

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, September 28, 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

Regular Meeting

SHAMANN WALTON, PRESIDENT

CONNIE CHAN, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, MYRNA MELGAR,
AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee
Supervisors Haney, Safai, Mar, Ronen, Walton

Budget and Finance Committee
Supervisors Haney, Safai, Mar

Government Audit and Oversight Committee
Supervisors Preston, Chan, Mandelman

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee
Supervisors Mar, Stefani, Haney

Rules Committee
Supervisors Peskin, Mandelman, Chan

Youth, Young Adult, and Families Committee
Supervisors Ronen, Safai, Melgar

Meeting Days

Wednesday
1:00 PM

Wednesday
10:30 AM

1st and 3rd Thursday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

2nd Friday
10:00 AM

Members Present: Connie Chan, Matt Haney, Rafael Mandelman, Gordon Mar, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, and Shamann Walton

The Board of Supervisors of the City and County of San Francisco met in regular session, and provided public comment through teleconferencing, on Tuesday, September 28, 2021, with President Shamann Walton presiding.

President Walton called the meeting to order at 2:01 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) 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>. Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

All Members were present.

President Walton presented the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula, pursuant to Board Rule 4.7.1.

COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, 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) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

210809 [Administrative Code - COVID 19 Commercial Rent Relief Fund]

Sponsors: Safai; Haney, Mar, Mandelman, Chan, Preston, Stefani and Peskin

Ordinance amending the Administrative Code to establish the COVID-19 Commercial Rent Relief Fund to provide financial support to landlords of certain Commercial Tenants where the tenant was unable to pay rent due to the COVID-19 pandemic, and setting a sunset date of 24 months from the effective date of the legislation.

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

210783 [Settlement of Lawsuit - Juanita Stockwell, et al. - \$480,000]

Ordinance authorizing settlement of the lawsuit filed by Guillermo Amigo, E.R. Balinton, Mike Bolte, Nikolaus Borthne, Edward Browne, Peter Busalacchi, Gary Castel, Philip Fleck, Severo Flores, George S. Fogarty, Malcolm Fong, Mary Godfrey, Jason Hui, Terrye Ivy, Jacklyn Jehl, Bartholomew Johnson, James Jones, Richard Jue, Robert Leung, Michael Lewis, Paul Lozada, D.H. Bud Massey, Bruce Meadors, Vince Neeson, Thomas O'Connor, Susan Rolovich, Juanita Stockwell, Jessie A. Washington, and Michael Wells against the City and County of San Francisco for \$480,000; the lawsuit was filed on December 17, 2015, in San Francisco Superior Court, Case No. CGC 15-549482; entitled Juanita Stockwell, et al. v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

210784 [Settlement of Lawsuit - Michael Devin - \$400,000]

Ordinance authorizing settlement of the lawsuit filed by Michael Devin against the City and County of San Francisco for \$400,000; the lawsuit was filed on October 25, 2019, in San Francisco Superior Court, Case No. CGC-19-580276; entitled Michael Devin 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

210785 [Settlement of Lawsuit - Nadezhoa Oshmansky - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Nadezhoa Oshmansky against the City and County of San Francisco for \$100,000; the lawsuit was filed on June 25, 2020, in San Francisco County Superior Court, Case No. CGC-20-585036; entitled Nadezhoa Oshmansky v. City and County of San Francisco et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

PASSED ON FIRST READING

210786 [Settlement of Lawsuit - Mike Buckley and Mary Buckley - \$57,900]

Ordinance authorizing settlement of the lawsuit filed by Mike Buckley and Mary Buckley against the City and County of San Francisco for \$57,900; the lawsuit was filed on November 16, 2017, in San Francisco Superior Court, Case No. CGC-17-562543; entitled Mike Buckley, an individual; and Mary Buckley, an individual v. City and County of San Francisco; the lawsuit involves property damaged by erosion. (City Attorney)

PASSED ON FIRST READING

210787 [Settlement of Lawsuit - Stephanie Brunton - City to Receive \$40,000 from Walsh Construction Company]

Ordinance authorizing settlement of the lawsuit filed by Stephanie Brunton against the City and County of San Francisco by payment of \$40,000 to the City by Walsh Construction Company; the lawsuit was filed on April 29, 2019, in San Francisco Superior Court, Case No. CGC-19-575558; entitled Stephanie Brunton v. City and County of San Francisco, et al; the underlying lawsuit involves alleged personal injury suffered as a result of an alleged dangerous condition on public property; other material terms of the settlement are that the City and County of San Francisco will dismiss its Cross-Complaint for indemnity and contribution against Walsh Construction Company. (City Attorney)

PASSED ON FIRST READING

210788 [Settlement of Lawsuit - Cynthia Spears - \$137,500]

Ordinance authorizing settlement of the lawsuit filed by Cynthia Spears against the City and County of San Francisco for \$137,500; the lawsuit was filed on May 5, 2020, in San Francisco Superior Court, Case No. CGC-20-584349; entitled Cynthia Spears v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City sidewalk tree basin. (City Attorney)

