

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, November 10, 2020 - 2:00 PM

**Held via Videoconference**  
*(remote public access provided via teleconference)*

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### Regular Meeting

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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

<b>Budget and Appropriations Committee</b> Supervisors Fewer, Walton, Mandelman, Yee, Ronen	Wednesday 1:00 PM
<b>Budget and Finance Committee</b> Supervisors Fewer, Walton, Mandelman	Wednesday 10:30 AM
<b>Government Audit and Oversight Committee</b> Supervisors Mar, Peskin, Haney	1st and 3rd Thursday 10:00 AM
<b>Joint City, School District, and City College Select Committee</b> Supervisors Haney, Fewer, Mar (Alt), Commissioners Moliga, Collins, Cook (Alt), Trustees Randolph, Williams, Selby (Alt)	2nd Friday 10:00 AM
<b>Land Use and Transportation Committee</b> Supervisors Peskin, Safai, Preston	Monday 1:30 PM
<b>Public Safety and Neighborhood Services Committee</b> Supervisors Mandelman, Stefani, Walton	2nd and 4th Thursday 10:00 AM
<b>Rules Committee</b> Supervisors Ronen, Stefani, Mar	Monday 10:00 AM

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

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**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

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*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, November 10, 2020, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:04 p.m.*

### **Remote Access to Information and Participation**

*In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at ([www.sfgovtv.org](http://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](mailto: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](http://www.sfbos.org)) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.*

### **ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

*A quorum was present.*

## COMMUNICATIONS

Angela Calvillo, Clerk of the Board, announced that due to the COVID-19 health emergency, Board Members will participate in the meeting remotely, through videoconference and to the same extent as if they were physically present. To the members of the public, when general public comment is called, you may contribute live comments for up to two minutes by dialing the provided telephone number. When you are connected, you will receive another prompt, dial \* 3 to be added to the queue to speak. Make sure to call from a quiet location, speak clearly and slowly, and turn down your television or radio. Written comments may be submitted through email ([bos@sfgov.org](mailto: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 congratulated Director John Artz (Department of Elections) on completion of an excellently ran November 2020 Election and the hard work of he and his staff. He further congratulated the various Members for measures that passed and those who won their election.

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; thanked the Board for the accommodation and expressed concerns regarding the lack of response to his multitude of emails, what the Mayor has not addressed and provided during the pandemic.

President Yee then shared a video highlighting the District 7 Legacy Business, El Toreador Restaurant, that has been in West Portal for over 63 years and ran by the Mahan Family since 1980. Small businesses like El Toreador are the backbone of our communities and during this time, when so many small businesses are struggling, it is vital to recognize their contributions to the vibrancy and uniqueness of each our neighborhoods.

## APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the October 6, 2020, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

**Supervisor Fewer, seconded by Supervisor Mandelman, moved to approve the October 6, 2020, Regular Board Meeting Minutes, as presented. The motion carried by the following vote, following general public comment:**

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

## AGENDA CHANGES

There were no agenda changes.

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

*There were no questions submitted from the eligible Supervisors representing Districts 9, 10, or 11. Mayor London N. Breed addressed the Board of Supervisors regarding the significant, recent increase in COVID cases, which is sadly happening throughout the country and world. San Francisco is temporarily pausing the reopening of indoor dining, regulations on gyms, and opening of high schools. The City will continue to put resources behind the plans to get kids back in school. There are business fee waivers that have also been announced to grant assistance to restaurants particularly. The City must continue to address the pandemic and the challenging economy with good policy and funding decisions. Following public comment this matter was filed. No further action was taken.*

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **Recommendation of the Budget and Finance Committee**

#### **201133 [Administrative Code - Health Care Requirements for Certain Employers at San Francisco International Airport]**

**Sponsors: Mandelman; Walton, Mar, Haney, Peskin, Safai, Ronen, Preston and Fewer**  
Ordinance amending the Administrative Code to require employers of employees covered by the Quality Standards Program at the San Francisco International Airport to provide family health insurance to such employees, or to make contributions on the employees' behalf to an account established under Section 14.2 of the Administrative Code.  
(Fiscal Impact)

**Ordinance No. 235-20**

**FINALLY PASSED** by the following vote:

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

## **Recommendation of the Land Use and Transportation Committee**

### **200701 [Building Code, Environment Code - Mandating New Construction Be All-Electric] Sponsors: Mandelman; Preston, Mar, Haney and Walton**

Ordinance amending the Building Code to require new construction to utilize only electric power; amending the Environment Code to provide public hearings on implementation of all-electric requirements; adopting findings of local conditions under the California Health and Safety Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

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

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Line 18, by adding a finding to recognize the need to explore opportunities for other green building standards concurrently with electrification implementation; on Page 5, Line 8, by changing the applicability date from 'January 1, 2021' to 'June 1, 2021'; on Page 6, Line 16, by updating reporting requirements to reflect the date change from 'July 2021' to 'July 2022'; on Page 6, Line 23, by updating the cutoff date for conversions from all-electric to mixed-fuel to correspond to the new applicability date of 'June 1, 2021'; and Page 8, Line 15, by adding language directing the Public Utilities Commission to evaluate opportunities for additional building code changes and reporting recommendations to the Board by March 1, 2021. The motion carried by the following vote:

