

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 27, 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 27, 2020, with President Norman Yee presiding.

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

Remote Access to Information and Participation

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisor Safai was noted not present.

A quorum was present.

Supervisor Safai was noted present at 2:06 p.m.

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.

President Yee thanked the citizens of the City and County of San Francisco for their patience and treatment of each other during this pandemic and, although we have been able to drop to yellow tier recently, we need to continue to be diligent in our efforts. He then encouraged everyone to vote and participate in the election process.

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 the lack of response to his multiple emails, the lack of accessibility to Board meetings, the spike in COVID cases and the City's lack of timely response, and how the war on drugs deserves a humane response and not criminalization.

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the September 22, 2020, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Walton, moved to approve the September 22, 2020, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

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)

FINALLY PASSED

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)

FINALLY PASSED

Recommendations 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.

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)

FINALLY PASSED**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)

FINALLY PASSED

Recommendation 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.

FINALLY PASSED

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.

FINALLY PASSED

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.

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

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.

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

201152 [Appropriation and De-Appropriation - District 7 General City - Various Departments and ADM - District 7 Participatory Budget and Disaster Planning - \$282,598; DPW - District 7 Play Space - \$25,000; SFMTA - District 7 Vision Zero - \$250,000 - FY2020-2021]

Sponsor: Yee

Ordinance de-appropriating \$282,598 from District 7 General City Responsibility (GEN) and appropriating \$235,598 to various departments to support District 7 Participatory Budgeting projects and \$47,000 to the Office of City Administrator (ADM) to support District 7 Disaster Planning projects; de-appropriating \$25,000 from the Department of Public Works (DPW) and appropriating \$25,000 to support various District 7 Play Space projects in the Recreation and Park Department in Fiscal Year (FY) 2020-2021; and de-appropriating \$250,000 from San Francisco Municipal Transportation Agency (SFMTA) and appropriating \$250,000 to support various District 7 Vision Zero projects at SFMTA in FY2020-2021.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

President Yee requested File Nos. 180284, 200967, and 200968 be called together.

180284 [Lease Amendment - Retroactive - United States Customs and Border Protection - Customs Cargo Office Space at Building 648 - Annual Rent of \$833,036]

Resolution retroactively approving Amendment No. 1 to Lease No. TC-I-02-2801 between the United States Customs and Border Protection, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term of the lease for an additional ten years for a total term of February 1, 2003, through January 31, 2028, and adjust the annual rent to \$833,036. (Airport Commission)

ADOPTED by the following vote:

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

200967 [Lease Modification - United States Government - Offices in Terminal 3 - Annual Rent \$569,635.43]

Resolution approving Modification No. 1 of Lease No. GS-09P-LCA03384, between the United States (U.S.) Government 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 September 30, 2023, and adjust the annual rent, increasing the annual rent to \$569,635.43 for offices occupied by the U.S. Drug Enforcement Administration at Terminal 3, to commence following approval by the Board of Supervisors. (Airport Commission)

ADOPTED by the following vote:

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

200968 [Lease Modification - United States Government - International Terminal, Terminal 2, and Land at Plot 50-DJ - Annual Rent \$2,590,866.56]

Resolution approving Modification No. 2 of Lease No. GS-09B-03014, between the United States (U.S.) Government and the City and County of San Francisco, acting by and through its Airport Commission, to extend the lease term for an additional three years, for a total term of November 1, 2012, through October 31, 2023, adjust the premises by adding 0.057 acres on Plot 50-DJ, and adjust the annual rent for offices to \$2,590,866.56 occupied by the U.S. Transportation Security Administration at the International Terminal, and Terminal 2 and land at Plot 50-DJ, to commence following Board approval. (Airport Commission)

ADOPTED by the following vote:

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

201083 [Lease Amendment - 100 Blanken Avenue - Celestina Jimenez and Alan Salvador Jimenez, Co-Trustees - \$90,000 Per Year in Base Rent]

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to amend the lease of real property located at 100 Blanken Avenue from Celestina Jimenez and Alan Salvador Jimenez, Co-Trustees of the Trust of Salvador-Jimenez and Celestina Jimenez-Surviving Spouses Trust, at a base rent of \$90,000 per year with 3% annual increases, for an initial term commencing upon approval of this Resolution and expiring on September 30, 2023, plus two one-year options to extend; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the First Amendment, the Lease and this Resolution, as defined herein. (Real Estate Department)

ADOPTED by the following vote:

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

201099 [Apply for Funds Allocation - California Department of Housing and Community Development - Child Welfare Agency Allocation - Transitional Housing Program - Not to Exceed \$459,200]

Sponsor: Yee

Resolution authorizing the Human Services Agency to apply for and accept a County Child Welfare Agency Allocation for an amount not to exceed \$459,200 from the California Department of Housing and Community Development under the Transitional Housing Program to help young adults secure and maintain housing.

