

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, May 4, 2021 - 2:00 PM

Held via Videoconference  
(remote public access provided via teleconference)

[www.sfgovtv.org](http://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

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**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

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*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, May 4, 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](http://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](mailto: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](http://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](mailto:bos@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

## AGENDA CHANGES

There were no agenda changes.

## CONSENT AGENDA

### 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)

**Ordinance No. 066-21**

**FINALLY PASSED**

#### 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)

**Ordinance No. 067-21**

**FINALLY PASSED**

**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)

**Ordinance No. 068-21**

**FINALLY PASSED**

**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)

**Ordinance No. 069-21**

**FINALLY PASSED**

**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)

**Ordinance No. 070-21**

**FINALLY PASSED**

**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)

**Ordinance No. 071-21**

**FINALLY PASSED**

## **Recommendation of the Land Use and Transportation Committee**

### **210346 [Housing Code - Community Kitchens]**

**Sponsors: Peskin; Mandelman and Chan**

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

**Ordinance No. 072-21**

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

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

## **REGULAR AGENDA**

## **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 Mandelman, moved that this Ordinance be TABLED. 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

*President Walton requested File Nos. 210261, 210311, and 210312 be called together.*

#### **210261 [Accept and Expend Grant - Retroactive - California Department of Parks and Recreation - Statewide Park Development and Community Revitalization Program - 900 Innes Boatyard Park - \$8,500,000]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Recreation and Park Department (Department) to accept and expend a grant in the amount of \$8,500,000 from the California Department of Parks and Recreation a Statewide Park and Community Revitalization Program to support the 900 Innes Boatyard Park Expansion Project; and approving the Grant Contract and Contract Amendment No. 1 which requires the Department to maintain the project for the duration of the contract performance period from July 1, 2018, through June 30, 2048, pursuant to Charter, Section 9.118(a). (Recreation and Park Department)

**Resolution No. 200-21**

**ADOPTED by the following vote:**

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

#### **210311 [Accept and Expend Grant - University of California Board of Regents (UCSF) - Esprit Park Renovation Project - \$4,165,000]**

**Sponsors: Mayor; Walton**

Resolution authorizing the Recreation and Park Department to accept and expend a cash grant of \$4,165,000 from the University of California Board of Regents to be used for construction of the Esprit Park Renovation Project; and approving a grant agreement with the University of California Board of Regents, for the project term of December 1, 2021, through December 31, 2023. (Recreation and Park Department)

**Resolution No. 203-21**

**ADOPTED by the following vote:**

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

**210312 [Accept and Expend In-Kind Grant - Retroactive - Dogpatch and Northwest Potrero Hill Green Benefit District - Esprit Park Renovation Design Grant - Valued at Approximately \$835,000]**

**Sponsors: Mayor; Walton**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend an in-kind grant valued at approximately \$835,000 from the Dogpatch and Northwest Potrero Hill Green Benefit District of design services for the Esprit Park renovation project, for the project term of March 1, 2021, through December 31, 2023. (Recreation and Park Department)

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

**Supervisor Peskin, seconded by Supervisor Chan, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of May 11, 2021. The motion FAILED by the following vote:**

Ayes: 3 - Chan, Peskin, Safai

Noes: 8 - Haney, Mandelman, Mar, Melgar, Preston, Ronen, Stefani, Walton

*ADOPTED by the following vote:*

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

*Supervisor Walton, seconded by Supervisor Preston, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Supervisor Peskin, seconded by Supervisor Walton, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of May 11, 2021. The motion carried by the following vote:**

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

*President Walton requested File Nos. 210280 and 210335 be called together.*

**210280 [Lease Amendment - Skyline Concessions, Inc. - Boarding Area E Newsstand Lease, a Small Business Enterprise Set-Aside Lease No. 13-0136 - Term Extension]**

Resolution approving Amendment No. 2 to the Boarding Area E Newsstand Lease, a Small Business Enterprise Set-Aside Lease No. 13-0136, between Skyline Concessions, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, as landlord, to extend the Lease by two years and six months, for an extension of the term to 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)

**Resolution No. 202-21**

**ADOPTED by the following vote:**

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

**210335 [Lease Extension Modification - 2011 Lease and Use Agreements - Various Airlines]**

Resolution approving a Lease Modification to the 2011 Lease and Use Agreement between the City and County of San Francisco, acting by and through its Airport Commission, and 39 various Signatory Airlines, extending the term for two years from July 1, 2021, through June 30, 2023; and affirming the Planning Department's determination under the California Environmental Quality Act. (Airport Commission)

**Supervisor Mandelman, seconded by Supervisor Haney, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of May 18, 2021. The motion carried by the following vote:**

