



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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PUBLIC COMMENT CALL-IN
[1 \(415\) 655-0001/ Meeting ID: 2482 925 9272 # #](tel:4156550001)

Tuesday, December 7, 2021 - 2:00 PM

Regular Meeting

SHAMANN WALTON, PRESIDENT

CONNIE CHAN, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, MYRNA MELGAR,
AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee
Supervisors Haney, Safai, Mar, Ronen, Walton

Budget and Finance Committee
Supervisors Haney, Safai, Mar

Government Audit and Oversight Committee
Supervisors Preston, Chan, Mandelman

Land Use and Transportation Committee
Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee
Supervisors Mar, Stefani, Haney

Rules Committee
Supervisors Peskin, Mandelman, Chan

Youth, Young Adult, and Families Committee
Supervisors Ronen, Safai, Melgar

Meeting Days

Wednesday
1:00 PM

Wednesday
10:30 AM

1st and 3rd Thursday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

2nd Friday
10:00 AM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

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AGENDA PACKET: Available on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

傳譯服務：所有常規及特別市參事會會議和常務委員會會議將提供西班牙文、中文以及菲律賓文的傳譯服務，但必須在會議前最少48小時作出請求，以確保能獲取到傳譯服務。將因應請求提供交替傳譯服務，以便公眾向有關政府機構發表意見。如需更多資訊或請求有關服務，請致電（415）554-5184聯絡我們。

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Americans with Disabilities Act (ADA)

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Board and Committee meeting agendas and minutes are available on the Board's website (www.sfbos.org) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 (wilson.l.ng@sfgov.org).

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>.

Ethics Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.

Remote Access to Information and Participation

Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.

On March 17, 2020, the Board of Supervisors (Board) authorized their Board and Committee meetings to convene remotely and will allow remote public comment via teleconference. Effective June 29, 2021, the Board and staff began to reconvene for in-person Board proceedings. Committee meetings will continue to convene remotely until further notice. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand.

Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>. Members of the public may participate by phone or may submit their comments by email to: bos@sfgov.org; all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>.

PUBLIC COMMENT CALL-IN

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ROLL CALL AND PLEDGE OF ALLEGIANCE

Pursuant to Board Rule 4.7.1 the President shall present the ancestral homeland acknowledgement of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula.

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the [October 26, 2021](#), and [November 2, 2021](#), Board Meeting Minutes.

AGENDA CHANGES

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

Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.

By eight (8) votes, the Board of Supervisors may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.

1. [211247](#) **[Formal Policy Discussions - November 30, 2021]**
Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topic submitted from the Supervisors representing Districts 10 and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. Dream Keeper Initiative Follow-Up (District 10)
2. Self Referrals to Congregate Shelters (District 11)

Discussion: The Mayor shall DISCUSS eligible topic(s) with the Board of Supervisors.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 2 through 8

Recommendation of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

2. [211099](#) **[Waiver of Banner Fees - “Shop & Dine in the 49” Campaign]**
Sponsors: Stefani; Mandelman
Ordinance waiving the banner fees under Public Works Code, Section 184.78, for the placement of up to 300 banners per year, for three years starting on November 20, 2021, by the Office of Economic and Workforce Development to publicize the City’s “Shop & Dine in the 49” campaign; and affirming the Planning Department’s determination under the California Environmental Quality Act.
- 11/30/2021; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Preston, Chan, Mar

3. [211023](#) **[Settlement of Lawsuit - David Joslyn - \$3,250,000]**
Ordinance authorizing settlement of the lawsuit filed by David Joslyn against the City and County of San Francisco for \$3,250,000; the lawsuit was filed on October 2, 2019, in San Francisco Superior Court, Case No. CGC-19-579230; entitled David Joslyn, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from medical negligence; other material terms of the settlement are that Iris Solano, Frederick Stewart Joslyn and Iris Lorraine Solano waive any potential future claims for wrongful death. (City Attorney)
- 11/30/2021; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

4. [211024](#) **[Settlement of Lawsuit - Huan Zheng Fang and Zhourong Fang - \$2,000,000]**
Ordinance authorizing settlement of the lawsuit filed by Huan Zheng Fang and Zhourong Fang against the City and County of San Francisco for \$2,000,000; the lawsuit was filed on May 18, 2020, in San Francisco Superior Court, Case No. CGC-20-584474; entitled Huan Zheng Fang, et al. v. City and County of San Francisco, et al.; the lawsuit involves the wrongful death of plaintiffs' husband and son. (City Attorney)

