

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, August 11, 2020 - 2:00 PM

Held via Videoconference
(remote public access provided via teleconference)
www.sfgovtv.org

Regular Meeting

NORMAN YEE, PRESIDENT

SANDRA LEE FEWER, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI, SHAMANN WALTON
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee
Supervisors Fewer, Walton, Mandelman

Wednesday
10:30 AM

Government Audit and Oversight Committee
Supervisors Mar, Peskin, Haney

1st and 3rd Thursday
10:00 AM

Joint City, School District, and City College Select Committee
Supervisors Haney, Fewer, Mar (Alt), Commissioners Moliga, Collins, Cook (Alt), Trustees Randolph, Williams, Selby (Alt)

2nd Friday
10:00 AM

Land Use and Transportation Committee
Supervisors Peskin, Safai, Preston

Monday
1:30 PM

Public Safety and Neighborhood Services Committee
Supervisors Mandelman, Stefani, Walton

2nd and 4th Thursday
10:00 AM

Rules Committee
Supervisors Ronen, Stefani, Mar

Monday
10:00 AM

Members Present: Sandra Lee Fewer, Matt Haney, Rafael Mandelman, Gordon Mar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, Shamann Walton, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session through videoconferencing, and provided public comment through teleconferencing, on Tuesday, August 11, 2020, with President Norman Yee presiding.

President Yee called the meeting to order at 2:02 p.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>. As the COVID-19 disease progresses, please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.

ROLL CALL AND PLEDGE OF ALLEGIANCE

On the call of the roll, Supervisors Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, and Yee were noted present.

A quorum was present.

COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, announced that due to the COVID-19 health emergency, Board Members will participate in the meeting remotely, through videoconference and to the same extent as if they were physically present. To the members of the public, when general public comment is called, you may contribute live comments for up to two minutes by dialing the provided telephone number. When you are connected, you will receive another prompt, dial * 3 to be added to the queue to speak. Make sure to call from a quiet location, speak clearly and slowly, and turn down your television or radio. Written comments may be submitted through email (bos@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the June 30, 2020, or July 7, 2020, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Peskin, seconded by Supervisor Walton, moved to approve the June 30, 2020, and July 7, 2020, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

200661 [Settlement of Lawsuit - David Timothy Rudolf - \$120,000]

Ordinance authorizing settlement of the lawsuit filed by David Timothy Rudolf against the City and County of San Francisco for \$120,000; the lawsuit was filed on January 15, 2019, in San Francisco Superior Court, Case No. CGC-19-572800; entitled David Timothy Rudolf v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

PASSED ON FIRST READING

200662 [Settlement of Lawsuit - Jonathan Garcia Valle - \$850,000]

Ordinance authorizing settlement of the lawsuit filed by Jonathan Garcia Valle against the City and County of San Francisco for \$850,000; the lawsuit was filed on December 19, 2017, in San Francisco Superior Court, Case No. CGC-17-563210; entitled Jonathan Garcia Valle v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)

PASSED ON FIRST READING

200663 [Settlement of Lawsuit - Anthony Economus - \$275,000]

Ordinance authorizing settlement of the lawsuit filed by Anthony Economus against the City and County of San Francisco for \$275,000; the lawsuit was filed on May 2, 2019, in San Francisco Superior Court, Case No. CGC-19-575669; entitled Anthony Economus v. Flint Paul; the lawsuit involves an alleged civil rights violation. (City Attorney)

PASSED ON FIRST READING

200664 [Settlement of Lawsuit - Oliver Barcenas, Sofia Barcenas - \$180,000]

Ordinance authorizing settlement of the lawsuit filed by Oliver Barcenas and Sofia Barcenas against the City and County of San Francisco for \$180,000; the lawsuit was filed on May 10, 2019, in San Francisco County Superior Court, Case No. CGC-19-575896; entitled Oliver Barcenas, et. al v. City and County of San Francisco, et. al; the lawsuit involves alleged civil rights violations. (City Attorney)

PASSED ON FIRST READING

200692 [Settlement of Lawsuit - Lina Lu, Alexandra Anderson, and Stella Osborne - \$49,000]

Ordinance authorizing settlement of the lawsuit filed by Lina Lu, Alexandra Anderson, and Stella Osborne against the City and County of San Francisco for \$49,000; the lawsuit was filed on May 6, 2019, in San Francisco Superior Court, Case No. CPF-19-516659; entitled Lina Lu et al. v. City and County of San Francisco et al.; the lawsuit involves a challenge to the San Francisco Police Department's procedures for producing incident reports in domestic violence cases; other material terms of the settlement are the adoption of changes in City protocols for producing domestic violence incident reports. (City Attorney)

PASSED ON FIRST READING

200693 [Settlement of Lawsuit - Erin Sheeran, as Conservator for Cara Sheeran - \$97,500]

Ordinance authorizing settlement of the lawsuit filed by Erin Sheeran, as Conservator for Cara Sheeran, against the City and County of San Francisco for \$97,500; the lawsuit was filed on July 25, 2018, in San Francisco Superior Court, Case No. CGC-18-568392; entitled Erin Sheeran, as Conservator for Cara Sheeran v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury by San Francisco Fire Department employees. (City Attorney)

