

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, October 20, 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 Appropriations Committee Supervisors Fewer, Walton, Mandelman, Yee, Ronen	Wednesday 1:00 PM
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

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

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, October 20, 2020, with President Norman Yee presiding.

President Yee called the meeting to order at 2:04 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 Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, and Yee were noted present.

Supervisor Fewer was noted not 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.

Clerk Calvillo then informed the Board that an Americans with Disabilities Act (ADA) request for accommodations was received to allow a member of the public to provide public comment at the beginning of the meeting. President Yee requested the member of the public be provided the opportunity to deliver their public comment out of order.

Zach Karnazes; expressed concerns regarding how overdose issues are being addressed by the Mayor and the City, increased policing and its effect on people of color, the need to focus on treatment, and the access complications that have been experienced during the health emergency.

Supervisor Fewer was noted present at 2:24 p.m.

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the September 15, 2020, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Fewer, seconded by Supervisor Peskin, moved to approve the September 15, 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.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

201172 [Formal Policy Discussions - October 20, 2020]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topic submitted from the Supervisor representing District 6. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. Overdoses (District 6)

Mayor London N. Breed addressed the Board of Supervisors regarding the efforts of the City around the November 2020 Election and the COVID-19 health emergency, including San Francisco being the first yellow tiered urban area in California, the approach the City continues to take to address the pandemic, and a reminder to continue following health orders and keep spreading the message, not the virus. Mayor Breed then discussed the above referenced topics submitted by the District 6 Supervisor.

Supervisor Haney began the discussions by asking the following question: What are we doing to make sure we don't end this year with over 700 people dead, and next year with over 1,000 people dead from drug overdoses? This has a disproportionate impact on District 6 and I want to know what we can do, what the Department of Public Health and other Departments are doing, and what we can do to work together to stop this massively deadly and destructive drug epidemic sweeping our City, devastating many of our downtown neighborhoods, and killing more and more of our residents? Mayor Breed responded that, tragically, people have been losing their lives daily due to overdoses and it is a challenging issue that the City continues to address through our public safety officers and non-profit organizations that offer services and support. The federal government needs to increase their funding to address this crisis, more tools must be identified, and legislation must be approved to enforce the laws that hold drug dealers accountable.

Supervisor Haney then followed up with the following question: This report came out that we are going to have twice as many overdose deaths this year than we did last year, is there anything new you are doing to prevent that level of overdoses in this City?

Mayor Breed indicated she laid out the numerous services in place and what solutions are being executed by the City. She encouraged the Members to reach out to her if they have suggestions and beneficial ideas on how to address this crisis. Mayor Breed did not ask any follow-up questions related to this topic. Following public comment this matter was filed. No further action was taken.

Mayor Breed then acknowledged the passing of Jason Cortez, the San Francisco Firefighter who tragically lost his life on duty during training and expressed her condolences to his wife and children.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

200518 [Administrative Code - Rent Control at Midtown Park Apartments]

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

Ordinance amending the Administrative Code to adopt rent increase limitations for dwelling units at Midtown Park Apartments, a residential development owned by the City and County of San Francisco; and expanding the Rent Board fee to cover those dwelling units.
(Fiscal Impact)

Ordinance No. 213-20

FINALLY PASSED

201023 [Settlement of Lawsuit - Federal Insurance Company, as Subrogee of CCT Enterprises LLC - \$90,000]

Ordinance authorizing settlement of the lawsuit filed by Federal Insurance Company, as subrogee of CCT Enterprises LLC, against the City and County of San Francisco for \$90,000; the lawsuit was filed on September 12, 2019, in San Francisco Superior Court, Case No. CGC-19-579231; entitled Federal Insurance Company, as subrogee of CCT Enterprises LLC v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage due to a ruptured water service lateral. (City Attorney)

PASSED ON FIRST READING

201028 [Settlement of Lawsuit - Federal Insurance Company, as Subrogee of GSFC LLC, GSMT LLC, SKS Survivor LLC - \$375,000]

Ordinance authorizing settlement of the lawsuit filed by Federal Insurance Company, as subrogee of GSFC LLC, GSMT LLC, SKS Survivor LLC, against the City and County of San Francisco for \$375,000; the lawsuit was filed on September 12, 2019, in San Francisco Superior Court, Case No. CGC-19-579235; entitled Federal Insurance Company, as subrogee of GSFC LLC, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage due to a ruptured water service lateral. (City Attorney)

PASSED ON FIRST READING

Recommendation of the Land Use and Transportation Committee

201059 [Administrative Code - Temporary Tenant Protections Due to COVID-19]

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

Ordinance amending the Administrative Code to limit residential evictions through March 31, 2021, unless the eviction is based on the non-payment of rent or is necessary due to violence-related issues or health and safety issues.

