controller) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

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

210205 [Annual Fundraising Drive - 2021]

Resolution designating those agencies qualified to participate in the 2021 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

ADOPTED by the following vote:

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

President Walton requested File Nos. 210306, 210307, and 210362 be called together.

210306 [Multifamily Housing Revenue Bonds - 6th Street at Avenue C (Treasure Island Parcel C3.1) - Not to Exceed \$100,000,000]

Sponsor: Mayor

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness in an aggregate principal amount not to exceed \$100,000,000; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$100,000,000 for Treasure Island Parcel C3.1, 6th Street at Avenue C (San Francisco, California 94112); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

210307 [Multifamily Housing Revenue Bonds - 241 Sixth Street (Knox SRO) - Not to Exceed \$16,500,000]

Sponsor: Mayor

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$16,500,000 for 241 Sixth Street (Knox SRO); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$16,500,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

210362 [Multifamily Housing Revenue Bonds - 4101 Noriega, 363 Noe, 200 Randolph/409 Head, 2206-2268 Great Highway, 1353-1367 Eddy (SFHA Scattered Sites) - Not to Exceed \$60,000,000]

Sponsor: Mayor

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness in an aggregate principal amount not to exceed \$60,000,000; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$60,000,000 for the scattered sites located at 4101 Noriega, 363 Noe, 200 Randolph/409 Head, 2206-2268 Great Highway, 1353-1367 Eddy; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

President Walton requested File Nos. 210309 and 210358 be called together.

210309 [Apply for, Accept, and Expend Grant - Retroactive - United States Department of Housing and Urban Development - Community Development Block Grants Coronavirus Program Round 3 Entitlement Grant (CDBG-CV3) - \$9,626,923]

Sponsor: Mayor

Resolution retroactively approving the CARES Act Community Development Block Grant Coronavirus Round 3 (CDBG-CV3) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's CARES-CV3 program entitlement from the United States Department of Housing and Urban Development in the amount of \$9,626,923 for the period beginning December 1, 2020, through June 30, 2023.

ADOPTED by the following vote:

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

210358 [Accept and Expend In-Kind Gift - Software as a Service - All Home and Bay Area Community Services - Valued at \$1,236,373]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development to accept an in-kind gift of software as a service valued at \$1,236,373 from All Home and Bay Area Community Services, for a period of April 2021 through December 2022.

ADOPTED by the following vote:

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

210338 [Contract Modification - Thales Transport & Security Inc. - Advanced Train Control System for Central Subway - Increase Contract Amount - Not to Exceed \$27,730,300.40]

Resolution approving Modification No. 3 to Contract CN 1266-2, Design Review, Software, Implementation and Testing Services for an Advanced Train Control System (ATCS) for the Central Subway Project, with Thales Transport & Security Inc., to modify ATCS software and designs to conform to national fire codes, correct track speed limits, modify installation requirements, accelerate completion of work, and compensate Thales for costs and impacts it incurred arising from delay to the Project, increasing the contract amount by \$12,831,743.60 for a modified contract amount of \$27,730,300.40; to extend the substantial completion of the ATCS by 670 days for a total contract term of December 3, 2013, through April 29, 2022, and to extend the contract warranty period to April 29, 2025, to commence upon approval by the Board of Supervisors. (Municipal Transportation Agency)
(Fiscal Impact)

ADOPTED by the following vote:

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

210363 [Loan Agreement - 4200 Geary Associates, L.P. - 100% Affordable Housing - 4200 Geary Boulevard - Not to Exceed \$14,538,982]

Sponsors: Mayor; Chan

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute loan documents relating to a loan to provide financing for the acquisition of real property located at 4200 Geary Boulevard, and predevelopment activities for the construction of a 100% affordable multifamily rental housing project consisting of 98 units for senior households and ancillary commercial space, known as 4200 Geary Boulevard, in an aggregate amount not to exceed \$14,538,982; approving the form of the loan agreement and ancillary documents; ratifying and approving any action heretofore taken in connection with the project, as defined herein; granting general authority to City Officials to take actions necessary to implement this Resolution, as defined herein; and finding that the loan is consistent the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

ADOPTED by the following vote:

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

Recommendation of the Budget and Appropriations Committee

210354 [Five-Year Financial Plan - FYs 2022-2026]

Sponsor: Mayor

Resolution adopting the City's Five-Year Financial Plan for Fiscal Years (FY) 2021-2022 through 2025-2026, pursuant to Charter, Section 9.119.