PASSED ON FIRST READING

200694 [Settlement of Lawsuit - San Francisco Museum of Modern Art; Yerba Buena Arts & Events - City to Receive \$1,200,000]

Ordinance authorizing settlement of the lawsuit brought by the City and County of San Francisco against San Francisco Museum of Modern Art and Yerba Buena Arts & Events for \$1,200,000; the lawsuit was filed on April 27, 2017, in San Francisco Superior Court, Case No. CGC-17-558438; entitled Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure (OCII) v. San Francisco Museum of Modern Art, Yerba Buena Arts & Events, and Does 1-20; the lawsuit involves damage to the Crescent Pool at the Yerba Buena Gardens Plaza allegedly caused by an SFMOMA fundraiser. (City Attorney)

PASSED ON FIRST READING

200695 [Settlement of Lawsuit - Rashad Abdullah, Individually and as the Guardian for Minor T.A.; and T.A., a Minor, By and Through Her Guardian - \$150,000]

Ordinance authorizing settlement of the lawsuit filed by Rashad Abdullah, individually and as the guardian for minor T.A.; and T.A., a minor, by and through her guardian against the City and County of San Francisco for \$150,000; the lawsuit was filed on September 3, 2019, in the United States District Court, Northern District of California, Case No. 19-cv-05526-LB; entitled Rashad Abdullah, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

PASSED ON FIRST READING

200726 [Settlement of Lawsuit - Christian Miller - \$750,000]

Ordinance authorizing settlement of the lawsuit filed by Christian Miller against the City and County of San Francisco for \$750,000; the lawsuit was filed on December 28, 2018, in San Francisco Superior Court, Case No. CGC-18-572391; entitled Christian Miller v. Juan Francisco Ceballos, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

PASSED ON FIRST READING

200727 [Settlement of Lawsuit - Christopher Kurrle - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Christopher Kurrle against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 11, 2018, in San Francisco Superior Court, Case No. CGC-18-566499; entitled Christopher Kurrle v. City and County of San Francisco; the lawsuit involves alleged personal injury in connection with a bicycle collision. (City Attorney)

PASSED ON FIRST READING

200665 [Settlement of Unlitigated Claim - Chez Maman West - \$36,664.99]

Resolution approving the settlement of the unlitigated claim filed by Chez Maman West against the City and County of San Francisco for \$36,664.99; the claim was filed on January 8, 2020; the claim involves alleged property damage due to sewer flooding. (City Attorney)

ADOPTED

200666 [Settlement of Unlitigated Claim - Francisco Rivero - \$39,700]

Resolution approving the settlement of the unlitigated claim filed by Francisco Rivero against the City and County of San Francisco for \$39,700; the claim was filed on January 7, 2020; the claim involves property damage arising from sewer main pipe overflow as a result of heavy rain. (City Attorney)

ADOPTED

200696 [Settlement of Unlitigated Claim - GSW Arena LLC - \$440,318]

Resolution approving the settlement of the unlitigated claim filed by GSW Arena LLC against the City and County of San Francisco for \$440,318; the claim seeks a refund of stadium operator admission tax ("Tax") paid for events occurring in September and October 2019; additional material terms of the settlement are an agreement by GSW Arena LLC to file and pay the Tax for all events on or after November 1, 2019, and a waiver of penalties and a portion of the interest for late-filed returns for events in November 2019 through March 2020. (City Attorney)

ADOPTED

200697 [Settlement of Grievance - San Francisco Fire Fighters Local 798 - \$68,420.98]

Resolution approving settlement of the grievance by the San Francisco Fire Fighters, Local 798, against the City and County of San Francisco for \$68,420.98; the grievance was filed on August 27, 2017; the grievance involves a compensation dispute under the Memorandum of Understanding. (City Attorney)

ADOPTED

Recommendations of the Land Use and Transportation Committee

200143 [Planning Code - Zoning Controls - Urban Mixed Use District - Office Uses]

Sponsor: Ronen

Ordinance amending the Planning Code to provide that in the Mission Area Plan portion of the Urban Mixed Use District all office uses not in a landmark building are prohibited, except that a Professional Service, Financial Service, or Medical Service is allowed as a conditional use on the ground floor when primarily open to the general public on a client-oriented basis; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

FINALLY PASSED

200421 [Planning Code - Continuation of Use for Certain Nonconforming Parking Lots - Mission Street Neighborhood Commercial Transit District]

Sponsor: Ronen

Ordinance amending the Planning Code to allow in the Mission Street Neighborhood Commercial Transit District the continuance of a nonconforming parking lot that is on the site of a designated City landmark; 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.

FINALLY PASSED

Recommendation of the Rules Committee

200244 [Administrative Code - Food Purchasing Standards and Departmental Goals]

Sponsors: Fewer; Mandelman

Ordinance amending the Administrative Code to introduce standards and goals for food purchasing by the Department of Public Health and Sheriff's Department in hospitals and jails.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Severed from the Consent Agenda

Supervisor Preston requested that File No. 200758 be severed so that it may be considered separately.

