

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 26, 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

Meeting Days

Budget and Appropriations Committee

Supervisors Haney, Safai, Mar, Ronen, Walton

Wednesday
1:00 PM

Budget and Finance Committee

Supervisors Haney, Safai, Mar

Wednesday
10:30 AM

Government Audit and Oversight Committee

Supervisors Preston, Chan, Mandelman

1st and 3rd Thursday
10:00 AM

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Monday
1:30 PM

Public Safety and Neighborhood Services Committee

Supervisors Mar, Stefani, Haney

2nd and 4th Thursday
10:00 AM

Rules Committee

Supervisors Peskin, Mandelman, Chan

Monday
10:00 AM

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Melgar

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, October 26, 2021, with President Shamann Walton presiding.

President Walton called the meeting to order at 2:00 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.*

APPROVAL OF MEETING MINUTES

President Walton inquired whether any Member of the Board had any corrections to the September 14, 2021, or September 21, 2021, Board Regular Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Preston, seconded by Supervisor Mandelman, moved to approve the September 14, 2021, and September 21, 2021, Board Regular Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

211009 [Appropriation - Special Tax Bond Proceeds - \$35,000,000; Special Tax Revenues - \$11,620,000 - Controller's Reserve - Transbay Transit Center Project - FY2021-2022]
Sponsors: Mayor; Mandelman

Ordinance appropriating \$35,000,000 from the issuance of one or more series of Special Tax Bonds of the City's Community Facilities District 2014-1 (Transbay Transit Center) and placing such amounts on Controller's reserve; and appropriating \$11,620,000 of special tax revenues for funding related to the Transbay Transit Center Project in Fiscal Year (FY) 2021-2022.

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

FINALLY PASSED

211010 [Appropriation and De-Appropriation - Office of Economic and Workforce Development - Legacy Businesses - \$400,000 - FY2021-2022]

Sponsors: Chan; Peskin, Ronen, Mar, Haney, Safai and Mandelman

Ordinance de-appropriating \$400,000 previously appropriated to the Office of Economic and Workforce Development (ECN) for the Office of Small Business' Legacy Business Historic Preservation Fund and re-appropriating \$400,000 to ECN to provide a new grant program for Legacy Businesses in Fiscal Year (FY) 2021-2022.

(Fiscal Impact)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

210864 [Memorandum of Understanding - Committee of Interns and Residents, Service Employees International Union]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2017-2021 Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents, Service Employees International Union, to extend the term by one year, update the Patient Care Fund provision, and eliminate obsolete language.

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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. (City Attorney)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee

210600 [Planning Code - Small Business Zoning Controls in Chinatown and North Beach and on Polk Street]

Sponsors: Peskin; Safai

Ordinance amending the Planning Code to 1) allow neighborhood-serving Social Service and Philanthropic Facility uses in Chinatown Mixed Use Districts with conditional use authorization; 2) change the provision for abandonment of a use that exceeds a use size maximum in Chinatown Mixed Use Districts; 3) allow re-establishment of a nonconforming use size in Chinatown Mixed Use Districts under certain circumstances; 4) change the use size limit and use size maximum in the Chinatown Community Business District; 5) exempt Institutional Community uses and Legacy Business Restaurants in Chinatown Mixed Use Districts from use size limits; 6) allow lot mergers under certain conditions in the Polk Street Neighborhood Commercial District; and 7) exclude the portion of Powell Street south of Union Street from the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

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

FINALLY PASSED

210865 [Health, Planning, Police Codes - Various Cannabis Sunset Dates]

Sponsor: Mandelman

Ordinance amending the Health Code, Planning Code, and Police Code to extend the sunset date for provisions governing Medical Cannabis Dispensaries from December 31, 2021, to December 31, 2022; to extend the sunset date for allowing the conversion of Medical Cannabis Dispensaries with Planning Commission approval to a Cannabis Retail Use from January 1, 2022, to January 1, 2023; to allow the extension of Temporary Cannabis Business Permits for additional 120-day terms through December 31, 2022, rather than December 31, 2021; and to allow the extension of the Cannabis Event Permit pilot program through December 31, 2023, rather than December 31, 2021; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

210739 [Administrative Code - Repealing Employee Sexual Privacy Ordinance; Requiring Data Collection Requests]

Sponsors: Mayor; Mandelman and Mar

Ordinance amending the Administrative Code to repeal the City Employee's Sexual Privacy Ordinance; direct the Department of Human Resources (DHR) to request that applicants for City employment voluntarily provide sexual orientation and gender identity information; direct City departments to request that employees voluntarily provide anonymous sexual orientation and gender identity information when responding to surveys that also seek other demographic information; and direct DHR to develop systems for voluntary collection and confidential retention of sexual orientation and gender identity information.