PASSED ON FIRST READING

210897 [Settlement of Lawsuit - Christina McGovern - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Christina McGovern against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 10, 2020, in San Francisco Superior Court, Case No. CGC-20-583596; entitled Christina McGovern v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)

PASSED ON FIRST READING

210906 [Settlement of Unlitigated Claims - Mizuho Securities USA LLC and Mizuho Americas LLC - \$531,910.34]

Resolution approving the settlement of the unlitigated claims filed by Mizuho Securities USA LLC and Mizuho Americas LLC against the City and County of San Francisco for \$531,910.34; the claims were filed on May 6, 2021; the claims involve a refund of payroll expense, gross receipts, homelessness gross receipts, and early care and education commercial rents taxes. (City Attorney)

ADOPTED

210907 [Settlement of Unlitigated Claim - Lever, Inc. - \$30,756.32]

Resolution approving the settlement of the unlitigated claim filed by Lever, Inc. against the City and County of San Francisco for \$30,756.32; the claim was filed on April 15, 2021; the claim involves a refund of payroll expense and gross receipts taxes. (City Attorney)

ADOPTED

Recommendation of the Land Use and Transportation Committee**210805 [Master Major Encroachment Permit - Hunters View HOPE SF Phase 1]**

Sponsor: Mayor

Ordinance granting revocable permission to HV Community Association, Inc., to occupy and maintain the irrigation system (other than street trees), sidewalks, curbs and ramps for ADA-compliant passenger loading, and a portion of a retaining wall footing, with all such encroachments located generally along portions of Fairfax Avenue, Acacia Avenue, Ironwood Way, Catalina Street, and Middle Point Road fronting Hunters View Phase 1, 1101 Fairfax Avenue, (Assessor's Parcel Block No. 4624, Lot Nos. 23 through 32); waiving the annual public right-of-way occupancy assessment fee under Public Works Code, Section 786.7, for all phases of the Hunters View project; adopting environmental findings under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendation of the Public Safety and Neighborhood Services Committee**210536 [Health, Business and Tax Regulations Codes - Alternate Water Sources for Non-Potable Applications]**

Sponsors: Mandelman; Mar, Melgar, Ronen and Haney

Ordinance amending the Health Code to 1) lower the threshold, from 250,000 to 100,000 square feet of gross floor area, for requiring that new buildings be constructed, operated, and maintained using specified alternate water sources for required non-potable uses; 2) exempt certain affordable housing projects and property uses from that requirement; 3) require that certain categories of new buildings use specific sources of nonpotable water for specific purposes; 4) modify certain administrative review fees; 5) require the payment of excess use charges and penalties for failure to properly use and maintain alternate water source systems; and 6) the completion of reports on purified water, recycled water, and Non-potable District Systems; amending the Business and Tax Regulations Code to update certain annual license fee amounts for operating alternate water source systems; and affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED

Recommendation of the Youth, Young Adult, and Families Committee

210586 [Administrative Code - Policies Authorizing Parental Leave and Teleconferencing During Leave by Members of the Board of Supervisors and City Boards and Commissions]

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

Ordinance amending the Administrative Code to authorize the Board of Supervisors to adopt a parental leave policy for its members, which policy shall, among other things, authorize members to participate in public meetings by teleconferencing to the extent permitted by State law when the member is not able to attend in person due to pregnancy, childbirth, or a related condition, and which may authorize members to participate in public meetings by teleconferencing to the extent permitted by State law when the member is absent to care for the member's child after birth of the child or after placement of the child with the member for adoption or foster care; and adopt a parental leave policy for other City boards and commissions, including authorization to participate in public meetings by teleconferencing under the same conditions.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

Supervisor Peskin requested that File No. 210899 be severed so that it may be considered separately.

Supervisor Safai was noted absent at 2:14 p.m. and present at 2:16 p.m.

210899 [Settlement of Unlitigated Claim - San Francisco Bay Regional Water Quality Control Board - Regulatory Enforcement Action]

Resolution approving the settlement of an unlitigated claim of the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco regarding alleged violations of the California Water Code related to wet weather-related overflows from the City's combined sewer system; no formal claim has been filed; the settlement involves entry of a stipulated enforcement order requiring the City to implement flood control projects in the Wawona area, Folsom area, and Lower Alemany area and flooding response actions. (City Attorney)

Privilege of the floor was granted unanimously to Greg Norby (Public Utilities Commission) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Transportation Committee

Supervisor Melgar Excused from Voting

Supervisor Melgar requested to be excused from voting on File No. 210423, due to a possible conflict of interest.

Supervisor Ronen, seconded by Supervisor Stefani, moved that Supervisor Melgar be excused from voting on File No. 210423. The motion carried by the following vote:

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

Excused: 1 - Melgar

210423 [Planning Code - Landmark Designation - Ingleside Terraces Sundial and Sundial Park]

Sponsor: Peskin

Ordinance amending the Planning Code to designate Ingleside Terraces Sundial and Sundial Park, Assessor's Parcel Block No. 6917B, Lot No. 001, situated within Entrada Court, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

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

Excused: 1 - Melgar

210601 [Administrative Code - COVID-19 Tenant Protections]

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

Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that came due between October 1, 2021, and December 31, 2021, that was not paid due to the COVID-19 pandemic, provided the tenant has paid at least 25 percent of the rent owed; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; providing that such amendments will take effect only to the extent state law is modified accordingly; and making findings as required by the California Tenant Protection Act of 2019.