200758 [Settlement of Lawsuit - Hastings College of the Law - \$0]

Ordinance authorizing settlement of the lawsuit filed by Hastings College of the Law against the City and County of San Francisco for \$0 and a Stipulated Injunction; the lawsuit was filed on May 4, 2020, in United States District Court, Case No. 20-cv-3033; entitled Hastings College of the Law, et al. v. City and County of San Francisco; the lawsuit involves alleged civil rights violations, Federal Americans with Disabilities and California Disabled Persons Act violations, Negligence; Public Nuisance; Private Nuisance and Inverse Condemnation. (City Attorney)

Privilege of the floor was granted unanimously to Sophia Kittler (Mayor's Office), Anne Pearson (Office of the City Attorney), and Abigail Stewart-Kahn, Interim Director (Department of Homelessness and Supportive Housing) who responded to questions raised throughout the discussion.

Supervisor Peskin, seconded by Supervisor Fewer, moved that this Ordinance be CONTINUED ON FIRST READING to a Closed Session at the Board of Supervisors meeting of August 18, 2020. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety and Neighborhood Services Committee

191283 [Police and Public Works Codes - Administrative Penalties and Fines for Illegal Dumping]

Sponsors: Walton; Fewer, Haney, Safai, Stefani and Mandelman

Ordinance amending the Public Works Code to authorize the Public Works Director to impose administrative penalties and fines for illegal dumping, provide for additional enforcement remedies for illegal dumping, expand the definition of illegal dumping to address electronic waste and hazardous waste, and clarify that each act of illegal dumping constitutes a separate violation subject to abatement or enforcement actions; amending the Police Code to provide procedures for assessment and collection of administrative penalties for illegal dumping; and affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

200708 [Supporting the Intent to Fund COVID -19 Rent Resolution and Relief Fund and Social Housing Program Fund]

Sponsors: Preston; Walton, Ronen and Haney

Resolution supporting housing stability by indicating the Board of Supervisors' intent to appropriate revenue generated by a November 2020 transfer tax ballot measure to a COVID-19 Rent Resolution and Relief Fund and a Social Housing Program Fund.

Supervisors Ronen and Haney requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200768 [Maintenance Agreement - Installation and Maintenance of Transportation Art - California Department of Transportation]

Sponsor: Mayor

Resolution approving a maintenance agreement between the City and County of San Francisco and the California Department of Transportation ("Caltrans") for the City's maintenance of artwork on right-of-way within Caltrans jurisdiction located at the north and south boarding platforms of the Van Ness Avenue and Geary Street station between Geary and O'Farrell Streets for the Van Ness Bus Rapid Transit Project; and the City's indemnification of Caltrans for any claims occurring by reason of anything done or omitted to be done by City under the agreement.

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendations of the Land Use and Transportation Committee

200213 [Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]

Sponsors: Fewer, Mar, Peskin, Haney, Walton, Mandelman, Ronen, Safai and Preston

Ordinance amending the Planning Code to allow extra height, exceeding otherwise applicable height limitations, for 100% Affordable Housing and Educator Housing projects, and to allow such projects to be constructed on parcels greater than 8,000 square feet or which contain only surface parking lots and do not demolish any existing buildings; making findings that the Ordinance furthers the purpose of Planning Code, Section 206.9; making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

(Pursuant to Planning Code, Section 206.9(h), this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200214 [Planning Code - Conditional Use Review and Approval Process - Priority Processing and Reduced Application Fee for Certain Uses of Commercial Space]
Sponsors: Peskin; Ronen, Fewer, Haney, Walton, Yee and Safai

Ordinance amending the Planning Code to expedite the Conditional Use authorization review and approval process and reduce the application fee for certain uses of commercial space; 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; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

Supervisors Walton, Yee, and Safai requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Due to technical difficulties, Supervisor Safai was noted absent (off-line) at 3:14 p.m. and present (on-line) at 3:18 p.m.

200215 [Planning Code - Arts Activities, Social Service or Philanthropic Facilities, and COVID-19 Recovery Activities as Temporary Uses; Fee Waiver for COVID-19 Recovery Activities]

Sponsors: Ronen; Fewer, Walton, Haney, Peskin, Mandelman and Safai

Ordinance amending the Planning Code to allow Arts Activities, and Social Service or Philanthropic Facilities, and COVID-19 Recovery Activities as a temporary use in vacant ground-floor commercial space; 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.

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

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee

Absent: 1 - Safai

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200270 [Bi-Annual Housing Balance Report No. 10]**Sponsor: Mar**

Resolution receiving and approving the bi-annual Housing Balance Report No. 10, dated April 1, 2020, submitted as required by Planning Code, Section 103.