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

Noes: 1 - Melgar

**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)  
(Fiscal Impact)

**Resolution No. 204-21**

**ADOPTED by the following vote:**

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

**210359 [Accept and Expend Grant - Retroactive - National Institute of Allergy and Infectious Diseases - Research Triangle Institute International - AMBER Statement of Work - Department of Public Health - \$113,581]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$113,581 from the National Institute of Allergy and Infectious Diseases through Research Triangle Institute International for participation in a program, entitled "AMBER Statement of Work - San Francisco Department of Public Health," for the period of December 15, 2020, through July 31, 2025. (Public Health Department)

**Resolution No. 206-21**

**ADOPTED by the following vote:**

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

**210364 [Contract Amendment - Transdev Services, Inc. - Paratransit Services - Not to Exceed \$308,271,023]**

**Sponsor: Mayor**

Resolution approving the Sixth Amendment to Contract No. SFMTA-2016-17, Paratransit Broker and Operating Agreement, with Transdev Services, Inc., to exercise the option to extend the term by five years to June 30, 2026, and to increase the amount of the Contract by \$165,368,919 for a total Contract amount not to exceed \$308,271,023.  
(Fiscal Impact)

**Resolution No. 207-21**

**ADOPTED by the following vote:**

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



President Walton requested File Nos. 210383 and 210384 be called together.

**210383 [Acquisition of Real Property - 4840 Mission Housing Associates LP - 4840 Mission Street - 100% Affordable Housing - \$0 in Exchange for \$8,150,000 Credit - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$28,751,450]**

**Sponsors: Mayor; Safai**

Resolution 1) approving and authorizing the Director of Property, on behalf of the Mayor's Office of Housing and Community Development ("MOHCD"), to acquire real property located at 4840 Mission Street ("Property") from 4840 Mission Housing Associates LP ("Developer") for \$0 in exchange for a \$8,150,000 credit; 2) placing the Property under the jurisdiction of MOHCD for use in constructing affordable housing for San Franciscans; 3) approving and authorizing a Loan Agreement in an amount not to exceed \$28,751,450 for a minimum loan term of 57 years ("Loan Agreement") to finance the construction of a 100% affordable, 137-unit multifamily rental housing development (plus two staff units) on the Property for low income households with 40 parking spaces and an ancillary commercial space of approximately 4,407 square feet for public benefit or community-serving purposes ("Residential Project") and the construction of the cold shell for a nonprofit community-serving health clinic ("Clinic Project," and together with the Residential Project, the "Project"); 4) approving and authorizing an Agreement for Purchase and Sale for acquisition of the Property ("Purchase Agreement"); 5) approving and authorizing a Ground Lease back to the Developer for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 in order to construct the Residential Project ("Residential Ground Lease"), and a Ground Lease back to the Developer for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$5,000 in order to construct the Clinic Project ("Clinic Ground Lease"); 6) adopting findings that the Purchase Agreement, Loan Agreement, Residential Ground Lease, and Clinic Ground Lease are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 7) authorizing the Director of Property and/or the Director of MOHCD to execute the Purchase Agreement, Loan Agreement, Residential Ground Lease, and Clinic Ground Lease, make certain modifications to such agreements, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein.  
(Fiscal Impact)

**Resolution No. 208-21**

**ADOPTED by the following vote:**

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

**210384 [Multifamily Housing Revenue Note - 4840 Mission Housing Associates, LP - Not to Exceed \$75,000,000]****Sponsors: Mayor; Safai**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$75,000,000 for the purpose of providing financing for the construction of a 137-unit multifamily rental housing project known as "4840 Mission Apartments;" approving the form of and authorizing the execution of a funding loan agreement, providing the terms and conditions of the loan from the funding lender to the City, and the execution and delivery of the note; approving the form of and authorizing the execution of a project loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents, as defined herein; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

**Resolution No. 209-21****ADOPTED 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****210286 [Planning Code - Landmark Designation - Lyon-Martin House, 651 Duncan Street]****Sponsors: Mandelman; Preston, Peskin, Safai, Mar and Chan**

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

*Supervisor Mar 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

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## **Recommendations of the Public Safety and Neighborhood Services Committee**

### **210059 [Supporting California State Senate Bill No. 110 (Wiener) - Recovery Incentives Act]**

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

Resolution supporting California State Senate Bill No. 110, also known as the Recovery Incentives Act, authored by Senator Scott Wiener, and introduced on January 11, 2021, which would legalize the substance use disorder treatment known as contingency management, an incentive based program that gives financial rewards to those struggling with a substance use disorder if they enter substance use treatment programs and authorize Medi-Cal to cover it.