FINALLY PASSED

210935 [Administrative Code - Cannabis Oversight Committee Sunset Date]

Sponsor: Chan

Ordinance amending the Administrative Code to extend the sunset date for the Cannabis Oversight Committee from December 3, 2021, to January 1, 2025.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

President Walton requested File Nos. 210965 and 211054 be called together.

210965 [Authorizing Preparation of an Amended Infrastructure Financing Plan for City and County of San Francisco Infrastructure and Revitalization Financing District No.1 (Treasure Island)]

Sponsor: Mayor

Resolution authorizing and directing the Director of the Office of Public Finance, or designee thereof, to prepare an amended infrastructure financing plan for the City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) and project areas therein, and determining other matters in connection therewith, as defined herein.

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

210811 [Administrative Code - Ban on City-Funded Travel to and City Contracts Involving States with Voter Suppression Laws]

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

Ordinance amending the Administrative Code to prohibit City-funded travel to states that have adopted laws on or after January 1, 2021, suppressing voting rights, and to prohibit City contracting with companies headquartered in states that have enacted such laws, or where work on the contract would be performed in such states.

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

210937 [Business and Tax Regulations Code - Affordable Housing Transfer Tax Exemption]

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

Ordinance amending the Business and Tax Regulations Code to exempt certain transfers of rent-restricted affordable housing occurring on or after January 1, 2021, from the increased transfer tax rates when the consideration or value of the interest or property conveyed equals or exceeds \$5,000,000; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

Supervisors Mandelman, Ronen, Walton, and Melgar 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

210999 [Grant Agreement Amendment - San Francisco-Marin Food Bank - COVID-19 Food Assistance Program - Not to Exceed \$22,951,645]

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 \$7,424,820 for a total not to exceed amount of \$22,951,645 to commence on October 15, 2021. (Human Services Agency)

(Fiscal Impact)

ADOPTED by the following vote:

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

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)

ADOPTED by the following vote:

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

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 from November 11, 2021, to November 10, 2031, pursuant to Charter, Section 9.118, for a total duration of approximately sixteen years, and for a total cumulative amount not to exceed \$500,000; and delegating to the General Manager authority to approve certain non-material amendments, as defined herein. (Public Utilities Commission) (Fiscal Impact)

ADOPTED by the following vote:

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

211054 [Authorizing Issuance of Special Tax Bonds - Improvement Area No. 2 of the City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) - Not to Exceed \$25,130,000]

Sponsor: Mayor

Resolution authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island) with respect to its Improvement Area No. 2 in the aggregate principal amount not to exceed \$25,130,000 approving related documents, including an Official Statement, Fiscal Agent Agreement, Bond Purchase Agreement, and Continuing Disclosure Certificate, and determining other matters in connection therewith, as defined herein.

ADOPTED 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**210497 [Planning Code and Zoning Map - Delete Life Science and Medical Special Use District]**

Sponsor: Walton

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; 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.

PASSED ON FIRST READING by the following vote:

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

210699 [Planning, Administrative Codes - Accessory Dwelling Units]**Sponsors: Mandelman; Ronen, Preston, Melgar, Peskin and Chan**

Ordinance amending the Planning Code to clarify the requirements for applications to construct Accessory Dwelling Units under the City's local Accessory Dwelling Unit approval process; amending the Administrative Code to clarify that landlords may not remove certain tenant housing services without just cause and that issuance of a building permit does not constitute just cause; making findings as required by the Tenant Protection Act of 2019; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

PASSED ON FIRST READING by the following vote:

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

210934 [Building Code - Mandatory Disability Access Improvements for Places of Public Accommodation - Extension of Time Deadlines]**Sponsors: Mayor; Chan**

Ordinance amending the Building Code to extend the time by approximately two years for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's report to the Board of Supervisors.