ADOPTED by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee

Absent: 1 - Safai

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Recommendations of the Public Safety and Neighborhood Services Committee**200075 [Liquor License Issuance - 706 Mission Street - 706 Mission Residences Owners Association]**

Resolution determining that the issuance of a Type-57 special on-sale general beer, wine, and distilled spirits liquor license to the 706 Mission Residences Owners Association, to do business as the Four Seasons Private Residences on the 5th floor of 706 Mission Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200711 [Declaring Anti-Black Racism as a Human Rights and Public Health Crisis]

Sponsors: Walton; Ronen, Haney, Stefani, Peskin, Mandelman, Safai, Fewer, Preston and Yee

Resolution declaring anti-Black racism as a human rights and public health crisis in San Francisco; requesting that City and County of San Francisco departments and agencies prioritize racial equity in all programs; and advocating for local, state, regional, and federal anti-racist policies that advance efforts to dismantle systemic racism.

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

ADOPTED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

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

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

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 200103, 200104, 200105, and 200106 be called together.

200103 [Hearing - Appeal of Determination of Exemption From Environmental Review - 1531-1581 Howard Street and 118-134 Kissling Street]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on December 24, 2019, for the proposed project at 1531-1581 Howard Street and 118-134 Kissling Street, Assessor's Parcel Block No. 3516, to reconfigure an existing motor vehicle repair operation by converting approximately 9,691 square feet of existing surface vehicle storage on Lot Nos. 56 and 64 to four-level parking stackers; converting approximately 8,069 square feet of existing surface vehicle storage on Lot Nos. 39, 40, 41, and 42 to four-level parking stackers, and constructing an approximately 1,283-gross-square-foot car wash on Lot No. 64; install metal screening on portions of the Kissling Street frontage and on portions of the Howard Street frontage; reduce the existing 42-foot-wide curb cut on the Howard Street frontage to approximately 29 feet wide and remove the existing curb cut on the Kissling Street frontage; and amending the Zoning Map by changing the zoning district for Lot Nos. 39, 40, 41, and 42 at the project site from RED (Resident Enclave) to RED-MX (Residential Enclave-Mixed). (District 6) (Appellant: Stephen Williams of the Law Office of Stephen M. Williams, on behalf of William Hedden) (Filed January 23, 2020) (Clerk of the Board)

President Yee opened the public hearing and indicated the appellant has withdrawn their appeal of this project. Supervisor Haney provided brief remarks on the project and withdrawal of the appeal. The President then inquired as to whether any individual wished to address the Board. There were no speakers. President Yee closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

200104 [Affirming the Categorical Exemption Determination - 1531-1581 Howard Street and 118-134 Kissling Street]

Motion affirming the determination by the Planning Department that the proposed 1531-1581 Howard Street and 118-134 Kissling Street Project is categorically exempt from further environmental review. (Clerk of the Board)

Motion No. M20-100

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200105 [Conditionally Reversing the Categorical Exemption Determination - 1531-1581 Howard Street and 118-134 Kissling Street]

Motion conditionally reversing the determination by the Planning Department that the proposed 1531-1581 Howard Street and 118-134 Kissling Street Project is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200106 [Preparation of Findings to Reverse the Categorical Exemption Determination - 1531-1581 Howard Street and 118-134 Kissling Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed 1531-1581 Howard Street and 118-134 Kissling Street Project is categorically exempt from further environmental review. (Clerk of the Board)

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 200800, 200801, 200802, and 200803 be called together.

Supervisor Safai Excused from Voting

Supervisor Safai requested to be excused from voting on File Nos. 200800, 200801, 200802, and 200803, due to a possible conflict of interest.

Supervisor Ronen, seconded by Supervisor Peskin, moved that Supervisor Safai be excused from voting on File Nos. 200800, 200801, 200802, and 200803. The motion carried by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee
Excused: 1 - Safai

200800 [Hearing - Appeal of Revised Final Mitigated Negative Declaration - Proposed 3516 and 3526 Folsom Street Project]

Hearing of persons interested in or objecting to the approval of a Revised Final Mitigated Negative Declaration under the California Environmental Quality Act for the 3516 and 3526 Folsom Street Project, identified in Planning Case No. 2013.1383ENV, and issued by the Planning Department on March 25, 2020. (District 9) (Appellant: Kathleen Angus, on behalf of the Bernal Heights South Slope Organization) (Filed April 24, 2020) (Clerk of the Board)

President Yee opened the public hearing and Supervisor Ronen indicated she would be making a motion to continue the appeal hearing and associated Motion to a later date. The President then inquired as to whether any individual wished to address the Board regarding the proposed continuance. Marilyn Watterman; Seth Renzol; Linda Raimy; Alisia Chaven; speaker; Connie Ewald; Charles R. Olson; Tochi; Speaker; Nancy Zechis; Kathleen Angus; Fabien Lannoye; Gail Newman; Gail Romano; Linda Weiner; Mitchel Omerberg; Linda Spader; Herbert Felsenfeld; Jim Fogarty; spoke on various concerns related to the proposed continuance. There were no other speakers. President Yee closed public comment on the continuance.