11/30/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [211068](#) **[Settlement of Lawsuit - Tamsyn Waterhouse - \$45,000]**
Ordinance authorizing settlement of the lawsuit filed by Tamsyn Waterhouse against the City and County of San Francisco for \$45,000; the lawsuit was filed on March 6, 2020, in San Francisco Superior Court, Case No. CGC-20-583543; entitled Tamsyn Waterhouse v. City and County of San Francisco; the lawsuit involves a flooding event inside the plaintiff's home. (City Attorney)

11/30/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. [211069](#) **[Settlement of Lawsuit - Christina Yiu and Jeremy Yiu - \$135,000]**
Ordinance authorizing settlement of the lawsuit filed by Christina Yiu and Jeremy Yiu against the City and County of San Francisco for \$135,000; the lawsuit was filed on December 4, 2019, in San Francisco Superior Court, Case No. CGC-19-581298; entitled Christina Yiu, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury arising from a motor vehicle accident. (City Attorney)

11/30/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. [211070](#) **[Settlement of Lawsuit - Victor Picazo - \$46,000]**
Ordinance authorizing settlement of the lawsuit filed by Victor Picazo against the City and County of San Francisco for \$46,000; the lawsuit was filed on April 3, 2019, in San Francisco Superior Court, Case No. CGC-19-575009; entitled Victor Picazo v. George Gascon, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

11/30/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisor Melgar, Preston, Peskin

- 8. **210810** **[Planning Code - Business Signs on Awnings and Marquees]**
Sponsors: Stefani; Chan, Melgar, Ronen and Mandelman
 Ordinance amending the Planning Code to allow business signs on awnings or marquees in addition to projecting signs in various neighborhood commercial and residential-commercial districts, and in certain Chinatown mixed use districts; applying business sign controls to additional Neighborhood Commercial Districts; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

 11/30/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

- 9. **210538** **[Appropriation - Fiscal Cliff Reserve \$64,150,000 - Mayor’s Office of Housing and Community Development - \$64,150,000 for Social Housing - FY2021-2022]**
Sponsors: Preston; Haney, Ronen, Peskin, Walton, Chan and Mar
 Ordinance appropriating \$64,150,000 from the Fiscal Cliff Reserve to the Mayor’s Office of Housing and Community Development for the acquisition, creation and operation of affordable, social housing under the Housing Stability Fund in Fiscal Year (FY) 2021-2022.

 (Fiscal Impact)

 11/30/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Referred Without Recommendation from the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

10. [211150](#) [Business and Tax Regulations Code - Temporary Suspension of Cannabis Business Tax]

Sponsor: Mandelman

Ordinance amending the Business and Tax Regulations Code to suspend the imposition of the Cannabis Business Tax through December 31, 2022.

(Fiscal Impact)

11/30/2021; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

11. [210452](#) [Planning Code - Exemption from Neighborhood Notification and Review Requirements for Grandfathered Medical Cannabis Dispensaries Converting to Cannabis Retail]

Sponsor: Mayor

Ordinance amending the Planning Code to exempt Grandfathered Medical Cannabis Dispensaries that convert to Cannabis Retail Uses from neighborhood notification and review requirements; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and welfare findings under Planning Code, Section 302.

11/30/2021; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Mar, Haney, Peskin

12. 211030 [Police, Health Codes - Regulation of Cannabis Businesses]

Sponsors: Safai; Mar, Chan and Preston

Ordinance amending the Police Code to clarify that the Office of Economic and Workforce Development (“OEWD”) may establish standards governing the certification of cannabis-related pre-apprenticeship programs that relate to social equity training, license incubation processes, underserved community outreach programs, and business plan development training; and amending the Health Code to extend from 120 days to between 150 and 180 days the period for which the Director of the Office of Cannabis (“OOC”) may grant temporary authorization to medical cannabis dispensaries (“MCDs”) to continue operating while they wait for the OOC to process their applications for cannabis business permits (“Temporary MCD Authorization”), and to add as prerequisites to Temporary MCD Authorization: that the MCD has not been found to have violated health and safety standards developed by the Director to protect the health and safety of employees, neighbors, and customers; that OEWD has not made a determination, or has determined that the MCD ensures that 35% of its new hires shall be registered apprentices enrolled in an approved apprenticeship program if feasible; and for any MCD with ten or more employees, that OEWD has not made a determination, or has determined that the MCD has entered into or made good faith efforts to enter into a Labor Peace Agreement or a collective bargaining agreement with a Bona Fide Labor Organization.

