

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, July 27, 2021 - 2:00 PM

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

*(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, and provided public comment through teleconferencing, on Tuesday, July 27, 2021, with President Shamann Walton presiding.*

*President Walton called the meeting to order at 2:03 p.m.*

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

*On March 17, 2020, the Board of Supervisors (Board) authorized their Board and Committee meetings to convene remotely and allow remote public comment via teleconference. Effective June 29, 2021, the Board and staff began to reconvene for in-person Board proceedings. Committee meetings will continue to convene remotely until further notice. 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>. 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, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton were noted present.*

*Supervisor Mandelman was noted not present.*

*A quorum of the Board was 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.*

*Supervisor Mandelman was noted present at 2:05 p.m.*

## COMMUNICATIONS

Angela Calvillo, Clerk of the Board, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes by dialing the provided telephone number. When connected, they 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.

## APPROVAL OF MEETING MINUTES

President Walton inquired whether any Member of the Board had any corrections to the June 16, 2021, June 17, 2021, or June 23, 2021, Special Board Meeting Minutes at the Budget and Appropriations Committee, which constituted a quorum of the Board of Supervisors, or the June 22, 2021, Board Regular Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Preston, seconded by Supervisor Peskin, moved to approve the June 16, 2021, June 17, 2021, and June 23, 2021, Special Board Meeting Minutes at the Budget and Appropriations Committee, which constituted a quorum of the Board of Supervisors, and the June 22, 2021, Board Regular Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

#### **210534 [Administrative Code and Amending Ordinance No. 49-17 - Deferring Payments to and Use of the 180 Jones Affordable Housing Fund]**

**Sponsor: Haney**

Ordinance amending Ordinance No. 49-17, as amended by Ordinance No. 209-17, to change the timeline for the payments of a \$2,700,000 gift and \$9,750,000 from the project sponsor of the project at 950-974 Market Street to the 180 Jones Street Affordable Housing Fund; amending the Administrative Code regarding use of the 180 Jones Street Affordable Housing Fund; and authorizing actions in furtherance of this Ordinance, as defined herein.

**FINALLY PASSED**

## **Recommendations of the Government Audit and Oversight Committee**

### **210490 [Joint Stipulation - American Beverage Association, California State Outdoor Advertising Association, and California Retailers Association - \$0]**

Ordinance authorizing the entry of a joint stipulation in the lawsuit filed by the American Beverage Association, California State Outdoor Advertising Association, and California Retailers Association against the City and County of San Francisco; the lawsuit was filed on July 24, 2015, in U.S. District Court for the Northern District of California, Case No. 3:15-cv-03415 EMC; entitled American Beverage Association et al. v. City and County of San Francisco; the lawsuit claims that the City's sugar-sweetened beverage warning law, codified in Article 42 of the San Francisco Health Code, violates the United States Constitution; the joint stipulation provides for dismissal of the lawsuit if the City repeals Article 42 of the San Francisco Health Code and conditionally extends Plaintiffs' time to file a motion for attorneys' fees and costs by four years. (City Attorney)

**FINALLY PASSED**

### **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.

**FINALLY PASSED**

### **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)

**PASSED ON FIRST READING**

### **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)

**PASSED ON FIRST READING**

### **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)

**PASSED ON FIRST READING**

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

### **210285 [Planning, Business and Tax Regulations, Police Codes - Small Business Recovery Act]**

**Sponsors: Mayor; Safai and Mar**

Ordinance amending the Planning, Business and Tax Regulations, and Police Codes to simplify procedures and allow flexibility for neighborhood, cultural, and entertainment establishments by 1) expanding streamlined review and inspection procedures to principally permitted storefront uses citywide; 2) deleting separate definitions of "Cat Boarding," and "Services, Instructional" from the Planning Code; 3) allowing the continuation of longstanding places of entertainment; 4) temporarily requiring a conditional use authorization for uses replacing Nighttime Entertainment uses; 5) allowing temporary outdoor entertainment, arts, and recreation activities; 6) eliminating the one night dance permit; 7) extending time for limited live performances from 10 p.m. to 11 p.m.; 8) allowing additional One-Time Entertainment Permits and One-Time Outdoor Amplified Sound Permits; 9) exempting single individual performances without amplification from permit requirements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**FINALLY PASSED**

### **210566 [Various Codes - Mobile Vendor Regulation]**

**Sponsors: Peskin; Safai**

Ordinance adopting regulation of vending within the jurisdiction of the Port of San Francisco, requiring permits, and authorizing permit fee and enforcement actions in the Port Code; requiring the Port and the Department of Public Health to report to the Board of Supervisors about regulatory implementation and health and safety enforcement; amending provisions of the Port and Public Works Codes, and repealing peddler regulations in the Police Code, to comply with state law regarding sidewalk vending; amending provisions of the Administrative, Business and Tax Regulations, Health, and Transportation Codes to conform with state law and new Port Code regulations regarding vending; and adopting findings under the California Environmental Quality Act.

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

**FINALLY PASSED**

**210596 [Hunters View Phase 1 - Accepting Acacia Avenue, Catalina Street, and Portions of Fairfax Avenue, Ironwood Way, and Middle Point Road]****Sponsor: Mayor**

Ordinance accepting an irrevocable offer of public infrastructure and real property associated with Hunters View Phase 1 public infrastructure improvements, including Acacia Avenue, Catalina Street, and portions of Fairfax Avenue, Ironwood Way, and Middle Point Road (“HV1 Public Infrastructure”); declaring City property and additional property as shown on official Public Works maps as open public right-of-way; dedicating the HV1 Public Infrastructure to public use; designating such public infrastructure for street and roadway purposes; establishing official public right-of-way widths and street grades; amending Ordinance No. 1061, entitled “Regulating the Width of Sidewalks,” to establish the official sidewalk width on the abovementioned street areas; accepting the HV1 Public Infrastructure for City maintenance and liability purposes, subject to specified limitations; adopting findings 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; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; and authorizing official acts in connection with this Ordinance, as defined herein.

**FINALLY PASSED****210597 [Summary Public Service Easement Vacation - Hunters View Phase 1 Project]****Sponsor: Mayor**

Ordinance ordering the summary vacation of public service easements in the Hunters View project site, which includes a sanitary sewer easement generally running along West Point Road between Catalina Street and Middle Point Road and a public access and emergency vehicle access easement generally located at West Point Road and Catalina Street; authorizing the City to quitclaim its interest in the vacation areas (Assessor’s Parcel Block No. 4624, Lot Nos. 29 and 31) to the San Francisco Housing Authority notwithstanding the requirements of Administrative Code, Chapter 23; affirming the Planning Commission’s determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

**FINALLY PASSED****210603 [Administrative Code - Effect Of COVID-19 On Commercial Leases]****Sponsors: Preston; Peskin, Ronen, Mar, Walton, Chan, Melgar, Haney, Mandelman and Safai**

Ordinance amending the Administrative Code to establish a rebuttable presumption that a commercial tenant who was legally required to shut down due to COVID-19 may be excused from having to pay rent that came due during the shutdown.

