

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, December 1, 2020 - 2:00 PM

Held via Videoconference  
(remote public access provided via teleconference)

[www.sfgovtv.org](http://www.sfgovtv.org)

### 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

**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

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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, December 1, 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](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, Stefani, Walton, and Yee were noted present.*

*Supervisor Safai was noted not present.*

*A quorum was present.*

*Supervisor Safai was noted present at 2:08 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](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.

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 treatment of homeless during this pandemic, the lack of access to meeting participation information, and Mayoral text messages that were released to the public regarding the City's response to drug overdoses.

## APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the October 20, 2020, or October 27, 2020, Regular Board Meeting Minutes, as presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Fewer, moved to approve the October 20, 2020, and October 27, 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 Government Audit and Oversight Committee

#### **201045 [Memorandum of Understanding - San Francisco Fire Fighters Local 798, Unit 1] Sponsor: Mayor**

Ordinance adopting and implementing the Second Amendment to the 2018-2021 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Association Local 798, Unit 1, to defer wage increases currently set for Fiscal Year 2020-2021, extend the term by two years, and set wages for the additional term.

**FINALLY PASSED**

**201046 [Memorandum of Understanding - San Francisco Fire Fighters Local 798, Unit 2]****Sponsor: Mayor**

Ordinance adopting and implementing the Third Amendment to the 2018-2021 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Association Local 798, Unit 2, to defer wage increases currently set for Fiscal Year 2020-2021, extend the term by two years, and set wages for the additional term.

**FINALLY PASSED**

**201047 [Memorandum of Understanding - Municipal Executives Association]****Sponsor: Mayor**

Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association, to update the grievance procedures.

**FINALLY PASSED**

**201048 [Memorandum of Understanding - Municipal Executives Association - Fire]****Sponsor: Mayor**

Ordinance adopting and implementing the First Amendment to the 2018-2021 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association - Fire, to defer wage increases currently set for Fiscal Year 2020-2021, extend the term by two years, and set wages for the additional term.

**FINALLY PASSED**

**201049 [Memorandum of Understanding - Municipal Executives Association - Police]****Sponsor: Mayor**

Ordinance adopting and implementing the First Amendment to the 2018-2021 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association - Police, to defer wage increases currently set for Fiscal Year 2020-2021, amend the retention premium provisions, extend the term by two years, and set wages for the additional term.

**FINALLY PASSED**

**201051 [Memorandum of Understanding - Service Employees International Union, Local 1021]****Sponsor: Mayor**

Ordinance adopting and implementing the Second Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021 (Miscellaneous) to update the work study provisions.

**FINALLY PASSED**

**201052 [Memorandum of Understanding - Service Employees International Union Local 1021: Staff & Per Diem Nurses]****Sponsor: Mayor**

Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021: Staff & Per Diem Nurses, to make administrative amendments to the overtime provisions.

**FINALLY PASSED**

**201053 [Compensation for Unrepresented Employees]****Sponsor: Mayor**

Ordinance amending Ordinance No. 106-20 fixing compensation for persons employed by the City and County of San Francisco whose compensation is subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and other terms and conditions of employment and methods of payment effective July 1, 2020.

**FINALLY PASSED**

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

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

**PASSED ON FIRST READING**

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

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

**PASSED ON FIRST READING**

**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)

**PASSED ON FIRST READING**

**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)

**PASSED ON FIRST READING**

**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)

**PASSED ON FIRST READING**

**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)

**PASSED ON FIRST READING**

**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)

**PASSED ON FIRST READING**

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

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

**ADOPTED**

**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)

**ADOPTED**

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

### **201282 [Administrative Code - Eviction of Commercial Tenants During COVID-19 Pandemic]**

**Sponsors: Peskin; Preston, Mar, Walton, Safai, Ronen, Haney, Mandelman and Fewer**  
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; and to allow certain tenants who are unable to pay rent to terminate their leases.

**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

## **Severed from the Consent Agenda**

*Supervisor Stefani requested that File No. 200787 be severed so that it may be considered separately.*

### **200787 [Administrative Code - Selection of Contractors From a Pre-Qualified List and Under As-Needed Public Works Professional Services Contract Reform]**

**Sponsors: Stefani; Safai, Haney, Peskin, Mar, Mandelman and Yee**  
Ordinance amending the Administrative Code to require notification to prequalified contractors and written documentation of contractor selection from pre-qualified lists, and written documentation of contractor selection for work assigned under as-needed Public Works professional services contracts; and to require the Controller to audit such selection documentation.