11/30/2021; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/30/2021; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Peskin, Mandelman, Chan

13. 211031 [Administrative Code - Request for Sheriff’s Services]

Sponsors: Safai; Peskin, Mar and Mandelman

Ordinance amending the Administrative Code to authorize the Sheriff to contract with private individuals and private entities to provide supplemental law enforcement services.

11/09/2021; CONTINUED ON FIRST READING.

11/16/2021; CONTINUED ON FIRST READING.

11/30/2021; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Haney, Safai, Mar

14. [211046](#) **[Appropriation - Special Tax Bond Proceeds - \$31,630,000 - Controller's Reserve - Treasure Island Community Facilities District - FY2021-2022]**
Sponsor: Mayor
Ordinance appropriating \$31,630,000 from the issuance of one or more series of Special Tax Bonds of the City's Improvement Area No. 2 of the Community Facilities District No. 2016-1 (Treasure Island) for funding of certain public facilities and infrastructure for the Treasure Island Development Project in Fiscal Year (FY) 2021-2022; and placing such amounts on Controller's reserve.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
15. [211095](#) **[Park Code - Discounts For Veterans]**
Sponsors: Mar; Melgar, Stefani, Walton, Safai, Ronen and Haney
Ordinance amending the Park Code to reduce or eliminate fees for admission to and use of certain facilities on park property for veterans and active members of the United States Armed Forces.
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Present: Supervisors Haney, Safai

16. [211098](#) **[Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk Sales During the Holiday Season]**

Sponsors: Stefani; Mandelman, Mar, Safai and Haney

Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy permits on City streets on Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and Sunday, December 12, 2021, to promote sidewalk sales of merchandise during the holiday season.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Haney, Safai, Mar

17. [211086](#) **[Lease Modification - United States Government - United States Federal Bureau of Investigation - Annual Rent \$665,489]**

Resolution approving Modification No. 2 of Lease No. GS-09P-LCA03395, between the United States (U.S.) of America and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term by three years, for a new term ending January 3, 2025, and increasing the annual rent to \$665,489 totaling \$1,996,467 for the extension term, for offices occupied by the U.S. Federal Bureau of Investigation at the International Terminal, to commence following approval by the Board of Supervisors. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

18. [211089](#) **[Agreement - AT&T Corporation - Telecommunication Services - Not to Exceed \$80,000,000]**

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

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

19. [211101](#) **[Accept and Expend Grant - Retroactive - 2019 Active Transportation Program - Alemany Interchange Improvements Phase 2 - \$1,971,000]**

Sponsors: Mayor; Ronen

Resolution retroactively authorizing Public Works to accept and expend \$1,971,000 from the 2019 Active Transportation Program to fund the construction of the Public Works' Alemany Interchange Improvements Phase 2 project, for the project period of October 2021, through June 2026. (Public Works)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

20. [211134](#) **[Accept and Expend Grant - California Department of Fish and Wildlife - Heron's Head Park Shoreline Resilience Project - \$1,493,000]**

Sponsor: Mayor

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$1,493,000 from the California Department of Fish and Wildlife to fund the Heron's Head Park Shoreline Resilience Project from January 1, 2022, through December 31, 2024. (Port)

Question: Shall this Resolution be ADOPTED?