FINALLY PASSED by the following vote:

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

Recommendation of the Youth, Young Adult, and Families Committee

210494 [Administrative Code - Consultation Regarding Filing of Juvenile Delinquency Cases]

Sponsor: Ronen

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

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

210654 [Park Code - Parking Fees]

Sponsor: Mayor

Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking rates at the Kezar Stadium Parking Lot and Golden Gate Park Underground Parking Facility in accordance with Park Code provisions that authorize SFMTA rate-setting on park property; making conforming edits to the Park Code; increasing parking rates for berth-holders at the Marina Small Craft Harbor; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Peskin, seconded by Supervisor Chan, moved that this Ordinance be AMENDED on Page 5, Line 3, by adding 'and the Board of Supervisors'. Before the vote was taken, Supervisor Peskin rescinded his motion and Supervisor Chan rescinded her second.

Supervisor Peskin, seconded by Supervisor Chan, moved that this Ordinance be CONTINUED ON FIRST READING 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

210867 [Accept and Expend Grant - Retroactive - The Board of State and Community Corrections - Proposition 64 Public Health and Safety Grant Program - Amendment to the Annual Salary Ordinance for FYs 2020-2021 and 2021-2022 - \$1,000,000]

Sponsor: Melgar

Ordinance retroactively authorizing the Office of Cannabis to accept and expend a grant award in the amount of \$1,000,000 from the Board of State and Community Correction for the Proposition 64 Public Health and Safety Grant Program for a term of May 1, 2021, through October 31, 2024; and amending Ordinance No. 166-20 (Annual Salary Ordinance File No. 200568 for Fiscal Years (FYs) 2020-2021 and 2021-2022) to provide for the addition of one grant funded Class 1823 Senior Administrative Analyst position (FTE 1.0) at the Office of Cannabis for the period of July 1, 2021, through June 30, 2022.

PASSED ON FIRST READING by the following vote:

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

210818 [Accept In-Kind Grant - TS Studio - Fillmore Turk Park Renovation Project - \$200,000]**Sponsors: Mayor; Preston**

Resolution authorizing the Recreation and Park Department to accept an in-kind grant of up to \$200,000 from TS Studio for design services for the Fillmore Turk Park renovation project, for the project term beginning upon the approval by the Board of Supervisors and until the Notice of Substantial Completion. (Recreation and Park Department)

ADOPTED by the following vote:

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

210909 [Airport Professional Services Agreement - SP Plus Corporation - Curbside Management Program - Not to Exceed \$20,100,000]

Resolution approving the Professional Services Agreement, Contract No. 50276 for the Curbside Management Program between SP Plus Corporation and the City and County of San Francisco, acting by and through its Airport Commission, for a three year term with one two-year option to extend in an amount not to exceed \$20,100,000 to commence November 1, 2021, through October 31, 2024. (Airport Commission)

(Fiscal Impact)

ADOPTED by the following vote:

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

210911 [Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$914,170]

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$914,170 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period of July 1, 2021, through June 30, 2022. (District Attorney)

ADOPTED by the following vote:

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

210945 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2021-22]**Sponsor: Haney**

Resolution levying property taxes at a combined rate of \$1.18248499 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco County Office of Education, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District; and establishing a pass-through rate of \$0.0754 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year (FY) ending June 30, 2022.

(Fiscal Impact)

ADOPTED by the following vote:

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

President Walton requested File Nos. 210949, 210950, and 210952 be called together.

210949 [Issuance and Sale of Revenue Obligations - California Enterprise Development Authority - Chinese American International School - Not to Exceed \$17,000,000]

Sponsor: Melgar

Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$17,000,000 to finance the acquisition and renovation of educational and related facilities to be owned and operated by Chinese American International School, a California nonprofit public benefit corporation.

ADOPTED by the following vote:

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

210950 [Issuance by California Statewide Communities Development Authority Revenue Obligations - Hebrew Home for Aged Disabled - Not to Exceed \$35,000,000]

Sponsor: Safai

Resolution approving for purposes Internal Revenue Code of 1986, Section 147(f), as amended, the issuance of tax-exempt obligations pursuant to a plan of finance by California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$35,000,000 for the purpose of financing (including reimbursing) the acquisition, construction, renovation, equipping and furnishing of senior residential and care services and certain other matters relating thereto, as defined herein.

ADOPTED by the following vote:

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

210952 [Issuance by California Enterprise Development Authority Revenue Obligations - Presidio Hill School - Not to Exceed \$9,000,000]

Sponsor: Stefani

Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$9,000,000 to finance and refinance the acquisition, construction, renovation, rehabilitation, improvement and/or equipping of educational and related facilities to be owned and operated by Presidio Hill School, a California nonprofit public benefit corporation, or its wholly-owned limited liability company.