Supervisor Ronen, seconded by Supervisor Preston, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of September 1, 2020. The motion carried by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee
Excused: 1 - Safai

200801 [Affirming the Revised Mitigated Negative Declaration - Proposed 3516 and 3526 Folsom Street Project]

Motion affirming the Revised Mitigated Negative Declaration prepared by the Planning Department under the California Environmental Quality Act for the proposed project located at 3516 and 3526 Folsom Street. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Preston, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 1, 2020. The motion carried by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee
Excused: 1 - Safai

200802 [Conditionally Reversing the Revised Mitigated Negative Declaration - Proposed 3516 and 3526 Folsom Street Project]

Motion conditionally reversing the Revised Mitigated Negative Declaration prepared by the Planning Department under the California Environmental Quality Act for the proposed project located at 3516 and 3526 Folsom Street, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Preston, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 1, 2020. The motion carried by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee
Excused: 1 - Safai

200803 [Preparation of Findings to Reverse the Revised Final Mitigated Negative Declaration - Proposed 3516 and 3526 Folsom Street Project]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Department's preparation of a Revised Mitigated Negative Declaration under the California Environmental Quality Act for the proposed project located at 3516 and 3526 Folsom Street. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Preston, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 1, 2020. The motion carried by the following vote:

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee
Excused: 1 - Safai

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 200804, 200805, 200806, and 200807 be called together.

200804 [Hearing - Appeal of Final Environmental Impact Report Certification - Proposed Balboa Reservoir Project]

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for the proposed Balboa Reservoir Project, identified in Planning Case No. 2018-007883ENV, issued by the Planning Commission through Motion No. 20730, dated May 28, 2020; to construct up to approximately 1,800,000 gross square feet of uses, including between approximately 1,300,000 and 1,500,000 gross square feet of residential space; approximately 10,000 gross square feet of community space, approximately 7,500 gross square feet of retail, up to 550 residential parking spaces and 750 public parking spaces, in the developer's proposed option, and up to 650 residential parking spaces in the additional housing option; the buildings would range in height from 25 to 78 feet in the developer's proposed option, and from 25 to 88 feet in the additional housing option. (District 7) (Appellants: Stuart Flashman of the Law Offices of Stuart M. Flashman, on behalf of Madeline Mueller, Alvin Ja, and Wynd Kaufmyn.) (Filed: June 18, 2020) (Clerk of the Board)

President Yee opened the public hearing and provided background information on the project and appeal. The President then inquired as to whether any individual wished to address the Board. Stuart Flashman (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Alvin Ja; Steve Zeltser; Laura Frye; Francisco da Costa; Diane Ruiz; Micah; Dina Wilson; Speaker; Speaker; Anastasia Yovanopoulos; Ms. Godwin; Speaker; Michael Ahrens, President; speaker; Jennifer Hege; speaker; Evelyn; Gene Barish; Wynd Kaufman; Madeline Mueller; Jess Nguyen; Speaker; Gilbert Crisswell; Speaker; Bernard Snowden; Michael Spruce; Christine Hanson; Speaker; Mark Solomon; Andrew Cecil; Angelica Navarres; Speaker; Peter Warfield; spoke in support of the appeal. Jeanie Poling and Wade Wietgreffe (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Steven Vettel (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Robert Buckman; Amada Santana; Christopher Peterson; Corey Smith; Eddie Fernel; Jeremy Linden; Daniel Greg; Steven Marzen; Jonathan Randolph; Paul Anderson; Theo Gordon; Mike Chen; Speaker; Theodore Randolph; Mark Macy; Speaker; Zora Wright; John Winston; Alan Varani; Max Steller; Speaker; Speaker; Speaker; Timothy Rice; Sarah Oglesby; Steven Hall; April Evans; Andy Doyle; Les; Speaker; Phil Crown; Sarah Barn; Jim Chapel; Bob Askanari; Adam Buck; John Ring; spoke in support of the project and in opposition to the appeal. Stuart Flashman (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

200805 [Affirming the Final Environmental Impact Report Certification - Proposed Balboa Reservoir Project]

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed Balboa Reservoir project. (Clerk of the Board)

Motion No. M20-101

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200806 [Conditionally Reversing the Final Environmental Impact Report Certification - Proposed Balboa Reservoir Project]

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed Balboa Reservoir Project, subject to the adoption of written findings of the Board of Supervisors in support of this determination. (Clerk of the Board)

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200807 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - Proposed Balboa Reservoir Project]

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed Balboa Reservoir Project. (Clerk of the Board)

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

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Referred Without Recommendation from the Land Use and Transportation Committee.

President Yee requested File Nos. 200635, 200422, 200423, and 200740 be called together.