21. [211141](#) **[Ground Lease Modification - United Airlines, Inc. - Three-Year Term Extension]**

Resolution approving Modification No. 3 to Ground Lease No. 00-0464 between the City and County of San Francisco, acting by and through its Airport Commission, and United Airlines, Inc. to extend the term by three years, provide for rent adjustments during the extension term, and update certain legal provisions required by applicable local, state, and federal laws, as defined herein, to take effect only after approval by the Board of Supervisors. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

22. [211144](#) **[Ground Lease Modification - United Airlines, Inc. - Three-Year Term Extension]**

Resolution approving Modification No. 1 to Ground Lease No. 96-0268 between the City and County of San Francisco, acting by and through its Airport Commission, and United Airlines, Inc. to extend the term by three years, provide for rent adjustments during the extension term, and update certain legal provisions required by applicable local, state, and federal laws, as defined herein, to take effect only after approval by the Board of Supervisors. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Haney, Mar

23. [211185](#) **[Agreement - Harvey M. Rose Associates, LLC - Budget and Legislative Analyst Services - Not to Exceed \$10,500,000]**

Resolution approving an agreement between Harvey M. Rose Associates, LLC and the Board of Supervisors for the Budget and Legislative Analyst Services for a total amount not to exceed \$10,500,000 for an initial term of four years from January 1, 2022, through December 31, 2025. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Melgar, Preston, Peskin

24. [211094](#) **[Priority for Veterans with an Affordable Housing Preference under Administrative Code, Chapter 47 - Disparate Impact Analysis]**
Sponsors: Mar; Stefani, Walton and Preston
Ordinance directing the Mayor's Office of Housing and Community Development to conduct a disparate impact analysis of granting a priority for veterans who qualify for an affordable housing preference under Administrative Code, Chapter 47.
Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

PUBLIC COMMENT WILL BE TAKEN ON THE CONTINUANCE

[1 \(415\) 655-0001](tel:4156550001) / [Meeting ID: 2482 925 9272 # #](#)

The President may entertain a motion to continue this Hearing and associated Motions to the Board meeting of January 11, 2022.

25. [211187](#) [Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street]

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 209.2, 253, 303, and 317, of the Planning Code, for a proposed project at 3832-18th Street, Assessor's Parcel Block No. 3580, Lot No. 018, identified in Planning Case No. 2020-001610CUA, issued by the Planning Commission by Motion No. 21016, dated October 14, 2021, to allow demolition of a single-family residence and approval of an individually requested state density bonus project pursuant to Planning Code, Section 206.6 (using the State Density Bonus Law (California Government Code, Sections 65915-65918)), for the project invoking waivers from the development standards for rear yard (Planning Code, Section 134), dwelling unit exposure (Planning Code, Section 140), and maximum height limit (Planning Code, Section 260) that would construct a new five-story, 50-foot tall, residential building (approximately 10,023 square feet) with 19 group housing units located within the RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height and Bulk District. (District 8) (Appellant: Athanassios Diacakis) (Filed November 12, 2021) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

26. [211188](#) **[Approving Conditional Use Authorization - 3832-18th Street]**
Motion approving the decision of the Planning Commission by its Motion No. 21016, approving a Conditional Use Authorization, identified as Planning Case No. 2020-001610CUA, for a proposed project located at 3832-18th 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)
- Question: Shall this Motion be APPROVED?**
27. [211189](#) **[Conditionally Disapproving the Conditional Use Authorization - 3832-18th Street]**
Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 21016, approving a Conditional Use Authorization, identified as Planning Case No. 2020-001610CUA, for a proposed project at 3832-18th 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.)
- Question: Shall this Motion be APPROVED?**
28. [211190](#) **[Preparation of Findings Related to Conditional Use Authorization - 3832-18th Street]**
Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2020-001610CUA, for a proposed project at 3832-18th Street. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, December 2, 2021, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, December 7, 2021.

29. [211074](#) **[Settlement of Lawsuit - Judy O'Neil - \$2,500,000]**
Ordinance authorizing settlement of the lawsuit filed by Judy O'Neil against the City and County of San Francisco for \$2,500,000; the lawsuit was filed on December 19, 2017, in U.S. District Court for the Northern District of California, Case No. 17-cv-07190; entitled Judy O'Neil v. City and County of San Francisco, et al.; the lawsuit involves an officer involved shooting that resulted in the death of Keita O'Neil. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

30. [211125](#) **[Memorandum of Understanding - International Union of Operating Engineers Stationary Engineers, Local 39]**

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 International Union of Operating Engineers Stationary Engineers, Local 39, to revise San Francisco Public Utilities Commission Wastewater Enterprise rules regarding work schedules and shift assignments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. [211088](#) **[Mills Act Historical Property Contract - 714 Steiner Street]**

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

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, December 6, 2021, at 1:30 p.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, December 7, 2021.