Ordinance No. 216-20

FINALLY PASSED

Recommendation of the Rules Committee

201005 [Administrative Code - Amending Regional Disaster Employee Support Program]

Sponsors: Mayor; Ronen

Ordinance amending the Administrative Code to amend the Regional Disaster Employee Support Program to cover employees regularly assigned to work at City facilities located in Tuolumne, Stanislaus and San Joaquin counties.

Ordinance No. 214-20

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

President Yee requested File Nos. 200997, 200998, and 200999 be called together.

Supervisor Fewer Excused from Voting

Supervisor Mandelman, seconded by Supervisor Peskin, moved that Supervisor Fewer be excused from voting on File Nos. 200997, 200998, and 200999. The motion carried by the following vote:

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

Excused: 1 - Fewer

200997 [Approving Conditional Use Authorization - 2001-37th Avenue]

Motion approving the decision of the Planning Commission by its Motion No. 20769, approving a Conditional Use Authorization, identified as Planning Case No. 2018-012648CUA, for a proposed project located at 2001-37th Avenue; 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 Mar, seconded by Supervisor Preston, moved that this Motion be TABLED. The motion carried by the following vote:

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

Excused: 1 - Fewer

200998 [Conditionally Disapproving Conditional Use Authorization - 2001-37th Avenue]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20769, approving a Conditional Use Authorization, identified as Planning Case No. 2018-012648CUA, for a proposed project located at 2001-37th Avenue, 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 Mar, seconded by Supervisor Preston, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to conditionally disapprove the decision of the Planning Commission to approve a Conditional Use Authorization, and approve a new Conditional Use Authorization with additional conditions and findings. The motion carried by the following vote:

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

Excused: 1 - Fewer

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20769, approving a Conditional Use Authorization, identified as Planning Case No. 2018-012648CUA, for a proposed project located at 2001-37th Avenue; and conditionally approving a Conditional Use Authorization for the same Planning Case and property with different conditions, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board) (Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

Motion No. M20-148

Supervisor Mar, seconded by Supervisor Preston, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

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

Excused: 1 - Fewer

200999 [Preparation of Findings Related to Conditional Use Authorization Appeal - 2001-37th Avenue]

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. 2018-012648CUA, for a proposed project at 2001-37th Avenue. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Preston, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to conditionally disapprove the decision of the Planning Commission to approve a Conditional Use Authorization, and approve a new Conditional Use Authorization with additional conditions and findings. The motion carried by the following vote:

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

Excused: 1 - Fewer

Motion No. M20-149

Supervisor Mar, seconded by Supervisor Preston, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

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

Excused: 1 - Fewer

Recommendation of the Budget and Finance Committee

201058 [Health Service System Dental Plans and Contribution Rates - Calendar Year 2021]

Sponsor: Preston

Ordinance approving Health Service System dental plans and contribution rates for calendar year 2021.

(Fiscal Impact)

(Pursuant to Charter, Section A8.422, this matter shall require a vote of three-fourths (9 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)

Ordinance No. 215-20

FINALLY PASSED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

200738 [Urging the City to Expand the Vulnerable Population Definition]

Sponsors: Preston; Ronen, Walton, Haney and Mar

Resolution urging the City and County of San Francisco to expand the definition of vulnerable populations for services for people experiencing homelessness during the COVID-19 crisis.

Supervisor Preston, seconded by Supervisor Peskin, moved that this Resolution be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried 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

President Yee requested File Nos. 201006 and 201007 be called together.

201006 [Appropriation - Certificates of Participation to Department of Public Health - 101 Grove Exit Project and San Francisco General Hospital Chiller and Cooling Tower Replacement Project - \$149,750,000 - FY2020-2021]

Sponsor: Mayor

Ordinance appropriating \$149,750,000 of Certificates of Participation proceeds for Department of Public Health to fund improvements to facilities for the 101 Grove Exit Project and the San Francisco General Hospital Chiller and Cooling Tower Replacement Project in Fiscal Year (FY) 2020-2021; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

201007 [Authorizing Taxable and/or Tax-Exempt Certificates of Participation (Multiple Capital Projects) - Not to Exceed \$157,000,000]**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount of not to exceed \$157,000,000 to finance and refinance certain capital improvement projects, including but not limited to certain projects generally known as the Homeless Services Center, Laguna Honda Hospital Wings Reuse Project, AITC Immunization and Travel Clinic Relocation, and San Francisco General Hospital Chiller and Cooling Tower Replacement Project, approving the form of a Supplement to Trust Agreement between the City and County of San Francisco and U.S. Bank National Association, as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee for the lease and lease back of certain real property and improvements located at 375 Laguna Honda Boulevard and 1 Moreland Drive, San Bruno, or other property as determined by the Director of Public Finance; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates of Participation; approving the form of an Official Statement in Preliminary and Final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates of Participation, as defined herein; approving modifications to documents, as defined herein; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

201036 [Lease Amendment - WCPI Commercial LLC - 1449 Webster Street - \$139,170 Annual Base Rent]