**Supervisor Stefani, seconded by Supervisor Walton, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Line 22, by striking 'December 1, 2020' and adding 'the effective date'. The motion carried by the following vote:**

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

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

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

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### **Referred Without Recommendation from the Government Audit and Oversight Committee**

##### **201050 [Memorandum of Understanding and Settlement of Grievances - Police Officers Association]**

**Sponsor: Mayor**

Ordinance adopting and implementing the Tentative Agreement between the City and County of San Francisco and the San Francisco Police Officers Association ("POA"), including: (1) adopting and implementing the First Amendment to the 2018-2021 Memorandum of Understanding between the City and POA, to defer wage increases currently set for Fiscal Year 2020-2021, amend the retention premium provisions, amend the 10B overtime provisions, extend the term by two years, and set wages for the additional term; and (2) approving settlement of two grievances filed by the POA against the City, for a not to exceed amount of \$359,613.87; the grievances were filed on March 25, 2020, and June 29, 2020, and involve compensation disputes under the Memorandum of Understanding.

**FINALLY PASSED by the following vote:**

Ayes: 9 - Fewer, Haney, Mandelman, Mar, Peskin, Safai, Stefani, Walton, Yee

Noes: 2 - Preston, Ronen

### NEW BUSINESS

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

##### **201262 [Administrative Code - Housing Inventory]**

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

Ordinance amending the Administrative Code to require owners of residential dwelling units to report certain information to the Rent Board; to authorize the Rent Board to issue a license to owners who report the information; and to require that an owner have a license to impose certain types of rent increases.

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

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



**201066 [Apply for Grant Application - Retroactive - Health Resources Services Administration - Ryan White Act HIV/AIDS Emergency Relief Grant Program - \$15,739,566]**

**Sponsor: Mandelman**

Resolution retroactively authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program grant from the Health Resources Services Administration; and requesting \$15,739,566 in HIV Emergency Relief Program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2021, through February 28, 2022.

**ADOPTED by the following vote:**

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

**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 by one year for a total term of February 26, 2010, through 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) (Fiscal Impact)

*Privilege of the floor was granted unanimously to Hao Xie (Department of Technology) and Ben Rosenfield, Controller (Office of the City Controller), who responded to questions raised throughout the discussion.*

**Supervisor Preston, seconded by Supervisor Mandelman, moved that this Resolution be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:**

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

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

**Sponsor: Mayor**

Resolution approving Amendment No. 3 to the agreement between Color Genomics, Inc. and the Department of Public Health, for COVID-19 testing services, to increase the agreement amount by \$74,482,042 for a total not to exceed amount of \$84,382,042; and to establish a specific term end date of April 5, 2021, for a total agreement term of April 6, 2020, through April 5, 2021. (Fiscal Impact)

**ADOPTED by the following vote:**

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

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

**Sponsor: Mayor**

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

**ADOPTED by the following vote:**

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

**201211 [Accept and Expend Gift - Zoe Dell Nutter Charitable Remainder Unitrust - SFO Museum Collection - Not to Exceed \$73,000]**

Resolution authorizing the San Francisco International Airport (SFO) Museum to accept and expend a gift of not to exceed \$73,000 from the Zoe Dell Nutter Charitable Remainder Unitrust for the purchase of objects for the SFO Museum collection. (Airport Commission)

**ADOPTED by the following vote:**

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

**201212 [Outreach Community Advertising and Neighborhood Outreach Advertising - Various Newspapers - FY2020-2021]**

Resolution designating Small Business Exchange to be the outreach periodical of the City and County of San Francisco for the African American Community; El Reportero to be the outreach periodical of the City and County of San Francisco for the Hispanic community; World Journal SF LLC and Sing Tao Daily to be the outreach periodical of the City and County of San Francisco for the Chinese community; Bay Area Reporter and San Francisco Bay Times to be the outreach periodical of the City and County of San Francisco for the Lesbian, Gay, Bisexual and Transgender community; Jasmine Blue Media LLC (dba Marina Times) to be the neighborhood outreach periodical of the City and County of San Francisco for the Marina, Cow Hollow, North Beach and Chinatown neighborhoods; The Potrero View to be the neighborhood outreach periodical of the City and County of San Francisco for the Potrero Hill, Dogpatch, Mission Bay and Eastern SoMa neighborhoods; The Richmond Review to be the neighborhood outreach periodical of the City and County of San Francisco for the Richmond District neighborhoods; The Sunset Beacon to be the neighborhood outreach periodical of the City and County of San Francisco for the Sunset District neighborhoods; Noe Valley Voice to be the neighborhood outreach periodical of the City and County of San Francisco for the Noe Valley and Diamond Heights neighborhoods; and to provide outreach advertising for Fiscal Year (FY) 2020-2021. (Office of Contract Administration)