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

PASSED ON FIRST READING by the following vote:

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

210963 [Administrative Code - Extension Of Temporary Tenant Protections Due To COVID-19]**Sponsors: Preston; Peskin, Walton, Ronen, Chan, Mandelman, Haney, Melgar and Safai**

Ordinance amending the Administrative Code to 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, from September 30, 2021, through December 31, 2021.

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

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Public Safety and Neighborhood Services Committee**210946 [Urging and Supporting Declaration of Local Emergency: Overdose Crisis]****Sponsors: Haney; Mar, Walton, Mandelman, Ronen, Preston and Safai**

Resolution urging and supporting Mayor London N. Breed in proclaiming a declaration of the existence of a local emergency around the overdose crisis and immediately implementing overdose prevention sites.

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

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

210835 [Administrative Code - Local Business Enterprise Program]

Sponsors: Mayor; Walton, Safai, Melgar, Ronen, Mandelman and Mar

Ordinance amending the Administrative Code to revise the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance (Chapter 14B) to: 1) increase the LBE certification size thresholds and authorize an automatic increase to the thresholds every five years based on the consumer price index; 2) change the LBE certification size threshold term of calculation from an average of gross annual receipts in the prior three to the prior five years; 3) increase penalties for violations of Chapter 14B from up to 10% to up to 25% of the contract or subcontract amount; 4) require prime contractors to include LBE subcontractors' approved payment requests in payment applications within 30 days of receipt of an invoice; 5) authorize application of separate LBE subcontract participation requirements for micro, small, and SBA-LBEs; 6) extend the bonding assistance program to certain City-funded construction projects; 7) authorize a pilot Mentor-Protégé expansion program, a pilot micro-LBE set-aside program for certain design-build and construction manager/general contractor projects, and a pilot Neighborhood LBE program; and 8) increase the contracting Threshold Amount from \$706,000 to \$1,000,000 and the Minimum Competitive Amount from \$129,000 to \$200,000; and make various other changes and clarifications to Chapter 14B, as defined herein.

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

PASSED ON FIRST READING by the following vote:

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

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

Supervisor Preston, seconded by Supervisor Ronen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Preston introduced, welcomed, and presented a Certificate of Honor to Robert Collins on the occasion of his departure from the San Francisco Rent Board and in recognition of his many accomplishments and continued community support. Supervisors Ronen, Peskin, Melgar, Mandelman, and Haney shared in this commendation.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Kevin Funes (Public Works), and Naomi Savea and Livan Sanchez (Community Ambassadors) in recognition of their heroic efforts intervening and saving the life of a Mission resident who was experiencing and overdose and their continued community support.

Supervisor Melgar introduced, welcomed, and presented a Certificate of Honor to Kate Herrmann Stacy on the occasion of her retirement after 32 years with the Office of the City Attorney, and in recognition of her many accomplishments serving the people of the City and County of San Francisco. Dennis Herrera, City Attorney (Office of the City Attorney), provided additional commendatory remarks. Supervisors Peskin, Stefani, Safai, and Walton shared in this commendation.

President Walton and Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Dennis Herrera, City Attorney (Office of the City Attorney) in recognition of his many accomplishments as the City Attorney as he departs that department and begins his new position as the General Manager of the Public Utilities Commission. Supervisors Mandelman, Safai, Haney, Ronen, Stefani, Preston, Mar, Chan, and Melgar shared in this commendation.

SPECIAL ORDER 3:00 P.M.

President Walton requested File Nos. 210919, 210920, 210921, and 210922 be called together.