*Supervisors Mandelman, Ronen, Melgar, Preston, and Walton requested to be added as co-sponsors.*

**Resolution No. 197-21**

**ADOPTED by the following vote:**

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

*President Walton requested File Nos. 210210 and 210253 be called together.*

### **210210 [Liquor License Transfer - 535 Scott Street - Lucinda's Deli & More]**

Resolution determining that the transfer of a Type-20 off-sale beer and wine liquor license to Lucinda's Deli and More, LLC, doing business as Lucinda's Deli & More, located at 535 Scott Street (District 5), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**Resolution No. 198-21**

**ADOPTED by the following vote:**

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

### **210253 [Liquor License Issuance - 2166 Market Street - The Academy]**

Resolution determining that the issuance of a Type-57 special on-sale general beer, wine, and distilled spirits liquor license to Two Gents, LLC, to do business as The Academy located at 2166 Market Street (District 8), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**Resolution No. 199-21**

**ADOPTED by the following vote:**

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

**210264 [Supporting California State Senate Bill No. 299 (Leyva) - Victim Compensation: Use of Force by a Peace Officer]****Sponsors: Safai; Walton, Haney, Chan and Mandelman**

Resolution supporting California State Senate Bill No. 299, authored by Senator Connie Leyva (SD-20) and introduced on February 3, 2021, to remove barriers faced by victims and families of peace officer violence with the California Victim Compensation Board Fund.

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

**Resolution No. 201-21****ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee****201406 [Appointment, Health Officer - Susan Philip, MD]****Sponsors: Peskin; Safai**

Motion appointing Susan Philip, MD, to the position of Health Officer for the City and County of San Francisco.

**Motion No. M21-073****APPROVED by the following vote:**

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

**210417 [Appointments, African American Reparations Advisory Committee - J. L. Taylor, T. Hollins, E. McDonnell, A. Brown, O. Hamilton, N. Cunningham, G. Berry, D. Landry, T. Walker-Carter, G. Brown, A. Ekanem, S. Williams, S. O'Cain, L. Erving, and Y. Harris]**

Motion appointing James Lance Taylor (residency requirement waived), Tinisch Hollins (residency requirement waived), Eric McDonnell, Amos Brown, Omerede 'Rico' Hamilton, Nikcole Cunningham, Gloria Berry, Daniel Landry, Tiffany Walker-Carter, Gwendolyn Brown, Anietie Ekanem, Starr Williams, Shakeyla O'Cain, Laticia Erving, and Yolanda Harris, for indefinite terms, to the African American Reparations Advisory Committee. (Rules Committee)

**Motion No. M21-074****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 Land Use and Transportation Committee

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

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

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.

**Resolution No. 205-21**

**ADOPTED 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 various zoning changes and approvals.*

*Pat; expressed concerns regarding flag stops that hinder accessibility for pedestrians.*

*Peter Warfield; expressed gratitude for the reopening of certain library services and concerns regarding the limited access for those without internet service.*

*Wynship Hillier; expressed concerns regarding the seats on the Behavioral Health Commission.*

*Speaker; expressed the need to reopen outdoor spaces as we recover from the pandemic.*

## CLOSED SESSION

### CONFERENCE WITH CITY ATTORNEY - Existing Litigation

*President Walton requested File Nos. 210475 and 210329 be called together.*

*The Board recessed at the hour of 4:05 p.m. to convene in closed session pursuant to the verbal motion made and approved on April 27, 2021, during consideration of File No. 210329.*

#### **210475 [Closed Session - Existing Litigation - 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 - May 4, 2021]**

Closed Session for the Board of Supervisors to convene on May 4, 2021, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d) (1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation relating to 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. (Clerk of the Board)

*CONVENED IN CLOSED SESSION*

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

*Persons in attendance:*

*Anne Pearson, Ronald Flynn, and Yvonne Mere, Deputy City Attorneys (Office of the City Attorney); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).*

*Matter was heard in closed session and no action was taken.*

*RECONVENED AS THE BOARD OF SUPERVISORS*

*The Board of Supervisors reconvened at the hour of 4:37 p.m.*

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

**HEARD IN CLOSED SESSION**

*[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 Peskin, seconded by Supervisor Preston, moved not to disclose the Closed Session deliberations. The motion carried by the following vote:**

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

## **Recommendation 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)

**PASSED ON FIRST READING by the following vote:**

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

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

### **210460 [Asian Pacific American Heritage Month - May 2021]**

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

Resolution recognizing and celebrating May 2021 as Asian Pacific American Heritage Month in the City and County of San Francisco and honoring the significant contributions of the Asian Pacific American community.