*Privilege of the floor was granted unanimously to Anne Pearson (Office of the City Attorney) who responded to questions raised throughout the discussion.*

*Supervisor Preston, seconded by Supervisor Ronen, moved that this Resolution be AMENDED by striking all references to 'Jasmine Blue Media LLC (dba Marina Times)' as the outreach periodical for the Marina, Cow Hollow, North Beach and Chinatown neighborhoods. Before the vote was taken, Supervisor Preson withdrew his motion and Supervisor Ronen withdrew her second.*

**Supervisor Fewer requested the question be DIVIDED, and - although it was not required pursuant to Rule 5.30 - Supervisor Mar seconded, to consider approval of the 'Jasmine Blue Media LLC (dba Marina Times)' as the outreach periodical for the Marina, Cow Hollow, North Beach and Chinatown neighborhoods, separately.**

Resolution designating Small Business Exchange to be the outreach periodical of the City and County of San Francisco for the African American Community; El Reportero to be the outreach periodical of the City and County of San Francisco for the Hispanic community; World Journal SF LLC and Sing Tao Daily to be the outreach periodical of the City and County of San Francisco for the Chinese community; Bay Area Reporter and San Francisco Bay Times to be the outreach periodical of the City and County of San Francisco for the Lesbian, Gay, Bisexual and Transgender community; The Potrero View to be the neighborhood outreach periodical of the City and County of San Francisco for the Potrero Hill, Dogpatch, Mission Bay and Eastern SoMa neighborhoods; The Richmond Review to be the neighborhood outreach periodical of the City and County of San Francisco for the Richmond District neighborhoods; The Sunset Beacon to be the neighborhood outreach periodical of the City and County of San Francisco for the Sunset District neighborhoods; Noe Valley Voice to be the neighborhood outreach periodical of the City and County of San Francisco for the Noe Valley and Diamond Heights neighborhoods; and to provide outreach advertising for Fiscal Year (FY) 2020-2021. (Office of Contract Administration)

*See divided File No. 201325 for consideration to approve the 'Jasmine Blue Media LLC (dba Marina Times)' as the outreach periodical for the Marina, Cow Hollow, North Beach and Chinatown neighborhoods.*

**The remaining balance of the Resolution was ADOPTED by the following vote:**

Ayes: 7 - Fewer, Haney, Mar, Preston, Ronen, Walton, Yee

Noes: 4 - Mandelman, Peskin, Safai, Stefani

### **201325 [Outreach Community Advertising and Neighborhood Outreach Advertising - Blue Media LLC (dba Marina Times) - FY2020-2021]**

Resolution designating Jasmine Blue Media LLC (dba Marina Times) to be the neighborhood outreach periodical of the City and County of San Francisco for the Marina, Cow Hollow, North Beach and Chinatown neighborhoods; and to provide outreach advertising for Fiscal Year (FY) 2020-2021.

*Divided from File No. 201212.*

**Supervisor Preston, seconded by Supervisor Ronen, moved that this DIVIDED portion of the Resolution to consider approval of the 'Jasmine Blue Media LLC (dba Marina Times)' be CONTINUED to the Board of Supervisors meeting of December 8, 2020. The motion carried by the following vote:**

Ayes: 7 - Fewer, Haney, Mar, Preston, Ronen, Walton, Yee

Noes: 4 - Mandelman, Peskin, Safai, Stefani

### **201213 [Agreement - Sunset Scavenger Company, Golden Gate Disposal & Recycling Company, Recology San Francisco - Refuse Collection - Not to Exceed \$62,500,000]**

Resolution approving under Charter, Section 9.118(b), an Agreement between the City and County of San Francisco and the Sunset Scavenger Company d/b/a Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company d/b/a Recology Golden Gate, and Recology San Francisco (Contractors) for refuse services, resulting in total compensation to Contractors in an amount not to exceed \$62,500,000 for the term of December 1, 2020, through November 30, 2026, with options to extend the term for an additional four years. (Office of Contract Administration)  
(Fiscal Impact)

*Privilege of the floor was granted unanimously to Sailaja Kurella (Office of Contract Administration), Rusununguko Made (Department of the Environment), and Julia Dawson (Public Works) who responded to questions raised throughout the discussion.*