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

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)

PASSED ON FIRST READING 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

210565 [Planning Code - Landmark Designation - “The Making of a Fresco Showing the Building of a City” - San Francisco Art Institute - 800 Chestnut Street]

Sponsors: Peskin; Chan and Safai

Ordinance amending the Planning Code to designate the fresco titled “The Making of a Fresco Showing the Building of a City” in the Diego Rivera Gallery of the San Francisco Art Institute, located at 800 Chestnut Street, Assessor’s Parcel Block No. 0049, Lot No. 001, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department’s determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

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

PASSED ON FIRST READING by the following vote:

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

210914 [Acceptance and Recording of Avigation Easement - SHAC Adrian Court Apartments LLC - 1 and 45 Adrian Court, Burlingame]

Resolution authorizing the acceptance and recording of an avigation easement by the City and County of San Francisco from SHAC Adrian Court Apartments LLC for the development at 1 and 45 Adrian Court in Burlingame, California, at no cost to the City and County of San Francisco; and affirming the Planning Department’s determination under the California Environmental Quality Act. (Airport Commission)

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

210938 [Administrative Code - Due Date for Weights and Measurements Fees and Temporarily Waiving Fees for Taximeter Devices]

Sponsors: Peskin; Chan and Mandelman

Ordinance amending the Administrative Code by setting March 31 as the annual due date to pay registration fees for weighing and measuring devices and automated point of sale stations used for commercial purposes; retroactively eliminating fees billed by the Tax Collector on or after January 1, 2019, through fees otherwise due prior to March 31, 2025, for each business with a taximeter device; refunding eliminated fees paid to the City, and any penalties paid on such fees; and updating administrative fees to conform with the State of California’s annual device administrative fee schedule.

PASSED ON FIRST READING by the following vote:

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

Supervisor Melgar Excused from Voting

Supervisor Ronen, seconded by Supervisor Peskin, moved that Supervisor Melgar be excused from voting on File No. 210975. The motion carried by the following vote:

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

210975 [Reappointment, Association of Bay Area Governments, Executive Board Regional Planning Committee - Supervisor Myrna Melgar]

Motion reappointing Supervisor Myrna Melgar, term ending September 23, 2023, to the Association of Bay Area Governments Executive Board Regional Planning Committee. (Clerk of the Board)

Motion No. M21-129

APPROVED by the following vote:

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

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

On September 14, 2021, President Walton announced that the Recognition of Commendations portion of the regular agendas will be reinstated beginning at the October 5, 2021 Regular Meeting.

SPECIAL ORDER 3:00 P.M.

President Walton requested File Nos. 210709, 210710, 210711, and 210712 be called together.

Supervisor Mandelman was noted absent at 3:03 p.m.

210709 [Hearing - Appeal of Conditional Use Authorization Approval - 575 Vermont Street]

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

President Walton opened the public hearing and indicated he would be making a motion to continue this Hearing and the associated Motions to a future date. The President 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 Peskin, 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: 10 - Chan, Haney, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton
Absent: 1 - Mandelman

210710 [Approving Conditional Use Authorization - 575 Vermont Street]

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

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

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

210711 [Conditionally Disapproving Conditional Use Authorization - 575 Vermont Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20921, approving a Conditional Use Authorization, identified as Planning Case No. 2020-000886CUA, for a proposed project at 575 Vermont Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)
(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 Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 19, 2021. The motion carried by the following vote:

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

210712 [Preparation of Findings Related to Conditional Use Authorization - 575 Vermont Street]

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

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

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

Supervisor Mandelman was noted present at 3:13 p.m.

SPECIAL ORDER 3:00 P.M.

President Walton requested File Nos. 210858, 210859, 210860, and 210861 be called together.

Appointment of President Pro Tempore

At the request of President Walton, Supervisor Peskin assumed the chair at 5:12 p.m. and the President resumed the chair at 5:14 p.m.

210858 [Hearing - Appeal of Conditional Use Authorization Approval - 450-474 O'Farrell Street and 532 Jones Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 303, 304, 415, 166, and 155 of the Planning Code, for a proposed project at 450-474 O'Farrell Street and 532 Jones Street, Assessor's Parcel Block No. 0317, Lot Nos. 007, 009, and 011, identified in Planning Case No. 2013.1535CUA-02, issued by the Planning Commission by Motion No. 20935, dated June 24, 2021, to amend the Conditions of Approval Nos. 24, 25, 26, and 32 of Planning Commission Motion No. 20281, adopted on September 13, 2018, for a revised project scope to include demolition of three buildings, construction of a 13-story mixed-use building with similar massing, ground floor commercial and a new church, and up to 316 group housing rooms instead of 176 residential units located in a RC-4 (Residential-Commercial, High Density) Zoning District, North of Market Residential Special Use District and 80-130-T Height and Bulk District. (District 6) (Appellants: Pratibha Tekkey, on behalf of the Tenderloin Housing Clinic, and Michael Shonafelt and Gregory Tross of Newmeyer & Dillion LLP, on behalf of the Pacific Bay Inn, Inc.) (Filed July 21, 2021) (Clerk of the Board)