Resolution approving and authorizing the Director of Property, on behalf of the Office of Economic and Workforce Development, and WCPI Commercial LLC, to amend the lease of real of property located at 1449 Webster Street at a base rent of \$139,170 per year with annual rent increases based upon the Consumer Price Index (CPI) between 2% and 5%, for an extended term commencing upon approval of this Resolution and expiring on August 31, 2023, plus one three-year option to extend; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of the First Amendment, the Lease and this Resolution, as defined herein. (Real Estate Department)

Resolution No. 506-20

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

200949 [Administrative Code - Mayor's Selection of Designees in Matters Regarding Contracting and Other Matters]

Sponsors: Haney; Mar, Ronen, Stefani, Peskin, Walton and Mandelman

Ordinance amending the Administrative Code to prohibit the Mayor from designating the department head as the Mayor's designee regarding contracting decisions and other matters in which the Mayor has discretion to delegate a designee to review a department head's proposals.

Supervisors Walton and Mandelman 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

Recommendation of the Land Use and Transportation Committee

201062 [Administrative Code - Vehicles Owned or Leased by the City]

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

Ordinance amending the Administrative Code to require City departments to report annually information about the number, cost, and usage of vehicles the departments have rented for periods of longer than 30 days; to authorize the City Administrator to inspect or provide maintenance upon request for any vehicle rented, leased, or owned by the City; to require departments to submit information to the City Administrator and the Board of Supervisors regarding the usage and safety of City vehicles; and to authorize the City Administrator to require departments to develop correction plans to reduce speeding, idling, and/or collisions involving City vehicles.

Supervisors Walton, Fewer, and Mandelman requested to be added as co-sponsors.

Supervisor Yee, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 11-12, by adding 'to the extent authorized by the City's contract for rented or leased vehicles'. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED 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**200735 [Police Code - Discriminatory Reports to Law Enforcement]**

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

Ordinance amending the Police Code to make it unlawful to cause a peace officer to contact a person with the specific intent to discriminate against the person on the basis of the person's race, color, ancestry, ethnicity, national origin, place of birth, sex, age, religion, creed, disability, sexual orientation, gender identity, weight, or height; and creating a civil cause of action and providing for damages for violating the prohibition.

PASSED ON FIRST READING by the following vote:

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

201061 [Police, Transportation Codes - Motor Vehicle Stunt Driving]

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

Ordinance amending the Police and Transportation Codes to establish a City policy to protect the health and safety of residents by enforcing state laws prohibiting reckless driving, motor vehicle speed contests, and exhibitions involving stunts and tricks with vehicles; and to provide that vehicles that are removed for violation of such laws shall be impounded for no less than 14 days for the first incident, no less than 15 days for the second, and no less than 29 days for the third, with no impoundment lasting more than 30 days.

Supervisors Fewer and Yee requested to be added as co-sponsors.

Privilege of the floor was granted unanimously to Chief William Scott (Police Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

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

200490 [Liquor License Transfer - 1859 Market Street - Golden State Food & Liquor]

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Golden State Food & Liquor, Inc., located at 1859 Market Street (District 8), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 505-20

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

200679 [Urging to Declare June 19th be Observed as Juneteenth]

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

Resolution urging the City and County of San Francisco to declare that June 19th shall annually be observed as Juneteenth, urging the President of the United States and the United States Congress to officially designate June 19th annually as a federal holiday to honor the Black community, and encouraging all businesses in the City, both public and private, to either close on June 19th, pay workers overtime pay that they would typically get on a paid holiday, and/or allow the many workers and students in the City who want to attend Juneteenth events to honor and celebrate Juneteenth celebrations and commemorations that take place to take the day off or leave work and school early with no adverse academic or employment consequence.

Resolution No. 497-20

ADOPTED by the following vote:

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

201039 [Mayoral Appointment, Port Commission - John L. Burton]

Motion approving the Mayor's nomination for appointment of John L. Burton to the Port Commission, for a term ending May 1, 2024. (Clerk of the Board)
(Charter, Section 4.114, provides that the Mayor's appointment is subject to confirmation by a majority (six votes) of the Board of Supervisors, with no timeframe to confirm specified.
Transmittal Date: September 14, 2020.)

Motion No. M20-150

APPROVED by the following vote:

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

201109 [Reappointment, Bicycle Advisory Committee - Kristen Tieche]

Motion reappointing Kristen Tieche, term ending November 19, 2022, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M20-151

APPROVED by the following vote:

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

Supervisor Walton Excused from Voting

Supervisor Peskin, seconded by Supervisor Fewer, moved that Supervisor Walton be excused from voting on File No. 201110. The motion carried by the following vote:

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

201110 [Appointments, Reentry Council - Yolanda Morrissette, Michael Brown, Oscar Salinas, and Jabari Jackson]

Motion appointing Yolanda Morrissette, Michael Brown, Oscar Salinas, and Jabari Jackson, terms ending June 1, 2022, to the Reentry Council. (Rules Committee)

Motion No. M20-152

APPROVED by the following vote:

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

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. 200908, 200909, 200910, and 200911 be called together.