200635 [General Plan Amendments - Balboa Reservoir Project]

Ordinance amending the General Plan to revise the Balboa Park Station Area Plan, the Recreation and Open Space Element, and the Land Use Index, to reflect the Balboa Reservoir Project; amending the Housing Element in regard to the design of housing for families with children; 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; and making public necessity, convenience, and general welfare findings under Planning Code, Section 340. (Planning Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200422 [Planning Code and Zoning Map - Balboa Reservoir Special Use District]**Sponsor: Yee**

Ordinance amending the Planning Code and Zoning Map to create the Balboa Reservoir Special Use District and rezone the Balboa Reservoir west basin project site generally bounded by the City College of San Francisco Ocean Campus to the east, Archbishop Riordan High School to the north, the Westwood Park neighborhood to the west, and a San Francisco Public Utilities Commission parcel containing a water pipeline running parallel to a mixed-use multifamily residential development along Ocean Avenue to the south; adopting findings under the California Environmental Quality Act; making findings of consistency under the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.
(Economic Impact)

Supervisor Yee, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by reducing the maximum allowed height of Block G to 68 feet in Figure 249.88-2; amending Section 249.88(g)(8)(A) so exempted features do not exceed 20% of the rooftop area and add clarifications and limitations to exempted features, including articulated roof forms and additional ceiling height at common use amenity spaces; amending Section 7.24 in the Design Standard Guidelines to add guidelines for the locations of elevator penthouse and rooftop equipment so they are less visible from adjacent streets and properties and to limit the height of elevator penthouse structures; and making other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee
(Economic Impact)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

Referred Without Recommendation from the Budget and Finance Committee

200423 [Development Agreement - Reservoir Community Partners, LLC - Balboa Reservoir Project]

Sponsor: Yee

Ordinance approving a Development Agreement between the City and County of San Francisco and Reservoir Community Partners, LLC, for the Balboa Reservoir Project (at the approximately 17.6-acre site located generally north of the Ocean Avenue commercial district, west of the City College of San Francisco Ocean Campus, east of the Westwood Park neighborhood, and south of Archbishop Riordan High School), with various public benefits, including 50% affordable housing and approximately four acres of publicly accessible parks and open space; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b), and findings of public convenience, necessity, and welfare under Planning Code, Section 302; approving development impact fees and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Section 6.22 and Chapters 14B, 23, 41B, 56, 82, and 83, Planning Code, Sections 169, 138.1, 414A, 415, and 422, Public Works Code, Section 806(d), Subdivision Code, Section 1348, and Health Code, Article 12C; and ratifying certain actions taken in connection therewith, as defined herein. (Economic Impact)

(Fiscal Impact)

Supervisor Yee, seconded by Supervisor, moved to accept amendments to the Development Agreement that memorialize the key developer commitments to City College; ensure the developer will deed back three affordable housing parcels to the City; extend the affordability agreement for the Affordable Educator Housing parcel; refine the average median income levels to serve the households of greatest need and a range of income levels; broaden the neighborhood preference area to include all neighboring residents, including Ingleside; ensure that the developer's commitment to provide 33% affordable housing will not be amended; include a provision to prevent delay on the developer's commitment to building by providing a schedule of performance; include a City repurchase option to encourage the swift production of the project's community benefits and to provide additional security for the City; clarify that no retail use is permitted under the Development Agreement; set child care center's rent at \$1 annually to support a nonprofit child care operator's ability to serve; ensure that the publicly accessible open space is managed equitably with participation and representation from the public; include language evolving the role of the community after the sunset of the Balboa Reservoir Community Advisory Committee; clarify commitments to best-practices and robust coordination with the public during construction; include mention of the City's investment for transit improvement and traffic mitigation in the neighboring project area; update the TDM Plan menu of options to include contributions or incentives for sustainable transportation; and making other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

PASSED ON FIRST READING, after accepting the amendments to the Development Agreement, by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

200740 [Sale of Real Estate - Reservoir Community Partners, LLC - Balboa Reservoir - \$11,400,000]**Sponsor: Yee**

Resolution approving and authorizing the execution of an Agreement for Sale of Real Estate for the conveyance by the City, acting through the San Francisco Public Utilities Commission (SFPUC), to Reservoir Community Partners, LLC of approximately 16.4 acres of real property in Assessor's Parcel Block No. 3180, Lot No. 190, located near Ocean Avenue and Frida Kahlo Way, for \$11,400,000; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the priority policies of Planning Code, Section 101.1; authorizing the Director of Property and/or the SFPUC's General Manager to execute the Agreement for Sale of Real Estate and related documents for the sale of the property, including an Open Space License, Promissory Note, Deed of Trust, Amended and Restated Easement Agreement and Deed, Declaration of Restrictions, and Recognition Agreement; and authorizing the Director of Property and/or the SFPUC's General Manager to make certain modifications, as described herein, and take certain actions in furtherance of this Resolution, as described herein.

ADOPTED by the following vote:

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

COMMITTEE REPORTS

Recommendation of the Land Use and Transportation Committee

191249 [Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]**Sponsor: Yee**

Ordinance amending the Planning Code to require that in Educator Housing projects at least 10% of residential units have three or more bedrooms; affirming the Planning Department's determination under the California Environmental Quality Act; making findings that the Ordinance furthers the purpose of Planning Code, Section 206.9; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302. (Pursuant to Planning Code, Section 206.9(h), this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Gilbert Crisswell; expressed concerns regarding transportation issues and the need to expand Muni lines into certain neighborhoods during this health emergency.

Speaker; expressed concerns regarding transportation, public comment taken on matters that have had their public comment.