President Walton opened the public hearing and inquired as to whether any individual wished to address the Board. Pratibha Tekkey (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Kathy Vaughn; David Elliott Lewis; Susan Bryan; Gabby Ruiz; Peter Rouk; Kevin Stall; Melinda Dobbs; Anastasia Yoganopolous; Felicia; Alison Heath; Stephen Tennis; Speaker; Sara Shortt; Curtis Bradford; Michael Nolte; Sarah; Danny Coty; Kaleen Becca; Linda Chapman; Jason Crossland; Casey Salsbury; Karen Taylor; Shaena Bagdenyo; Zackary Sexton; spoke in support of the appeal. Aaron Starr and Carly Grob (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Ela Strong, Patricia Kephart, and Richard Hannum (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. Speaker; Speaker; Chris Fayley; Corey Smith; Karen Ponday; Ramon Michael; Screven Hall; Robert Fuqman; Joanna Cat; Bradley Widmeyer; Cheryl Kirkman; Steve Marsen; Speaker; Speaker; Speaker; John Mitchell; Sarah Grossman; spoke in support of the project and in opposition to the appeal. Pratibha Tekkey and Michael Shonafelt (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

210859 [Approving Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]

Motion approving the decision of the Planning Commission by its Motion No. 20935, approving a Conditional Use Authorization, identified as Planning Case No. 2013.1535CUA-02, for a proposed project located at 450-474 O'Farrell Street and 532 Jones 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 Haney, seconded by Supervisor Mandelman, 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

210860 [Conditionally Disapproving the Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20935, approving a Conditional Use Authorization, identified as Planning Case No. 2013.1535CUA-02, for a proposed project at 450-474 O'Farrell Street and 532 Jones 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 Haney, seconded by Supervisor Mandelman, 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

210861 [Preparation of Findings Related to Conditional Use Authorization - 450-474 O'Farrell Street and 532 Jones 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. 2013.1535CUA-02 for a proposed project at 450-474 O'Farrell Street and 532 Jones Street. (Clerk of the Board)

Supervisor Haney, seconded by Supervisor Mandelman, 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

COMMITTEE REPORTS

Recommendation of the Land Use and Transportation Committee

210962 [Emergency Ordinance - Extension of Temporary Tenant Protections Due to COVID-19]

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

Emergency ordinance to temporarily extend the COVID-19 based limit on residential evictions, which allows evictions only if based on the non-payment of rent or violence or health and safety issues, and which is currently set to expire on September 30, 2021.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

FINALLY PASSED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Members of the Board of Supervisors provided an update on the various outside Boards and Commissions they are appointed to.

PUBLIC COMMENT

David Pilpel; expressed support of updates provided by the Supervisors on the outside bodies they sit on, and the Resolution regarding naming the City Hall Press Room "The Barbara A. Taylor Press Room" (File No. 211016).

Linda Chapman; expressed support of the creation of an Inspector General position.

Marlon Grady; expressed support of the Resolution urging support for Afghan refugees (File No. 211013).

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

211015 [Latinx Heritage Month - September 15th through October 15th Annually]

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

Resolution declaring September 15, 2021, through October 15, 2021, and every year thereafter, as "Latinx Heritage Month" in the City and County of San Francisco.

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

ADOPTED

211005 [Reappointment, Bicycle Advisory Committee - Diane Serafini]

Motion reappointing Diane Serafini, term ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M21-130

APPROVED

211006 [Appointment, Child Care Planning and Advisory Council - Ivy Ng]

Motion appointing Ivy Ng, term ending March 19, 2024, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Motion No. M21-131

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chan requested that File Nos. 211011 and 211012 be severed so that they may be considered separately.

President Walton requested File Nos. 211011 and 211012 be called together.

211011 [Commending the Governor for Signing California State Assembly Bill No. 701 (Gonzalez) to Enhance Safety Protections for Warehouse Workers]

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

Resolution urging Governor Gavin Newsom to sign California State Assembly Bill No. 701, authored by Assembly Member Lorena Gonzalez, to create the nation's first transparency requirements and protections against dangerous warehouse quota systems.

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

Supervisor Chan, seconded by Supervisor Ronen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by changing 'Urging the Governor to Sign' to 'Commending the Governor for Signing', and changing 'and' to 'to', Line 3, by changing 'urging Governor Gavin Newsom to sign' to 'commending Governor Gavin Newsom for signing'; and on Page 2, Lines 15-16, by changing 'is now on' to 'has been signed by', Line 16, by striking 'desk waiting his signature', Line 18, by changing 'urges' to 'commends', Line 19, by changing 'to sign' to 'for signing', and Lines 20-22, by striking '; and, be it FURTHER RESOLVED, That the San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to Governor Newsom.' The motion carried by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton
Resolution commending Governor Gavin Newsom for signing California State Assembly Bill No. 701, authored by Assembly Member Lorena Gonzalez, to create the nation's first transparency requirements and protections against dangerous warehouse quota systems.