200908 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation Project (1776 Green 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 Common Sense Exemption by the Planning Department on June 16, 2019, for the proposed Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation project located beneath the sidewalk in front of 1776 Green Street. (District 2) (Appellant: Richard Drury of Lozeau Drury LLP, on behalf of The Hollow Revolution) (Filed July 17, 2020) (Clerk of the Board)

President Yee opened the public hearing and Supervisor Stefani indicated she would be making a motion to continue this matter to a future date. The President then inquired as to whether any individual wished to address the Board. Katherine Howard; Richard Drury; Jane Gato; spoke on various concerns related to the proposed continuance. There were no speakers. President Yee closed public comment on the proposed continuance.

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of November 17, 2020. The motion carried by the following vote:

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

200909 [Affirming the Exemption Determination - Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation Project - 1776 Green Street]

Motion affirming the determination by the Planning Department that the proposed Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation project located beneath the sidewalk in front of 1776 Green Street is exempt from further environmental review. (Clerk of the Board)

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 17, 2020. The motion carried by the following vote:

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

200910 [Conditionally Reversing the Exemption Determination - Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation Project - 1776 Green Street]

Motion conditionally reversing the determination by the Planning Department that the proposed Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation project located beneath the sidewalk in front of 1776 Green Street is 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 Stefani, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 17, 2020. The motion carried by the following vote:

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

200911 [Preparation of Findings to Reverse the Exemption Determination - Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation Project - 1776 Green Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation project located beneath the sidewalk in front of 1776 Green Street, is exempt from further environmental review. (Clerk of the Board)

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 17, 2020. 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. 200137, 200138, 200139, and 200140 be called together.

200137 [Hearing - Appeal of Final Mitigated Negative Declaration - Proposed Project at 2417 Green Street]

Hearing of persons interested in or objecting to the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act for the proposed project at 2417 Green Street, identified in Planning Case No. 2017-002545ENV, affirmed on appeal by the Planning Commission and issued on July 16, 2020. (District 2) (Appellant: Richard Drury of Lozeau Drury LLP, on behalf of Philip Kaufman) (Filed August 7, 2020) (Clerk of the Board)

President Yee opened the public hearing and Supervisor Stefani indicated she would be making a motion to continue this matter to a future date. The President then inquired as to whether any individual wished to address the Board. There were no speakers. President Yee closed public comment on the proposed continuance.

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of November 10, 2020. The motion carried by the following vote:

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

200138 [Affirming the Final Mitigated Negative Declaration - Proposed Project at 2417 Green Street]

Motion affirming the Final Mitigated Negative Declaration prepared by the Planning Department under the California Environmental Quality Act for the proposed project located at 2417 Green Street. (Clerk of the Board)

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 10, 2020. The motion carried by the following vote:

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

200139 [Conditionally Reversing the Final Mitigated Negative Declaration - Proposed Project at 2417 Green Street]

Motion conditionally reversing the Final Mitigated Negative Declaration prepared by the Planning Department under the California Environmental Quality Act for the proposed project located at 2417 Green Street, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 10, 2020. The motion carried by the following vote:

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

200140 [Preparation of Findings to Reverse the Revised Mitigated Negative Declaration - Proposed Project at 2417 Green Street]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Department's preparation of a Final Mitigated Negative Declaration under the California Environmental Quality Act for the proposed project located at 2417 Green Street. (Clerk of the Board)

Supervisor Stefani, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 10, 2020. 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.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor Safai was noted absent at 7:42 p.m.

200777 [Hearing - Committee of the Whole - Update on Findings and Recommendations Regarding Law Enforcement Practices - January 26, 2021, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 26, 2021, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive updates on the progress and implementation status of the United States Department of Justice recommendations regarding reforms within the Police Department; scheduled pursuant to Motion No. M20-125, approved on September 15, 2020. (Clerk of the Board)

President Yee opened the public hearing, and Supervisor Fewer provided opening remarks and background information on the findings and recommendations regarding law enforcement practices. The President then inquired as to whether any individual wished to address the Board. Lindsay Morgan and Michael Dirden (Hillard Heintze); Chief William Scott, Deputy Chief Greg Yee, and Commander Denise Flaherty (Police Department); and Phelicia Jones (Wealth and Disparities in the Black Community) presented information and answered questions raised throughout the discussions. David Wynn; Adriana Camarena; Speaker; Linda Chapman; John Crew; Ben Pahn; Speaker; Francisco Da Costa; Brian Coggs; Kate; Marty Jay; Speaker; Anasa; spoke on various concerns related to the hearing matter. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.

Supervisor Yee, seconded by Supervisor Walton, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of January 26, 2021. The motion carried by the following vote:

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

Committee of the Whole Adjourn and Report

Supervisor Safai was noted present at 7:45 p.m.