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

Supervisor Safai, seconded by Supervisor Fewer, moved that this Ordinance be AMENDED on Page 4, Line 15, by striking 'and process for seeking an exception'; on Page 6, Line 2-10, by striking 'where the initial application was submitted prior to January 1, 2022. (i) For initial applications submitted on or after this date, the Building Official may issue a permit for such a new Mixed-Fuel Building—that is a Mixed-Fuel Building solely because it provides gas piping systems, fixtures and/or infrastructure exclusively for cooking equipment within the designated commercial food service area—upon finding that the applicant has submitted sufficient evidence that such gas systems are necessary for the specific commercial food service establishment that will operate the food service area. Applicants may appeal determinations made by the Building Official to the Board of Examiners, pursuant to section 105A.1.'; and on Page 8, Line 8, by adding 'on or before June 1, 2022, and on a biennial basis thereafter, provide updates to the Department of Building Inspection on any advancements in electric cooking technology and the remaining need for the commercial food service exception to Building Code Section 106A.1'. The motion FAILED by the following vote:

Ayes: 4 - Fewer, Safai, Stefani, Yee

Noes: 7 - Haney, Mandelman, Mar, Peskin, Preston, Ronen, Walton

*Supervisor Safai moved that this Ordinance be AMENDED. No second was retrieved so the motion failed.*

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

## **Recommendation of the Public Safety and Neighborhood Services Committee**

### **200398 [Police Code - Third-Party Food Delivery Services]**

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

Ordinance amending the Police Code to regulate third-party food delivery services (“delivery services”) by 1) capping fees charged to non-formula retail restaurants at 15% of an order total; 2) prohibiting delivery services from restricting such restaurants’ pricing; 3) prohibiting delivery services from charging such restaurants for telephone calls to the delivery service not resulting in any food or beverage order; 4) prohibiting delivery services from providing services to any such restaurants without the restaurant’s express written agreement to receive such services; 5) requiring delivery services to terminate a service contract with such restaurants within 72 hours of receiving a notice requesting termination; 6) requiring retention of and City access to records substantiating compliance with these restrictions; 7) authorizing the imposition of penalties for violations; and 8) authorizing the Office of Economic and Workforce Development to implement and enforce this ordinance; and providing that the ordinance shall expire by operation of law 60 days after the County Health Officer amends the Stay Safer at Home Order to allow indoor dining at restaurants at 100% capacity.

**Ordinance No. 234-20**

**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**

### **201009 [Business and Tax Regulations Code - Temporary Suspension of Cannabis Business Tax, and Tax Reduction]**

**Sponsor: Mandelman**

Ordinance amending the Business and Tax Regulations Code to suspend the imposition of the Cannabis Business Tax through December 31, 2021; beginning January 1, 2022, to increase the exemption of gross receipts attributable to the City from cannabis business activities, from the first \$500,000 to the first \$1,000,000; and also beginning January 1, 2022, to increase the upper range of gross receipts attributable to the City from cannabis business activities subject to the 2.5% tax rate on gross receipts from retail sales and the 1% tax rate on gross receipts from other than retail sales, from \$1,000,000 to \$1,500,000.

(Fiscal Impact)

**PASSED ON FIRST READING** by the following vote:

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

**201085 [Appropriation - General Obligation Bond Proceeds - Public Health and Safety Series 2020D - DPH and DPW - \$126,925,000 - Affordable Housing Series 2020C - MOHCD - \$260,000,000 - Affordable Housing Series 2020F - MOHCD - \$102,580,000 - FY2020-2021]**

**Sponsor: Mayor**

Ordinance appropriating \$126,925,000 of Series 2020D Public Health and Safety General Obligation Bond Proceeds to the Department of Public Health (DPH) and Department of Public Works (DPW) in Fiscal Year (FY) 2020-2021 for facility upgrades in Zuckerberg San Francisco General Hospital, Southeast and other community health centers and neighborhood fire stations; \$260,000,000 of Series 2020C Affordable Housing General Obligation Bond Proceeds to the Mayor's Office of Housing and Community Development (MOHCD) for public, low-income, preservation and middle-income, and senior housing projects; \$102,580,000 of Series 2020F Affordable Housing, Preservation and Seismic Safety General Obligation Bond to MOHCD for preservation and seismic safety projects, and placing these funds on Controller's Reserve pending sale of the bonds.