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Resolution be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:**

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

Noes: 1 - Fewer

**201214 [Contract Amendment - Retroactive - Off the Grid Services LLC - Great Plates Delivered - Not to Exceed \$28,710,000]**

Resolution retroactively approving a contract amendment between the City and County of San Francisco and Off the Grid Services LLC, for the administration of the Great Plates Delivered program, to extend the contract term by five months for a total term of May 29, 2020, through May 28, 2021, and to increase the contract amount by \$19,305,000 for a total not to exceed amount of \$28,710,000 to commence on November 15, 2020. (Human Services Agency)  
(Fiscal Impact)

*Privilege of the floor was granted unanimously to Rocio Duenas, Esperanza Zapien, and Melissa McGee (Human Services Agency) who responded to questions raised throughout the discussion.*

**ADOPTED by the following vote:**

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

**201220 [Accept and Expend Grant - Retroactive - Office of the Assistant Secretary for Preparedness and Response - California Department of Public Health - Coronavirus (COVID-19) Hospital Preparedness Program (HPP) Funding - \$155,647]**

**Sponsor: Mayor**

Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$155,647 from the Office of the Assistant Secretary for Preparedness and Response through the California Department of Public Health for participation in a program, entitled "Coronavirus (COVID-19) Hospital Preparedness Program (HPP) Supplemental Funding," for the period of March 28, 2020, through June 30, 2021. (Public Health Department)

**ADOPTED by the following vote:**

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

**201224 [Development of Public Defender Documentary Media Project - Authorization to Enter Agreement - Even/Odd Films and Compound]**

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

Resolution authorizing the Public Defender to develop and implement a documentary media project to create short films, photography, and other media documenting the work of the Public Defender's Office (Office) and the experiences of its clients; to use that media to enhance the Office's representation of clients and to distribute that media to educate the public about the operations and impacts of the criminal justice system; and to enter into an agreement with Even/Odd Films and Compound to set responsibilities for creation, distribution, licensing and ownership of the media, with an agreement term of five years to commence upon execution of the agreement.

*Supervisors Ronen and Preston 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

**201268 [Revised Standard Agreement - California Department of Housing and Community Development - Homekey Grant - Hotel Granada - Not to Exceed \$49,000,000]****Sponsor: Mayor**

Resolution authorizing the Department of Homelessness and Supportive Housing (HSH) to execute a revised Standard Agreement for up to \$49,000,000 of Homekey grant funds from the California Department of Housing and Community Development to Episcopal Community Services for the acquisition of the Granada Hotel at 1000 Sutter Street for Permanent Supportive Housing; approving and authorizing HSH to commit up to \$33,000,000 for project expenses and additional operational subsidies over five years to satisfy local match requirements; and affirming the Planning Department's determination under the California Environmental Quality Act. (Department of Homelessness and Supportive Housing)  
(Fiscal Impact)

*Privilege of the floor was granted unanimously to Dylan Schneider and Gigi Whitley (Department of Homelessness and Supportive Housing), Anne Pearson (Office of the City Attorney), and Kathleen Mertz (Episcopal Community Services) who responded to questions raised throughout the discussion.*

**Supervisor Peskin, seconded by Supervisor Fewer, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of December 8, 2020. The motion carried by the following vote:**

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

**Recommendation of the Budget and Appropriations 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."

*Supervisors Safai, Preston, and Mar 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 Government Audit and Oversight Committee**

*President Yee requested File Nos. 200822 and 201153 be called together. During discussions on these matters, privilege of the floor was granted unanimously to Chris Corgas (Office of Economic and Workforce Development), Jeremy Spitz (Public Works), and Noelle Duong (Recology) who responded to questions raised.*

### **200822 [Japantown Community Benefit District - Annual Report - FY2018-2019]**

**Sponsor: Preston**

Resolution receiving and approving annual report for the Japantown Community Benefit District for Fiscal Year (FY) 2018-2019, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

*Supervisor Walton, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of December 8, 2020. Before the vote was taken, Supervisor Walton withdrew his motion and Supervisor Ronen withdrew her second.*

**ADOPTED by the following vote:**

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

### **201153 [Yerba Buena Community Benefit District - Annual Report - FY2018-2019]**

**Sponsor: Haney**

Resolution receiving and approving an annual report for the Yerba Buena Community Benefit District for Fiscal Year (FY) 2018-2019, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

*Supervisor Walton, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of December 8, 2020. Before the vote was taken, Supervisor Walton withdrew his motion and Supervisor Ronen withdrew her second.*

**ADOPTED by the following vote:**

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

President Yee requested File Nos. 201225, 201226, and 201229 be called together. During discussions on these matters, privilege of the floor was granted unanimously to Chris Corgas (Office of Economic and Workforce Development), Jeremy Spitz (Public Works), and Noelle Duong (Recology) who responded to questions raised.