32. [210381](#) **[Planning Code - Massage Establishment Zoning Controls]**

Sponsors: Ronen; Mandelman and Preston

Ordinance amending the Planning Code to revise Massage Establishment zoning controls, including, among other things, to 1) add Sole Practitioner Massage Establishments to the definition of Health Services in Articles 1 and 8 and remove it from the definition of Massage Establishments; 2) regulate Massage Establishments generally consistent with Health Services, with some exceptions; 3) eliminate the three-month period to establish abandonment of certain nonconforming Massage Establishment uses; 4) prohibit Personal Services uses for three years at any location where a Massage Establishment use was closed due to a violation of the Planning Code or Health Code; 5) eliminate the exception from the conditional use authorization requirement for massage uses accessory to a dwelling unit; 6) rename Medical Services to Health Services in Article 8 and make other conforming amendments; and 7) delete related provisions that have expired through the passage of time; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Rules Committee at a Regular Meeting on Monday, December 6, 2021, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, December 7, 2021.

33. [201132](#) **[Campaign and Governmental Conduct Code - Behested Payments]**
Sponsors: Haney; Peskin, Chan and Walton
Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of interested party to include City contractors, persons seeking to influence City officers and employees, registered contact lobbyists, permit consultants, and to prohibit elected officials, department heads, commissioners, and designated employees from soliciting behested payments from interested parties.

(Meet and confer obligations met.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a visual displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001](tel:14156550001) / Meeting ID: 2482 925 9272 # #

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

(PUBLIC COMMENT for Items 36 through 41 will be taken during Item 35 - General Public Comment.)

Items 36 through 41

36. [211241](#) **[Urging Congress to Pass H.R. 5502 - INFORM Consumers Act]**
Sponsor: Mandelman
Resolution urging Congress to pass H.R. 5502, the INFORM Consumers Act, requiring online marketplaces to collect, verify, and disclose certain information from high-volume, third-party sellers, with no further amendments.

11/30/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
37. [211242](#) **[TEFRA Approval - Issuance and Sale of Limited Obligation Improvement Bonds - California Statewide Communities Development Authority - Chinese Hospital Association - Not to Exceed \$45,000,000]**
Sponsor: Peskin
Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Limited Obligation Improvement Bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$45,000,000 to refinance the acquisition, construction and installation of seismic strengthening improvements and other authorized improvements in certain health care facilities owned and operated by Chinese Hospital Association, a California nonprofit public benefit corporation.

11/30/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
38. [211248](#) **[Rita Semel Day - November 15, 2021]**
Sponsors: Melgar; Mandelman, Stefani and Walton
Resolution retroactively declaring November 15, 2021, as Rita Semel Day in the City and County of San Francisco, in recognition of her many years of outstanding service in interfaith and civil rights work and celebrating her 100 years on this planet.

11/30/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. [211195](#) **[Appointment, Commission on the Aging Advisory Council - Chris Dillon]**
Motion appointing Chris Dillon, term ending March 31, 2023, to the Commission on the Aging Advisory Council. (Clerk of the Board)
- 11/16/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
40. [211218](#) **[Appointments, Eastern Neighborhoods Community Advisory Committee - Irma Lewis and Jolene Yee]**
Motion appointing Irma Lewis and Jolene Yee, terms ending October 19, 2023, to the Eastern Neighborhoods Community Advisory Committee. (Clerk of the Board)
- 11/18/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
41. [211244](#) **[Board of Supervisors Regular Meeting Schedule - 2022]**
Motion establishing the 2022 Board of Supervisors Regular Meeting Schedule, pursuant to Board of Supervisors Rules of Order, Sections 4.2 and 4.2.1, by cancelling the Regular Board meetings of January 18, February 22, May 31, June 21, July 5, October 11, and November 29; and all Regular Board and Committee meetings during the spring, summer and winter breaks from March 28 through April 1, August 1 through September 5, and December 14, 2022 through January 6, 2023; and further suspending portions of Board Rule 4.2 to effectuate certain dates within the regular meeting schedule to augment the flow of business. (Clerk of the Board)
- 11/30/2021; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

42. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

(PUBLIC COMMENT WILL BE TAKEN on any Imperative Agenda item introduced.)
[1 \(415\) 655-0001 / Meeting ID: 2482 925 9272 # #](tel:14156550001)