210919 [Hearing - Appeal of Final Environmental Impact Report Certification - Proposed 469 Stevenson Street Project]

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for the proposed 469 Stevenson Street Project, identified in Planning Case No. 2017-014833ENV, issued by the Planning Commission through Motion No. 20960, dated July 29, 2021, for a proposed mixed-use project to demolish the existing surface parking lot at the project site and construct a new 27-story mixed-use residential building that is 274 feet tall (with an additional ten feet for rooftop mechanical equipment); the project would total 535,000 square feet and include 495 dwelling units, 4,000 square feet of commercial retail use on the ground floor, and 25,000 square feet of private and common open space, three below grade parking levels with 166 vehicular parking spaces, two service delivery loading spaces, and one on-site freight loading space on the group floor, and bicycle, on-street passenger and commercial loading and streetscape improvements; the proposed project would use the individually requested state density bonus program and provide affordable housing units onsite. (District 6) (Appellant: Susan Brandt-Hawley of Brandt-Hawley Law Group, on behalf of the Yerba Buena Neighborhood Consortium) (Filed: August 30, 2021) (Clerk of the Board)

President Walton opened the public hearing and inquired as to whether any individual wished to address the Board. Susan Brandt-Hawley and John Elberling (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Katherine Petrin; Matt Welby; Carla Larell; David Woo; Misha Olivas; Devon Sheree; Bobby Lopez; spoke in support of the appeal and in opposition to the project. Jenny Delumo, Debra Dwyer, Justin Greving, and Jessica Range (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Andrea Ruiz-Esquide (Office of the City Attorney) presented additional information and responded to questions raised throughout the discussion. Lou Vasquez and Alexis Pelosi (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. Daniel Gregg; Paul Maldonado; Freddy Martin; Cassie Realtek; Corey Smith; Steve Marzo; Rudy Gonzalez; Marc Massey; Frank Young; Meghan; Lorenzo Listana; Priscilla Rugolo; Daniel; Analisa; Chris Harriett; Florita Gomez; spoke in support of the project and in opposition to the appeal. Susan Brandt-Hawley and John Elberling (Appellants) 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

210920 [Affirming the Final Environmental Impact Report Certification - 469 Stevenson Street Project]

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed 469 Stevenson Street project. (Clerk of the Board)

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

Ayes: 3 - Haney, Safai, Stefani

Noes: 8 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Walton

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

Ayes: 8 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Walton

Noes: 3 - Haney, Safai, Stefani

210921 [Conditionally Reversing the Final Environmental Impact Report Certification - 469 Stevenson Street Project]

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed 469 Stevenson Street project, subject to the adoption of written findings of the Board of Supervisors in support of this determination. (Clerk of the Board)

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

Ayes: 3 - Haney, Safai, Stefani

Noes: 8 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Walton

Motion No. M21-146

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

Ayes: 8 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Walton

Noes: 3 - Haney, Safai, Stefani

210922 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - 469 Stevenson Street Project]

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed 469 Stevenson Street project. (Clerk of the Board)

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

Ayes: 3 - Haney, Safai, Stefani

Noes: 8 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Walton

Motion No. M21-147

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

Ayes: 8 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Walton

Noes: 3 - Haney, Safai, Stefani

SPECIAL ORDER 3:00 P.M.

President Walton requested File Nos. 210927, 210928, 210929, and 210930 be called together.

210927 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 35 Ventura Avenue Project]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on November 18, 2018, for the proposed project at 35 Ventura Avenue, Assessor's Parcel Block No. 2816, Lot No. 008, to include the second floor addition of 15 feet in height for the proposed property that would consist of an approximately 30 foot tall, 3,000 square foot, single family home. (District 7) (Appellant: Ryan Patterson of Zacks, Freedman & Patterson PC, on behalf of Tom and Kari Rocca) (Filed August 30, 2021) (Clerk of the Board)

President Walton opened the public hearing and Supervisor Melgar provided brief remarks, indicating she would be making a motion to continue this Hearing and its associated Motions to a later 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 Melgar, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of November 9, 2021. The motion carried by the following vote:

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

210928 [Affirming the Categorical Exemption Determination - 35 Ventura Avenue]

Motion affirming the determination by the Planning Department that the proposed project at 35 Ventura Avenue is categorically exempt from further environmental review. (Clerk of the Board)

Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 9, 2021. The motion carried by the following vote:

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

210929 [Conditionally Reversing the Exemption Determination - 35 Ventura Avenue]

Motion conditionally reversing the determination by the Planning Department that the proposed project at 35 Ventura Avenue is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 9, 2021. The motion carried by the following vote:

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

210930 [Preparation of Findings to Reverse the Exemption Determination - 35 Ventura Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 35 Ventura Avenue is categorically exempt from further environmental review. (Clerk of the Board)

Supervisor Melgar, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 9, 2021. The motion carried by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

211064 [Hearing - Committee of the Whole - CleanPowerSF Community Aggregation Program Electric Generation Rates and Charges - San Francisco Public Utilities Commission - October 26, 2021, at 3:00 p.m.]