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

**FINALLY PASSED****210674 [Planning Code - Code Corrections Ordinance]**

Ordinance amending the Planning Code to correct typographical errors, update outdated cross-references, and make non-substantive revisions to clarify or simplify Code language; 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 general welfare under Planning Code, Section 302. (Planning Commission)

**FINALLY PASSED**

**210698 [Administrative Code - Displaced Tenant Preference in City Affordable Housing]****Sponsors: Mayor; Safai**

Ordinance amending the Administrative Code to eliminate the expiration of a preference in City affordable housing for Displaced Tenants due to a fire (Category 3), and extend the period for which a Displaced Tenant due to fire may utilize the preference, from three to six years.

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

**FINALLY PASSED****Recommendation of the Public Safety and Neighborhood Services Committee****210539 [Health Code - Designating Fire Department Paramedics to Initiate 5150 Holds]****Sponsors: Safai; Melgar, Stefani, Walton, Ronen, Mar, Mandelman and Haney**

Ordinance amending the Health Code to designate all certified and accredited paramedics employed by the Fire Department to initiate temporary psychiatric holds, subject to state law procedures and requirements adopted by the county behavioral health director; and require that the Fire Department and Department of Public Health ensure that designated Fire Department paramedics receive all appropriate training.

**FINALLY PASSED****Recommendations of the Rules Committee****201089 [Administrative Code - Rules for Awarding Grants]****Sponsors: Stefani; Chan, Peskin, Mandelman, Safai, Mar, Haney, Walton, Ronen, Melgar and Preston**

Ordinance amending the Administrative Code by codifying a grant award process to, among other things: 1) require, with certain exceptions, a competitive solicitation; 2) require advertisement of solicitations and set forth evaluation criteria of grant proposals; 3) reserve the City's right to cancel, reject, and/or readvertise solicitations; 4) list required grant terms; 5) set forth requirements for the head of a granting agency in making a sole source grant determination; 6) authorize the Purchaser to promulgate rules and regulations for effectively carrying out the requirements of this Ordinance; 7) set forth grant requirements based on a grant's funding source; 8) set forth administrative debarment procedures; and 9) set forth the requirements for the advertisement and notice of availability of rebate and incentive programs.

**FINALLY PASSED**

**210559 [Administrative Code - Approval of Surveillance Technology Policies for Multiple City Departments]****Sponsor: Peskin**

Ordinance approving Surveillance Technology Policies governing the use of 1) Audio Recorders (ShotSpotter) by the Police Department, 2) Automatic License Plate Readers by the Airport, Public Works, Recreation and Park Department, and Police Department, 3) Drones by the Fire Department, Port, Public Works, Public Utilities Commission, Recreation and Park Department, and Department of Technology, 4) Security Cameras by the Airport, Arts Commission, Asian Art Museum, Department of Child Support Services, City Administrator, Department of Technology, Department of Emergency Management, Fire Department, Department of Homelessness and Supportive Housing, Department of Human Resources, Human Services Agency, Library, Municipal Transportation Agency, Port, Public Utilities Commission, Department of Public Health, Recreation and Park Department, Rent Board, and War Memorial, and 5) Radio Frequency Identification by the Library; making required findings in support of said approvals; and amending the Administrative Code to require departments to post each Board-approved Surveillance Technology Policy on the department website. (City Administrator)

**FINALLY PASSED****210599 [Administrative Code - Establishing the Sunset Chinese Cultural District]****Sponsors: Mar; Ronen, Melgar and Walton**

Ordinance amending the Administrative Code to establish the Sunset Chinese Cultural District in and around the Sunset neighborhood; to require the Mayor's Office of Housing and Community Development to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District and proposing strategies to acknowledge and preserve the cultural legacy of the District; and affirming the Planning Department's determination under the California Environmental Quality Act.

**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

### Recommendations of the Budget and Finance Committee

#### **210653 [Park Code - Non-Resident Fees at Certain Specialty Attractions]**

**Sponsor: Mayor**

Ordinance amending the Park Code to allow the Recreation and Park Department to continue setting non-resident adult admission fees for the Japanese Tea Garden, the Conservatory of Flowers, and the San Francisco Botanical Garden by flexible pricing until December 7, 2021; clarifying that the increased non-resident adult admission fees for the Coit Tower Elevator shall be deemed to have expired by operation of law on June 30, 2021; and affirming the Planning Department's determination under the California Environmental Quality Act.

**FINALLY PASSED by the following vote:**

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

#### **210740 [Health Service System Plans and Contribution Rates - Calendar Year 2022]**

**Sponsor: Chan**

Ordinance approving Health Service System plans and contribution rates for calendar year 2022. (Pursuant to Charter, Section A8.422, this matter shall require a vote of three-fourths (9 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)

(Fiscal Impact)

**FINALLY PASSED by the following vote:**

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

### Recommendations of the Budget and Appropriations Committee

*President Walton requested File Nos. 210643, 210644, 210645, 210646, 210647, 210648, 210649, 210650, 210651, 210652, 210655, 210656, 210657, and 210658 be called together.*

#### **210643 [Budget and Appropriation Ordinance for Departments - FYs 2021-2022 and 2022-2023]**

**Sponsor: Mayor**

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)

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Preston

**210644 [Annual Salary Ordinance - FYs 2021-2022 and 2022-2023]****Sponsor: Mayor**

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 therefore.

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Preston

**210645 [Authorizing Tax-Exempt and/or Taxable Certificates of Participation (Multiple Capital Improvement Projects) - Not to Exceed \$67,500,000]****Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount of not to exceed \$67,500,000 ("Certificates"), to finance and refinance certain capital improvement projects within the City, including but not limited to certain projects within the City and County of San Francisco's ("City") capital plan and generally consisting of critical repairs, renovations and improvements to City-owned buildings, facilities and works utilized by various City departments and local economic stimulus projects, generally consisting of repairs, renovations and improvements, designed to help build a more resilient and equitable San Francisco as part of the City's recovery from the COVID-19 pandemic, including through the retirement of certain commercial paper notes of the City issued for such purposes; approving the form of a Supplement to Trust Agreement between the City and U.S. Bank National Association, as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee, for the lease and lease back of all or a portion of certain real property and improvements owned by the City and located at 375 Laguna Honda Boulevard within the City and at 1 Moreland Drive, San Bruno, California, and/or other property as determined by the Director of Public Finance; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of an Official Statement in preliminary and final form; approving the form of a purchase contract between the City and one or more initial purchasers of the Certificates; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates, as defined herein; approving modifications to documents, as defined herein; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Preston

**210646 [Health Code - Patient Rates for FYs 2020-2021, 2021-2022, and 2022-2023]****Sponsor: Mayor**

Ordinance amending the Health Code to set patient rates and rates for other services provided by the Department of Public Health, for Fiscal Years (FYs) 2020-2021, 2021-2022, and 2022-2023.