ADOPTED AS AMENDED by the following vote:

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

211012 [Commending the Governor for Signing Senate Bill No. 62 (Durazo) - the Garment Worker Protection Act]**Sponsors: Chan; Walton, Preston, Mandelman, Ronen, Safai, Mar and Haney**

Resolution urging Governor Gavin Newsom to sign California State Senate Bill No. 62, authored by Senator Maria Elena Durazo, the Garment Worker Protection Act, to eliminate obstacles to workers being paid minimum wage and protecting their health and safety.

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

Supervisor Chan, seconded by Supervisor Ronen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by changing 'Urging the Governor to Sign' to 'Commending the Governor for Signing', Line 3, by changing 'urging Governor Gavin Newsom to sign' to 'commending Governor Gavin Newsom for signing'; on Page 2, Lines 21-22, by changing 'is awaiting the Governor's signature' to 'has been signed by the Governor', Line 23, by changing 'urges' to 'commends', Line 24, by changing 'to sign' to 'for signing'; and on Page 2, Line 25, through Page 3, Line 2, by striking 'and, be it FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the Board to transmit a copy of this Resolution to Governor Newsom.' The motion carried by the following vote:

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, Walton
Resolution commending Governor Gavin Newsom for signing Senate Bill No. 62, authored by Senator Maria Elena Durazo, the Garment Worker Protection Act, to eliminate obstacles to workers being paid minimum wage and protecting their health and safety.

ADOPTED AS AMENDED by the following vote:

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

Supervisor Safai was noted absent at 6:54 p.m. and for the remainder of the meeting.

Supervisor Haney requested that File No. 211013 be severed so that it may be considered separately.

211013 [Urging Support for Afghan Refugees]**Sponsors: Haney; Walton, Preston, Ronen, Mandelman, Safai and Mar**

Resolution urging our state and federal leaders to bring in more at-risk and vulnerable Afghan people to the United States, and that Afghan evacuees and their families be supported in their transition to American life and granted access to significant opportunities and benefits.

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

ADOPTED by the following vote:

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

Supervisor Peskin requested that File No. 211016 be severed so that it may be considered separately.

211016 [Declaring the Intent to Name the San Francisco City Hall Press Room “The Barbara A. Taylor Press Room”]

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

Resolution naming the San Francisco City Hall press room, in its current and any future location, “The Barbara A. Taylor Press Room,” in honor of legendary reporter Barbara Ann Taylor (1947 - 2020), whose significant contributions to journalism and San Francisco civic life while serving as the KCBS City Hall bureau chief for more than 30 years have set the standard for integrity and professionalism.

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

Supervisor Peskin, seconded by Supervisor Stefani, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by changing ‘Naming’ to ‘Declaring the Intent to Name’, and Line 3, by changing ‘naming’ to ‘of intent to name’; and on Page 3, Line 7, by adding ‘declare its intent to’. The motion carried by the following vote:

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

Absent: 1 - Safai

Resolution of intent to name the San Francisco City Hall press room, in its current and any future location, “The Barbara A. Taylor Press Room,” in honor of legendary reporter Barbara Ann Taylor (1947 - 2020), whose significant contributions to journalism and San Francisco civic life while serving as the KCBS City Hall bureau chief for more than 30 years have set the standard for integrity and professionalism.

ADOPTED AS AMENDED by the following vote:

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

Absent: 1 - Safai

Supervisor Ronen requested that File No. 211017 be severed so that it may be considered separately.

211017 [Urging the Pause of the COVID Booster Administration to the General Population and Supporting Patent Waiver and Technology Information Transfer of Vaccines to Countries that Do Not Have Access]

Sponsor: Ronen

Resolution urging President Joe Biden to pause distribution of COVID vaccine boosters to the general population and to take a leadership role in supporting the Trade-Related Intellectual Property Rights (TRIPS) waiver while promoting technology information transfer as it relates to vaccinations to low-to-middle income countries in order to end this global pandemic.

Supervisor Ronen, seconded by Supervisor Mandelman, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 15-16, by changing 'immunocompromised' to 'at a high risk of contracting the virus', Lines 21-22, by changing 'everyone between the ages of 16 and 64 who are fully vaccinated and not immunocompromised' to 'the general population', Line 23, by changing 'recommendations' to 'opinion', and Lines 24-25, by changing 'now only roll out' to 'follow the Centers for Disease Control and Prevention ("CDC") and FDA's recommendation in allowing'; on Page 2, Line 25, through Page 3, Line 2, by changing 'immunocompromised persons' to 'people who are at a high risk of contracting the virus due to an underlying health condition or work environment'; on Page 3, Lines 3-4, by changing 'amongst fully vaccinated persons 16 and older' to 'to the general population', Line 9, by changing 'its citizens with' to 'the general population', Line 10, by changing 'pertaining to' to 'on', and Lines, 10-12, by changing 'on people who are neither immunocompromised nor 65 and older' to 'for persons outside the categories the CDC and FDA outlined'; and on Page 4, Lines 20-24, by changing 'not administer any boosters without further scientific evidence regarding its effectiveness on individuals who are fully vaccinated and are neither immunocompromised nor 65 or older and until at least 40% of the global population is vaccinated' to 'follow the CDC's recommendations and not administer boosters to the general population'. The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:

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

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

210982 [Settlement of Attorney's Fee Claim - Contest Promotions, LLC - City to Receive \$580,000]

Ordinance authorizing settlement by payment of \$580,000 to the City and County of San Francisco, of the City's claim for attorney's fees and costs arising from the lawsuit that Contest Promotions, LLC filed against the City; the lawsuit was filed on August 26, 2015, in San Francisco Superior Court, Case No. CGC-15-547630; entitled Contest Promotions, LLC vs. City and County of San Francisco; San Francisco Superior Court Case No. CPF-16-514771 was filed on February 9, 2016, and the actions were consolidated; the lawsuit involves a dispute about the City's compliance with a prior settlement agreement between the parties, and the constitutionality of sections of the Planning Code regulating on-site and off-site commercial signs. (City Attorney)

09/16/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210983 [Settlement of Lawsuit - 2170 Folsom LLC - \$525,000]

Ordinance authorizing partial settlement of the lawsuit filed by 2170 Folsom LLC against the City and County of San Francisco for \$525,000; 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 2170 Folsom LLC, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210984 [Settlement of Lawsuit - Baikonur 1701 LLC - \$410,000]

Ordinance authorizing partial settlement of the lawsuit filed by Baikonur 1701 LLC against the City and County of San Francisco for \$410,000; 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 Baikonur 1701 LLC, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210985 [Settlement of Lawsuit - Malcolm Davis - \$215,000]

Ordinance authorizing partial settlement of the lawsuit filed by Malcolm Davis against the City and County of San Francisco for \$215,000; 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 Malcolm Davis, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210986 [Settlement of Lawsuit - Malcolm Davis - \$470,000]

Ordinance authorizing partial settlement of the lawsuit filed by Malcolm Davis against the City and County of San Francisco for \$470,000; 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 Malcolm Davis, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210987 [Settlement of Lawsuit - John and Janice Gumas - \$225,000]

Ordinance authorizing partial settlement of the lawsuit filed by John and Janice Gumas against the City and County of San Francisco for \$225,000; 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 Janice Gumas, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210988 [Settlement of Lawsuit - Hans Art dba Hans Art Automotive - \$500,000]

Ordinance authorizing partial settlement of the lawsuit filed by Hans Art dba Hans Art Automotive against the City and County of San Francisco for \$500,000; 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 Hans Art dba Hans Art Automotive, and does not include claims for property loss or for attorney's fees, costs and interest. (Clerk of the Board)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210989 [Settlement of Lawsuit - Chris Hickey - \$1,150,000]

Ordinance authorizing partial settlement of the lawsuit filed by Chris Hickey against the City and County of San Francisco for \$1,150,000; 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 Chris Hickey, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210990 [Settlement of Lawsuit - Kwok Shing Import Export, Inc. - \$440,000]

Ordinance authorizing partial settlement of the lawsuit filed by Kwok Shing Import Export, Inc. against the City and County of San Francisco for \$440,000; 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 Kwok Shing Import Export, Inc., and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210991 [Settlement of Lawsuit - Francis and Julio Osorio - \$225,000]

Ordinance authorizing partial settlement of the lawsuit filed by Francis and Julio Osorio against the City and County of San Francisco for \$225,000; 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 Francis and Julio Osorio, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210992 [Settlement of Lawsuit - San Francisco Motorcycle Club - \$310,000]

Ordinance authorizing partial settlement of the lawsuit filed by San Francisco Motorcycle Club against the City and County of San Francisco for \$310,000; 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 San Francisco Motorcycle Club, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210993 [Settlement of Lawsuit - Angela Sinicropi and Marin Takigawa - \$288,180]

Ordinance authorizing partial settlement of the lawsuit filed by Angela Sinicropi and Marin Takigawa against the City and County of San Francisco for \$288,180; 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 Angela Sinicropi and Marin Takigawa, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210994 [Settlement of Lawsuit - Monte Stott - \$188,300]

Ordinance authorizing partial settlement of the lawsuit filed by Monte Stott against the City and County of San Francisco for \$188,300; 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 Monte Stott, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210995 [Settlement of Lawsuit - John Williams and Aimee Williams - \$340,000]

Ordinance authorizing settlement of the lawsuit filed by John Williams and Aimee Williams against the City and County of San Francisco for \$340,000; the lawsuit was filed on April 18, 2018, in San Francisco Superior Court, Case No. CGC-18-565870; entitled John Williams and Aimee Williams v. First California Investments, et al.; the lawsuit alleges that a building was in a dangerous condition. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210996 [Settlement of Lawsuit - Taryn Saldivar - \$190,000]

Ordinance authorizing settlement of the lawsuit filed by Taryn Saldivar against the City and County of San Francisco for \$190,000; the lawsuit was filed on August 6, 2020, in United States District Court - Northern District of California, Case No. 20-cv-05474; entitled Taryn Saldivar v. City and County of San Francisco, et al.; the lawsuit involves unlawful detention and arrest. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210997 [Settlement of Lawsuit - Stephanie Brunton - \$165,000]