Hearing of the Board of Supervisors convening as a Committee of the Whole on October 26, 2021, at 3:00 p.m., to consider the CleanPowerSF Community Aggregation Program electric generation rates and charges from the San Francisco Public Utilities Commission, and the Board may reject these rates by resolution, pursuant to Charter, Section 8B.125; scheduled pursuant to Charter, Section 8B.125. (Clerk of the Board)

(Pursuant to Charter, Section 8B.125, the Public Utilities Commission shall set rates, fees and other charges in connection with providing utility services, which are subject to rejection by resolution of the Board of Supervisors within 30 days of submission. If the Board fails to act within 30 days, the rates shall become effective. Transmittal Date: September 30, 2021.)

President Walton opened the public hearing and Supervisor Chan provided introductory remarks. The President then inquired as to whether any individual wished to address the Board regarding the Hearing to consider the CleanPowerSF Community Aggregation Program electric generation rates and charges. Michael Hyams, Erin Franks, and Edith Castorena (Public Utilities Commission); presented an overview of the hearing matter and responded to questions raised throughout the discussion. Speaker; spoke on various concerns related to the hearing matter. There were no other speakers. President Walton closed public comment, declared the matter heard and filed, adjourned as a Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

211025 [Settlement of Unlitigated Claim - Sandeep Lal - \$59,000]

Resolution approving the settlement of the unlitigated claim filed by Sandeep Lal against the City and County of San Francisco for \$59,000; the claim was filed December 6, 2019, and November 17, 2020; the claim involves an employment dispute. (City Attorney)

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

210807 [Planning Code - Repealing Article 12 Regarding Oil and Gas Facilities]

Sponsors: Chan; Mandelman

Ordinance amending the Planning Code to repeal Article 12, which contains regulations governing land use activities associated with oil and gas exploration, development, and processing; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

(This item was not sent as a committee report.)

Recommendation of the Rules Committee

210961 [Municipal Elections Code - Non-United States Citizen Voting in School Board Elections]

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

Ordinance amending the Municipal Elections Code to reauthorize Non-United States citizen voting in elections for the Board of Education of the San Francisco Unified School District and specifying that Non-United States citizens may vote in recall elections regarding members of the Board of Education.

PASSED ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Gilbert Crisswell; expressed concerns regarding cuts to Muni service and the need to restore lines to certain neighborhoods.

Linda Chapman; expressed concerns regarding inclusionary housing and certain development projects.

Barry Toronto; expressed concerns regarding the timing of public comment, accessibility of public bathrooms, and the need for taxi service at certain entertainment venues.

Speaker; expressed concerns regarding drug and alcohol overdoses and addictions.

Jordan Davis; expressed concerns regarding public correspondence received from a constituent experiencing housing issues.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

211103 [Recognizing Children’s Environmental Health Month - October 2021]

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

Resolution recognizing October 2021 as “Children’s Environmental Health Month” in the City and County of San Francisco.

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

ADOPTED

211104 [Urging President Joseph R. Biden to Take Action on Sana’a Airport]

Sponsors: Haney; Mandelman, Preston and Safai

Resolution urging President Joseph R. Biden to act to reopen Sana’a Airport to civilian travel and help stop the ongoing humanitarian crisis.

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

ADOPTED

211106 [Urging Social Media Companies to Mitigate Harmful Effects and Improve Transparency]

Sponsors: Mandelman; Stefani and Mar

Resolution urging Facebook, Twitter, Google, and other social media platforms to take responsibility for the harmful effects of their products and improve transparency by publishing all internal research.

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

ADOPTED

211107 [Kate Herrmann Stacy Day - October 29, 2021]

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

Resolution declaring October 29, 2021, as Kate Herrmann Stacy Day in the City and County of San Francisco, in recognition of her many years of outstanding service in the City Attorney’s Office and her well-deserved retirement.