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Preston

**210647 [Appropriation - Proceeds from Revenue Bonds in Hetch Hetchy Water & Power Capital Improvements - \$19,344,824 - De-appropriation & Re-appropriation Low Carbon Fuel Standard - \$2,000,000 - De-appropriation & Re-appropriation Hetchy Revenue - \$6,843,536]**

**Sponsor: Mayor**

Ordinance appropriating a total of \$19,344,824 of Hetchy Power Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Capital Improvement Program and de-appropriating \$2,000,000 Low Carbon Fuel Standard funding for Fiscal Year (FY) 2021-2022, de-appropriating \$6,843,536 Hetchy Revenue funds to Hetchy Fund balance in FY2020-2021, and placing \$19,344,824 of Power Bonds by project on Controller's Reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) findings for projects, following review and consideration of completed project related environmental analysis, where required.

(Fiscal Impact)

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Preston

**210648 [Appropriation - Proceeds from Revenue Bonds, State Loans or Grants, Wastewater Revenues - \$213,511,178 - De-appropriating and Re-appropriating - SFPUC Wastewater Capital Improvements - \$42,900,587 - FY2021-2022]**

**Sponsor: Mayor**

Ordinance appropriating a total of \$213,511,178 of proceeds from revenue bonds, State of California Water Resources Control Board's revolving loan funds (State Loan Funds) or grant funds (State Grant Funds), for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for Fiscal Year (FY) 2021-2022, de-appropriating and re-appropriating \$42,900,587 and placing \$256,411,765 in Revenue Bonds or State Loan or Grant Funds by project on Controller's Reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, is also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) findings for projects, following review and consideration of completed project related environmental analysis, where required.

(Fiscal Impact)

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Preston

**210649 [Amending Ordinance No. 172-20 - San Francisco Public Utilities Commission Power Revenue Bond Issuance - Not to Exceed \$162,314,897]****Sponsor: Mayor**

Ordinance amending Ordinance No. 172-20, to authorize an increase of the issuance and sale of tax-exempt or taxable Power Revenue Bonds and other forms of indebtedness by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed \$162,314,897 to finance the costs of various capital projects benefitting the Power Enterprise pursuant to Charter, Sections 9.107(6) and 9.107(8), including amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2016, commonly referred to as Proposition A; authorizing the issuance of Power Revenue Refunding Bonds; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt or taxable bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Preston

**210650 [Amending Ordinance No. 173-20 - San Francisco Public Utilities Commission Wastewater Revenue Bond Issuance - Not to Exceed \$563,430,430]****Sponsor: Mayor**

Ordinance amending Ordinance No. 173-20 to authorize the issuance and sale of tax-exempt or taxable Wastewater Revenue Bonds and other forms of indebtedness (as described below) by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed \$563,430,430 to finance the costs of various capital wastewater projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Wastewater Revenue Refunding Bonds and the retirement of outstanding Wastewater Enterprise Commercial Paper; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith, as defined, herein.

(Fiscal Impact)

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Preston

**210651 [Appropriation - San Francisco Public Utilities Commission - \$20,716,252 - Reducing Appropriation - Airport Commission - \$272,379,116 - Reducing Appropriation - Port Commission - \$17,664,260 - FY2021-2022]**

**Sponsor: Mayor**

Ordinance appropriating \$20,716,252 in the San Francisco Public Utilities Commission and reducing appropriations by \$272,379,116 in the Airport Commission and by \$17,664,260 in the Port Commission; this Ordinance requires a two-thirds approval vote of all members of the Board of Supervisors for \$59,659,237 in the San Francisco Public Utilities Commission, for \$10,061,693 in the Airport Commission and for \$3,796,402 in the Port Commission appropriations, pursuant to Charter, Section 9.113(c).

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

(Fiscal Impact)

**FINALLY PASSED by the following vote:**

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

**210652 [Public Employment - Amendment to the Salary Ordinance for the Airport Commission and the San Francisco Public Utilities Commission - FY2021-2022]**

**Sponsor: Mayor**

Ordinance amending Ordinance No. 166-20 (Salary Ordinance Fiscal Years (FYs) 2020-2021 and 2021-2022) to reflect the substitution of three positions (0.00 FTEs) at the Airport Commission, and the substitution of nine positions (0.00 FTEs) and the addition of 23 positions (20.04 FTEs) at the San Francisco Public Utilities Commission in FY2021-2022.

**FINALLY PASSED by the following vote:**

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

**210655 [Police Code - Street Artist Certificate Fee]**

**Sponsors: Mayor; Haney, Safai, Ronen and Mandelman**

Ordinance amending the Police Code to lower the fee for a Street Artist Certificate.

**FINALLY PASSED by the following vote:**

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

**210656 [Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling]**

**Sponsor: Mayor**

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2021.

**FINALLY PASSED by the following vote:**

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

**210657 [Administrative Code - Collection of Rent Board Fee]****Sponsor: Mayor**

Ordinance amending the Administrative Code to require the Rent Board to collect the Rent Board fee through invoices rather than through the property tax bill; to impose penalties in the event of non-payment of the fee; and to clarify existing law regarding the procedures for landlords to recover a portion of the fee from their tenants.

**FINALLY PASSED by the following vote:**

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

**210658 [Business and Tax Regulations Code - Emergency Medical Services Fees]****Sponsor: Mayor**

Ordinance amending the Business and Tax Regulations Code to update emergency medical services fees to reflect amounts currently authorized and charged under annual adjustment provisions, and to require that the fees be paid to the Department of Emergency Management rather than the Department of Public Health.

**FINALLY PASSED by the following vote:**

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

**Recommendation of the Government Audit and Oversight Committee****210609 [Grant Contract - Retroactive - California Department of Parks and Recreation Habitat Conservation Fund Grant - Sharp Park Habitat Conservation Project - \$200,500]****Sponsors: Mayor; Chan**

Resolution retroactively approving a California Department of Parks and Recreation Habitat Conservation Fund Grant Contract in the amount of \$200,500 that requires the Recreation and Park Department to maintain a certain portion of Sharp Park as habitat for the San Francisco Garter Snake for the duration of the contract performance period from July 1, 2019, through June 30, 2039, pursuant to Charter, Section 9.118(a); and authorizing the Recreation and Park Department General Manager to file a Deed Restriction against the property designated as San Mateo County Assessor's Parcel Block No. 016-43-0020, providing the restrictions contained in the Grant Contract will apply until June 30, 2039. (Recreation and Park Department)

**Supervisor Peskin, seconded by Supervisor Chan, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 18, through Page 3, Line 2, by striking 'and authorizes the General Manager of the Recreation and Park Department to enter into any modifications and amendments to the Grant Contract, including to any of its exhibits, and authorizes the General Manager of the Recreation and Park Department to execute further agreements and instruments related to the Project, that the General Manager determines, in consultation with the City Attorney, are in the best interests of the City and do not materially increase the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of the Project or this Resolution, and are in compliance with all applicable laws, including the City's Charter'. The motion carried by the following vote:**

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

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

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

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

### **210563 [Environment Code - Climate Action Plan]**

**Sponsors: Mayor; Mandelman, Safai and Mar**

Ordinance amending the Environment Code to update the City's climate action goals and planning process, and establish departmental roles and responsibilities; and affirming the Planning Department's determination under the California Environmental Quality Act.

