



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

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**PUBLIC COMMENT CALL-IN**  
[1 \(415\) 655-0001/ Meeting ID: 146 995 7604 # #](tel:4156550001)

**Tuesday, June 29, 2021 - 2:00 PM**

#### **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

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#### 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

### **Agenda Item Information**

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

### **Meeting Procedures**

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document displayed should provide in advance of the meeting to the Clerk of the Board ([bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

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**AGENDA PACKET:** Available on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

**AVISO EN ESPAÑOL:** Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

### **Americans with Disabilities Act (ADA)**

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Board and Committee meeting agendas and minutes are available on the Board's website ([www.sfbos.org](http://www.sfbos.org)) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 ([wilson.l.ng@sfgov.org](mailto:wilson.l.ng@sfgov.org)).

### **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org). Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>.

### **Ethics Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit [sfethics.org](http://sfethics.org).

## **Remote Access to Information and Participation**

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.

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>.

### **PUBLIC COMMENT CALL-IN**

[1 \(415\) 655-0001 / Meeting ID: 146 995 7604 # #](tel:14156550001)

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*Pursuant to Board Rule 4.7.1 the President shall present the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula.*

## **COMMUNICATIONS**

## **APPROVAL OF MEETING MINUTES**

*Approval of the [May 18, 2021](#), Board Meeting Minutes, and [May 19, 2021](#), Special Board Meeting Minutes at the Budget and Appropriations Committee, which constituted a quorum of the Board of Supervisors.*

## **AGENDA CHANGES**

## CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

### Items 1 through 3

#### Recommendation of the Government Audit and Oversight Committee

*Present: Supervisors Preston, Mandelman, Walton*

1. [210533](#) **[Compensation for Unrepresented Employees]**  
**Sponsor: Mayor**  
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensation is subject to the provisions of Charter, Section A8.409, in job codes not represented by an employee organization, and establishing working schedules and other terms and conditions of employment and methods of payment effective July 1, 2021.  
  
06/22/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Melgar, Preston, Peskin*

2. [210601](#) **[Administrative Code - COVID-19 Tenant Protections]**  
**Sponsors: Preston; Walton, Ronen, Chan and Melgar**  
Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that came due between July 1, 2021, and December 31, 2021, that was not paid due to the COVID-19 pandemic, provided the tenant has paid at least 25 percent of the rent owed; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; and making findings as required by the California Tenant Protection Act of 2019.  
  
06/22/2021; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Public Safety and Neighborhood Services Committee**

*Present: Supervisors Mar, Stefani, Haney*

- 3. [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.  
06/22/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**

**REGULAR AGENDA**

**UNFINISHED BUSINESS**

**Recommendations of the Budget and Appropriations Committee**

*Present: Supervisors Haney, Safai, Mar, Ronen, Walton*

- 4. [210641](#) **[Proposed Interim Budget and Appropriation Ordinance for Departments - FYs 2021-2022 and 2022-2023]**  
**Sponsor: Mayor**  
Proposed Interim Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of June 1, 2021, for the Fiscal Years (FYs) ending June 30, 2022, and June 30, 2023.  
  
(Fiscal Impact; No Budget and Legislative Analyst Report)  
06/22/2021; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**

5. [210642](#) **[Proposed Interim Annual Salary Ordinance - FYs 2021-2022 and 2022-2023]**  
**Sponsor: Mayor**

Proposed Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Years (FYs) ending June 30, 2022, and June 30, 2023, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations.

06/22/2021; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## NEW BUSINESS

### Recommendations of the Government Audit and Oversight Committee

*Present: Supervisors Preston, Chan, Mandelman*

6. [210392](#) **[Accept and Expend Grant - Retroactive - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$250,000]**

**Sponsor: Mayor**

Resolution retroactively authorizing Public Works to accept and expend a grant of up to \$250,000 from the San Francisco Bay Area Rapid Transit District for the Pit Stop Public Toilet Program for the period of July 1, 2020, through June 30, 2021. (Public Works)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

7. [210530](#) **[Renewal Agreement - Data Center Space and Services - 3101 Gold Center Drive, Rancho Cordova, California - \$639,480 Annual Base Rent - Not to Exceed \$2,015,960.70]**