**Resolution No. 210-21**

**ADOPTED**

**210461 [Denouncing the Rise in Violence Against the Asian American and Pacific Islander Community]****Sponsors: Mar; Chan, Peskin, Melgar, Haney, Safai, Walton, Ronen, Stefani, Preston and Mandelman**

Resolution denouncing the rise in violence against the Asian American and Pacific Islander (AAPI) community, urging City departments to create a Coordinated Citywide Violence Prevention and Victim Support Plan for the AAPI community, and establishing the Board's budget priority to support violence prevention and victim services.

**Resolution No. 211-21****ADOPTED****210462 [Supporting California State Senate Bill No. 321 (Durazo) - The Health and Safety for All Workers Act]****Sponsors: Mar; Walton, Chan, Mandelman, Preston and Haney**

Resolution supporting California State Senate Bill No. 321, authored by State Senator Maria Elena Durazo, The Health and Safety for All Workers Act, which would eliminate the exclusion of household domestic service from Cal/OSHA workplace health and safety protections and ensure that domestic workers have access to health and safety training, information about risks in the workplace, and necessary protective equipment.

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

**Resolution No. 212-21****ADOPTED****210466 [Petra DeJesus Day - April 21, 2021]****Sponsors: Ronen; Melgar, Walton, Preston, Mandelman, Mar, Haney, Stefani, Safai, Chan and Peskin**

Resolution declaring April 21, 2021, as Petra DeJesus Day in the City and County of San Francisco.

**Resolution No. 213-21****ADOPTED****210467 [Recognizing the One-Year Anniversary of Unidos En Salud]****Sponsors: Ronen; Walton, Melgar, Mandelman, Preston and Haney**

Resolution recognizing the one-year anniversary of Unidos En Salud, a partnership between the University of California San Francisco and the Latino Task Force on COVID-19, and expressing gratitude for lifesaving service to the people of San Francisco.

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

**Resolution No. 214-21****ADOPTED**



**210469 [Commending Maribel Jaldon]****Sponsor: Stefani**

Resolution commending and honoring Maribel Jaldon for her 36 years of distinguished service with the City and County of San Francisco.

**Resolution No. 215-21**

**ADOPTED**

**210470 [Public Works Week - May 17, 2021, through May 21, 2021]****Sponsors: Walton; Mandelman, Chan and Preston**

Resolution commending the staff of San Francisco Public Works and declaring May 17, 2021, through May 21, 2021, as Public Works Week in the City and County of San Francisco.

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

**Resolution No. 216-21**

**ADOPTED**

**210471 [Adoption of Findings Related to Conditional Use Authorization - 590 Second Avenue]**

Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 20849, regarding the Conditional Use Authorization identified as Planning Case No. 2019-015984CUA, which approved the installation of a wireless telecommunications facility consisting of ten panel antennae, for a proposed project at 590 Second Avenue. (Clerk of the Board)

**Motion No. M21-075**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

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

## **Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Stefani requested that File No. 210468 be severed so that it may be considered separately.*

### **210468 [San Francisco Police Department Insignia - Use for Nash Bridges Television Series]**

**Sponsor: Stefani**

Resolution approving the use of the San Francisco Police Department insignia on uniforms and vehicles for the television series, Nash Bridges.

*Supervisor Peskin provided a friendly amendment on Page 1, Lines 15-18, by adding 'WHEREAS, The Series is an all-union production, in alignment with San Francisco's labor harmony principals, utilizing members of the Directors Guild of America (DGA), the Screen Actors Guild (SAG0, and the International Alliance of Theatrical State Employees (IATSE) Local 16, and'. Supervisor Stefani accepted the amendment as part of her Amendment of the Whole.*

**Supervisor Stefani, seconded by Supervisor Safai, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Lines 19-21, by striking 'The Board of Supervisors finds that the use of the SFPD insignia in the Series will enhance the image of the SFPD and is in the best interests of the City' and adding 'The Board of Supervisors finds that the use of the SFPD insignia in the series will enhance San Francisco's image as a premier location for film and television productions to film and is in the best interests of the City'; and the amendment as provided by Supervisor Peskin. The motion carried by the following vote:**

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

**Resolution No. 196-21**

**ADOPTED AS AMENDED by the following vote:**

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

## **IMPERATIVE AGENDA**

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

## ORDINANCES

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

**Sponsors: Mayor; Mandelman, Safai, Stefani, Haney and Peskin**

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

(Economic Impact)

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

04/06/21; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

04/12/21; REFERRED TO DEPARTMENT.

04/13/21; REFERRED TO DEPARTMENT.

04/21/21; RESPONSE RECEIVED.

05/04/21; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**210492 [Police Code - Third-Party Food Delivery Services]****Sponsors: Peskin; Chan, Safai, Mandelman, Ronen, Melgar, Preston, Mar and Walton**

Ordinance amending the Police Code to remove the sunset clause from the article imposing a fee cap and other regulations on Third-Party Food Delivery Services.