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

201055 [Emergency Ordinance - Public Health Emergency Leave]

Sponsor: Mar

Reenactment of emergency ordinance (Ordinance No. 59-20) to temporarily require private employers with 500 or more employees to provide public health emergency leave during the public health emergency related to COVID-19.

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

Ordinance No. 217-20

FINALLY PASSED 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

200700 [Mission Bay South - Acceptance of Public Infrastructure Improvements - Official Sidewalk Width Change]

Sponsors: Mayor; Haney

Ordinance accepting certain public infrastructure improvements for purposes of City maintenance and liability, including the streets and stormwater pump station in the Mission Bay South Redevelopment Plan, as listed herein; declaring City property and additional property as shown on official Public Works maps as open public right-of-way; dedicating the public infrastructure associated with the projects listed herein for public use and designating such public infrastructure for public street and roadway purposes; establishing official public right-of-way widths and street grades; amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to establish official sidewalk width on the subject streets; accepting the public infrastructure for City maintenance and liability purposes, subject to specified limitations; renaming the historic waterway portion of Channel Street to Mission Creek from Seventh Street to the east side of Third Street and to China Basin east of Third Street; renaming Channel as Channel Street and naming unnamed portions of that street Channel Street covering the entire segment of this street between Third and Carolina Streets; renaming El Dorado Street North and El Dorado Street South to Corinne Woods Way; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; and authorizing official acts in connection with this Ordinance, as defined herein.

PASSED ON FIRST READING by the following vote:

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

201138 [Initiating Landmark Designation - Phyllis Lyon and Del Martin House]**Sponsors: Mandelman; Peskin, Preston and Safai**

Resolution initiating a landmark designation under Article 10 of the Planning Code for 649-651 Duncan Street, the longtime home of pioneering lesbian activists Phyllis Lyon and Del Martin.

Resolution No. 507-20**ADOPTED by the following vote:**

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

201154 [Urging The Golden Gate Bridge, Highway and Transportation District Board of Directors to Protect San Francisco and Bay Area Transportation Workers]**Sponsors: Preston; Walton, Peskin, Ronen, Haney, Mar and Safai**

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to oppose any effort to issue layoff notices as they announced they would send out Worker Adjustment and Retraining Notification (WARN) ACT notices on September 11, 2020, to 185 employees who currently work the bus and ferry transit system carrying passengers between Marin, Sonoma, and San Francisco counties.

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

Resolution No. 498-20**ADOPTED by the following vote:**

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

Recommendation of the Rules Committee**201147 [Appointment, Public Utilities Revenue Bond Oversight Committee - Tim Cronin]**

Motion appointing Tim Cronin (residency requirement waived), term ending November 12, 2020, to the Public Utilities Revenue Bond Oversight Committee. (Rules Committee)

Motion No. M20-153**APPROVED 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

Shane Wiley; expressed support of the legislative work being done by the various Members of the Board.

John Holden; expressed support of the work being done by the Board and City to address the pandemic and make progress in reopening businesses and expand transportation.

Peter Warfield; expressed concerns regarding the lack of online services, or the poor quality of services, provided by the Public Library during this pandemic.

Robert Kaufman; expressed support of the legislative work being done by the various Members of the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

201155 [Opposing California State Proposition 22 - App-Based Drivers as Contractors and Labor Policies Initiative - November 3, 2020, Ballot]

Sponsors: Walton; Safai, Peskin, Ronen, Haney, Fewer, Mandelman, Mar, Preston and Yee
Resolution opposing California State Proposition 22, App-Based Drivers as Contractors and Labor Policies Initiative, on the November 3, 2020, ballot.

Resolution No. 499-20

ADOPTED

201171 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Twenty-Ninth Supplement]

Sponsor: Yee

Motion concurring in actions taken by the Mayor in the Twenty-Ninth Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by regulating the fees charged to restaurants by third-party food delivery services.

Motion No. M20-154

APPROVED

201166 [Final Map 9295 - 333-12th Street]

Motion approving Final Map No. 9295, a 200 residential unit condominium project, located at 333-12th Street, being a merger and two lot subdivision of Assessor's Parcel Block No. 3521, Lot Nos. 022 and 055; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M20-155

APPROVED

201167 [Final Map No. 9989 - 31, 31A, 31B, 33, 35, and 37 Camp Street]

Motion approving Final Map No. 9989, a six residential unit condominium project, located at 31, 31A, 31B, 33, 35, and 37 Camp Street, being a subdivision of Assessor's Parcel Block No. 3568, Lot No. 049; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M20-156

APPROVED

201168 [Final Map No. 10274 - 1066 Market Street]

Motion approving Final Map No. 10274, a 303 residential unit and a five commercial unit, mixed-use condominium project, located at 1066 Market Street, being a subdivision of Assessor's Parcel Block No. 0350, Lot No. 003; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M20-157

APPROVED

201169 [Final Map No. 10354 - 34 Langton Street]

Motion approving Final Map No. 10354, a five residential unit condominium project, located at 34 Langton Street, being a subdivision of Assessor's Parcel Block No. 3730, Lot No. 096; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M20-158

APPROVED

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 For Adoption Without Committee Reference Agenda

Supervisor Walton requested that File Nos. 201156 and 201157 be severed so that they may be considered separately.