Resolution authorizing and approving a renewal agreement for the use of space and communication services within an existing data center located at 3101 Gold Center Drive, Rancho Cordova, California from the State of California Technology Agency, Office of Technology Services, for a three-year term, commencing on July 1, 2021, through June 30, 2024, at a monthly base rate of \$52,940 for a total annual rate of \$639,480 in a total amount not to exceed \$2,015,960.70. (Real Estate Department)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

8. [210560](#) **[Mutual Lease Termination Agreement - Ferry Plaza Limited Partnership]**  
Resolution approving the mutual termination of Port Lease No. L-8627 between the Port of San Francisco and Ferry Plaza Limited Partnership for the premises located at the east end of Ferry Plaza and authorizing the Executive Director of the Port to execute a Mutual Termination Agreement. (Port)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Preston, Chan*

9. [210637](#) **[Contract Amendment - Edgewood Center for Children and Families - Behavioral Health Services - Not to Exceed \$57,298,967]**  
Resolution approving Amendment No. 1 to the agreement between Edgewood Center for Children and Families and the Department of Public Health, for behavioral health services, to increase the agreement by \$33,074,459 for an amount not to exceed \$57,298,967; and to extend the term by five years from June 30, 2021, for a total agreement term of July 1, 2018, through June 30, 2027. (Public Health Department)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**



*Present: Supervisors Preston, Chan, Mandelman*

10. [210638](#) **[Contract Amendment - Regents of the University of California - Behavioral Health Services - Not to Exceed \$28,604,583]**

**Sponsor: Mandelman**

Resolution approving Amendment No. 2 to the agreement between the Regents of the University of California Alliance Health Project and the Department of Public Health, for behavioral health services, to increase the agreement by \$18,654,415 for an amount not to exceed \$28,604,583; and to extend the term for six years from July 1, 2022, through June 30, 2028, for a total agreement term of July 1, 2018, through June 30, 2028. (Public Health Department)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Preston, Chan*

11. [210684](#) **[Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - Targeted Human Immunodeficiency Virus/Tuberculosis Strategic Information Technical Assistance - \$127,696]**

**Sponsors: Mayor; Mandelman**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant amendment to increase the amount by \$57,564 for a total of \$127,696 from the Centers for Disease Control and Prevention through the Regents of the University of California, San Francisco for participation in a program, entitled "Targeted Human Immunodeficiency Virus/Tuberculosis Strategic Information Technical Assistance for President's Emergency Plan for Acquired Immunodeficiency Syndrome Relief (PEPFAR) and Global Fund to Fight Acquired Immunodeficiency Syndrome, Tuberculosis and Malaria (GFATM) Countries," for the period of September 30, 2019, through September 29, 2021. (Public Health Department)

**Question: Shall this Resolution be ADOPTED?**

## **SPECIAL ORDER 2:30 P.M. - Recognition of Commendations**

*In accordance with the "Declaration of Local Health Emergency Regarding Novel Coronavirus Disease 2019 (COVID-19)," special commendations have been suspended.*

## SPECIAL ORDER 3:00 P.M.

### APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

(PUBLIC COMMENT WILL BE TAKEN ON THE CONTINUANCE)

[1 \(415\) 655-0001 / Meeting ID: 146 995 7604 # #](tel:4156550001)

The President may entertain a motion to continue this Hearing and associated Motions to a Board of Supervisors meeting with a future date to be determined.

## 12. [210709](#) [Hearing - Appeal of Conditional Use Authorization Approval - 575 Vermont Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 209.1, 303, and 307 of the Planning Code, for a proposed project at 575 Vermont Street, Assessor's Parcel Block No. 4010, Lot No. 006, identified in Planning Case No. 2020-000886CUA, issued by the Planning Commission by Motion No. 20921, dated May 13, 2021, to allow demolition of an existing single family home and construction of a new, four-story, 40-foot tall residential building containing two dwelling units, one accessory dwelling unit, one off-street automobile parking space, and three class one bicycle parking spaces within the RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District. (District 10) (Appellants: Marion Parr, Scott Carr, Ron Altoonian, Victoria Carradero, and Chris Stephens) (Filed June 11, 2021) (Clerk of the Board)

### Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

**Only one of the following two Motions should be approved.**

13. [210710](#) **[Approving Conditional Use Authorization - 575 Vermont Street]**  
Motion approving the decision of the Planning Commission by its Motion No. 20921, approving a Conditional Use Authorization, identified as Planning Case No. 2020-000886CUA, for a proposed project located at 575 Vermont Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

14. [210711](#) **[Conditionally Disapproving Conditional Use Authorization - 575 Vermont Street]**  
Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20921, approving a Conditional Use Authorization, identified as Planning Case No. 2020-000886CUA, for a proposed project at 575 Vermont Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

15. [210712](#) **[Preparation of Findings Related to Conditional Use Authorization - 575 Vermont Street]**  
Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2020-000886CUA, for a proposed project at 575 Vermont Street. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

**16. ROLL CALL FOR INTRODUCTIONS**

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

## 17. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a visual displayed should provide in advance of the meeting to the Clerk of the Board ([bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

### **PUBLIC COMMENT CALL-IN**

[1 \(415\) 655-0001 / Meeting ID: 146 995 7604 # #](tel:4156550001)

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

(PUBLIC COMMENT for Items 18 through 21 will be taken during Item 17 - General Public Comment.)

## Items 18 through 21

### 18. [210745](#) [Supporting California State Assembly Bill No. 1171 (Garcia) - The Repeal of the Spousal Rape Exception Act]

**Sponsors: Stefani; Walton**

Resolution supporting California State Assembly Bill No. 1171, The Repeal of the Spousal Rape Exception Act, authored by State Assembly Member Cristina Garcia, which would eliminate the “spousal rape exception” in the California Penal Code (Section 262) to ensure that “spousal rape” is treated and punished as seriously as rape of a non-spouse.

06/22/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

19. [210621](#) **[Findings Reversing the Categorical Exemption Determination - 476 Lombard Street]**

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

06/22/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

20. [210730](#) **[Appointment, Park, Recreation and Open Space Advisory Committee - Allyson Bravmann]**

Motion appointing Allyson Bravmann, term ending February 1, 2022, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board)

06/18/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

21. [210746](#) **[Findings - Disapproval of Tentative Map for 424, 426, 428, 430, 432, 434 Francisco Street]**

Motion adopting findings concerning the disapproval of a Tentative Map for a six-unit condominium conversion located at 424, 426, 428, 430, 432, and 434 Francisco Street, Assessor's Parcel Block No. 0041, Lot 010. (Clerk of the Board)

06/22/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

## 22. **IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

## 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](http://www.sfbos.org/legislation_introduced).

### Introduced at the Request of a Department

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

## PROPOSED ORDINANCES

### 210731

#### **[Settlement of Lawsuit - Con-Quest Contractors, Inc. - \$325,000]**

Ordinance authorizing settlement of the lawsuit filed by Con-Quest Contractors, Inc. against the City and County of San Francisco for \$325,000; the lawsuit was filed on April 9, 2020, in San Francisco Superior Court, Case No. CGC-20-584105; entitled Con-Quest Contractors, Inc. v. City and County of San Francisco; the lawsuit involves construction claims. (City Attorney)

06/21/2021; RECEIVED FROM DEPARTMENT.

06/29/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

### 210732

#### **[Settlement of Lawsuit - Sean Wendell Moore - \$3,250,000]**

Ordinance authorizing settlement of the lawsuit filed by Sean Wendell Moore against the City and County of San Francisco for \$3,250,000; the lawsuit was filed on January 29, 2018, in United States District Court for the Northern District of California, Case No. 3:18-cv-00634-SI; entitled Sean Moore v. City and County of San Francisco, et al.; the lawsuit involves claims of civil rights violations and use of excessive force. (City Attorney)

06/21/2021; RECEIVED FROM DEPARTMENT.

06/29/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**210733****[Settlement of Lawsuit - Colin James Baca - \$265,000]**

Ordinance authorizing settlement of the lawsuit filed by Colin James Baca against the City and County of San Francisco for \$230,000 and settlement of the related Complaint in Intervention of XL Specialty Insurance Company in the amount of \$35,000; the lawsuit was filed on March 7, 2017, in the San Francisco Superior Court, Case No. CGC-17-557438; entitled Colin James Baca v. David George Camerlo, et al.; the lawsuit involves alleged personal injury from a vehicle collision and a subrogation claim for workers compensation benefits paid to Colin James Baca. (City Attorney)

06/21/2021; RECEIVED FROM DEPARTMENT.