ADOPTED by the following vote:

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

201134 [Accept In-Kind Gift - Tipping Point Community - Diversity Equity Inclusion Consultant Services - Value Not to Exceed \$249,999]

Sponsor: Mayor

Resolution authorizing the Department of Homelessness and Supportive Housing ("HSH") to accept an in-kind gift for Diversity Equity Inclusion consultant services in a value not to exceed \$99,999 from Tipping Point Community to support the first phase of the development of racial equity action plans for HSH and Homelessness Response System ("Project"); and authorizing HSH to accept an additional in-kind gift of consultant services in a value not to exceed \$150,000 for a second phase of this Project, for a total value not to exceed \$249,999 and for the total term to commence upon Board approval and to expire no later than June 30, 2021.

ADOPTED by the following vote:

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

201135 [Contract Agreement - Thales Transport & Security, Inc. - ATCS Specific Technical Services, Equipment, and Software Upgrades - Not to Exceed \$30,000,000]

Sponsor: Mayor

Resolution approving Municipal Transportation Agency Contract No. 2020-20: Train Control Services and Equipment Purchases Agreement, with Thales Transport & Security, Inc. to provide specialized ATCS-specific technical services, equipment and software upgrades in an amount not to exceed \$30,000,000, for an initial term of seven years with option to extend two years, to commence following Board approval.

(Fiscal Impact)

ADOPTED by the following vote:

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

201137 [Accept and Expend Grant - Retroactive - Health Resources and Services Administration - Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B - \$1,000,000]

Sponsor: Mandelman

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,000,000 from the Health Resources and Services Administration for participation in a program, entitled "Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B," for the period of March 1, 2020, through February 28, 2021.

ADOPTED by the following vote:

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

201142 [Execution of Tax-Exempt Loan - California Municipal Finance Authority - Pacific Primary School - Not to Exceed \$3,700,000]**Sponsor: Preston**

Resolution approving, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (Code), the execution of a tax-exempt loan or loans by the California Municipal Finance Authority (Authority) in one or more series pursuant to a plan of financing and in an aggregate principal amount not to exceed \$3,700,000 (Authority Loan), the proceeds of which will be loaned by the Authority (Borrower Loan) to Pacific Primary School, a California nonprofit public benefit corporation and an organization described in, and exempt from tax under, Section 501(c)(3) of the Code (Borrower), to (i) prepay and refinance in full all of the outstanding principal amount of Association of Bay Area Governments (ABAG) Finance Authority for Nonprofit Corporations 2013 Tax-Exempt Loan (Pacific Primary), originally issued in the principal amount of \$4,100,000 the proceeds of which were used to redeem in full all of the then outstanding principal amount of ABAG Finance Authority for Nonprofit Corporations Variable Rate Demand Revenue Bonds (Pacific Primary) Series 2008, originally issued in the principal amount of \$4,550,000 the proceeds of which were used for the construction, acquisition, improvement, capital maintenance, equipment acquisition and other related capital expenditures at the Borrower's facilities located at 1500 and 1501 Grove Street, San Francisco, California and (ii) pay certain expenses incurred in connection with the delivery of the Borrower Loan (collectively, the Project).

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**181229 [Affirming the Board of Supervisors' Commitment to Advancement of Racial Equity in the City and County Programs, Policies and Services]****Sponsors: Walton; Ronen, Mar, Haney, Mandelman, Preston, Fewer, Safai and Yee**

Resolution affirming the Board of Supervisors' commitment to advancing racial equity; and affirming the City and County of San Francisco's responsibility to address existing inequities in City programs, policies, and services.

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

ADOPTED by the following vote:

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

Recommendations of the Land Use and Transportation Committee**200537 [Administrative Code - Floodplain Management and Flood Insurance Requirements]**

Ordinance amending the Administrative Code to update the City's floodplain management requirements to conform to current Federal floodplain management and National Flood Insurance Program criteria; to remove obsolete provisions; and affirming the Planning Department's determination under the California Environmental Quality Act. (City Administrator)

PASSED ON FIRST READING by the following vote:

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

200611 [Administrative Code - COVID-19 Rent Resolution and Relief Fund]**Sponsors: Preston; Ronen, Mar, Walton, Haney, Fewer and Safai**

Ordinance amending the Administrative Code to establish the COVID-19 Rent Resolution and Relief Fund, to provide financial support to landlords whose tenants have been unable to pay rent due to the COVID-19 pandemic.