201156 [Urging City College of San Francisco to Reaffirm \$34.5 Million Commitment to the Education Center at 1550 Evans Avenue and \$31.5 Million Commitment to the Bayview-Hunters Point Campus]

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

Resolution urging City College of San Francisco, the City College Chancellor, and the Community College Board to reaffirm their commitment of \$34.5 million to the Education Center at 1550 Evans Avenue and \$31.5 million commitment to the Bayview-Hunters Point Campus from Measure A: City College Job Training, Repair and Earthquake Safety Measure passed by San Francisco voters on March 3, 2020.

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

Resolution No. 500-20

ADOPTED by the following vote:

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

201157 [Supporting Assembly Bill No. 3121 (Weber) and Affirming San Francisco's Commitment for a Reparations Plan]

Sponsors: Walton; Safai, Ronen, Preston, Mandelman and Yee

Resolution supporting California State Assembly Bill No. 3121, authored by Assembly Member Shirley Weber, establishing a task force to study and develop reparation proposals for African Americans; and affirming San Francisco's commitment for a reparations plan.

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

Resolution No. 501-20

ADOPTED by the following vote:

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

Supervisor Peskin requested that File No. 201170 be severed so that it may be considered separately.

201170 [Commending Roberta Boomer for 26 Years of Service to the City and County of San Francisco]

Sponsor: Peskin

Resolution commending Roberta Boomer for her decades of service to the City and County of San Francisco, and to the policy body administrators throughout the City and wish her well in her much deserved retirement; and to declare October 21, 2020 as Roberta Boomer Day in the City and County of San Francisco.

Resolution No. 502-20

ADOPTED 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.

ORDINANCES

201008 [Planning Code - State-Mandated Accessory Dwelling Unit Controls]

Sponsor: Mayor

Ordinance amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units meeting certain requirements in single-family and multifamily buildings; 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.

(10/23/20 - Pending further review for Economic Impact)

09/01/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/1/2020.

09/10/20; REFERRED TO DEPARTMENT.

10/07/20; RESPONSE RECEIVED.

10/20/20; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

201184 [Summary Street Vacation for Various Streets - Hunters View Phase 3 Project]**Sponsors: Mayor; Walton**

Ordinance ordering the summary vacation of streets in the Hunters View project site, generally bounded by Evans Avenue on the north, Innes Avenue on the south, Hudson Avenue on the west, and Hunters Point Boulevard on the east, as part of the Hunters View Phase 3 Project in the Hunters Point neighborhood; authorizing the City to quitclaim its interest in the vacation areas (Assessor's Parcel Block No. 4624, Lot Nos. 442 and 443) to the San Francisco Housing Authority notwithstanding the requirements of Administrative Code, Chapter 23; affirming the Planning Commission's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

10/20/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/19/2020.

201185 [Administrative Code - Permanent Supportive Housing - Rent Contribution Standard]**Sponsors: Haney; Walton, Ronen, Preston, Peskin and Mar**

Ordinance amending the Administrative Code to establish a standard of 30% of the monthly adjusted household income as the maximum contribution to rent for households participating in Permanent Supportive Housing Programs operated by the City and County of San Francisco. (10/23/20 - Pending further review for Economic Impact)

(Fiscal Impact; No Budget and Legislative Analyst Report)

10/20/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/19/2020.

201186 [Police Code - Grocery Store, Drug Store, Restaurant, and On-Demand Delivery Service Employee Protections]**Sponsors: Haney; Walton**

Ordinance amending the Police Code to require grocery store, drug store, restaurant, and on-demand delivery service employers to provide health and scheduling protections related to COVID-19 to employees; and to sunset an emergency ordinance with similar requirements.

10/20/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/19/2020.

201187 [Administrative Code - Safe Sleeping Sites Program]**Sponsors: Mandelman; Fewer**

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing to establish a Safe Sleeping Sites Program to provide unsheltered persons with a safe place to sleep overnight; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

10/20/20; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 11/19/2020.

201188 [Police Code - COVID-Related Employment Protections]**Sponsors: Ronen; Walton**

Ordinance amending the Police Code to protect employees from adverse employment actions if they test positive for COVID-19, are isolating or quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms or exposure, or are perceived to have COVID-19; to protect applicants from discrimination if they test positive for COVID-19, are isolating or quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms or exposure; and to sunset an emergency ordinance creating similar protections.

10/20/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/19/2020.