06/29/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**210734****[Planning Code - Landmark Designation - 396-398 12th Street (San Francisco Eagle Bar)]**

Ordinance amending the Planning Code to designate 396-398 12th Street (aka San Francisco Eagle Bar), Assessor's Parcel Block No. 3522, Lot No. 014, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

06/16/2021; RECEIVED FROM DEPARTMENT.

06/29/2021; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

## PROPOSED RESOLUTIONS

**210735****[Lease Extension Modification - 2011 Lease and Use Agreement - TACA International Airlines, S.A. - Estimated Rent \$4,301,668]**

Resolution approving a Lease Modification to 2011 Lease and Use Agreement No. 10-0096 between the City and County of San Francisco, acting by and through its Airport Commission, and TACA International Airlines, S.A., which extends the term through June 30, 2023, with an estimated rent of \$4,301,668 during the extension term, to commence upon approval by the Board of Supervisors. (Airport Commission)

06/17/2021; RECEIVED FROM DEPARTMENT.

06/29/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**210736****[Lease Agreement - ProperFood SFO Airport, LLC - Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 10, Lease No. 20-0041 - \$275,000 Minimum Annual Guarantee]**

Resolution approving the Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 10, Lease No. 20-0041 between ProperFood SFO Airport, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with one two-year option to extend at the Airport's sole discretion, to commence upon approval by the Board of Supervisors, and a minimum annual guarantee of \$275,000 for the first year of the Lease. (Airport Commission)

06/17/2021; RECEIVED FROM DEPARTMENT.

06/29/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.



**210737 [Real Property Lease Amendment - Townsend Associates, LLC - 650-5th Street - \$159,200 Annual Base Rent]**

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to amend the lease of real property located at 650-5th Street, with Townsend Associates, LLC, at a base rent of \$159,200 per year with 3% annual increases, for an initial term commencing upon approval of this Resolution and expiring on June 30, 2026, plus two one-year options to extend; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the First Amendment, the Lease and this Resolution, as defined herein. (Public Health Department)

06/21/2021; RECEIVED FROM DEPARTMENT.

06/29/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**210738 [Real Property Lease Extension - Mattison Family Trust - 555-575 Polk Street - \$500,364 Annual Base Rent]**

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to extend the lease of real property located at 555-575 Polk Street, with Mattison Family Trust, at a base rent of \$500,364 per year with no annual increases, commencing upon the later of August 1, 2021, or approval of this Resolution and expiring on July 31, 2026; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Lease and this Resolution, as defined herein. (Public Health Department)

06/21/2021; RECEIVED FROM DEPARTMENT.

06/29/2021; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.



**210752 [Petitions and Communications]**

Petitions and Communications received from June 17, 2021, through June 24, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 29, 2021.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, submitting vetoes for two proposed Ordinances regarding the Appropriation of a COVID Contingency Reserve for Municipal Transportation Agency for Free Muni Pilot Program - \$12,500,000 - FY2020-2021; and Administrative Code Free Muni Pilot Program Fund. File Nos. 210453 and 210454. Copy: Each Supervisor. (1)

From the Public Utilities Commission, pursuant to Resolution No. 484-19, submitting the Emergency Firefighting Water System (EFWS) Seawater Supply Report and the Fire Following Earthquake Water Requirements Study Report. Copy: Each Supervisor. (2)

From the Recreation and Park Department, pursuant to the San Francisco Park Code, Section 12.46(d), submitting the Annual Report detailing admissions, revenue, and expenses for the San Francisco Botanical Garden, for Fiscal Year 2019-2020. Copy: Each Supervisor. (3)

From the Office of the Chief Medical Examiner, pursuant to Health Code, Section 227(c), submitting the Report on Accidental Overdose Deaths from February 2, 2021, to May 31, 2021. Copy: Each Supervisor. (4)

From the Department of Human Resources, submitting the updated Policy on Employee Vaccination Requirements and Employee Face Covering Requirements, dated June 23, 2021. Copy: Each Supervisor. (5)