**201225 [Management Agreement - Owners' Association for Administration/Management - Noe Valley Community Benefit District]**

**Sponsor: Mandelman**

Resolution approving a management agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Noe Valley Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval through June 30, 2035.

*Supervisor Walton, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of December 8, 2020. Before the vote was taken, Supervisor Walton withdrew his motion and Supervisor Ronen withdrew her second.*

**ADOPTED by the following vote:**

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

**201226 [Management Agreement - Owners' Association for Administration/Management - Castro Community Benefit District]**

**Sponsor: Mandelman**

Resolution approving a management agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Castro Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval through June 30, 2035.

*Supervisor Walton, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of December 8, 2020. Before the vote was taken, Supervisor Walton withdrew his motion and Supervisor Ronen withdrew her second.*

**ADOPTED by the following vote:**

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

**201229 [Management Agreement - Owners' Association for Administration/Management - Fisherman's Wharf Landside Community Benefit District]**

**Sponsor: Peskin**

Resolution approving a management agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Fisherman's Wharf Landside Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2035.

*Supervisor Walton, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of December 8, 2020. Before the vote was taken, Supervisor Walton withdrew his motion and Supervisor Ronen withdrew her second.*

**ADOPTED by the following vote:**

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

President Yee requested File Nos. 201176, 201177, and 201178 be called together.

**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)

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

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

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

**Sponsor: Preston**

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)

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

**ADOPTED by the following vote:**

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

**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)

**ADOPTED by the following vote:**

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



## **Referred Without Recommendation from the Public Safety and Neighborhood Services Committee**

### **201265 [Health Code - No Smoking in Multi-Unit Housing Complexes]**

#### **Sponsors: Yee; Fewer, Walton and Safai**

Ordinance amending the Health Code to prohibit smoking inside all private dwelling units in multi-unit housing complexes containing three or more units and all common areas; remove the exception for child care facilities located in private homes; exempt smoking of medicinal cannabis for a medicinal cannabis patient who possesses a physician's recommendation to smoke medicinal cannabis for medical purposes; require the Department of Public Health (DPH) to initiate a public information campaign to raise awareness of the smoking prohibition; require DPH to initiate the imposition of administrative penalties by issuance of a notice of violation in lieu of a citation; suspend the provision of the Health Code (mooted by this Ordinance) which requires owners or managers of multi-unit housing complexes to provide certain disclosures regarding whether smoking is authorized in certain units; and affirm the Planning Department's determination under the California Environmental Quality Act.

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

**Supervisor Preston, seconded by Supervisor Mar, moved that this Ordinance be RE-REFERRED to the Public Safety and Neighborhood Services Committee. The motion FAILED by the following vote:**

Ayes: 5 - Haney, Mar, Preston, Ronen, Walton

Noes: 6 - Fewer, Mandelman, Peskin, Safai, Stefani, Yee

**Supervisor Mandelman, seconded by Supervisor Haney, moved that this Ordinance be AMENDED to exempt the consumption of cannabis from these prohibitions. The motion carried by the following vote:**

Ayes: 8 - Fewer, Haney, Mandelman, Peskin, Preston, Ronen, Stefani, Walton

Noes: 3 - Mar, Safai, Yee

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

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

Noes: 1 - Preston

## **Recommendations of the Rules Committee**

*President Yee requested File Nos. 201037 and 201038 be called together, and Supervisor Peskin requested the votes be taken separately.*

### **201037 [Mayoral Reappointment, Treasure Island Development Authority Board of Directors - Mark Dunlop]**

Motion approving the Mayor's nomination for the reappointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for a term ending February 26, 2024. (Clerk of the Board)

(Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are not City officers are only effective upon approval by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal Date: September 11, 2020.)

**Motion No. M20-183**

**APPROVED by the following vote:**

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

**201038 [Mayoral Appointment, Treasure Island Development Authority Board of Directors - Julia Prochnik]**

Motion approving the Mayor's nomination for the appointment of Julia Prochnik to the Treasure Island Development Authority Board of Directors, for a term ending February 26, 2021. (Clerk of the Board)

(Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are not City officers are only effective upon approval by a majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action.