*Supervisor Mar requested to be added as a co-sponsor.*

**FINALLY PASSED** by the following vote:

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

## **NEW BUSINESS**

## **Recommendations of the Budget and Finance Committee**

### **210741 [Waiver of Permit, License, and Business Registration Fees for Certain New Small Business Locations]**

**Sponsors: Ronen; Haney, Safai and Mar**

Ordinance waiving certain first-year permit, license, and business registration fees for businesses that either (1) commence engaging in business within the City from November 1, 2021, through October 31, 2022, have estimated first-year San Francisco gross receipts of \$2,000,000 or less, have a registered business location that is for ground floor commercial use and not formula retail use, and have gross receipts in the next three tax years of \$10,000,000 or less, or (2) open a new business location for ground floor commercial use and not formula retail use, reported San Francisco gross receipts of \$2,000,000 or less on its most recent return, and have gross receipts in the next three tax years of \$10,000,000 or less; and refunding any waived fees paid to the City. (Fiscal Impact)

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

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

President Walton requested File Nos. 201391, 210766, and 210767 be called together.

**201391 [Multifamily Housing Revenue Bonds - 600-7th Street - Not to Exceed \$90,000,000]**

**Sponsor: Mayor**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$90,000,000 for 600-7th Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$90,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

**ADOPTED by the following vote:**

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

**210766 [Multifamily Housing Revenue Bonds - 151 and 351 Friedell Street (Hunters Point Shipyard Phase 1 Blocks 52 and 54) - Not to Exceed \$63,000,000]**

**Sponsor: Mayor**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness in an aggregate principal amount not to exceed \$63,000,000; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$63,000,000 for 151 and 351 Friedell Street (Hunters Point Shipyard Phase 1 Blocks 52 and 54); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

**ADOPTED by the following vote:**

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



**210767 [Multifamily Housing Revenue Bonds - 1500 Block of Sunnydale Avenue (Sunnydale HOPE SF Block 3B) - Not to Exceed \$58,750,000]****Sponsor: Mayor**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness in an aggregate principal amount not to exceed \$58,750,000; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$58,750,000 for 1500 Block of Sunnydale Avenue; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

**ADOPTED by the following vote:**

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

*President Walton requested File Nos. 210360 and 210679 be called together.*

**210360 [Accept and Expend In-Kind Gift - Retroactive - Naloxone Distribution Project - Naloxone - Valued at \$73,800]****Sponsor: Mayor**

Resolution retroactively authorizing the Police Department to accept and expend an in-kind gift of 984 units of Naloxone valued at \$73,800 through the Naloxone Distribution Project, which is funded by the Substance Abuse and Mental Health Services Administration and administered by the Department of Health Care Services. (Police Department)

**ADOPTED by the following vote:**

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

**210679 [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - Paul Coverdell Forensic Science Improvement Program - \$61,437]****Sponsor: Mayor**

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$61,437 from the California Governor's Office of Emergency Services for the Paul Coverdell Forensic Science Improvement Program to procure ammunition for forensic testing and controlled-substance hand-held Raman spectrometers for the Criminology Laboratory for the project period beginning on January 1, 2021, and ending on December 31, 2021. (Police Department)

**ADOPTED by the following vote:**

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

**210607 [Accept and Expend Grant - Retroactive - University of California San Francisco - Construction Community Outreach Program - \$136,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$136,000 from the University of California San Francisco (UCSF) for supporting the Community Construction Outreach Program with referrals of local residents to contractors on UCSF projects to meet the volunteer 30% goal during the grant period of July 1, 2020, through June 30, 2021. (Department of Economic and Workforce Development)

**ADOPTED by the following vote:**

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

*President Walton requested File Nos. 210680, 210681, and 210721 be called together.*

**210680 [Accept and Expend Grant - Retroactive - United States Homeland Security - California Office of Emergency Services - Bay Area Urban Areas Security Initiative - \$33,012,500]****Sponsor: Mayor**

Resolution retroactively authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, as the fiscal agent for the Bay Area Urban Areas Security Initiative (UASI), to accept and expend an increase to Fiscal Year (FY) 2020 UASI grant funds in the amount of \$1,012,500 for a total of \$33,012,500 from the U.S. Department of Homeland Security through the California Office of Emergency Services, for the period of September 1, 2020, through May 31, 2023. (Department of Emergency Management)

**ADOPTED by the following vote:**

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

**210681 [Accept and Expend Grant - Retroactive - United States Homeland Security - Securing the Cities Program - FY2020 - \$3,065,800]****Sponsor: Mayor**

Resolution retroactively authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee of Homeland Security Grant funds for the Bay Area Urban Areas Security Initiative (UASI) and as the fiscal agent for the UASI Approval Authority, to accept and expend an increase to Fiscal Year (FY) 2020 Securing the Cities Program grant funds in the amount of \$1,065,800 for a total of \$3,065,800 from the United States Department of Homeland Security for the period of March 9, 2021, through October 30, 2021. (Department of Emergency Management)

**ADOPTED by the following vote:**

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

**210721 [Apply for Grants - FY2021, FY2022, and FY2023 Emergency Preparedness Grants]****Sponsor: Mayor**

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any actions necessary, as defined herein, for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the Fiscal Year (FY) 2021, FY2022, and FY2023 Urban Areas Security Initiative Grant, the FY2021, FY2022, and FY2023 State Homeland Security Grant Program, the FY2021, FY2022, and FY2023 Emergency Management Performance Grant, the FY2021, FY2022, and FY2023 Local Government Oil Spill Contingency Plan Grant, and the FY2021, FY2022, and FY2023 Hazard Mitigation Grant Program.

**ADOPTED by the following vote:**

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

*President Walton requested File Nos. 210737, 210738, and 210775 be called together.*

**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)

**ADOPTED by the following vote:**

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

**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)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**210775 [Lease of Real Property - SFSPE TG, LLC, SFSPE T1, LLC, SFSPE MH, LLC and SFSPE OBI LLC - 1360 Mission Street - \$644,404 Annual Base Rent - Up to \$200,000 in Tenant Improvements]**

**Sponsor: Mayor**

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to lease real property located at 1360 Mission Street, for an initial term of four years, from SFSPE TG, LLC, SFSPE T1, LLC, SFSPE MH, LLC and SFSPE OBI LLC, at a base rent of \$644,404 per year with 3% annual increases; authorizing the City to contribute up to an additional \$200,000 in tenant improvements to commence upon substantial completion of the installation of the Tenant Improvements necessary for the City's occupancy, which is expected to occur on or around August 1, 2021; 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)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**210749 [Release of Reserved Funds - Public Works - Trash Can Design and Deployment - \$427,500]**

Motion authorizing the release of reserved funds in the amount of \$537,000 placed on Board of Supervisors' reserve by Ordinance No. 165-20, to fund the new trash can design and deployment. (Budget and Finance Committee)  
(Fiscal Impact)