05/04/21; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 6/3/2021.

**210493 [Administrative Code - Application of Health Care Security Ordinance to Employees Teleworking While Health Orders Place Restrictions on Onsite Work]****Sponsors: Ronen; Peskin, Chan and Mar**

Ordinance amending the Administrative Code to provide that employees are covered by the Health Care Security Ordinance when they are teleworking during the time period that City health orders place restrictions on onsite work and/or encourage employees to telework during the COVID-19 pandemic.

05/04/21; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/3/2021.

**210494 [Administrative Code - Consultation Regarding Filing of Juvenile Delinquency Cases]****Sponsor: Ronen**

Ordinance amending the Administrative Code to require the Police Department to consult with the District Attorney ("DA") on all juvenile delinquency cases under California Welfare and Institutions Code, Section 651, and provide the DA the opportunity to commence proceedings in the juvenile delinquency court in the San Francisco Superior Court.

05/04/21; ASSIGNED UNDER 30 DAY RULE to Youth, Young Adult, and Families Committee, expires on 6/3/2021.

**210495 [Landmark Tree Designation - Canary Island Pine - 2251 Filbert Street]****Sponsors: Stefani; Peskin, Preston and Melgar**

Ordinance designating the Canary Island Pine (*Pinus canariensis*) tree located at 2251 Filbert Street as a landmark tree pursuant to the Public Works Code; making findings supporting the designation; and directing official acts in furtherance of the landmark tree designation, as defined herein.

05/04/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/3/2021.

**210496 [Health Code - Sugar-Sweetened Beverage Warning for Advertisements]****Sponsor: Walton**

Ordinance amending the Health Code to repeal the requirement that advertisements for sugar-sweetened beverages include a warning about the potentially harmful health effects of consuming such beverages.

05/04/21; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 6/3/2021.

**210497 [Planning Code and Zoning Map - Delete Life Science and Medical Special Use District]****Sponsor: Walton**

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

05/04/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/3/2021.

**RESOLUTIONS****210498 [Apply for, Accept and Expend Grant - Retroactive - California Department of Parks and Recreation - Statewide Park Development and Community Revitalization Program - Playground at India Basin Shoreline Park - \$5,768,000]****Sponsor: Mayor**

Resolution authorizing the Recreation and Park Department to retroactively apply for, accept and expend a grant in the amount of \$5,768,000 from the California Department of Parks and Recreation for the Statewide Park and Community Revitalization Program to support the playground at India Basin Shoreline Park Project; approving the Grant Contract that requires the Department to maintain the project for the duration of the contract performance period from July 1, 2020, through June 30, 2050, pursuant to Charter, Section 9.118(a); and authorizing the Recreation and Park Department's General Manager to file a Declaration of Restriction against the property designated as Assessor's Parcel Block No. 4629A, Lot No. 010, and Assessor's Parcel Block No. 4629A, Lot No. 011, providing the restrictions contained in the Grant Contract will apply until June 30, 2050.

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210499 [Accept and Expend Grant - Retroactive - San Francisco General Hospital Foundation - Transform Mental Behavioral Health Fund - \$925,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$925,000 from the San Francisco General Hospital Foundation to participate in a program, entitled "Transform Mental Behavioral Health Fund," for the period of October 1, 2020, through August 31, 2022. (Public Health Department)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210500 [Contract Amendment - 1231 Market Street Owner L.P. - Emergency Agreement - Not to Exceed \$54,800,664]****Sponsor: Mayor**

Resolution approving a fourth amendment to an emergency agreement between the Office of Contract Administration and 1231 Market Street Owner L.P., for the City's continued use of 459 hotel rooms and associated services; increasing the contract amount by \$19,202,122 for a total amount not to exceed \$54,800,664; and extending the current booking period, which expires on July 1, 2021, until March 1, 2022, for a potential total term of April 8, 2020, to March 1, 2022. (Fiscal Impact)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210501 [Grant Agreement Amendment - Five Keys Schools and Programs - Shelter in Place Hotel Support Services - Not to Exceed \$20,209,909]****Sponsor: Mayor**

Resolution approving the first amendment between the City and County of San Francisco and Five Keys Schools and Programs for support services at a Shelter in Place Hotel site located at 1231 Market Street that provides temporary, emergency shelter to vulnerable San Franciscans, extending the agreement term for one year, for a total term of September 1, 2020, through June 30, 2022, and increasing the not to exceed amount by \$10,544,909 for a total not to exceed amount of \$20,209,909. (Department of Homelessness and Supportive Housing)  
(Fiscal Impact)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210502 [Multifamily Housing Revenue Notes - Balboa Park Housing Partners, L.P. - Balboa Park Upper Yard - Not to Exceed \$90,000,000]****Sponsors: Mayor; Safai**