Transmittal Date: September 11, 2020.)

**Motion No.** M20-184

**APPROVED by the following vote:**

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

Noes: 1 - Peskin

**201309 [Appointments - Treasure Island Development Authority Citizens Advisory Board - Barklee Unitas-Ali Sanders, Hope Williams and James Hancock]**

Motion appointing Barklee Unitas-Ali Sanders, Hope Williams and James Hancock (residency requirement waived), for indefinite terms, to the Treasure Island Development Authority Citizens Advisory Board. (Rules Committee)

**Motion No.** M20-185

**APPROVED by the following vote:**

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

*President Yee requested File Nos. 201205, 201206, 201207, 201208, and 201209 be called together.*

**201205 [Mayoral Reappointment, City Hall Preservation Advisory Commission - Ellen Schumer]**

Motion approving the Mayor's nomination for reappointment of Ellen Schumer to the City Hall Preservation Advisory Commission, term ending January 13, 2022. (Clerk of the Board) (Administrative Code, Section 5.241, provides that members shall be appointed by the Mayor subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes actions. Transmittal date: October 21, 2020.)

**Motion No.** M20-186

**APPROVED by the following vote:**

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

**201206 [Mayoral Reappointment, City Hall Preservation Advisory Commission - Mae Woo]**

Motion approving the Mayor's nomination for reappointment of Mae Woo to the City Hall Preservation Advisory Commission, term ending January 13, 2022. (Clerk of the Board) (Administrative Code, Section 5.241, provides that members shall be appointed by the Mayor subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes actions. Transmittal date: October 21, 2020.)

**Motion No.** M20-187

**APPROVED by the following vote:**

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

**201207 [Mayoral Appointment, City Hall Preservation Advisory Commission - Robert Vergara]**

Motion approving the Mayor's nomination for appointment of Robert Vergara to the City Hall Preservation Advisory Commission, term ending January 13, 2024. (Clerk of the Board) (Administrative Code, Section 5.241, provides that members shall be appointed by the Mayor subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes actions. Transmittal date: October 21, 2020.)

**Motion No.** M20-188

**APPROVED by the following vote:**

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

**201208 [Mayoral Reappointment, City Hall Preservation Advisory Commission - James Haas]**

Motion approving the Mayor's nomination for reappointment of James Haas to the City Hall Preservation Advisory Commission, term ending January 13, 2024. (Clerk of the Board) (Administrative Code, Section 5.241, provides that members shall be appointed by the Mayor subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes actions. Transmittal date: October 21, 2020.)

**Motion No.** M20-189

**APPROVED by the following vote:**

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

**201209 [Mayoral Reappointment, City Hall Preservation Advisory Commission - Patrick Carney]**

Motion approving the Mayor's nomination for reappointment of Patrick Carney to the City Hall Preservation Advisory Commission, term ending January 13, 2024. (Clerk of the Board) (Administrative Code, Section 5.241, provides that members shall be appointed by the Mayor subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes actions. Transmittal date: October 21, 2020.)

**Motion No.** M20-190

**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.*

### **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 inquired as to whether any individual wished to address the Board. Joerg Rathenberg and Patrick Buscovich (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Speaker; Speaker; Speaker; Speaker; Jennifer; Speaker; Speaker; Brenda Barrow; Speaker; spoke in support of the appeal. Elizabeth White and Chris Kern (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Jody Knight, Reuben, Junius & Rose, LLP, and Allen Gruen (on behalf of 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. Sarah; Robert Fuchman; Speaker; Michael Tsang; Speaker; Sam Deutche; spoke in support of the project and in opposition to the appeal. Joerg Rathenberg and Patrick Buscovich (Appellants) 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**

### **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 AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 20, by adding 'reviewed by the Planning Commission'; on Page 2, Lines 3-11, by adding 'WHEREAS, After the Planning Commission considered the project, the project sponsor submitted revised plans for a project that consists of the demolition of the existing two-story, single-family home and free-standing garage, and the construction of an approximately 4,028- gross square foot structure containing one approximately 2,806-gross square-foot, single-family home and an approximately 1,222-gross square foot Accessory Dwelling Unit; the proposed structure would be approximately 27 feet in height at the front of the lot and 41-feet tall from grade to the top of the uppermost roof at the rear of the lot; the Project contains one off-street parking space and one bicycle parking space and involves excavation to a depth of 16 feet resulting in approximately 650 cubic yards of soil removal; and', and Line 14, by striking 'September 5, 2019' and adding 'April 8, 2019'. The motion carried by the following vote:**