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

210329 [Settlement of Lawsuit - Recology San Francisco, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company - San Francisco Refuse Ratepayers to Receive \$94,520,000 in Restitution; City to Receive \$7,000,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Recology San Francisco, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company for payment of at least \$94,520,000 in restitution and related interest as well as \$7,000,000 in civil penalties; the lawsuit was filed on March 4, 2021, in San Francisco Superior Court, Case No. CGC-21-590091; entitled People of the State of California, acting by and through Dennis J. Herrera as City Attorney of San Francisco; and City and County of San Francisco v. Recology San Francisco, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company; the lawsuit involves Defendants' violations of California's Unfair Competition Law and San Francisco Campaign and Governmental Conduct Code based on improper overcharging of San Francisco refuse Ratepayers and unlawful gifts and contributions made to city employees and officers or to third-parties at their request; other material terms of the settlement are that Defendants agree to be bound to a four-year injunction to be presented and entered by the court after the settlement agreement is approved. (City Attorney)

Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to a Closed Session at the Board of Supervisors meeting of May 4, 2021. The motion carried by the following vote:

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

210200 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-Fifth Supplement]

Sponsor: Walton

Motion concurring in actions taken by the Mayor in the Thirty-Fifth Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by allowing departments to extend COVID-19-related contracts through a streamlined process for an additional twelve months; allowing the Civil Service Commission to approve emergency personal service contracts without requiring advance union notification otherwise required by memoranda of understanding; authorizing the Controller to adopt a policy concerning streamlined approval of certain amendments to non-COVID-19-related contracts; and authorizing the Controller to adopt a policy under which the City may provide expedited payments of funds covering cost-of-doing-business or cost-of-living increases to nonprofit organizations that provide services under existing agreements with the City.

Motion No. M21-068

APPROVED 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

210352 [Initiating Landmark Designation - Diego Rivera Mural “The Allegory of California”]

Sponsors: Peskin; Preston, Melgar, Chan, Mandelman and Safai

Resolution initiating a landmark designation under Article 10 of the Planning Code for Diego Rivera’s fresco, titled “The Allegory of California,” painted in 1931 and located at 155 Sansome Street.

Supervisors Chan, Mandelman, 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

Recommendations of the Rules Committee

210256 [Appointments, Cannabis Oversight Committee - Ali Jamalian, Aaron Flynn, and Jessica Cry]

Motion appointing Ali Jamalian, Aaron Flynn, and Jessica Cry, terms ending December 3, 2022, to the Cannabis Oversight Committee. (Rules Committee)

Motion No. M21-069

APPROVED by the following vote:

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

210370 [Appointments, Sunshine Ordinance Task Force - Jaya Padmanabhan and Bruce Wolfe]

Motion appointing Jaya Padmanabhan (residency requirement waived) and Bruce Wolfe, terms expiring April 27, 2023, to the Sunshine Ordinance Task Force. (Rules Committee)

Motion No. M21-070

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.

COMMITTEE REPORTS

Recommendation of the Rules Committee

210416 [Appointments, Cannabis Oversight Committee - Doug Bloch, Shawn Richard, Leah 'Nina Parks' Weitz, Brendan Hallinan, Theresa Foglio-Ramirez, and Sara Payan]

Motion appointing Doug Bloch (residency requirement waived), Shawn Richard, Leah 'Nina Parks' Weitz (residency requirement waived), Brendan Hallinan, Theresa Foglio-Ramirez (residency requirement waived), and Sara Payan (residency requirement waived), terms ending December 3, 2022, to the Cannabis Oversight Committee. (Rules Committee)

Motion No. M21-071

APPROVED 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

210346 [Housing Code - Community Kitchens]

Sponsors: Peskin; Mandelman

Ordinance amending the Housing Code to prohibit removal of existing community kitchens in group housing; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Linda Chapman; expressed concerns regarding zoning issues and conflicts in certain neighborhoods.

Danali Cowing; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Stephanie; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Kyle Neil; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Sue Hestor; expressed the need to reopen City Hall, the Legislative Chamber, and other rooms to resume in-person meetings.