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

ADOPTED

211110 [Filipino American History Month - October 2021]

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

Resolution recognizing October 2021 as “Filipino American History Month” and celebrating the history and culture of Filipino Americans and their immense contributions to the City and County of San Francisco.

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

ADOPTED

211111 [Urging the U.S. Senate to Reauthorize the Violence Against Women Act]**Sponsors: Stefani; Ronen, Chan, Mandelman, Preston, Safai, Melgar and Mar**

Resolution urging the United States (U.S.) Senate to reauthorize the Violence Against Women Act.

*Supervisors Ronen, Chan, Mandelman, Preston, Safai, Melgar, and Mar requested to be added as co-sponsors.***ADOPTED****211112 [Calling from Committee - Committee of the Whole and Closed Session - Settlement of Lawsuit - AmerisourceBergen Corp., Cardinal Health, Inc., and McKesson Corp. - City to Receive \$27 Million to \$50 Million - November 2, 2021, at 3:00 p.m.]****Sponsor: Preston**

Motion calling from the Government Audit and Oversight Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 211071) endorsing settlement of the lawsuit filed on behalf of the City and County of San Francisco and the People of the State of California against large distributors of prescription opioids, entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; scheduling the Board of Supervisors to sit as a Committee of the Whole at the meeting on November 2, 2021, at 3:00 p.m. to hold a public hearing to consider the proposed Ordinance; and scheduling a closed session of the Board of Supervisors at the same meeting for the purpose of conferring with, or receiving advice from, the City Attorney regarding that existing litigation in which the City is a plaintiff, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1).

Motion No. M21-148**APPROVED**

211114 [Calling from Committee - Committee of the Whole and Closed Session - Settlement of Lawsuit - Johnson & Johnson - City to Receive \$6 Million to \$11 Million - November 2, 2021, at 3:00 p.m.]

Sponsor: Preston

Motion calling from the Government Audit and Oversight Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 211072) endorsing settlement of the lawsuit filed on behalf of the City and County of San Francisco and the People of the State of California against large distributors of prescription opioids, entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; scheduling the Board of Supervisors to sit as a Committee of the Whole at the meeting on November 2, 2021, at 3:00 p.m. to hold a public hearing to consider the proposed Ordinance; and scheduling a closed session of the Board of Supervisors at the same meeting for the purpose of conferring with, or receiving advice from, the City Attorney regarding that existing litigation in which the City is a plaintiff, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1).

Motion No. M21-149

APPROVED

211116 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-Eighth Supplement]

Sponsor: Walton

Motion concurring in actions taken by the Mayor in the Thirty-Eighth Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by: 1) requiring employees of existing City contractors and subcontractors who spend substantial time working in close proximity to City employees while performing work under the contract at a City facility to be fully vaccinated or granted an exemption based on medical or religious grounds by no later than December 31, 2021; and 2) requiring members of City boards, commissions, and advisory bodies to report vaccination status to the City by no later than December 15, 2021, and prohibiting unvaccinated members from attending in-person meetings of a policy body after January 1, 2022, without exception.

Motion No. M21-150

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 Haney requested that File No. 211105 be severed so that it may be considered separately.

211105 [Supporting Notice and Compliance Opportunities for Small Businesses Facing Lawsuits or Violations Related to Americans with Disabilities Act Accommodations]**Sponsor: Haney**

Resolution stating that the City and County of San Francisco supports notice and compliance opportunities for small businesses facing lawsuits or violations related to Americans with Disabilities Act accommodations; and calling for additional support, assistance, and information for Small Businesses to comply with the American with Disabilities Act.

Supervisor Haney requested this Resolution be REFERRED to the Rules Committee.

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 RESOLUTIONS

211081 [Prevailing Wage Rates - Various Workers Pursuant to Administrative Code, Section 6.22(e) and Sections 21C.1 through 21C.11]

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public works and improvements; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City; 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission)

10/15/21; RECEIVED FROM DEPARTMENT.