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

**Motion No. M20-182**

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

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

**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 Fewer, 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

**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 Fewer, 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.

*President Yee requested File Nos. 200908, 200909, 200910, and 200911 be called together.*

### **200908 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation Project (1776 Green Street)]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Common Sense Exemption by the Planning Department on June 16, 2019, for the proposed Department of Public Health - Local Oversight Program Site No. 12076 Investigation/Remediation project located beneath the sidewalk in front of 1776 Green Street. (District 2) (Appellant: Richard Drury of Lozeau Drury LLP, on behalf of The Hollow Revolution) (Filed July 17, 2020) (Clerk of the Board)

*President Yee opened the public hearing and Supervisor Stefani 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. There were no speakers. President Yee closed public comment on the proposed continuance.*

**Supervisor Stefani, seconded by Supervisor Fewer, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of December 8, 2020. The motion carried by the following vote:**

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

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

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

**Supervisor Stefani, seconded by Supervisor Fewer, moved that this Motion be CONTINUED to the Board of Supervisors meeting of December 8, 2020. The motion carried by the following vote:**

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

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

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

**Supervisor Stefani, seconded by Supervisor Fewer, moved that this Motion be CONTINUED to the Board of Supervisors meeting of December 8, 2020. The motion carried by the following vote:**

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

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

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

**Supervisor Stefani, seconded by Supervisor Fewer, moved that this Motion be CONTINUED to the Board of Supervisors meeting of December 8, 2020. The motion carried by the following vote:**

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

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

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

**201234 [Hearing - Committee of the Whole - Shelter-in-Place Rehousing and Site Demobilization Plan - December 1, 2020, at 3:00 p.m.]**

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)

*Supervisor Walton, seconded by Supervisor Preston, moved that this Hearing be REFERRED to the Budget and Finance Committee meeting of December 9, 2020. The motion carried by the following vote:*

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

*Supervisor Peskin, seconded by Supervisor Fewer, moved to rescind the previous vote in order to take public comment on the referral to committee. The motion carried by the following vote:*

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

*President Yee opened the public hearing and Supervisor Walton provided opening remarks, indicating a motion would be made to refer this matter to a committee for hearing. The President then inquired as to whether any individual wished to address the Board on the proposed referral to committee. There were no speakers. President Yee closed public comment on the proposed referral to committee.*

**Supervisor Walton, seconded by Supervisor Preston, moved that this Hearing be REFERRED to the Budget and Finance Committee meeting of December 9, 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

### Recommendations of the Rules Committee

#### **201189 [Administrative Code - African American Arts and Cultural District]**

**Sponsors: Walton; Peskin**

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

*Supervisor Peskin 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

#### **201190 [Administrative Code - Establishing African American Reparations Advisory Committee]**

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

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

*Supervisors Peskin, Fewer, Mandelman, Mar, Yee, Safai, and Stefani 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

*John Elliott; expressed support of the Slow Streets Program and appreciation for the closure of the Great Highway.*

*Speaker; shared concerns regarding neighborhood and community newspapers and the need to protect freedom of speech.*

*Gilbert Crisswell; shared concerns regarding public transportation and the need to expand Muni lines and services during the pandemic.*

*Speaker; shared concerns regarding certain residential landlords and unfair practices that take advantage of their tenants.*

*Peter Warfield; expressed the need to reopen and expand Public Library services during the pandemic.*

*Anonymous; expressed concerns regarding public information requests made for text messages and correspondence between various City officials and department heads (see Addendum on page \_\_).*

*Speaker; expressed the need to maintain multi-lingual access to City meetings.*

*Speaker; shared concerns regarding certain residential landlords and unfair practices that take advantage of their tenants.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **201303 [Annual Performance Evaluation Process - Clerk of the Board of Supervisors]**

**Sponsors: Yee; Peskin**

Motion establishing a process for annual evaluation of the performance of the Clerk of the Board of Supervisors.