Speaker; expressed concerns regarding a monument and racial equity.

Linda Safar; expressed concerns regarding fair employment and personnel issues at the Giants stadium.

Speaker; expressed concerns regarding the placement of public comment and the need for diversity, equity, and access.

Speaker; expressed concerns regarding racial equity.

Speaker; expressed concerns regarding the pandemic and the struggles of working mothers during this health emergency.

Troy Taylor; expressed concerns regarding policies of the Board of Supervisors and racial equity.

Speaker; expressed concerns regarding the placement of public comment and the proceedings of government meetings.

Speaker; expressed appreciation for the hotel room they are staying in during this pandemic and services available for the homeless.

Patricia Hale; expressed concerns regarding fair employment and personnel issues at the Giants stadium.

Speaker; expressed concerns regarding publicly funded art and racial equity.

Speaker; expressed concerns regarding publicly funded art and racial equity.

Mark Norton; expressed concerns regarding fair employment and personnel issues at the Giants stadium.

Speaker; expressed concerns regarding racial equity and the need for policy changes.

Tilly Valesiana; expressed concerns regarding fair employment and personnel issues at the Giants stadium.

Speaker; shared a poetic message regarding the rise of people.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

200817 [Apply for Grant - California Department of Housing and Community Development - Homekey Grant - Not to Exceed \$45,000,000]

Sponsor: Mayor

Resolution authorizing the Department of Homelessness and Supportive Housing to apply for Homekey grant funds in an amount not to exceed \$45,000,000 from the California Department of Housing and Community Development on behalf of the City and County of San Francisco.

ADOPTED

200823 [Black Business Month - August 2020]

Sponsors: Walton; Preston, Yee and Fewer

Resolution urging the City and County of San Francisco to declare the month of August as Black Business Month, and to recognize the 17th Annual National Black Business Month beginning on August 1, 2020.

ADOPTED

200813 [Committee of the Whole - Amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project, Block 1 - September 22, 2020, at 3:00 p.m.]**Sponsor: Haney**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 22, 2020, at 3:00 p.m., to hold a public hearing to consider amendments to the Redevelopment Plan for the Mission Bay South Redevelopment Project in regard to Block 1 (also known as the site of SOMA Hotel) at the intersection of Third Street and Channel Street.

Motion No. M20-102**APPROVED****200877 [Final Map No. 9216 - 390 First Street]**

Motion approving Final Map No. 9216, a 180 residential unit and one commercial unit, mixed-use condominium project, located at 390 First Street, being a subdivision of Assessor's Parcel Block No. 3749, Lot No. 058; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M20-103**APPROVED****200878 [Final Map 9802 - 25 and 37 Grace Street]**

Motion approving Final Map 9802, comprised of an 11 unit residential condominium project in each of lots 1 and 2, located at 25 and 37 Grace Street, being a merger and re-subdivision of Assessor's Parcel Block No. 3509, Lot Nos. 024 through 026; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M20-104**APPROVED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

200852 [Planning Code, Zoning Map - Rezone Certain Industrial Parcels]

Ordinance amending the Planning Code and Zoning Map to rezone certain parcels in Industrial Use Districts to Production, Distribution, and Repair and other Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Department)

07/21/20; RECEIVED FROM DEPARTMENT.

08/11/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 9/10/2020.

200853 [Settlement of Lawsuit - Bradley Novak - \$247,000]

Ordinance authorizing settlement of the lawsuit filed by Bradley Novak against the City and County of San Francisco for \$247,000; the lawsuit was filed on February 8, 2019, in San Francisco Superior Court, Case No. CGC 19-573659; entitled Bradley Novak v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

07/27/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200854 [Settlement of Lawsuit - Verizon Wireless and AT&T Mobility - City to Receive \$2,161,773]

Ordinance authorizing settlement of the lawsuit filed on behalf of the State of California, the City and County of San Francisco, and 189 other California governmental entities against Verizon Wireless for \$839,356 and against AT&T Mobility National Accounts LLC for \$1,322,417 for a total settlement of \$2,161,773; the lawsuit was filed on July 5, 2012, in Sacramento County Superior Court, Case No. 34-2012-00127517; entitled State of California et al., ex rel. OnTheGo Wireless, LLC v. Verizon Wireless and AT&T Mobility National Accounts LLC; the lawsuit involves alleged violations of the California False Claims Act. (City Attorney)

07/27/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200855 [Settlement of Lawsuit - Dennis Caruso - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Dennis Caruso against the City and County of San Francisco for \$70,000; the lawsuit was filed on November 8, 2019, in San Francisco Superior Court, Case No. CGC-19-580664; entitled Dennis Caruso v. City and County of San Francisco; the lawsuit involves an alleged injury when Plaintiff hit a pothole on a City Street and was thrown from his scooter. (City Attorney)

07/29/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200856 [Settlement of Lawsuit - Thaïs Yafet - \$110,000]