10/26/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211082 [Emergency Declaration - Tree Removal, Slope Repair and Debris Removal at Stern Grove - Total Estimated Cost Not to Exceed \$4,000,000]

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to contract resources for tree removal, slope repair and debris removal in Stern Grove, which was damaged by flooding caused by a failed air valve on a water transmission pipeline, with a total estimated cost not to exceed \$4,000,000. (Public Utilities Commission)

10/08/21; RECEIVED FROM DEPARTMENT.

10/26/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211083 [Contract Modification - Recology Sunset Scavenger, Recology Golden Gate, and Recology San Francisco - Refuse Collection Services - Not to Exceed \$16,900,000]
Resolution authorizing the Office of Contract Administration to enter into a Second Amendment to the agreement between the City and County of San Francisco and Sunset Scavenger Company d/b/a Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company d/b/a Recology Golden Gate, and Recology San Francisco (collectively, "Contractor") for refuse collection services at City facilities; increasing the contract amount by \$7,000,000 for a total not to exceed amount of \$16,900,000 and extending the term by seven months from December 1, 2021, for a total contract duration of one year and seven months of December 1, 2020, through June 30, 2022. (Office of Contract Administration)

10/08/21; RECEIVED FROM DEPARTMENT.

10/26/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211084 [Lease Agreement - HFF SFO TWO, LLC - Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 12, Lease No. 20-0042 - \$545,000 Minimum Annual Guarantee]

Resolution approving the Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 12, Lease No. 20-0042 between HFF SFO TWO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with one two-year option to extend at the Airport's sole discretion, and a minimum annual guarantee of \$545,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission)

10/14/21; RECEIVED FROM DEPARTMENT.

10/26/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211085 [Lease Agreement - Heigh Connects, LLC - Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - \$570,000 Minimum Annual Guarantee]

Resolution approving the Harvey Milk Terminal 1 Food and Beverage Concession Leases in Phases 3 and 4 - Lease 14, Lease No. 20-0044 between Heigh Connects, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years with one 2-year option to extend at the Airport's sole discretion, and a minimum annual guarantee of \$570,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission)

10/14/21; RECEIVED FROM DEPARTMENT.

10/26/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211086 [Lease Modification - United States of America - Offices in the International Terminal - Annual Rent \$665,489]

Resolution approving Modification No. 2 of Lease No. GS-09P-LCA03395, between the United States of America and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term by three years, for a new term ending January 3, 2025, and increasing the annual rent to \$665,489 for offices occupied by the U.S. Federal Bureau of Investigation at the International Terminal, to commence following approval by the Board of Supervisors (Airport Commission)

10/18/21; RECEIVED FROM DEPARTMENT.

10/26/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211087 [Conditional Property Exchange Agreement - EQX Jackson SQ Holdco LLC - Potential Exchange of 530 Sansome Street for a Portion of 425-439 Washington Street]

Resolution ratifying the Conditional Property Exchange Agreement and Related Transaction Documents with EQX Jackson SQ Holdco LLC for a transfer of City real property at 530 Sansome Street (Assessor's Parcel Block No. 0206, Lot No. 017), under the jurisdiction of the Fire Department, in exchange for a portion of the real property at 425-439 Washington Street (Assessor's Parcel Block No. 0206, Lot Nos. 013 and 014); authorizing the Director of Property and City staff to proceed with the proposed Fire Station development project, subject to several conditions, as defined herein; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Real Estate Department)

10/15/21; RECEIVED FROM DEPARTMENT.

10/26/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

211088 [Mills Act Historical Property Contract - 714 Steiner Street]

Resolution approving a historical property contract between Leah Culver Revocable Trust, the owner of 714 Steiner Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

10/15/21; RECEIVED FROM DEPARTMENT.

10/26/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

211089 [Agreement - AT&T Corporation - Telecommunication Services - Not to Exceed \$80,000,000]

Resolution authorizing the Department of Technology to enter into an agreement with AT&T Corporation to purchase wired voice and data network and telecommunication services, with a not to exceed amount of \$80,000,000 for a six and one-half year term of January 1, 2022, through June 30, 2028, and with one five-year option to extend, pursuant to Charter, Section 9.118. (Department of Technology)

10/18/21; RECEIVED FROM DEPARTMENT.

10/26/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 7:38 p.m.