(Fiscal Impact)

**PASSED ON FIRST READING by the following vote:**

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

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

**Sponsor: Ronen**

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

(Fiscal Impact)

*Supervisor Ronen requested to be added as the sponsor.*

**PASSED ON FIRST READING by the following vote:**

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

**201082 [Lease Agreement - Minute Suites Travelers Retreat SFO, LLC - \$150,000 Minimum Annual Guarantee]**

Resolution approving Lease No. 20-0045, between Minute Suites Travelers Retreat SFO, LLC, as tenant, and the City and County of San Francisco, as landlord, acting by and through its Airport Commission, at the Harvey Milk Terminal 1 Retail Concession, for a term of 12 years, and a minimum annual guarantee of \$150,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission)

**Resolution No.** 525-20

**ADOPTED by the following vote:**

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

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

**Sponsor: Mayor**

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

**Resolution No. 526-20**

**ADOPTED by the following vote:**

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

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

**Sponsors: Mayor; Peskin**

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

**Supervisor Yee, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of November 17, 2020. The motion carried by the following vote:**

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

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

**Sponsor: Fewer**

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

**Resolution No. 528-20**

**ADOPTED by the following vote:**

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



## **Recommendations of the Government Audit and Oversight Committee**

### **200761 [Administrative Code - Workforce Education and Recovery Fund]**

**Sponsors: Mar; Haney, Ronen, Safai, Walton and Preston**

Ordinance amending the Administrative Code to establish the Workforce Education and Recovery Fund.

**PASSED ON FIRST READING by the following vote:**

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

### **200896 [Administrative Code - Debarment and Suspension of City Contractors]**

Ordinance amending Administrative Code, Chapter 28, to add a Contractor's prohibited provision of gifts or money to a public official as an express ground for debarment and revising debarment procedures; to amend the definition of "Contractor" by expressly including grant applicants and grantees in the defined term; and to add provisions authorizing suspension of a Contractor from participating in the procurement process for entering into City contracts or applying for grants if the Contractor is the subject of a criminal or civil charge brought by a government agency against the Contractor alleging that the Contractor committed a violation of any civil or criminal law or regulation against any government entity relevant to the Contractor's ability or capacity honestly to perform under or comply with the terms and conditions of a City contract, including but not limited to the grounds for debarment set forth in Chapter 28. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

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

## **Recommendation of the Land Use and Transportation Committee**

### **201033 [Planning Code - Landmark Designation - "History of Medicine in California" Frescoes - Toland Hall Auditorium in UC Hall, 533 Parnassus Avenue]**

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

Ordinance amending the Planning Code to designate the "History of Medicine in California" frescoes in Toland Hall auditorium in UC Hall, 533 Parnassus Avenue ("History of Medicine in California" frescoes), Assessor's Parcel Block No. 2634A, Lot No. 011, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

*Supervisors Mandelman, Mar, Walton, Stefani, Yee, Preston, and Fewer 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

## **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. 200942, 200943, 200944, and 200945 be called together.*

### **200942 [Hearing - Appeal of Conditional Use Authorization Disapproval - 552-554 Hill Street]**

Hearing of persons interested in or objecting to the disapproval of a Conditional Use Authorization pursuant to Sections 209.1, 303, and 317 of the Planning Code, for a proposed project at 552-554 Hill Street, Assessor's Parcel Block No. 3622, Lot No. 065, identified in Planning Case No. 2019-000013CUA, issued by the Planning Commission by Motion No. 20756, dated July 9, 2020, to allow the legalization of a dwelling unit merger of two residential flats and unauthorized removal and relocation of one dwelling unit to basement level within the RH-2 (Residential, House, Two-Family) Zoning District and the 40-X Height and Bulk District. (District 8) (Appellant: Sarah Hoffman of Zacks, Freedman & Patterson, PC, on behalf of Robert Roddick) (Filed August 10, 2020) (Clerk of the Board)

*President Yee opened the public hearing and Supervisor Mandelman provided opening remarks, indicating a motion would be made to continue these matters to a future date. The President then inquired as to whether any individual wished to address the Board on the proposed continuance. Speaker; spoke on various concerns regarding the proposed continuance. There were no other speakers. President Yee closed public on the proposed continuance.*

**Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of December 15, 2020. The motion carried by the following vote:**

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

### **200943 [Approving the Decision of the Planning Commission and Disapproving Conditional Use Authorization - 552-554 Hill Street]**

Motion approving the decision of the Planning Commission by its Motion No. 20756, disapproving a Conditional Use Authorization, identified as Planning Case No. 2019-000013CUA, for a proposed project located at 552-554 Hill Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

**Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of December 15, 2020. The motion carried by the following vote:**

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

### **200944 [Conditionally Disapproving Decision of the Planning Commission and Approving the Conditional Use Authorization - 552-554 Hill Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20756, and approving a Conditional Use Authorization, identified as Planning Case No. 2019-000013CUA, for a proposed project at 552-554 Hill Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)  
(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds (8 votes) of the members of the Board.)

**Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of December 15, 2020. The motion carried by the following vote:**

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

**200945 [Preparation of Findings Related to Conditional Use Authorization - 552-554 Hill Street]**

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' decision to approve the proposed Conditional Use Authorization, identified as Planning Case No. 2019-000013CUA, for a proposed project at 552-554 Hill Street. (Clerk of the Board)

**Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of December 15, 2020. The motion carried by the following vote:**

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

**SPECIAL ORDER 3:00 P.M.**

*President Yee requested File Nos. 200137, 200138, 200139, and 200140 be called together.*

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

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

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. Richard Drury, Lozeau Drury LLP, and Bridget Maley (on behalf of Appellant), provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Speaker; Speaker; Paul Wermer; Kelly Sultan; Speaker; Louise Baes; Clayton Qatari; Speaker; Manish Katavi; spoke in support of the appeal. Tania Sheyner (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Chris Durkin and Eric Dumican (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. Susan Berg; spoke in support of the project and in opposition to the appeal. Richard Drury, Lozeau Drury LLP (on behalf of Appellant), provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

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

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

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

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

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

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

**Motion No. M20-167**

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

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

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

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

**Motion No. M20-168**

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

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

**SPECIAL ORDER 3:00 P.M.**

*President Yee requested File Nos. 201112, 201113, 201114, 201115, 201116, 201117, 201118, and 201119 be called together.*

**201112 [Hearing - Appeal of Statutory Exemption From Environmental Review - Proposed SFMTA's COVID-19 Muni Bus Service Adjustments and Associated Stop, Street and Parking Changes - August 22, 2020 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 Statutory Exemption by the Planning Department on August 20, 2020, in Planning Department Case No. 2020-007286ENV, for the proposed San Francisco Municipal Transportation Agency's (SFMTA) COVID-19 Muni Bus Service Adjustments and Associated Stop, Street and Parking Changes - August 22, 2020 project. (Appellants: Justin A. Zucker of Reuben, Junius & Rose, LLP, on behalf of Safeway, Inc. (Filed September 14, 2020); David Pilpel (Filed September 21, 2020)) (Clerk of the Board)

*President Yee opened the public hearings and inquired as to whether any individual wished to address the Board. Justin Zucker, Reuben, Junius & Rose LLP, Natalie Mattei, Safeway Inc., and David Pilpel (Appellants) provided an overview of the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Bob Planthold; Herbert Maloney; spoke in support of the appeal(s). Lauren Bihl and Jenny Delumo (Planning Department) provided an overview of the decisions of the Planning Department and responded to questions raised throughout the discussion. Sean Kennedy (Municipal Transportation Agency/Project Sponsor) provided an overview of the projects, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Department. Speaker; Hayden Miller; Speaker; Robert Faulkner; spoke in support of the projects and in opposition to the appeal(s). Justin Zucker and David Pilpel (Appellants) provided rebuttals and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearings heard and filed.*

**HEARD AND FILED**

**201113 [Affirming the Statutory Exemption Determination - SFMTA - COVID-19 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes]**

Motion affirming the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency's (SFMTA) COVID-19 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes project is statutorily exempt from environmental review. (Clerk of the Board)

**Motion No. M20-169**

**Supervisor Preston, seconded by Supervisor Mandelman, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**201114 [Conditionally Reversing the Statutory Exemption Determination - SFMTA - COVID-19 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes]**

Motion conditionally reversing the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency's (SFMTA) COVID-19 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes project is statutorily exempt from environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Preston, seconded by Supervisor Mandelman, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**201115 [Preparation of Findings to Reverse the Statutory Exemption Determination - SFMTA - COVID-19 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency's (SFMTA) COVID-19 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes project is statutorily exempt from environmental review. (Clerk of the Board)

**Supervisor Preston, seconded by Supervisor Mandelman, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**SPECIAL ORDER 3:00 P.M.****201116 [Hearing - Appeal of Statutory Exemption From Environmental Review - Proposed MTA's COVID-19 Muni Rail Service Adjustments and Associated Street and Parking Changes - August 22, 2020, and Fall 2020 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 Statutory Exemption by the Planning Department on August 20, 2020, in Planning Department Case No. 2020-007183ENV, for the proposed San Francisco Municipal Transportation Agency's (SFMTA) COVID-19 Muni Rail Service Adjustments and Associated Street and Parking Changes - August 22, 2020, and Fall 2020 project. (Appellants: Justin A. Zucker of Reuben, Junius & Rose, LLP, on behalf of Safeway, Inc. (Filed September 14, 2020); David Pilpel (Filed September 21, 2020)) (Clerk of the Board)

*President Yee opened the public hearings and inquired as to whether any individual wished to address the Board. Justin Zucker, Reuben, Junius & Rose LLP, Natalie Mattei, Safeway Inc., and David Pilpel (Appellants) provided an overview of the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Bob Planthold; Herbert Maloney; spoke in support of the appeal(s). Lauren Bihl and Jenny Delumo (Planning Department) provided an overview of the decisions of the Planning Department and responded to questions raised throughout the discussion. Sean Kennedy (Municipal Transportation Agency/Project Sponsor) provided an overview of the projects, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Department. Speaker; Hayden Miller; Speaker; Robert Faulkner; spoke in support of the projects and in opposition to the appeal(s). Justin Zucker and David Pilpel (Appellants) provided rebuttals and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearings heard and filed.*