Resolution authorizing the execution and delivery of multifamily housing revenue notes in two or more series in an aggregate principal amount not to exceed \$90,000,000 for the purpose of providing financing for the construction of a 131-unit multifamily rental housing project known as "Balboa Park Upper Yard;" approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the loan from the funding lender to the City, and the execution and delivery of the notes; approving the form of and authorizing the execution of a project loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the notes and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210503 [Ground Lease and Loan Agreement - Balboa Park Housing Partners, L.P. - 100% Affordable Housing - 2340 San Jose Avenue - Ground Lease with Annual Base Rent of \$15,000 - Loan Not to Exceed \$24,459,458]**

**Sponsors: Mayor; Safai**

Resolution 1) approving and authorizing the Director of Property and the Mayor's Office of Housing and Community Development ("MOHCD") to enter into a Ground Lease for Real Property owned by the City and located at 2340 San Jose Avenue ("Property") with the Balboa Park Housing Partners, L.P. ("Developer") for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 ("Ground Lease") in order to construct a 100% affordable, 131-unit multifamily rental housing development affordable to very-low and low-income households, with 39 units set aside for HOPE SF residents voluntarily relocating, and 10,791 sq. ft of commercial space, with an early childhood education center, community space and resource center, community bike space, and two additional spaces for public benefit purposes or community-serving purposes (the "Project"); 2) approving and authorizing a Loan Agreement in an amount not to exceed \$24,459,458 for a minimum loan term of 57 years ("Loan Agreement") to finance the development and construction of the Project; 3) approving and authorizing a Declaration of Restrictions and Reservations of Easements between the City, the San Francisco Bay Area Rapid Transit District ("BART"), and the Developer for \$0 for a no-build area to benefit the Project ("No-Build Easement"); 4) approving and authorizing an Easement Agreement between the City and BART for \$0 to relocate an existing storm drain lateral ("Storm Drain Easement"); 5) adopting findings that the Project and proposed transactions are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 6) authorizing the Director of Property and/or the Director of MOHCD to execute the Ground Lease, Loan Agreement, No-Build Easement, and Storm Drain Easement, make certain modifications to such agreements, as defined herein, and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210504 [Apply for Grant - BRIDGE Housing Corporation - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Reservoir Building E]**

**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with BRIDGE Housing Corporation, a California Corporation, for the 124-unit, 100% affordable housing project located generally north of the Ocean Avenue commercial district, west of City College of San Francisco's Ocean Campus, east of the Westbrook Park neighborhood, and south of Archbishop Riordan High School; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210505 [Apply for Grant - Sunnydale Block 3A Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Sunnydale Block 3A]**

**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Sunnydale Block 3A Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project as identified as Sunnydale Block 3A in Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210506 [Apply for Grant - Sunnydale Block 3B Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Sunnydale Block 3B]**

**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Sunnydale Block 3B Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project as identified as Sunnydale Block 3B in Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210507 [Apply for Grant - Mercy Housing California and The Kelsey - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - The Kelsey Civic Center]**

**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Mercy Housing California, a California nonprofit public benefit corporation, and The Kelsey, a California nonprofit public benefit corporation, for the 100% affordable housing project identified as The Kelsey Civic Center; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.



**210508 [Issuance of Special Tax Bonds - Improvement Area No. 1 of the City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) - Not to Exceed Aggregate Principal Amount of \$41,340,000]**

**Sponsor: Mayor**

Resolution supplementing Resolution No. 12-17 authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) with respect to its Improvement Area No. 1 in the aggregate principal amount not to exceed \$41,340,000; approving related documents, including an Official Statement, First Supplement to Fiscal Agent Agreement, Bond Purchase Agreement and Continuing Disclosure Undertaking, and determining other matters in connection therewith, as defined herein.

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210509 [Purchase Option Agreement - Prologis, L.P. - 1236 Carroll Avenue - Not to Exceed \$180,000]**

**Sponsors: Mayor; Walton**

Resolution approving a Purchase Option Agreement between the City and County of San Francisco and Prologis, L.P. that provides the City with a unilateral right to exercise an option to purchase property located at 1236 Carroll Avenue at any time prior to June 1, 2022, subject to a series of preceding actions, including satisfying any conditions or requirements under the California Environmental Quality Act, and future legislation being adopted by the Board of Supervisors to authorize the City's exercise of the option and purchase of the property; and authorizing the Director of Property to make modifications and take actions in furtherance of this Resolution, as defined herein, and the Purchase Option Agreement.