**Supervisor Haney, seconded by Supervisor Ronen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 1, 3, 11, and 17, by changing '\$537,000' to '\$427,500'. The motion carried by the following vote:**

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

Motion authorizing the release of reserved funds in the amount of \$427,500 placed on Board of Supervisors' reserve by Ordinance No. 165-20, to fund the new trash can design and deployment. (Budget and Finance Committee)  
(Fiscal Impact)

**Motion No. M21-115**

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

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

## **Referred Without Recommendation from the Government Audit and Oversight Committee**

### **210528 [Settlement of Unlitigated Claims - Wing Lok (“Walter”) Wong; W. Wong Construction; Alternate Choice, LLC; Jaidin Consulting Group, LLC; and Jaidin International Ventures, LLC - City to Receive Settlement Payments and Credits Totaling \$1,772,271.64]**

Resolution approving settlement of unlitigated claims against Wing Lok “Walter” Wong; W. Wong Construction; Alternate Choice, LLC; Jaidin Consulting Group, LLC; and Jaidin International Ventures, LLC, (collectively “the Wong Parties”) for payments and credits totaling \$1,772,271.64; the claims involve allegations that the Wong Parties provided gifts to officials of the City and County of San Francisco (“the City”) in exchange for the unlawful award of City contracts to the Wong Parties, failure to report contacts with City officials, and failure to report contributions to political campaigns as required under City law; other material terms of the settlement are that the Wong Parties will not do business with the City, including as permit expeditors, for five years. (City Attorney)

*Privilege of the floor was granted unanimously to Anne Pearson (Office of the City Attorney) who responded to questions raised throughout the discussion.*

**Supervisor Peskin, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to a Closed Session at the Board of Supervisors meeting of September 14, 2021. The motion carried by the following vote:**

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

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

*President Walton requested File Nos. 210722 and 210723 be called together.*

### **210722 [Housing Preferences - Annual Report - July 1, 2019, through June 30, 2020] Sponsor: Mayor**

Resolution reporting on Administrative Code, Chapter 47.4, housing preference requirements to the Board of Supervisors for July 1, 2019, through June 30, 2020.

**ADOPTED by the following vote:**

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

### **210723 [Housing Preferences - Three Year Report - July 1, 2016, through June 30, 2019] Sponsor: Mayor**

Resolution reporting on Administrative Code, Chapter 47.4, housing preferences requirements to the Board of Supervisors for July 1, 2016, through June 30, 2019.

**ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **210481 [Appointments, Sheriff's Department Oversight Board - Ovava Etere]**

#### **Afuhaamango, William Monroe Palmer II, Jayson Wechter, and Michael Nguyen]**

Motion appointing Ovava Etere Afuhaamango and William Monroe Palmer II, terms ending March 1, 2023, and Jayson Wechter and Michael Nguyen (residency requirement waived), terms ending March 1, 2025, to the Sheriff's Department Oversight Board. (Rules Committee)

**Motion No.** M21-110

**APPROVED** by the following vote:

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

### **210754 [Mayoral Appointment, Successor Redevelopment Agency Oversight Board - Moses Corrette]**

Motion approving the Mayor's nomination for appointment of Moses Corrette to the Successor Redevelopment Agency Oversight Board, for a term ending January 24, 2022. (Clerk of the Board) (Resolution No. 11-12, provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: June 6, 2021.)

*APPROVED by the following vote:*

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

*Supervisor Walton, seconded by Supervisor Peskin, 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 Preston, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 8-9, by changing 'because he is the Executive Director of' to 'as an active member of the International', and Lines 9-11, by striking ', the labor organization representing the largest number of employees of the former Redevelopment Agency'. The motion carried by the following vote:**

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton (Resolution No. 11-12, provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: June 6, 2021.)

**Motion No.** M21-111

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

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

**210755 [Mayoral Appointment, Board of Appeals - Jose Lopez]**

Motion approving the Mayoral nomination for the appointment of Jose Lopez to the Board of Appeals, for a term ending July 1, 2024. (Clerk of the Board)

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 24, 2021.)

**Motion No.** M21-112

**APPROVED** by the following vote:

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

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

*President Walton suspended all commendations during the declaration of local health emergency.*

## SPECIAL ORDER 3:00 P.M.

*President Walton requested File Nos. 210756, 210757, 210758, and 210759 be called together.*

### **210756 [Hearing - Appeal of Conditional Use Authorization Disapproval - 5 Leland Avenue and 2400 Bayshore Boulevard]**

Hearing of persons interested in or objecting to the disapproval of a Conditional Use Authorization pursuant to Sections 202.2, 303, and 712 of the Planning Code, for a proposed project at 5 Leland Avenue and 2400 Bayshore Boulevard, Assessor's Parcel Block No. 6249, Lot No. 001, identified in Planning Case No. 2021-000603CUA, issued by the Planning Commission by Motion No. 20925, dated May 27, 2021, to allow the establishment of a 2,198 square foot Cannabis Retail Use with no on-site smoking or vaporizing of cannabis products within the ground floor commercial space of a two-story mixed-use building located within the NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District, the Schlage Lock Special Use District, and a 55-X Height and Bulk District. (District 10) (Appellant: Gaynorann Siataga) (Filed June 28, 2021) (Clerk of the Board)

*President Walton opened the public hearing and inquired as to whether any individual wished to address the Board. Gaynor Siataga and Joseph Reiss (Appellant/Project Sponsor) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Rafael Discuzzo; Sydney Durado; Damara Solstice; Dillon Scholster; William Cortese-Cartagena; Lisa Oleva; Shelly Tatum; Carla Lurrell; Kevin Kevin; Jordan Michael; Delilah Rodgers; Kevin Woldrich; Rudy Corpuz; Cindy Delavega; Glen Holden; Emerald Allington; Shawn Richards; Derek Brown; Speaker; Solomon; Speaker; Patty Devresh; Suzy Jones; Brandon; Rosa Ramirez; Speaker; Carlo Gassen; Debra Caldron; Pastor Williams; Olah Samagalian; Tamika Bloom; Speaker; Talia Luna; Omar; Patrick Poole; Roger Feednow; Mayim Bleecher; Salma Hyena; Patricia Allah; Will Ramirez; Veronica; Pam Woo; Wayne Gradeu; Grayson Gridell; Maurice Malento; Jennifer; Jolene; spoke in support of the appeal. Aaron Starr and Michael Christensen (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Russel Morine (Opposition Party) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Lisa; David Tan; Wendy Chan; Speaker; Theresa; Speaker; Oswald; Nelson; Gina Tobar; Speaker; Speaker; Ren; Speaker; Jennifer Hamlin; Speaker; Marlene Tran; Speaker; Speaker; David Rupert; Jenny; Speaker; Speaker; Selena; Eric Selmo; Jenni; Speaker; Speaker; Speaker; Chris; spoke in opposition to the appeal. Gaynor Siataga (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Walton closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

### **210757 [Approving the Decision of the Planning Commission and Disapproving Conditional Use Authorization - 5 Leland Avenue and 2400 Bayshore Boulevard]**