David Elliott Lewis; expressed support of the #30RightNow campaign and other efforts being undertaken.

Javier Aguilar; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Sara Lee; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Austin Truong; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Jordan Davis; expressed concerns regarding the annual budget process and the need to redistribute more approval authority to the Board of Supervisors.

Claire Courtney; expressed support of the Resolution supporting the rights of workers at Imperfect Foods to unionize (File No. 210432).

Luis Pablo; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Melanie Kim; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Speaker; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Gabriel Medina; expressed support of the Resolution support Assembly Bill No. 937, The VISION ACT (File No. 210434).

Speaker; expressed concerns regarding a landmark designation that will be coming to the Board for consideration.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

210428 [Supporting United States Senate Bill 910 (Merkley) - SAFE Banking Act of 2021]

Sponsors: Haney; Walton, Chan, Mandelman and Preston

Resolution urging the passage of the United States Senate Bill 910, introduced by United States Senator Jeff Merkley (D-OR), the Secure and Fair Enforcement Banking (SAFE) Act of 2021, and the urgent introduction of federal legislation to legalize cannabis.

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

ADOPTED

210429 [Supporting California State Assembly Bill No. 897 (Mullin) - Regional Climate Adaptation]**Sponsors: Peskin; Chan, Mandelman and Safai**

Resolution supporting California State Assembly Bill No. 897, introduced on February 17, 2021, by Assembly Member Kevin Mullin (AD-22), which would authorize eligible entities to establish and participate in a regional climate network, require the regional climate network to develop a regional climate adaptation plan, and authorize the regional climate network to engage in activities to address climate change, including recommending options for distributing state funds for the creation and implementation of regional climate adaptation action plans.

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

ADOPTED**210430 [Supporting California State Assembly Bill No. 1177 (Santiago) - The Public Banking Option Act]****Sponsors: Preston; Walton, Chan, Ronen, Melgar and Haney**

Resolution supporting California State Assembly Bill No. 1177, authored by Assembly Member Miguel Santiago, the California Public Banking Option, to expand access to banking services for unbanked and underbanked Californians by providing a zero-fee, zero-penalty public option for essential financial services.

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

ADOPTED**210432 [Supporting Imperfect Foods Workers to Unionize]****Sponsors: Walton; Chan, Peskin, Mandelman, Mar, Haney, Preston and Safai**

Resolution supporting the rights of workers at Imperfect Foods to unionize and negotiate a fair contract.

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

ADOPTED**210433 [Affordable Housing Week - May 7, 2021, through May 14, 2021]****Sponsors: Walton; Ronen, Mandelman, Peskin, Haney, Mar, Preston, Chan, Melgar and Safai**

Resolution proclaiming May 7, 2021, through May 14, 2021, as the Sixth Annual San Francisco Affordable Housing Week in the City and County of San Francisco.

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

ADOPTED

210434 [Supporting California State Assembly Bill No. 937 (Carrillo) - The VISION Act]**Sponsors: Walton; Ronen, Haney, Mar, Chan, Mandelman, Preston and Safai**

Resolution supporting California State Assembly Bill No. 937, "The VISION Act," authored by Assembly Member Wendy Carrillo, to prohibit any state or local agency from arresting or facilitating assisting with the arrest, confinement, detention, transfer, interrogation, or deportation of an individual for an immigration enforcement purpose.

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

ADOPTED

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 Preston requested that File No. 210378 be severed so that it may be considered separately.

210378 [Final Map No. 10674 - 2150-2166 Hayes Street]

Motion approving Final Map No. 10674, comprised of lots 1, 2 and 3, each a three residential unit condominium project, located at 2150-2166 Hayes Street, being a subdivision of Assessor's Parcel Block No. 1193, Lot Nos. 111, 112, and 123; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M21-072**APPROVED by the following vote:**

Ayes: 8 - Haney, Mandelman, Mar, Melgar, Ronen, Safai, Stefani, Walton

Noes: 3 - Chan, Peskin, Preston

Supervisor Safai requested that File No. 210431 be severed so that it may be considered separately.