201189 [Administrative Code - African American Arts and Cultural District]**Sponsor: Walton**

Ordinance amending the Administrative Code to modify the number and qualifications of members of the African American Arts and Cultural District Community Advisory Committee; to extend the sunset date of the Committee to January 2023; and to extend to July 2021 the deadlines for the written reports and recommendations from City departments describing the cultural attributes of the District and proposing strategies to acknowledge and preserve the cultural legacy of the District.

10/20/20; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/19/2020.

201190 [Administrative Code - Establishing African American Reparations Advisory Committee]**Sponsor: Walton**

Ordinance amending the Administrative Code to establish the African American Reparations Advisory Committee to advise the Board of Supervisors, the Mayor, the Human Rights Commission, and the public regarding the development, adoption, and implementation of a San Francisco Reparations Plan that determines the scope and eligibility for a citywide reparations program, examines current structural discrimination within San Francisco, and proposes institutional reforms to guard against the need for future redress.

10/20/20; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/19/2020.

RESOLUTIONS

201191 [Accept and Expend Grant - Retroactive - Centers for Disease Control and Prevention - California Department of Public Health - Coronavirus (COVID-19) Epidemiology and Laboratory Capacity (ELC) Enhancing Detection Funding - \$6,540,700]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$6,540,700 from the Centers for Disease Control and Prevention through the California Department of Public Health for participation in a program, entitled "Coronavirus (COVID-19) Epidemiology and Laboratory Capacity (ELC) Enhancing Detection Funding," for the period of May 18, 2020, through November 17, 2022. (Public Health Department)

10/20/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

201192 [Contract Amendment - Color Genomics, Inc. - COVID-19 Testing Services - Not to Exceed \$84,382,042]**Sponsor: Mayor**

Resolution approving Amendment No. 3 to the agreement between Color Genomics, Inc. and the Department of Public Health, for COVID-19 testing services, to increase the agreement amount by \$74,482,042 for a total not to exceed amount of \$84,382,042; and to establish a specific term end date of March 31, 2021, for a total agreement term of April 6, 2020, through March 31, 2021. (Fiscal Impact)

10/20/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

201193 [Standard Agreement - California Department of Housing and Community Development - Homekey Grant - Permanent Supportive Housing - Tourist Hotel at 440 Geary Street - Not to Exceed \$30,000,000]**Sponsor: Mayor**

Resolution authorizing the Department of Homelessness and Supportive Housing (HSH) to execute a Standard Agreement and Homekey Documents for up to \$30,000,000 of Homekey grant funds from the California Department of Housing and Community Development to Episcopal Community Services for the acquisition of a 130-room tourist hotel located at 440 Geary Street (Assessor's Parcel Block No. 0306, Lot No. 007) for use as proposed future permanent supportive housing; approving and authorizing HSH to commit approximately \$27,473,340 in City funds to satisfy local match and operational subsidy requirements for five years, to commence following Board approval and upon the final award; and affirming the Planning Department's determination under the California Environmental Quality Act. (Department of Homelessness and Supportive Housing)

(Fiscal Impact)

10/20/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

201194 [Accept and Expend In-Kind Gift - Retroactive - Consulting Services - Various Providers - Valued at \$427,200]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Technology to accept an in-kind gift of consulting services valued at \$427,200 from various providers during Fiscal Year 2019-2020. (Department of Technology)

10/20/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

201195 [Accept and Expend In-Kind Gift - University of San Francisco School of Law - Racial Justice Clinic Work - Estimated at \$250,000]**Sponsor: Fewer**

Resolution authorizing the Office of the District Attorney to accept and expend an in-kind gift estimated at \$250,000 from the University of San Francisco School of Law's Racial Justice Clinic to hire two staff attorneys to support the District Attorney's efforts to evaluate and remedy cases involving a claim or excessive sentence or wrongful conviction. (District Attorney)

10/20/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

201196 [Supporting Low-Income Rate Assistance Power Programs]**Sponsors: Haney; Preston, Ronen and Walton**

Resolution supporting a campaign to increase promotion and enrollment in San Francisco's and California's Low-Income Rate Assistance Power Programs.

10/20/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

201197 [Urging the Issuance of United States Postage Stamps for LGBTQ Heroes]**Sponsors: Mandelman; Walton and Safai**

Resolution urging the United States Postal Service's Citizens' Stamp Advisory Committee to issue stamps in honor of Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) heroes José Julio Sarria, Marsha P. Johnson, and Sylvia Rivera.

10/20/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

200958 [Resolution to Disestablish - Top of Broadway Community Benefit District]**Sponsor: Peskin**

Resolution to disestablish the property-based business improvement district known as the "Top of Broadway Community Benefit District," and to remove a multi-year assessment on all parcels in the District; and affirming environmental findings.

10/20/20; RECEIVED AND ASSIGNED to Board of Supervisors.