Motion approving the decision of the Planning Commission by its Motion No. 20925, disapproving a Conditional Use Authorization, identified as Planning Case No. 2021-000603CUA, for a proposed project located at 5 Leland Avenue and 2400 Bayshore Boulevard; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

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

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



**210758 [Conditionally Disapproving Decision of the Planning Commission and Approving the Conditional Use Authorization - 5 Leland Avenue and 2400 Bayshore Boulevard]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20925, and approving a Conditional Use Authorization, identified as Planning Case No. 2021-000603CUA, for a proposed project at 5 Leland Avenue and 2400 Bayshore Boulevard, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

**Motion No. M21-113**

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

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

**210759 [Preparation of Findings Related to Conditional Use Authorization - 5 Leland Avenue and 2400 Bayshore Boulevard]**

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' decision to approve the proposed Conditional Use Authorization, identified as Planning Case No. 2021-000603CUA, for a proposed project at 5 Leland Avenue and 2400 Bayshore Boulevard. (Clerk of the Board)

**Motion No. M21-114**

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

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

## SPECIAL ORDER 3:00 P.M.

*President Walton requested File Nos. 210791, 210792, 210793, and 210794 be called together.*

### **210791 [Hearing - Appeal of Conditional Use Authorization Approval - 249 Texas Street]**

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 303 and 317 of the Planning Code, for a proposed project at 249 Texas Street, Assessor's Parcel Block No. 4001, Lot No. 017A, identified in Planning Case No. 2020-003223CUA, issued by the Planning Commission by Motion No. 20930, dated June 3, 2021, to demolish the existing 3,908 square-foot three-story single-family dwelling with an unauthorized dwelling unit and construct a new three-story 4,864 square-foot residential building containing two dwelling units above a garage with two off-street parking spaces, within the RH-2 (Residential House, Two-Family) Zoning District and a 40-X Height and Bulk District. (District 10) (Appellants: Kathleen Roberts-Block and Sasha Gala) (Filed July 6, 2021) (Clerk of the Board)

*President Walton opened the public hearing and indicated he would be making a motion to continue this Hearing and associated Motions to a future date. He then inquired as to whether any individual wished to address the Board on the proposed continuance. There were no speakers. President Walton closed public comment on the continuance.*

*Supervisor Walton, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of October 5, 2021. The motion carried by the following vote:*

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

*Supervisor Walton, seconded by Supervisor Ronen, 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 Walton, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of October 19, 2021. The motion carried by the following vote:**

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

### **210792 [Approving Conditional Use Authorization - 249 Texas Street]**

Motion approving the decision of the Planning Commission by its Motion No. 20930, approving a Conditional Use Authorization, identified as Planning Case No. 2020-003223CUA, for a proposed project located at 249 Texas 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)

*Supervisor Walton, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 5, 2021. The motion carried by the following vote:*

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

*Supervisor Walton, seconded by Supervisor Ronen, 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 Walton, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 19, 2021. The motion carried by the following vote:**

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

**210793 [Conditionally Disapproving the Conditional Use Authorization - 249 Texas Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20930, approving a Conditional Use Authorization, identified as Planning Case No. 2020-003223CUA, for a proposed project at 249 Texas Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)  
(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

*Supervisor Walton, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 5, 2021. The motion carried by the following vote:  
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton*

*Supervisor Walton, seconded by Supervisor Ronen, 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 Walton, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 19, 2021. The motion carried by the following vote:**

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

**210794 [Preparation of Findings Related to Conditional Use Authorization - 249 Texas 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. 2020-003223CUA for a proposed project at 249 Texas Street. (Clerk of the Board)

*Supervisor Walton, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 5, 2021. The motion carried by the following vote:  
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton*

*Supervisor Walton, seconded by Supervisor Ronen, 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 Walton, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 19, 2021. The motion carried by the following vote:**

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

## SPECIAL ORDER 3:00 P.M.

*President Walton requested File Nos. 210801, 210802, 210803, and 210804 be called together.*

### **210801 [Hearing - Appeal of Conditional Use Authorization Approval - 5801 Mission Street]**

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 202.2, 303, and 720 of the Planning Code, for a proposed project at 5801 Mission Street, Assessor's Parcel Block No. 6472, Lot No. 001, identified in Planning Case No. 2020-007152CUA, issued by the Planning Commission by Motion No. 20933, dated June 10, 2021, to allow cannabis retail use measuring approximately 2,055 square feet, with no on-site smoking or vaporizing of cannabis products, on the first floor of an existing two-story mixed use building within the Excelsior Outer Mission Street Neighborhood Commercial Zoning District, the Fringe Financial Services Restricted Use District, and a 40-X Height and Bulk District. (District 11) (Appellant: Pastor Roderick Gittens, on behalf of the San Francisco Christian Center) (Filed July 12, 2021) (Clerk of the Board)

*President Walton opened the public hearing and Supervisor Safai indicated he would be making a motion to continue this Hearing and associated Motions to a future date. He then inquired as to whether any individual wished to address the Board on the proposed continuance. There were no speakers. President Walton closed public comment on the continuance.*

**Supervisor Safai, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of September 21, 2021. The motion carried by the following vote:**

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

### **210802 [Approving Conditional Use Authorization - 5801 Mission Street]**

Motion approving the decision of the Planning Commission by its Motion No. 20933, approving a Conditional Use Authorization, identified as Planning Case No. 2020-007152CUA, for a proposed project located at 5801 Mission 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)

**Supervisor Safai, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 21, 2021. The motion carried by the following vote:**

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

### **210803 [Conditionally Disapproving the Conditional Use Authorization - 5801 Mission Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20933, approving a Conditional Use Authorization, identified as Planning Case No. 2020-007152CUA, for a proposed project at 5801 Mission Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board) (Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

**Supervisor Safai, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 21, 2021. The motion carried by the following vote:**

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

**210804 [Preparation of Findings Related to Conditional Use Authorization - 5801 Mission 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. 2020-007152CUA for a proposed project at 5801 Mission Street. (Clerk of the Board)

**Supervisor Safai, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 21, 2021. The motion carried by the following vote:**

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

## COMMITTEE REPORTS

### Recommendations of the Government Audit and Oversight Committee

**210714 [Agreement - MacKay Meters, Inc. - Parking Meter Procurement and Support Services - Not to Exceed \$70,557,894]**

Resolution authorizing the Director of Transportation to execute Contract No. SFMTA 2020-46, for Procurement of Single- and Multi-Space Parking Meter Hardware and Support Services with MacKay Meters, Inc., to replace existing hardware in an amount not to exceed \$70,557,894 and for a term of five years, to commence following Board approval, with the option to extend for five additional years. (Municipal Transportation Agency)  
(Fiscal Impact)

**Supervisor Safai, seconded by Supervisor Peskin, moved that this Resolution be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:**

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

**210727 [Peninsula Corridor Joint Powers Board - Issuance and Sale - Measure RR Sales Tax Revenue Bonds - NTE \$140,000,000 - Refund - PCJPB Revenue Bonds, 2019 Series A - NTE \$75,000,000 - Replacement of Existing Revolving Credit Facilities] Sponsor: Walton**

Resolution authorizing the issuance of Measure RR sales tax revenue bonds in an amount not to exceed (NTE) \$140,000,000 to fund the Peninsula Corridor Electrification Project (PCEP) Fundings; the issuance of Measure RR sales tax revenue bonds in an amount not to exceed \$75,000,000 to refund the Peninsula Corridor Joint Powers Board (PCJPB) Farebox Revenue Bonds, 2019 Series A; the replacement of the existing revolving credit facility for the PCEP with a new credit facility in an amount not to exceed \$100,000,000 at any one time; and the replacement of the existing revolving credit facility for working capital purposes with a new credit facility in an amount not to exceed \$100,000,000 at any one time.