210431 [Supporting California State Assembly Bill No. 666 (Chiu) - Substance Use Disorder Workforce Development]**Sponsors: Safai; Mandelman and Stefani**

Resolution supporting California State Assembly Bill No. 666, which was introduced on February 12, 2021, by Assembly Member David Chiu (AD- 17), and would require the State Department of Health Care Services to issue a workforce needs assessment report that evaluates the current state of the substance use disorder workforce.

Supervisors Mandelman and Stefani 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

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 ORDINANCE

210408 [Settlement of Lawsuit - Daniel Alvarenga - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Daniel Alvarenga against the City and County of San Francisco for \$60,000; the lawsuit was filed on February 28, 2020, in United States District Court, Case No. 20-cv-01486 JSW; entitled Daniel Alvarenga v. City and County of San Francisco, et al.; the lawsuit involves alleged constitutional violation for use of excessive force in making an arrest. (City Attorney)

04/16/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

210409 [Settlement of Unlitigated Claim - Bruce Storrs - \$55,000]

Resolution approving the settlement of the unlitigated claim filed by Bruce Storrs against the City and County of San Francisco for \$55,000; the claim was filed on October 20, 2020; the claim involves an employment dispute. (City Attorney)

04/16/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210410 [Lease Agreement - MRG San Francisco Terminal 2, LLC. - Terminal 2 Retail Market and Harvey Milk Terminal 1 Specialty Retail Stores Concession Lease - \$2,300,000 Minimum Annual Guarantee]

Resolution approving Terminal 2 Retail Market and Harvey Milk Terminal 1 Specialty Retail Stores Concession Lease No. 20-0156, between MRG San Francisco Terminal 2, LLC., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years, and a Minimum Annual Guarantee of \$2,300,000 for the first year of the Lease, to commence upon Board approval. (Airport Commission)

04/14/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210411 [Contract Amendment - Hyatt Corporation - Hotel Management for On-Airport Hotel - Not to Exceed \$23,841,880]

Resolution approving the Fourth Modification to the Hotel Management Agreement with Hyatt Corporation for management of the on-airport hotel at San Francisco International Airport, to reduce the management fees paid to Hyatt Corporation during Hotel operating years 2021 and 2022, extend the trigger dates for certain performance termination events, extend the initial term by two years, and increase the contract amount for a new total amount not to exceed \$23,841,880 to commence upon Board approval. (Airport Commission)

04/19/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210412 [Contract Amendment - Wausau Financial Systems, Inc. - Software License and Support Agreement - Not to Exceed \$11,188,396]

Resolution authorizing the Office of the Treasurer & Tax Collector to amend a software license and support contract with Wausau Financial Systems, Inc., to extend the contract term for an additional ten years and to increase the contract amount by \$4,178,216 for a total amount not to exceed \$11,188,396 to commence upon Board of Supervisors and Mayoral approval for the total period of June 27, 2011, through June 26, 2031. (Treasurer-Tax Collector)

04/16/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210413 [Agreement - Medline Industries, Inc. - Bulk Medical Supplies Distribution Services - Not to Exceed \$115,072,061]

Resolution approving an agreement between Medline Industries, Inc. and the Department of Public Health for bulk medical, surgical, and laboratory supplies distribution and required associated services, for a total amount not to exceed \$115,072,061 for a term of six years, from July 1, 2021, through June 30, 2027. (Public Health Department)

04/19/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210414 [Agreement - Medline Industries - Low Unit of Measure Medical Supplies Distribution Services - Not to Exceed \$178,218,296]

Resolution approving an agreement between Medline Industries, Inc. and the Department of Public Health for low unit of measure medical, surgical, and laboratory supplies distribution and required associated services, for a total amount not to exceed \$178,218,296 for a term of six years from July 1, 2021, through June 30, 2027. (Public Health Department)

04/19/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

210415 [Contract Amendment - Moonstar Buffet Restaurant - Great Plates Delivered - Not to Exceed \$17,424,000]

Resolution approving a third amendment between the City and County of San Francisco and Moonstar Buffet Restaurant, for the administration of the Great Plates Delivered Program, to extend the contract term by eight months for a total term of June 22, 2020, through December 31, 2021, and to increase the contract amount by \$8,085,000 for a total not to exceed amount of \$17,424,000 to commence on May 1, 2021. (Human Services Agency)

04/19/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 4:18 p.m.