**HEARD AND FILED**

**201117 [Affirming the Statutory Exemption Determination - SFMTA - COVID-19 Muni Rail Service Adjustments and Associated Street and Parking Changes]**

Motion affirming the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency's (SFMTA) COVID-19 Muni Rail Service Adjustments and Associated Street and Parking Changes project is statutorily exempt from environmental review. (Clerk of the Board)

**Motion No. M20-170**

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

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

**201118 [Conditionally Reversing the Statutory Exemption Determination - SFMTA - COVID-19 Muni Rail Service Adjustments and Associated Street and Parking Changes]**

Motion conditionally reversing the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency's (SFMTA) COVID-19 Muni Rail Service Adjustments and Associated Street and Parking Changes project is statutorily exempt from 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 Peskin, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**201119 [Preparation of Findings to Reverse the Statutory Exemption Determination - SFMTA - COVID-19 Muni Rail Service Adjustments and Associated Street and Parking Changes]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency's (SFMTA) COVID-19 Muni Rail Service Adjustments and Associated Street and Parking Changes project is statutorily exempt from environmental review. (Clerk of the Board)

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

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



## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### **201234 [Hearing - Shelter-in-Place Rehousing and Site Demobilization Plan]**

Hearing of the Board of Supervisors to sit as a Committee of the Whole on Tuesday, December 1, 2020, at 3:00 p.m., during the Regular Board of Supervisors Meeting, to hold a public hearing on the Shelter-in-Place Rehousing and Site Demobilization Plan; scheduled pursuant to Motion No. M20-164 (File No. 201233), approved on November 3, 2020. (Clerk of the Board)

*President Yee opened the public hearing and Supervisor Walton provided opening remarks regarding the Shelter-in-Place Rehousing and Site Demobilization Plan (File No. 201234). The President then inquired as to whether any member of the public wished to address the Committee of the Whole. Maryellen Carroll, Director (Department of Emergency Management), Ben Rosenfield, Controller (Office of the City Controller), Abigail Stewart-Kahn, Interim Director (Department of Homelessness and Supportive Housing), Christy Saxon (Community Housing Partnership), Beth Stokes (Episcopal Community Services of San Francisco), and Joe Wilson (Hospitality House) provided an overview of the hearing matter and responded to questions raised throughout the discussion. Francisco Herrera; Kevin Appler; Anthony Albany; Speaker; David Elliott Lewis; Speaker; Sherilyn Adams; Linda Chapman; Rebecca King; Calin Quick; Speaker; Rebecca Small; Fresca; Tyler; Rachel Alman; Edna; Gracie; Ernest Calvin; Virginia Manaya; Marna Visalia; Anakh Sul Rama; Marty Regan; Gem; Lester Savy; Diego; Dion Christy; Speaker; Courtney Pearson; Micah; Savannah; Jason Kuda; Gail Roberts; Leslie Benedict; Kat; Speaker; Olinda; Frances; Laura; Juana; Kirsten Evans; Gabby Ruiz; Speaker; Emily; Stacy Randaker; Speaker; Matt; Sarah Wolfish; Rene Currin; Meghan Freebeck; Leslie Murkowski; Shanti Singh; Malene; Jess; Debra Yip; Martha Bright; Jennifer Siswandi; Debbi Lerman; Rodney Hernandez; Brandy Markman; Speaker; Lisa; ; spoke on various concerns regarding the Shelter-in-Place Rehousing and Site Demobilization Plan. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**Supervisor Walton, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of December 1, 2020. The motion carried by the following vote:**

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

### Committee of the Whole Adjourn and Report

## COMMITTEE REPORTS

### Recommendation of the Government Audit and Oversight Committee

#### **201150 [Emergency Ordinance - COVID-Related Employment Protections]**

**Sponsors: Ronen; Walton, Haney and Preston**

Reenactment of emergency ordinance (Ordinance No. 162-20) to temporarily protect workers from adverse action if they test positive for COVID-19, are isolating or quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms or exposure; and to protect applicants from discrimination if they test positive for COVID-19, are isolating or quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms or exposure.

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

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

**Ordinance No. 236-20**

**FINALLY PASSED** by the following vote:

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

### Recommendations of the Land Use and Transportation Committee

#### **201056 [Administrative Code - Eviction of Commercial Tenants During COVID-19 Pandemic]**

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

Ordinance amending the Administrative Code to temporarily restrict landlords from evicting commercial tenants for non-payment of rent that was not paid due to the COVID-19 pandemic.