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

PASSED ON FIRST READING by the following vote:

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

201183 [Administrative Code - Housing Stability Fund]**Sponsors: Preston; Ronen, Mar, Walton, Haney and Fewer**

Ordinance amending the Administrative Code to establish the Housing Stability Fund for the acquisition, creation, and operation of affordable Social Housing Developments, and establishing the Housing Stability Fund Oversight Board to advise the Board of Supervisors regarding the use of the Housing Stability Fund.

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

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee**200951 [Administrative Code - Department of Public Health - Providing Staff for the Behavioral Health Commission]****Sponsors: Stefani; Mar, Peskin, Mandelman, Yee, Walton, Haney and Safai**

Ordinance amending the Administrative Code to require the Department of Public Health to provide administrative staff to support the Behavioral Health Commission; to expand the membership criteria to conform to state law; and to reset all Commission member terms as of January 1, 2021, to be staggered so that no more than one-third of the members' terms expire at one time.

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

PASSED ON FIRST READING by the following vote:

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

201084 [Mayoral Appointment, Planning Commission - Rachael Tanner]

Motion approving the mayoral nomination for the appointment of Rachael Tanner to the Planning Commission, for a term ending June 30, 2022. (Clerk of the Board)

(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: September 22, 2020.)

Motion No. M20-159

APPROVED by the following vote:

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

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

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

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 200825, 200826, 200827, and 200828 be called together.

Supervisor Ronen was noted absent (off-line) at 3:06 p.m. due to technical difficulties.

200825 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 617 Sanchez Street 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 April 8, 2019, for the proposed project at 617 Sanchez Street, Assessor's Parcel Block No. 3600, Lot No. 055; to demolish an existing two-story, one family house and construct a new four-story single family dwelling approximately 30 feet in height and consisting of 4,149 square feet within the RH-1 (Residential House, One-Family-Detached) Zoning District and a 40-X Height and Bulk District. (District 8) (Appellant: Sue Hestor, on behalf of Joerg Rathenberg) (Filed March 23, 2020) (Clerk of the Board)

President Yee opened the public hearing and Supervisor Mandelman indicated he 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 on the proposed continuance. There were no speakers. President Yee closed public comment on the proposed continuance.

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

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

200826 [Affirming the Categorical Exemption Determination - 617 Sanchez Street]

Motion affirming the determination by the Planning Department that the proposed project at 617 Sanchez Street is categorically exempt from further environmental review. (Clerk of the Board)

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

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

200827 [Conditionally Reversing the Categorical Exemption Determination - 617 Sanchez Street]

Motion conditionally reversing the determination by the Planning Department that the proposed project at 617 Sanchez Street 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 Mandelman, seconded by Supervisor Stefani, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 17, 2020. The motion carried by the following vote:

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

200828 [Preparation of Findings to Reverse the Categorical Exemption Determination - 617 Sanchez Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 617 Sanchez Street is categorically exempt from further environmental review. (Clerk of the Board)

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

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

Absent: 1 - Ronen

Supervisor Ronen was noted present (on-line) at 3:17 p.m.

Board of Supervisors Sitting as a Committee of the Whole

201108 [Hearing - Committee of the Whole - Economic Recovery Task Force Report - October 27, 2020, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, October 27, 2020, at 3:00 p.m., to hold a public hearing on the findings and recommendations from the San Francisco Economic Recovery Task Force Report as it relates to the economic impacts of the COVID-19 health emergency, supporting local businesses and employment, mitigating economic hardships, and ensuring a more resilient and equitable recovery; scheduled pursuant to Motion No. M20-143 (File No. 201107) approved on September 29, 2020. (Clerk of the Board)

President Yee opened the public hearing on the findings and recommendations from the San Francisco Economic Recovery Task Force Report. The President then inquired as to whether any individual wished to address the Board. Carmen Chu, Assessor-Recorder (Office of the Assessor-Recorder), Rudy Gonzalez (San Francisco Labor Council), Rodney Fong (San Francisco Chamber of Commerce), Jose Cisneros, Treasure and Tax Collector, (Office of the Treasurer and Tax Collector), Melissa Whitehouse (Office of the City Administrator), and Heather Green (Public Library) presented information and answered questions raised throughout the discussions. Ahn Zan; Anne Cervantes; Fernando Marti; Sharky Laguana; Linda Chapman; Debbie Lehrman; Anastasia Yovanopolis; Yreka Collins; Sherilyn Adams; 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.