**ADOPTED by the following vote:**

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

**210820 [Urging to Reinstate All Transit Lines to Pre-Covid Service Hours by December 31, 2021]****Sponsors: Preston; Chan**

Resolution urging the Municipal Transportation Agency to reinstate all transit lines and restore pre-Covid service hours by December 31, 2021, and release by August 31, 2021, a written plan for restoration of all lines and service.

**Supervisor Safai, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 4-5, on Page 4, Line 22, and on Page 5, Line 4, by changing 'August 31, 2021' to 'September 30, 2021'. The motion carried by the following vote:**

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton  
Resolution urging the Municipal Transportation Agency to reinstate all transit lines and restore pre-Covid service hours by December 31, 2021, and release by September 30, 2021, a written plan for restoration of all lines and service.

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

Ayes: 9 - Chan, Haney, Mar, Melgar, Peskin, Preston, Ronen, Safai, Walton

Noes: 2 - Mandelman, Stefani

**210779 [Budget and Legislative Analyst Services Audit Plan - Office of Economic and Workforce Development and Mayor's Office of Housing and Community Development - FY2021-2022]****Sponsor: Preston**

Motion directing the Budget and Legislative Analyst to conduct two performance audits in Fiscal Year (FY) 2021-2022 of the Office of Economic and Workforce Development economic development programs, including Community Grants programs, and Small Business programs and coordination with the Office of Small Business; and Affordable Housing funds administered by the Mayor's Office of Housing and Community Development, including sources and allowable uses of funds, dedicated and actual use of funds over prior ten year period and available fund balances, and planning, decision-making, and reporting on fund allocations and balances.

**Motion No. M21-116****APPROVED by the following vote:**

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

**Recommendations of the Land Use and Transportation Committee****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.

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

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

**210426 [Initiating Landmark Designation - Lincoln Park "City Cemetery" - Approval of 90-Day Extension for Historic Preservation Commission Review]****Sponsors: Chan; Peskin, Mar, Preston, Melgar and Ronen**

Resolution initiating a landmark designation under Article 10 of the Planning Code for Lincoln Park, formerly known as City Cemetery, Assessor's Parcel Block No. 1313, Lot No. 029; and extending the prescribed time within which the Historic Preservation Commission may render its decision by 90 days, for a total of 180 days.

*Supervisor Ronen requested to be added as a co-sponsor.*

**ADOPTED by the following vote:**

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

**210726 [Initiating Landmark Designation - 2261 Fillmore Street (aka the Clay Theatre) - Approval of 90-Day Extension for Historic Preservation Commission Review]****Sponsors: Stefani; Peskin, Preston, Melgar, Safai and Chan**

Resolution initiating a landmark designation under Article 10 of the Planning Code for 2261 Fillmore Street (aka the Clay Theatre), Assessor's Parcel Block No. 0630, Lot No. 002; and extending the prescribed time within which the Historic Preservation Commission may render its decision by 90 days, for a total of 180 days.

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

**ADOPTED by the following vote:**

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

**Recommendation of the Rules Committee****210750 [Appointments, San Francisco Reinvestment Working Group - Rafael Morales, Jennifer Finger, Elizabeth Dwyer, Fernando Marti, Christin Evans, Michelle Pierce, and Sylvia Chi]**

Motion appointing Rafael Morales, Jennifer Finger (residency requirement waived), Elizabeth Dwyer, Fernando Marti, Christin Evans, Michelle Pierce, and Sylvia Chi (residency requirement waived), indefinite terms, to the San Francisco Reinvestment Working Group. (Rules Committee)

**Motion No. M21-117****APPROVED 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**

*Peter Warfield; expressed concerns regarding public access to Library Commission meetings and the determinations of violations made by the Sunshine Ordinance Task Force.*

*Kat Carter; expressed support of the Resolution proclaiming September 2021 as the Sixth Annual Transit Month in the City and County of San Francisco (File No. 210841).*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **210839 [Supporting California State Assembly Bill No. 1256 (Quirk) - Employment Discrimination: Cannabis Screening Test]**

**Sponsors: Haney; Preston and Mandelman**

Resolution supporting California State Assembly Bill No. 1256, authored by Assembly Member Bill Quirk, an anti-cannabis discrimination bill prohibiting employers from discriminating against hiring or terminating a person for testing positive for cannabis metabolites.

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

**ADOPTED**

### **210840 [Approval of a 60-Day Extension for Planning Commission Review of Conditional Use Authorization for All Residential Mergers (File No. 210564)]**

**Sponsor: Mandelman**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 210564) amending the Planning Code to provide a density limit exception for Corner Lots in RH (Residential, House) zoning districts, to permit up to four dwelling units per lot; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**ADOPTED**

### **210851 [Urging the Federal Government to Cancel Student Loan Debts]**

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

Resolution urging the Federal Government to cancel student loan debts.

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

**ADOPTED**

### **210846 [Reappointment, Commission on the Aging Advisory Council - Morningstar Vancil]**

Motion reappointing Morningstar Vancil, term ending March 31, 2022, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Morningstar Vancil, Seat 7, succeeding themselves, must be a nominee of the District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2022.

**Motion No. M21-118**

**APPROVED**



**210847 [Appointment, Bicycle Advisory Committee - Maelig Morvan]****Sponsor: Mar**

Motion appointing Maelig Morvan, term ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board)

Maelig Morvan, Seat 4, succeeding Anne Brask, resigned, must be a nominee of the District 4 Supervisor, to serve for a two-year term ending November 19, 2022, or for the tenure of the nominating Supervisor, whichever is shorter in duration.

*Supervisor Mar requested to be added as the sponsor.*

**Motion No. M21-119**

**APPROVED**

**210848 [Reappointment, Bicycle Advisory Committee - Mary Kay Chin]**

Motion reappointing Mary Kay Chin, term ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board)

Mary Kay Chin, Seat 6, succeeding herself, term expired, must be a nominee of the District 6 Supervisor, to serve for a two-year term ending November 19, 2022, or for the tenure of the nominating Supervisor, whichever is shorter in duration.

**Motion No. M21-120**

**APPROVED**

**210849 [Reappointment, Child Care Planning and Advisory Council - Beverly Melugin]**

Motion appointing Beverly Melugin (residency requirement waived), term ending March 19, 2022, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Beverly Melugin (residency requirement waived), seat 6, succeeding herself, must be a nominee of the District 6 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for the unexpired portion of a three-year term ending March 19, 2022.