(Fiscal Impact)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210515 [Recognizing the Asian Art Museum]**

**Sponsors: Chan; Preston, Safai, Mar and Haney**

Resolution recognizing and honoring the contributions of the San Francisco's Asian Art Museum and their role to leverage the power of art to confront prejudice and bridge cultural divides on the occasion of Asian Heritage Month.

05/04/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210516 [James W. Chow Day - May 12, 2021]**

**Sponsors: Chan; Mar and Peskin**

Resolution commending James W. Chow on the occasion of his 100th birthday, and declaring May 12, 2021, as James W. Chow Day in the City and County of San Francisco.

05/04/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210510 [Urging Continued Access to Angel Island]**

**Sponsors: Mar; Melgar, Chan, Peskin and Safai**

Resolution reaffirming the importance of Angel Island State Park and the Angel Island Immigration Station as sites of immense public and historic interest, and urging the California Public Utilities Commission, California Department of Parks and Recreation, and Golden Gate Bridge Highway and Transportation District Board of Directors to take all necessary measures to ensure continued access to Angel Island.

05/04/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210511 [Accept and Expend; Grant Agreement Amendment - Retroactive - Trust for Public Land - Buchanan Street Mall Renewal Project - Up to \$8,000,000]****Sponsor: Preston**

Resolution retroactively authorizing the Recreation and Park Department to enter into an agreement with the Trust for Public Land to accept and expend in-kind and cash grant funding in the amount of up to \$7,100,000 which includes up to \$5,800,000 in grant funding from the California Department of Parks and Recreation, for the Buchanan Mall Renewal Project; and approving a Grant Contract with the California Department of Parks and Recreation that includes a requirement to maintain the project for the duration of the contract performance period from July 1, 2020, through June 30, 2050, pursuant to Charter, Section 9.118(a). (Recreation and Park Department)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210512 [Supporting California State Senate Bill No. 617 (Wiener) - Residential Solar Energy Systems: Permitting]****Sponsors: Safai; Mar**

Resolution supporting California State Senate Bill No. 617, Residential Solar Energy Systems: Permitting, introduced by Senator Scott Wiener, that would direct jurisdictions of a certain size to implement automated permitting for small residential rooftop solar systems, and calls for the California Energy Commission to establish a grant program that would provide resources for cities and counties to do this.

05/04/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**210513 [Supporting California State Senate Bill No. 693 (Stern) - The Never Again Education Act]****Sponsors: Stefani; Melgar, Mandelman, Safai and Preston**

Resolution supporting California State Senate Bill No. 693, The Never Again Education Act, authored by Senator Henry Stern, that would establish the Governor's Council on Genocide and Holocaust Education to establish best practices for, and promote implementation of, education on genocide, including the Holocaust, and submit an annual report to the Legislature.

05/04/21; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## MOTIONS

**210517 [Appointment, Local Agency Formation Commission - Supervisor Dean Preston]**

Motion appointing Supervisor Dean Preston, term ending February 4, 2022, to the Local Agency Formation Commission. (Clerk of the Board)

**210518 [Appointment, Association of Bay Area Governments, Executive Board Regional Planning Committee - Supervisor Myrna Melgar]**

Motion appointing Supervisor Myrna Melgar, term ending September 23, 2021, to the Association of Bay Area Governments, Executive Board Regional Planning Committee. (Clerk of the Board)

**210519 [Reappointment, Association of Bay Area Governments, Executive Board - Supervisor Rafael Mandelman]**

Motion reappointing Supervisor Rafael Mandelman, term ending June 30, 2023, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

**210520 [Reappointment, Association of Bay Area Governments, Executive Board - Supervisor Gordon Mar]**

Motion reappointing Supervisor Gordon Mar, term ending June 30, 2023, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

**210521 [Reappointment, Association of Bay Area Governments, Executive Board - Supervisor Hillary Ronen]**

Motion reappointing Supervisor Hillary Ronen, term ending June 30, 2023, as an alternate member to the Association of Bay Area Governments, Executive Board. (Clerk of the Board)

**210522 [Appointment, Child Care Planning and Advisory Council - Monique Guidry]**

Motion appointing Monique Guidry, term ending September 14, 2023, to the Child Care Planning and Advisory Council. (Clerk of the Board)

## REQUESTS FOR HEARING

**210514 [Hearing - Oversight and Safety of Construction Conducted under the Mandatory Soft Story Retrofit Program]**

**Sponsors: Melgar; Ronen, Peskin, Mar and Mandelman**

Hearing on the oversight and safety of the construction conducted under the Mandatory Soft Story Retrofit Program to fully evaluate the concerns raised by the Structural Subcommittee of the Code Advisory Committee and the Structural Engineers Association of Northern California, specifically, but not limited to, the risk of gas pipe ruptures; and requesting the Department of Building Inspection, Structural Subcommittee of the Code Advisory Committee, Board of Examiners, Pacific Gas and Electric Company, Structural Engineers Association of Northern California, and other subject matter experts to report.