HEARD AND FILED

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

Recommendation of the Land Use and Transportation Committee

200948 [Administrative Code - Community Opportunity to Purchase Act]

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

Ordinance amending the Administrative Code to require sellers of multifamily residential buildings to provide a new right of first offer and right of first refusal to qualified nonprofit organizations if a multifamily residential building is not under contract or remains unsold after one year and after each year thereafter; require sellers to provide additional disclosures to qualified nonprofit organizations; provide information to current tenants, and assist qualified nonprofits with due diligence; and allow multifamily residential buildings acquired by qualified nonprofit organizations under the Community Opportunity to Purchase Act (COPA) to convert to a limited equity cooperative under Subdivision Code Division 11; and exclude from COPA land dedications to the City and County of San Francisco.

Supervisors Peskin, Ronen, and Haney 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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Linda Chapman; expressed the need to protect those with disabilities and the unhoused who may be treated unfairly.

Gilbert Crisswell; expressed concerns regarding the need to expand the public transportation system for the disenfranchised during the pandemic.

Francisco Da Costa; expressed concerns regarding changes to street access and the need to enhance the public transportation system during the pandemic.

John Crell; expressed concerns regarding the union contract negotiations with the Police Officers Association.

David Pilpel; shared thoughts and memories of various individuals who have recently passed.

Laurence; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Hyde Bagdasarian; expressed concerns regarding the Armenian genocide and the current threat being revived.

Barry Toronto; expressed concerns regarding the plight of taxi medallion holders and the need to assist them during this pandemic. (Clerk's Note: Supervisor Peskin spoke on the disparaging characterization comments made against certain City staff, and requested his objection to the comments be recorded.)

Speaker; expressed concerns regarding the union contract negotiation with the Police Officers Association.

Jennifer Faye; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Jon Wayne; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Speaker; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Gracie; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Peter; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Emily; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Speaker; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Dylan Fabrath; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Ryan; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Speaker; expressed the need for police in certain areas and situations.

Mattie Nolan; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Speaker; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Speaker; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Catalina; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Simone Manganelli; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Gerry; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Mariah; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Rita Dey; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Sara; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Roger Smith; expressed concerns regarding the union contract negotiations with the Police Officers Association.

Brandy; expressed concerns regarding the union contract negotiations with the Police Officers Association.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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.

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

ADOPTED

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.

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

ADOPTED

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.

Motion No. M20-160

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

President Yee requested that File No. 201202 be severed so that it may be considered separately.

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.

Supervisors Safai, Peskin, and Stefani requested to be added as a co-sponsor.

ADOPTED by the following vote:

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

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 ORDINANCE

201175 [Administrative, Planning Codes - Technical Corrections; Amendments to Various Central SoMa Zoning Provisions]

Ordinance amending the Planning Code to correct and clarify Administrative and Planning Code amendments approved in Ordinance No. 296-18, which gave effect to the Central South of Market Area (SoMa) Plan, including provisions regarding transfer of development rights, privately owned public open space, renewable electricity, PDR (Production Distribution Repair) floor height, development impact fee deposits and uses, among others; to restore with modifications inadvertently deleted provisions regarding low-income affordable housing in the SALI (Service/Arts/Light Industrial) Zoning District; and to amend open space, height limit, apparent mass reduction, lot coverage, exposure, PDR replacement, and development impact fee waiver and reduction provisions; 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. (Planning Commission)

10/15/20; RECEIVED FROM DEPARTMENT.

10/27/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/26/2020.

PROPOSED RESOLUTIONS

201176 [Mills Act Historical Property Contract - 450 Pacific Avenue]

Resolution approving a historical property contract between Pacific Stables Property Owner LLC, the owners of 450 Pacific Avenue, 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)

10/15/20; RECEIVED FROM DEPARTMENT.

10/27/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

201177 [Mills Act Historical Property Contract - 1315 Waller Street]

Resolution approving a historical property contract between AIMKO 2015 Trust, the owners of 1315 Waller 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)

10/15/20; RECEIVED FROM DEPARTMENT.

10/27/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

201178 [Mills Act Historical Property Contract - 59 Potomac Street]

Resolution approving a historical property contract between Jonathan Dascola & Kamariah Sulaiman Dascola, the owners of 59 Potomac 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)

10/15/20; RECEIVED FROM DEPARTMENT.

10/27/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

201179 [Agreement Amendment - AT&T Corporation - Telecommunications Services - Total Not to Exceed \$140,695,756]

Resolution authorizing the Department of Technology to enter into the Fifth Amendment of an Agreement between the City and County of San Francisco and AT&T Corporation, to extend the term of the agreement for one year until December 31, 2021, and to increase the not to exceed amount of the agreement by \$18,266,199 for a total amount of \$140,695,756 pursuant to Charter, Section 9.118. (Department of Technology)

10/19/20; RECEIVED FROM DEPARTMENT.

10/27/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:46 p.m.