*Supervisors Ronen, Mandelman, Yee, Fewer, 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

#### **201270 [Urging SFMTA Implementation of a Proactive Approach to Reducing Speed Citywide]**

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

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to codify and to implement a proactive approach for reducing posted speed limits citywide under their existing authority, and to implement coordinated traffic signal timing to reduce vehicle speeds citywide.

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

**Resolution No. 530-20**

**ADOPTED** by the following vote:

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

**201276 [San Francisco's Recommitment to Vision Zero]**

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

Resolution calling for a citywide recommitment to Vision Zero and urging the Mayor, San Francisco Municipal Transportation Agency (SFMTA), the Department of Public Health, and other Vision Zero partner agencies to further advance the updated Action Strategy to reduce and end traffic fatalities by 2024 through an evolved approach that is bold, proactive, and strategic in quickly improving street conditions and advancing longer-term transformative policies for safer streets.

*Supervisors Walton, Peskin, Safai, Preston, Mandelman, Mar, Fewer, Haney, Ronen, and Stefani requested to be added as co-sponsors.*

**Resolution No. 531-20**

**ADOPTED 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**

*Speaker; expressed concerns regarding funding of Caltrain and the results of the November 2020 Election.*

*Daisy Randecker; encouraged Members to take alternate means of transportation that are not vehicles.*

*Peter Warfield; expressed concerns regarding the lack of basic services provided at the Public Library.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****201269 [Condemning Recent Attacks on Board of Education Members]**

**Sponsors: Haney; Walton, Mandelman, Stefani, Ronen and Preston**

Resolution condemning the recent attacks on San Francisco Board of Education Members and elected leaders after a vote temporarily ending Lowell High School's merit-based admission process.

*Supervisors Walton, Mandelman, Stefani, Ronen, and Preston requested to be added as co-sponsors.*

**Resolution No. 529-20**

**ADOPTED**

**201272 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-First Supplement]****Sponsor: Yee**

Motion concurring in actions taken by the Mayor in the Thirty-First Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by extending the cap on third-party food delivery fees until restaurants are allowed to operate at 100% of maximum occupancy; extending the paid furlough program for City employees; and reauthorizing the program allowing City employees to accrue excess vacation leave.

**Motion No. M20-171****APPROVED****201275 [Adoption of Findings Related to Conditional Use Authorization - 2001-37th Avenue]**

Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 20769, approving a Conditional Use Authorization, identified as Planning Case No. 2018-012648CUA, for a proposed project located at 2001-37th Avenue; and conditionally approving a Conditional Use Authorization for the same Planning Case and property with different conditions; adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act. (Clerk of the Board)

**Motion No. M20-172****APPROVED****201216 [Final Map No. 9935 - 2301 Lombard Street]**

Motion approving Final Map No. 9935, a 22 residential unit and two commercial unit, mixed-use condominium project, located at 2301 Lombard Street, being a merger and resubdivision of Assessor's Parcel Block No. 0512, Lot No. 031; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M20-173****APPROVED****201246 [Final Map No. 10057 - 953 Treat Avenue]**

Motion approving Final Map No. 10057, a six residential unit condominium project, located at 953 Treat Avenue, being a merger and resubdivision of Assessor's Parcel Block No. 3639, Lot Nos. 027 and 028; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M20-174****APPROVED**

The foregoing items were acted upon by the following vote:

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

**IMPERATIVE AGENDA**

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

## ORDINANCES

### 201284 [Administrative Code - CEQA Appeals]

**Sponsors:** Mayor; Haney

Ordinance amending the Administrative Code to allow certain projects to proceed while an appeal of the project's determination under the California Environmental Quality Act (CEQA) is pending before the Board of Supervisors, and modifying requirements for appeals to the Board of Supervisors for certain projects under CEQA.

11/10/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/10/2020.

### 201285 [Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19 Pandemic]

**Sponsor:** Peskin

Reenactment of emergency ordinance (Ordinance No. 84-20, reenacted and amended by Ordinance No. 161-20) to establish protections for occupants of residential hotels ("SRO Residents") during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

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

(Fiscal Impact)

11/10/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/10/2020.

**201283 [Police Code - Gun Violence Restraining Orders]****Sponsor: Stefani**

Ordinance amending the Police Code to require peace officers who request a temporary emergency gun violence restraining order to serve and file a copy with the court no later than three days after issuance and to apply the California Penal Code provision penalizing violations of different types of gun violence restraining orders under California law to persons who are subject to parallel gun violence restraining orders issued by an out-of-state jurisdiction.

11/10/20; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 12/10/2020.

**RESOLUTIONS****201294 [Issuance of General Obligation Bonds (Earthquake Safety and Emergency Response, 2020) - Not to Exceed \$628,500,000]****Sponsor: Mayor**

Resolution providing for the issuance of not to exceed \$628,500,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response, 2020); authorizing the issuance and sale of such bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts related thereto; adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code, Chapter 31; finding that the proposed project is in conformity with the priority policies of Planning Code, Section 101.1, and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the issuance and sale of such bonds, as defined herein.