*Supervisor Peskin requested to be added as a co-sponsor.*

**Motion No. M20-191**

**APPROVED 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](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

### **201313 [Settlement of Consolidated Lawsuits - Abdullah Wazwaz, Jason Moore, Kenneth Yeung, Brian Kam, Taira De Bernardi, Stephen Val Kirwan - \$503,506.33]**

Ordinance authorizing settlement of two consolidated lawsuits filed by Taira De Bernardi, Stephen Val Kirwan, Abdullah Wazwaz, Jason Moore, Kenneth Yeung, and Brian Kam, acting for themselves and others similarly situated, against the City and County of San Francisco for \$503,506.33; the first lawsuit was filed on July 30, 2018, in United States District Court for the Northern District of California, Case No. 3:18-cv-04597, entitled Taira De Bernardi and Stephen Val Kirwan v. City and County of San Francisco; and the second lawsuit was filed on September 14, 2018, in United States District Court for the Northern District of California, Case No. 3:18-cv-05580, entitled Abdullah Wazwaz, Jason Moore, Kenneth Yeung and Brian Kam v. City and County of San Francisco; the lawsuits involve employment disputes. (City Attorney)

11/19/20; RECEIVED FROM DEPARTMENT.

12/01/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

### **201314 [Settlement of Unlitigated Claim - Michelle Daniels - \$100,000]**

Resolution approving the settlement of the unlitigated claim filed by Michelle Daniels against the City and County of San Francisco for \$100,000; the claim was filed on September 22, 2018; the claim involves an employment dispute. (City Attorney)

11/19/20; RECEIVED FROM DEPARTMENT.

12/01/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **201315 [Settlement of Unlitigated Claim - Levi's Plaza TIC Trust - \$10,241,561.60 Plus Statutory Interest]**

Resolution approving the settlement of the unlitigated claim filed by Levi's Plaza TIC Trust against the City and County of San Francisco for \$10,241,561.60 plus statutory interest; the claim was filed on July 2, 2020; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney)

11/19/20; RECEIVED FROM DEPARTMENT.

12/01/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **201316 [Street Encroachment Permit - Retroactive - Harlan Place - 300 Grant Avenue]**

Resolution retroactively granting revocable permission to A-Z300 Grant LLC, to occupy and maintain the pavers, benches, bollards, and raised crosswalk improvements within the public right-of-way on Harlan Place between Grant Avenue and Mark Lane fronting 300 Grant Avenue (Assessor's Parcel Block No. 0287, Lot No. 014) effective November 16, 2020; adopting environmental findings under the California Environmental Quality Act, and making findings of consistency with the priority policies of Planning Code, Section 101.1. (Public Works)

11/13/20; RECEIVED FROM DEPARTMENT.

12/01/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

### **201317 [Contract Amendment - Aon Risk Insurance Services West, Inc. - Excess Liability Insurance - Central Subway Project - Not to Exceed \$26,778,986]**

Resolution approving Amendment No. 5 to Contract CS-163-1 OCIP Insurance Brokerage Services, to provide excess liability insurance for the Central Subway Project, with Aon Risk Insurance Services West, Inc., to increase the contract amount by \$1,684,550 for additional premium charges due to increased construction time and contract costs, for a total contract amount not to exceed \$26,778,986 and to extend the term for two years for a total term of February 7, 2012, through July 1, 2022. (Municipal Transportation Agency)

11/18/20; RECEIVED FROM DEPARTMENT.

12/01/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**201318 [Contract Amendment - San Francisco New Deal - Great Plates Delivered - Not to Exceed \$25,740,000]**

Resolution approving a contract amendment between the City and County of San Francisco and San Francisco New Deal, for the administration of the Great Plates Delivered program, to extend the contract term by five months for a total term of June 1, 2020, through May 31, 2021, and to increase the contract amount by \$16,632,000 for a total not to exceed amount of \$25,740,000 to commence on December 15, 2020. (Human Services Agency)

11/23/20; RECEIVED FROM DEPARTMENT.

12/01/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 10:03 p.m.*

## ADDENDUM

*Pursuant to Administrative Code, Section 67.16, the following statement was provided by a speaker during the public comment period who supplied a brief written summary of their comments, which shall be included in the meeting minutes and are incorporated by individual reference as fully set forth herein. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board of Supervisors.*

*Anonymous submitted the following additional information during General Public Comment, as follows: "This Board must hold anti-sunshine executive officials accountable and question them. For example: 1. While Chief Scott produced to me his copy of Breed's text messages about homeless people, Mayor Breed claims she has no record of them. 2. The Mayor's Office testified that Sean Elsbernd destroys his calendars every two weeks. 3. The PUC initially disclosed to me in July nearly all text messages between Harlan Kelly, Jr. and Walter Wong and then later asked me to destroy those records. Does this look like a legitimate representative democracy? Supervisor Peskin stated "No one should be scared of information or transparency," but that applies to public servants most of all. I will continue to win cases against this city (SOTF 19044, 19047, 19091, 19098, 19108). Work with me instead to improve sunshine."*