From the Office of the Mayor, submitting the new update to City Offices COVID-19 Safety Protocol, dated June 23, 2021. Copy: Each Supervisor. (6)

From the Office of the Mayor, submitting the Thirty-Sixth Supplement to the Mayoral Proclamation declaring the existence of a local emergency, dated February 25, 2020. Copy: Each Supervisor. (7)

From the Youth Commission, submitting a memorandum of action supporting the proposed Ordinance amending the Environment Code to update the City's climate action goals and planning process, and establish departmental roles and responsibilities. File No. 210560. Copy: Each Supervisor. (8)

From the California Public Utilities Commission, submitting notices of projects from Verizon Wireless. Copy: Each Supervisor. (9)

From concerned citizens, regarding the proposed Budget and Appropriation Ordinance for Departments - FYs 2021-2022 and 2022-2023. File No. 210643. 203 letters. Copy: Each Supervisor. (10)

From Dennis Dybeck, regarding slow streets. Copy: Each Supervisor. (11)

From Bob Planthold, regarding shared spaces. Copy: Each Supervisor. (12)

From concerned citizens, regarding the use of Proposition I revenue. 2 letters. Copy: Each Supervisor. (13)

From the California Citizens Redistricting Commission, submitting notice of redistricting meetings open to the public. Copy: Each Supervisor. (14)

From Fred Winograd, regarding the proposed Resolution for Supporting the Establishment of a Compassionate Alternative Response Team. File No. 210459. Copy: Each Supervisor. (15)

From concerned citizens, regarding the proposed Ordinance amending the Police Code regarding Third-Party Food Delivery Services. File No. 210492. 2 letters. Copy: Each Supervisor. (16)

From Reverend Victor Floyd and Louis Grosso, regarding fireworks. Copy: Each Supervisor. (17)

From Michael Anders, regarding cable car tracks. Copy: Each Supervisor. (18)

From Aaron Goodman, regarding the recorded message from Mayor Breed on MUNI buses. Copy: Each Supervisor. (19)

From the Black Employee Alliance, regarding the Juneteenth Holiday declared by the City and County of San Francisco. Copy: Each Supervisor. (20)

From Deetje B., regarding the San Francisco Municipal Transportation Agency's plan to remove a tree from Geary Boulevard. Copy: Each Supervisor. (21)

From Bob Planthold, regarding disabled users and open air / parklet structures. Copy: Each Supervisor. (22)

From concerned citizens, submitting letters of support for Hanley Chan to be appointed to the San Francisco Sheriff's Department Oversight Board. 5 letters. Copy: Each Supervisor. (23)

From concerned citizens, regarding the Great Highway. 509 letters. Copy: Each Supervisor. (24)

From concerned citizen, regarding the closure of John F. Kennedy Drive. Copy: Each Supervisor. (25)

From Anna Yohannes, regarding Proposition C funds for Early Childhood Education. Copy: Each Supervisor. (26)

From concerned citizens, regarding the proposed Resolution urging the San Francisco Public Utilities Commission to Pause Litigation Against the State Water Resources Control Board. File No. 210595. 89 letters. Copy: Each Supervisor. (27)

From concerned citizens, regarding the proposed Ordinance appropriating \$13,350,000 from Property Tax Revenue to the Mayor's Office of Housing and Community Development for rent relief under the Rent Resolution and Relief Fund; and appropriating \$13,350,000 for the acquisition, creation and operation of affordable, social housing under the Housing Stability Fund in Fiscal Year 2020-2021. File No. 210538. 2 letters. Copy: Each Supervisor. (28)

From Yuanwen Wu, regarding the proposed Ordinance amending the Administrative Code for COVID-19 Tenant Protections. File No. 210601. Copy: Each Supervisor. (29)

From Eileen Boken, regarding the proposed Resolution for the Contract Amendment of the Edgewood Center for Children and Families - Behavioral Health Services - Not to Exceed \$57,298,967. File No. 210637. Copy: Each Supervisor. (30)

From Eileen Boken, regarding the proposed Resolution supporting California State Assembly Bill No. 1096 (Rivas) - Alien: Change of Terms. File No. 210690. Copy: Each Supervisor. (31)

## **ADJOURNMENT**