200961 [Resolution to Establish (Renew and Expand) - Fisherman's Wharf Portside Community Benefit District]**Sponsor: Peskin**

Resolution to establish (renew and expand) the business-based business improvement district known as the "Fisherman's Wharf Portside Community Benefit District," ordering the levy and collection of assessments against businesses located in that district for 15 years commencing with Fiscal Year 2020-2021, subject to conditions as specified; and making environmental findings.

10/20/20; RECEIVED AND ASSIGNED to Board of Supervisors.

201202 [Condemning Ongoing Attacks in the Artsakh Republic and Urging the United States to Broker Cessation of Hostilities]**Sponsors: Yee; Safai, Peskin and Stefani**

Resolution condemning the hostile military attacks escalating the conflict between Azerbaijan and Armenia; affirming support of House Resolution 1165, authored by Congresswoman Jackie Speier; and urging the United States to help broker a peaceful resolution and return to a ceasefire agreement.

10/20/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTION**201201 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirtieth Supplement]****Sponsor: Yee**

Motion concurring in actions taken by the Mayor in the Thirtieth Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by revising the program provisions that provided additional hours of new paid sick leave to City employees.

10/20/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

201198 [Hearing - Electronic Monitoring]

Sponsor: Fewer

Hearing on the use and efficacy of Electronic Monitoring as a practice employed by City departments in the interest of public safety; and requesting the Sheriff's Office, Adult Probation Department, Juvenile Probation Department, Public Defender's Office, and Superior Court to report.

10/20/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

201199 [Hearing - Overdose Death Reporting and Update on Overdose Prevention Program at Single Room Occupancy Hotels]

Sponsor: Haney

Hearing on the findings and data from the Overdose Death Report from January through August 2020 and on the progress and findings of the Overdose Prevention Program for Single Room Occupancy hotels; and requesting the Office the Chief Medical Examiner, Department of Public Health, and Department of Homelessness and Supportive Housing to report.

10/20/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

201200 [Hearing - Update on the Existing Scooter Permit Program]

Sponsor: Safai

Hearing to receive updates on the status, progress, and implementation of the City and County of San Francisco's scooter permit program; and requesting the Municipal Transportation Agency to report.

10/20/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

201161 [California Code of Civil Procedure, Section 998 - Offer to Compromise Litigation - Penny Mims - \$50,000]

Ordinance authorizing the service of an Offer to Compromise under Code of Civil Procedure, Section 998, in the lawsuit filed by Penny Mims against the City and County of San Francisco and Dorian Carr, to include a payment from the City of up to \$50,000 plus reasonable attorneys' fees and costs to be determined by the Court; the lawsuit was filed on March 3, 2020, in San Francisco Superior Court, Case No. CGC-20-583388; entitled Penny Mims v. City and County of San Francisco, Dorian Carr, et al.; the lawsuit involves an employment dispute. (City Attorney)

10/05/20; RECEIVED FROM DEPARTMENT.

10/20/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

201162 [Settlement of Lawsuit - Jeffrey Juarez - \$45,000]

Ordinance authorizing settlement of the lawsuit filed by Jeffrey Juarez against the City and County of San Francisco for \$45,000; the lawsuit was filed on September 1, 2016, in Superior Court of the State of California, County of San Francisco, Case No. CGC-16-554000, entitled Jeffrey Juarez v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

10/05/20; RECEIVED FROM DEPARTMENT.

10/20/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**201163 [Amendments to Port Leases - Forgive Tenant Rent During COVID-19 Pandemic]
Sponsor: Ronen**

Ordinance authorizing the Port Commission to amend certain leases under the Port's Rent Forgiveness Program with nonresidential tenants without Board of Supervisors approval under Charter, Section 9.118, and waiving Administrative Code and Environment Code requirements enacted after the most recent modification of each lease for lease amendments under the Port's Rent Forgiveness Program, in order to allow for expeditious rent forgiveness necessitated by Port tenants' financial hardships caused by the public health emergency related to the COVID-19 pandemic. (Port)
(Fiscal Impact)

10/09/20; RECEIVED FROM DEPARTMENT.

10/20/20; ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

201164 [Settlement of Unlitigated Claim - James Neidel - \$67,917]

Resolution approving the settlement of the unlitigated claim filed by James Neidel against the City and County of San Francisco for \$67,917; the claim was filed on December 11, 2019; the claim involves property damage arising from sewer main pipe overflow as a result of heavy rain. (City Attorney)

10/02/20; RECEIVED FROM DEPARTMENT.

10/20/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

201165 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving Amendment No. 45 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2020, for a total term of November 19, 1998, through November 30, 2021. (Treasure Island Development Authority)

10/02/20; RECEIVED FROM DEPARTMENT.

10/20/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

*Jason Cortez - Entire Board
Randy Riddle - Supervisor Peskin
Rose Magdalena Villalon - Supervisor Ronen*

ADJOURNMENT

There being no further business, the Board adjourned at the hour 9:04 p.m.

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

Approved by the Board of Supervisors on December 1, 2020.

Angela Calvillo, Clerk of the Board