(Fiscal Impact; No Budget and Legislative Analyst Report)

11/10/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201295 [Sale of General Obligation Bonds (Earthquake Safety and Emergency Response, 2020) - Not to Exceed \$85,000,000]****Sponsor: Mayor**

Resolution authorizing the issuance and sale of not to exceed \$85,000,000 aggregate principal amount on a tax-exempt or taxable basis of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response, 2020), Series 2021A; prescribing the form and terms of such bonds and any subseries designation; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.

(Fiscal Impact; No Budget and Legislative Analyst Report)

11/10/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201296 [Accept and Expend Grant - Retroactive - U.S. Department of Homeland Security - Targeted Violence and Terrorism Prevention Program - FY2020 - \$830,242]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Emergency Management (DEM), on behalf of the City and County San Francisco, as the primary grantee of Homeland Security Grant funds for the Bay Area Urban Areas Security Initiative (UASI) and as the fiscal agent for the UASI Approval Authority, to accept and expend a Fiscal Year (FY) 2020 Targeted Violence and Terrorism Prevention Program grant in the amount of \$830,242 from the United States Department of Homeland Security for the period October 1, 2020, through September 30, 2022. (Department of Emergency Management)

11/10/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201298 [Initiating Landmark Designation - Jones-Thierbach Coffee Company Building - 447 Battery Street]**

**Sponsor: Peskin**

Resolution initiating a landmark designation under Article 10 of the Planning Code for the Jones-Thierbach Coffee Company Building at 447 Battery Street.

11/10/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**201297 [Accept and Expend Grant - Retroactive - California Department of Parks and Recreation - Boating Safety and Enforcement Equipment Grant - FY2020-2021 - \$101,859]**

**Sponsor: Mayor**

Resolution retroactively authorizing the San Francisco Police Department (SFPD) to accept and expend a grant in the amount of \$101,859 from the State of California, Department of Parks and Recreation, Division of Boating and Waterways, for the SFPD Marine Unit to procure a FLIR Thermal Camera System for the project period of October 1, 2020, through September 1, 2021. (Police Department)

11/10/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201293 [Sister Mary Edith Hurley Day - November 15, 2020]**

**Sponsors: Mar; Walton**

Resolution celebrating Sister Mary Edith Hurley on the occasion of her 100th birthday, and declaring November 15, 2020, as Sister Mary Edith Hurley Day in the City and County of San Francisco.

11/10/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**201299 [Initiating Landmark Designation - Ingleside Terraces Sundial and Sundial Park, Situated Within Entrada Court]**

**Sponsors: Yee; Peskin, Safai and Preston**

Resolution initiating a landmark designation under Article 10 of the Planning Code for the Ingleside Terraces Sundial and Sundial Park, Assessor's Parcel Block No. 6917B, Lot No. 001, situated within Entrada Court.

11/10/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**201300 [Accept and Expend Grant - Retroactive - Center for Tech and Civic Life - November 3, 2020 - \$846,801]****Sponsor: Yee**

Resolution retroactively authorizing the Department of Elections to accept and expend a grant in the amount of \$864,801 from the Center for Tech and Civic Life to support the City's administration of the November 3, 2020, Consolidated General Election, for a grant project period of June 15, 2020, through December 31, 2020.

11/10/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201301 [Approving Early Care and Education for All Initiative's "Babies and Families First Fund" Five-Year Spending Plan]****Sponsors: Yee; Mandelman, Fewer, Walton, Safai, Preston and Mar**

Resolution approving the Office of Early Care and Education's five-year spending plan for the Early Care and Education for All Initiative's "Babies and Families First Fund."

11/10/20; RECEIVED AND ASSIGNED to Budget and Appropriations Committee.

## MOTION

**201310 [Presidential Appointment, Board of Appeals - Tina Chang]**

Motion approving/rejecting the President of the Board of Supervisors Norman Yee's nomination of Tina Chang for appointment to the Board of Appeals, for a term ending July 1, 2022. (Clerk of the Board)

## REQUESTS FOR HEARING

**201306 [Hearing - Economic and Financial Updates for FY 2020-2021]****Sponsor: Fewer**

Hearing on updates related to the economic landscape for San Francisco and the fiscal impact on the City and County with regards to revenues, shortfalls and financial planning for Fiscal Year (FY) 2020-2021; and requesting the Controller, Mayor's Budget Office, and Budget and Legislative Analyst to report.

11/10/20; RECEIVED AND ASSIGNED to Budget and Appropriations Committee.

**201307 [Hearing - Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines - FYs 2021-2022 and 2022-2023]**

Hearing to consider the review and approval of the Budget Guidelines for the Board of Supervisors/Clerk of the Board Annual Budget for Fiscal Years (FYs) 2021-2022 and 2022-2023. (Clerk of the Board)

11/10/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.