05/04/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**210480 [Appointments, Shelter Monitoring Committee - Cris Plunkett, Diana Almanza, Traci Watson, and Gabriela Avalos]**

Hearing to consider appointing three members, terms ending July 1, 2022, and three members, terms ending July 1, 2023, to the Shelter Monitoring Committee. (Rules Committee)

04/30/21; RECEIVED AND ASSIGNED to Rules Committee.

## **Introduced at the Request of a Department**

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

## **PROPOSED RESOLUTIONS**

### **210444 [Lease Amendment - Marilla Chocolate Company, Inc. - Terminal 3 Boarding Area F Gourmet Food and Gift Store Lease No. 10-0309 - Term Extension]**

Resolution approving Amendment No. 4 to the Terminal 3 Boarding Area F Gourmet Food and Gift Store Lease No. 10-0309, between Marilla Chocolate Company, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for an extension of the term to 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)

04/22/21; RECEIVED FROM DEPARTMENT.

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **210445 [Agreement Amendment - Retroactive - Intersection Media, LLC - Reduce Minimum Annual Guarantee Payments and Add Advertising Program]**

Resolution retroactively approving the Second Amendment to the Agreement for advertising on Municipal Transportation Agency vehicles and other property with Intersection Media, LLC, to reduce the minimum annual guarantee payments from March 1, 2020, through June 30, 2022, due to the impacts from the COVID-19 pandemic; to add an advertising program in the Central Subway stations and tunnel; and to exercise the second five-year option to extend the contract. (Municipal Transportation Agency)  
(Fiscal Impact)

04/26/21; RECEIVED FROM DEPARTMENT.

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **210446 [Agreement Amendment - Retroactive - Clear Channel Outdoor, Inc - Transit Shelter Advertising - Reduce Minimum Annual Guarantee Payments]**

Resolution retroactively approving the First Amendment to the Transit Shelter Advertising Agreement between the City and County of San Francisco, through the Municipal Transportation Agency and Port, and Clear Channel Outdoor, Inc., to reduce the minimum annual guarantee payments, as well as administrative and marketing payments, from May 1, 2020, through June 30, 2022, due to the impacts from the COVID-19 pandemic. (Municipal Transportation Agency)  
(Fiscal Impact)

04/26/21; RECEIVED FROM DEPARTMENT.

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210447 [Contract Amendment - San Francisco New Deal - Great Plates Delivered - Not to Exceed \$39,926,000]**

Resolution approving a third amendment between the City and County of San Francisco and San Francisco New Deal, for the administration of the Great Plates Delivered program, to extend the contract term by seven months for a total term of June 1, 2020, through December 31, 2021, and to increase the contract amount by \$21,186,000 for a total not to exceed amount of \$46,926,000 to commence on June 1, 2021. (Human Services Agency)  
(Fiscal Impact)

04/26/21; RECEIVED FROM DEPARTMENT.

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210448 [Contract Amendment - Off the Grid Services LLC - Great Plates Delivered - Not to Exceed \$45,993,000]**

Resolution approving a third amendment between the City and County of San Francisco and Off the Grid Services LLC, for the administration of the Great Plates Delivered program, to extend the contract term by seven months for a total term of May 29, 2020, through December 31, 2021, and to increase the contract amount by \$21,483,000 for a total not to exceed amount of \$50,193,000 to commence on May 29, 2021. (Human Services Agency)  
(Fiscal Impact)

04/26/21; RECEIVED FROM DEPARTMENT.

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210449 [Contract Amendment - HealthRIGHT 360 - COVID-19 Isolation and Quarantine Services - Not to Exceed \$21,767,146]**

Resolution approving Amendment No. 1 to the agreement between HealthRIGHT 360 and the Department of Public Health to operate isolation and quarantine sites delivering behavioral health, nursing and medical support services for people who test positive for COVID-19 and others who are under investigation for COVID-19 infection, to increase the agreement by \$11,989,390 for an amount not to exceed \$21,767,146; and to extend the term by one year from July 1, 2021, through June 30, 2022, for a total agreement term of October 1, 2020, through June 30, 2022. (Public Health Department)  
(Fiscal Impact)

04/26/21; RECEIVED FROM DEPARTMENT.

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriams**

*Gregory Johnwell - Board President Walton*

*Irene Tam - Entire Board*

*Sandra Serrano Sewell - Supervisor Mandelman*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 4:44 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on June 15, 2021.*

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Angela Calvillo, Clerk of the Board