Ordinance authorizing settlement of the lawsuit filed by Stephanie Brunton against the City and County of San Francisco for \$165,000; the lawsuit was filed on April 29, 2019, in San Francisco Superior Court, Case No. CGC-19-575558; entitled Stephanie Brunton v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City crosswalk. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210998 [Settlement of Lawsuit - Valerie A. Stevenson - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Valerie A. Stevenson against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 1, 2020, in San Francisco Superior Court, Case No. CGC-20-585157; entitled Valerie A. Stevenson v. City and County of San Francisco; the lawsuit involves an alleged trip and fall on uneven pavement. (City Attorney)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

210999 [Grant Agreement Amendment - San Francisco-Marin Food Bank - COVID-19 Food Assistance Program - Not to Exceed \$24,504,508]

Resolution approving a second amendment to the grant agreement between the City and County of San Francisco and San Francisco-Marin Food Bank, for the administration of the COVID-19 Food Assistance Program, to extend the grant term by six months for a total term of July 1, 2020, through June 30, 2022, and to increase the grant amount by \$8,977,683 for a total not to exceed amount of \$24,504,508 to commence on October 15, 2021. (Human Services Agency)

09/13/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211000 [Accept and Expend In-Kind Gift - Retroactive - San Francisco General Hospital Foundation - ZEISS Forum Software Licenses - \$59,949]

Resolution retroactively authorizing the Department of Public Health to accept and expend an in-kind gift of perpetual software licenses of the ZEISS forum ophthalmology application valued in the amount of \$59,949 from the San Francisco General Hospital Foundation for the Department of Public Health to provide eye care and eye disease management for the project period of July 8, 2016, through June 16, 2025. (Public Health Department)

09/16/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211001 [Real Property Sale Agreement - State of California - Portions of SFPUC Parcel No. 65 - State Route 84 / Interstate 680 Widening Project in Alameda County - \$152,952] Resolution 1) approving and authorizing the General Manager of the San Francisco Public Utilities Commission ("SFPUC") and/or the Director of Property, on behalf of the City and County of San Francisco ("City"), to sell certain real property located along State Route 84 and Interstate 680 in unincorporated Alameda County to the State of California, acting through its California Department of Transportation ("Caltrans"), and the Alameda County Transportation Commission ("Alameda CTC" and together with Caltrans, the "Buyers"); 2) approving and authorizing an Agreement for Sale of Real Estate ("Sale Agreement") for the sale of the Property to the Buyers, which includes a liquidated damages clause in case of default by the City; 3) authorizing the SFPUC General Manager and/or City's Director of Property to execute the Sale Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Sale Agreement, as defined herein; 4) adopting findings declaring that the real property is "surplus land" and "exempt surplus land" pursuant to the California Surplus Lands Act; 5) determining that a competitive bidding process for the conveyance of the Property is impractical and not in the public interest, in accordance with Section 23.3 of the Administrative Code; 6) affirming the Planning Department's determination under the California Environmental Quality Act and adopting the findings required by Section 15091 of the CEQA Guidelines previously adopted by Caltrans in conjunction with the Project; and 7) adopting the Planning Department's findings that the Sale Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Utilities Commission)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211002 [Agreement Amendment - California Independent System Operator - Planning Coordinator Services - Not to Exceed \$500,000]

Resolution authorizing the General Manager of the Public Utilities Commission to execute a Second Amendment to the Planning Coordinator (CS-399) Agreement between the City and County of San Francisco Public Utilities Commission and the California Independent System Operator, extending the agreement term by 10 years from November 11, 2021, for a total duration of approximately sixteen years of May 14, 2015, through November 10, 2031, pursuant to Charter, Section 9.118, and for a total cumulative amount not to exceed \$500,000; and delegating to the General Manager authority to approve certain non-material amendments. (Public Utilities Commission)

09/17/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211003 [Contract Modification - MSC Industrial Supply Company Inc. - Purchase of Industrial Supplies - Term Extension - Not to Exceed \$15,700,000]

Resolution authorizing the Office of Contract Administration to enter into a Sixth Modification to the contract between the City and County of San Francisco and MSC Industrial Supply Company Inc. for the purchase of industrial supplies for City departments, increasing the contract amount by \$5,800,000 for a total contract amount not to exceed \$15,700,000, and extending the term by one year and two months for a total term of May 1, 2017, through June 30, 2023. (Office of Contract Administration)

09/20/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211004 [Contract Modification - Buckles-Smith Electric Co. - Purchase of Electrical Supplies and Fixtures - Not to Exceed - \$15,300,000]

Resolution authorizing the Office of Contract Administration to enter into a Fifth Amendment (Modification No. 5) to the contract between the City and County of San Francisco and Buckles-Smith Electric Co. for the purchase of electrical supplies and fixtures for City departments; increasing the contract amount by \$5,400,000 for a total not to exceed amount of \$15,300,000 and extending the term by one year from June 30, 2022, for a total contract duration of six years of July 5, 2017, through June 30, 2023. (Office of Contract Administration)

09/20/21; RECEIVED FROM DEPARTMENT.

09/28/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 7:00 p.m.