**201308 [Seniority Lottery - Newly Elected Members of the Board of Supervisors]**

Lottery to determine the seniority of the newly elected Members of the Board of Supervisors, scheduled for the regular Board Meeting of Tuesday, December 15, 2020, pursuant to Board Rule 6.2.1. (Clerk of the Board)

11/10/20; RECEIVED AND ASSIGNED to Board of Supervisors.

**Introduced at the Request of a Department**

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

**PROPOSED ORDINANCES****201236 [Settlement of Lawsuit - Taulib Ikhara - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by Taulib Ikhara against the City and County of San Francisco for \$75,000; the lawsuit was filed on September 20, 2019, in U.S. District Court for the Northern District of California, Case No. 19-cv-04138 TSH; entitled Taulib Ikhara v. City and County of San Francisco, et al.; the lawsuit involves allegations of civil rights violations. (City Attorney)

10/29/20; RECEIVED FROM DEPARTMENT.

11/10/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**201238 [Settlement of Lawsuit - Jeffrey McElroy - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Jeffrey McElroy against the City and County of San Francisco for \$30,000; the lawsuit was filed on September 3, 2019, in United States District Court, Case No. 19-cv-5528; entitled Jeffrey McElroy v. City and County of San Francisco, et al.; the lawsuit involves an alleged illegal search and use of excessive force. (City Attorney)

10/29/20; RECEIVED FROM DEPARTMENT.

11/10/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**201239 [Settlement of Lawsuit - Svetlana Hovhannisyan - \$120,000]**

Ordinance authorizing settlement of the lawsuit filed by Svetlana Hovhannisyan against the City and County of San Francisco for \$120,000; the lawsuit was filed on September 26, 2018, in San Francisco Superior Court, Case No. CGC-18-570140; entitled Svetlana Hovhannisyan v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury based on claims including medical negligence and elder abuse. (City Attorney)

10/29/20; RECEIVED FROM DEPARTMENT.

11/10/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**201240 [Settlement of Lawsuit - Rudy Perez Mejia - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Rudy Perez Mejia against the City and County of San Francisco for \$150,000; the lawsuit was filed on April 17, 2017, in San Francisco Superior Court, Case No. CGC-17-558193; entitled Rudy Perez Mejia v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle accident. (City Attorney)

10/29/20; RECEIVED FROM DEPARTMENT.

11/10/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**201241 [Settlement of Lawsuit - Richard Denton - \$400,000]**

Ordinance authorizing settlement of the lawsuit filed by Richard Denton against the City and County of San Francisco for \$400,000; the lawsuit was filed on September 26, 2013, in San Francisco Superior Court, Case No. CGC 13-534508; entitled Richard Denton v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

11/02/20; RECEIVED FROM DEPARTMENT.

11/10/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**201242 [Settlement of Unlitigated Claim - Flint Paul - \$150,000]**

Resolution approving the settlement of the unlitigated claim filed by Flint Paul against the City and County of San Francisco for \$150,000; the claim was filed on July 23, 2018; the claim involves an employment dispute. (City Attorney)

10/29/20; RECEIVED FROM DEPARTMENT.

11/10/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**201243 [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)  
(Fiscal Impact)

10/26/20; RECEIVED FROM DEPARTMENT.

11/10/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201244 [Contract Amendment - Hyde Street Community Services - Behavioral Health Services - Not to Exceed \$27,030,997]**

Resolution approving Amendment No. 1 to the agreement between Hyde Street Community Services and the Department of Public Health for behavioral health services, to increase the agreement amount by \$17,793,096 for an amount not to exceed \$27,267,535; and to extend the term by five and one-half years, from January 1, 2021, for a total agreement term of July 1, 2018, through June 30, 2026. (Public Health Department)  
(Fiscal Impact)

11/02/20; RECEIVED FROM DEPARTMENT.

11/10/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201245 [Amendment Agreement - Retroactive - Calpine Energy Services, L.P. - Purchase of Renewable Energy and Electricity-Related Products - Not to Exceed \$220,299,120 in Purchases - Agreement - Purchase of Electricity-Related Products - Not to Exceed \$59,400,000]**

Resolution retroactively authorizing CleanPowerSF to execute an amendment to an agreement with Calpine Energy Services, L.P. for electricity-related products to increase the cost by \$27,000,000 for a total of \$30,240,000 and to extend the term by seven years for a term ending December 31, 2029; approving an amendment to an agreement with Calpine for renewable energy to increase the cost by \$193,299,120 for a total of \$242,979,817 and to extend the term by seven years for a term ending December 31, 2029, for a total of \$220,299,120 not to exceed in purchases; and approving an agreement with Calpine Energy Services, L.P. for electricity-related products for \$59,400,000 with a term of January 1, 2024, through December 31, 2029. (Public Utilities Commission)  
(Fiscal Impact)

11/02/20; RECEIVED FROM DEPARTMENT.

11/10/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriam**

*Bambi Lake - Supervisors Mandelman and Peskin*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 11:01 p.m.*

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

*Approved by the Board of Supervisors on December 15, 2020.*

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Angela Calvillo, Clerk of the Board