Ordinance authorizing settlement of the lawsuit filed by Thaïs Yafet against the City and County of San Francisco for \$110,000; the lawsuit was filed on October 29, 2018, in San Francisco Superior Court, Case No. CGC-18-570939; entitled Thaïs Yafet v. City and County of San Francisco; the lawsuit involves an alleged injury when Plaintiff tripped and fell on a City sidewalk. (City Attorney)

07/29/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200857 [Partial Settlement of Lawsuit - Chris Tilton and Blane Bachelor - \$210,000]

Ordinance authorizing partial settlement of the lawsuit filed by Chris Tilton and Blane Bachelor against the City and County of San Francisco for \$210,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Chris Tilton and Blane Bachelor, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200858 [Partial Settlement of Lawsuit - Ho Tan - \$295,000]

Ordinance authorizing partial settlement of the lawsuit filed by Ho Tan against the City and County of San Francisco for \$295,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Ho Tan, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200859 [Partial Settlement of Lawsuit - Peter So and Diane Chung - \$235,000]

Ordinance authorizing partial settlement of the lawsuit filed by Peter So and Diane Chung against the City and County of San Francisco for \$235,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Peter So and Diane Chung, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200860 [Partial Settlement of Lawsuit - Victoria Sanchez - \$220,000]

Ordinance authorizing partial settlement of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for \$220,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Victoria Sanchez, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200861 [Partial Settlement of Lawsuit - Rick Popko and Nancy Huff - \$150,000]

Ordinance authorizing partial settlement of the lawsuit filed by Rick Popko and Nancy Huff against the City and County of San Francisco for \$150,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Rick Popko and Nancy Huff, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200862 [Partial Settlement of Lawsuit - Donato and Aurora Ponferrada - \$257,000]

Ordinance authorizing partial settlement of the lawsuit filed by Donato and Aurora Ponferrada against the City and County of San Francisco for \$257,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Donato and Aurora Ponferrada, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200863 [Partial Settlement of Lawsuit - John and Maria Naniola - \$290,000]

Ordinance authorizing partial settlement of the lawsuit filed by John and Maria Naniola against the City and County of San Francisco for \$290,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs John and Maria Naniola, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200864 [Partial Settlement of Lawsuit - Suzanne Houlihan - \$250,000]

Ordinance authorizing partial settlement of the lawsuit filed by Suzanne Houlihan against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Suzanne Houlihan, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200865 [Partial Settlement of Lawsuit - Carlos Gross - \$210,000]

Ordinance authorizing partial settlement of the lawsuit filed by Carlos Gross against the City and County of San Francisco for \$210,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Carlos Gross, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200866 [Partial Settlement of Lawsuit - Susan Garduno - \$235,000]

Ordinance authorizing partial settlement of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$235,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Susan Garduno, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200867 [Partial Settlement of Lawsuit - Rizadly Gache - \$235,000]

Ordinance authorizing partial settlement of the lawsuit filed by Rizadly Gache against the City and County of San Francisco for \$235,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Rizadly Gache, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200868 [Partial Settlement of Lawsuit - Ruth Patricia Del Castillo - \$150,000]

Ordinance authorizing partial settlement of the lawsuit filed by Ruth Patricia Del Castillo against the City and County of San Francisco for \$150,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Ruth Patricia Del Castillo, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200869 [Partial Settlement of Lawsuit - John Clay - \$250,000]

Ordinance authorizing partial settlement of the lawsuit filed by John Clay against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff John Clay, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200870 [Partial Settlement of Lawsuit - Elaine Choy - \$221,150]

Ordinance authorizing partial settlement of the lawsuit filed by Elaine Choy against the City and County of San Francisco for \$221,150; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Elaine Choy, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200871 [Partial Settlement of Lawsuit - Armando and Maria Castillo - \$200,000]

Ordinance authorizing partial settlement of the lawsuit filed by Armando and Maria Castillo against the City and County of San Francisco for \$200,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Armando and Maria Castillo, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200872 [Partial Settlement of Lawsuit - Joy Caguimbaga and Zenida C. Restauero - \$240,000]

Ordinance authorizing partial settlement of the lawsuit filed by Joy Caguimbaga and Zenida C. Restauero against the City and County of San Francisco for \$240,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Joy Caguimbaga and Zenida C. Restauero, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200873 [Partial Settlement of Lawsuit - Sally Seid - \$207,000]

Ordinance authorizing partial settlement of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$207,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Sally Seid, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200874 [Partial Settlement of Lawsuit - Cesar and Fe Ponferrada - \$250,000]

Ordinance authorizing partial settlement of the lawsuit filed by Cesar and Fe Ponferrada against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Cesar and Fe Ponferrada, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

200875 [Partial Settlement of Lawsuit - David and Jessica Alfaro - \$290,000]

Ordinance authorizing partial settlement of the lawsuit filed by David and Jessica Alfaro against the City and County of San Francisco for \$290,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs David and Jessica Alfaro, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTION

200876 [Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - FY2020-2021]

Resolution approving the Sheriff Office's home detention and electronic monitoring program rules and regulations; and approving evidence of financial responsibility demonstrated by program administrator, Sentinel Offender Services, LLC, for FY2020-2021. (Sheriff)

07/28/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 10:24 p.m.