**Motion No. M21-121**

**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**

*President Walton requested that File No. 210800 be severed so that it may be considered separately.*

### **210800 [Final Map 9677 - Hunters View Phase 3]**

Motion approving Final Map 9677 (relating to a project known as Hunters View Phase 3), the re-subdivision of Lot 10, Final Map No. 5461, filed for record in Book DD of Survey Maps, at pages 90-97, Official Records, resulting in up to nine lots, including up to 310 condominium units for a mixed use residential and commercial project, subject to specified conditions; approving a Public Improvement Agreement related to Final Map 9677; and acknowledging findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M21-122**

**APPROVED by the following vote:**

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

*Supervisor Mandelman requested that File No. 210841 be severed so that it may be considered separately.*

### **210841 [Transit Month - September 2021]**

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

Resolution proclaiming September 2021 as the Sixth Annual San Francisco Transit Month in the City and County of San Francisco.

*Supervisors Stefani and Safai requested to be added as co-sponsors.*

**ADOPTED by the following vote:**

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

*Supervisor Melgar requested that File Nos. 210842, 210845, and 210852 be severed so that they may be considered separately.*

### **210842 [Urging President Joe Biden to Lift Title 42 Restrictions at the United States-Mexico Border that Prevents Individuals and Families Seeking Asylum to Enter the Country]**

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

Resolution urging President Joe Biden to fully lift Title 42 restrictions at the United States-Mexico border to allow vulnerable and exploited people seeking asylum, including single adults, LGBT couples, and families, to enter the country and to ease the growing humanitarian crisis at the border caused by policies hostile to migrants.

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

**ADOPTED by the following vote:**

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

**210845 [Ethel Davies Day - September 1, 2021]****Sponsor: Melgar**

Resolution commending Ethel Davies on the occasion of her 100th birthday and declaring September 1, 2021, as Ethel Davies Day in the City and County of San Francisco.

**ADOPTED by the following vote:**

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

**210852 [Urging Support of Community-Initiated Beautification Projects on Public Property and for the Public Good]****Sponsors: Melgar; Stefani, Mandelman, Safai and Mar**

Resolution supporting and urging Departments to facilitate an easier process for community-initiated beautification projects on public property, including, but not limited to, the improvement projects for the Kensington Bridge, Havelock Bridge, Low Acuity Continuing Care facility in the Presidio, and the Richardson Triangle in Cow Hollow.

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

**ADOPTED by the following vote:**

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

**IMPERATIVE AGENDA**

*There were no imperative agenda items.*

**LEGISLATION INTRODUCED AT ROLL CALL****Introduced by a Supervisor or the Mayor**

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](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**

### **210827 [Settlement of Lawsuit - Maurice Caldwell - \$8,000,000]**

Ordinance authorizing settlement of the lawsuit filed by Maurice Caldwell against the City and County of San Francisco for \$8,000,000; the lawsuit was filed on April 16, 2012, in United States District Court, Case No. 12-cv-1892 DMR; entitled Maurice Caldwell v. City and County of San Francisco, et al.; the lawsuit alleges fabrication of evidence in violation of the Fourteenth Amendment. (City Attorney)

07/16/21; RECEIVED FROM DEPARTMENT.

07/27/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **210828 [Business and Tax Regulations Code - Administrative Provisions]**

Ordinance amending the Business and Tax Regulations Code to revise its common administrative provisions and other provisions to implement Proposition F amending the gross receipts tax and repealing the payroll expense tax and Proposition L imposing the overpaid executive gross receipts tax, approved at the November 3, 2020, election, and make clarifying and other nonsubstantive changes. (Treasurer-Tax Collector)

07/19/21; RECEIVED FROM DEPARTMENT.

07/27/21; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/19/2021.

## **PROPOSED RESOLUTIONS**

### **210829 [Renewal Lease - California State University - 1600 Holloway Avenue - Thornton Hall - \$91,800 Annual Base Rent]**

Resolution authorizing and approving a renewal of a telecommunication lease of space for existing emergency radio telecommunications tower and associated equipment with the California State University, acting by and through the San Francisco State University, a State of California political subdivision, as landlord, for the Department of Emergency Management and the Department of Technology, at 1600 Holloway Avenue, Thornton Hall, at a yearly initial base rent of \$91,800, with annual adjustments of three percent for a term of 20 years to commence on October 1, 2021, or upon approval by the Board of Supervisors and Mayor; adopting findings under the California Environmental Quality Act; and finding the proposed Lease is in conformance with the General Plan, and the eight priorities of Planning Code, Section 101.1. (Real Estate Department)

07/19/21; RECEIVED FROM DEPARTMENT.

07/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210830 [Contract Amendment - Cross Country Staffing, Inc. - Registry Services - Not to Exceed \$41,200,000]**

Resolution approving Amendment No. 3 to the agreement between Cross Country Staffing, Inc. and the Department of Public Health, for as-needed registry personnel to maintain mandated staffing levels, to increase the agreement amount by \$15,272,000 for an amount not to exceed \$41,200,000 and to extend the term by two years from July 1, 2022, for a total agreement term of July 1, 2019, through June 30, 2024. (Public Health Department)

07/19/21; RECEIVED FROM DEPARTMENT.

07/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210831 [Notice of Potential Retroactive Approvals of Contracts for Energy-Related Products in 2021 - Public Utilities Commission]**

Resolution acknowledging notice from the General Manager of the Public Utilities Commission pursuant to Resolution No. 580-20 of the potential need to seek retroactive Board of Supervisors approval under Charter, Section 9.118, for contracts with costs of \$10,000,000 or more, revenues of \$1,000,000 or more, or terms in excess of ten years, or contracts requiring binding arbitration for the purchase and sale of energy-related products necessary to meet regulatory compliance obligations in 2021. (Public Utilities Commission)

07/19/21; RECEIVED FROM DEPARTMENT.

07/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210832 [Grant Agreement Amendment - Salesforce.com - 415 Mission Street - Onsite Water Reuse System - Term Extension]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 1 to the existing grant agreement with Salesforce.com, Inc. for an Onsite Water Reuse System at 415 Mission Street, extending the term of the agreement by seven years, for a total of fifteen years from May 15, 2017, through May 15, 2032, with no change to the agreement amount of \$250,000. (Public Utilities Commission)

07/19/21; RECEIVED FROM DEPARTMENT.

07/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**210833 [Grant Agreement Amendment - 181 Fremont Street, LLC. - SFPUC Onsite Water Reuse System Grant Program - Term Extension]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute Amendment No. 1 to the existing grant agreement with 181 Fremont Street, LLC for an Onsite Water Reuse System at 181 Fremont Street, extending the term of the agreement by seven years to January 5, 2032, for a total duration of seventeen years. (Public Utilities Commission)

07/19/21; RECEIVED FROM DEPARTMENT.

07/27/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 9:08 p.m.*