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCE

211230 [Summary Street Vacation - Michigan Street in Connection with MUNI Metro East

Improvements - Interdepartmental Property Transfer]

Ordinance ordering the summary street vacation of a portion of Michigan Street, generally bounded by Assessor's Parcel Block No. 4298 to the north and west, Assessor's Parcel Block No. 4310 to the east, and Cesar Chavez Street to the south, as part of the improvement of the MUNI Metro East maintenance facility, subject to the approval of the San Francisco Municipal Transportation Agency ("SFMTA") Board of Directors; approving the interdepartmental transfer of the vacation area from Public Works to SFMTA, subject to the approval of the SFMTA Board of Directors; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in furtherance of this Ordinance, as defined herein. (Public Works)

11/23/2021; RECEIVED FROM DEPARTMENT.

12/07/2021; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

211249 **[Petitions and Communications]**

Petitions and Communications received from November 23, 2021, through December 2, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 7, 2021.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, providing notice of an appointment to the following body.
Copy: Each Supervisor. (1)

- Appointment pursuant to Charter, Section 3.100(18)
 - Our City, Our Home Oversight Committee
 - o Michelle Cunningham - term ending April 22, 2022

Form the Department of Public Health, submitting press release, entitled “First Confirmed Case of Omicron Variant Detected in the United States.” Copy: Each Supervisor. (2)

Form the Office of the Controller, pursuant to Administrative Code, Section 105.3(f), submitting the Cigarette Litter Abatement Fee Adjustment, effective January 1, 2022. Copy: Each Supervisor. (3)

From the Airport Commission, pursuant to Charter, Section 4.104, submitting the Filing of Amended Rules and Regulations of the San Francisco International Airport. Copy: Each Supervisor. (4)

From the Office of Civic Engagement and Immigrant Affairs, submitting a letter with recommendations and multilingual resource guide on ending anti-Asian American Pacific Islander (AAPI) hate. Copy: Each Supervisor. (5)

From concerned citizens, regarding a proposed Ordinance appropriating \$64,150,000 from the Fiscal Cliff Reserve to the Mayor’s Office of Housing and Community Development for the acquisition, creation and operation of affordable, social housing under the Housing Stability Fund in Fiscal Year (FY) 2021-2022. File No. 210538. 28 Letters. Copy: Each Supervisor. (6)

From Holland & Knight LLP, submitting a letter regarding the Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization for a proposed project at 450-474 O’Farrell Street and 532 Jones Street. File No. 210858. Copy: Each Supervisor. (7)

From concerned citizens, regarding Resolution No. 442-21 calling for the creation of a “Beach to Bay” car-free connection and urging the Recreation and Park Department and San Francisco Municipal Transportation Agency to improve park accessibility and create equitable access to Golden Gate Park. File No. 210944. 199 Letters. Copy: Each Supervisor. (8)

From concerned citizens, regarding various subjects pertaining to vaccine mandates. 7 Letters. Copy: Each Supervisor. (9)

From concerned citizens, regarding the Great Highway. 2 Letters. Copy: Each Supervisor. (10)

From Anonymous, regarding various subjects. 3 Letters. Copy: Each Supervisor. (11)

From Mari Eliza, regarding Resolution No. 363-21 approving and authorizing the Director

of the Mayor's Office of Housing and Community Development with 2550 Irving Associates, L.P. to execute loan documents relating to a loan to provide financing for the acquisition of real property located at 2550 Irving Street. Copy: Each Supervisor. (12)

From Chris Ward Kline, regarding a proposed Resolution authorizing the Department of Public Health to submit a one-year application for Calendar Year 2022 to continue to receive funding for the Integrated HIV Surveillance and Prevention Programs for Health Departments from the Centers of Disease Control and Prevention. File No. 211102. Copy: Each Supervisor. (13)

From concerned citizens, regarding a proposed Ordinance amending the Business and Tax Regulations Code to suspend the imposition of the Cannabis Business Tax through December 31, 2022. File No. 211150. 2 Letters. Copy: Each Supervisor. (14)

From concerned citizens, regarding a proposed Resolution urging the San Francisco Credit Union to collaborate with the Municipal Transportation Agency on Taxi Medallion Prices and Loan Forgiveness. File No. 211209. 2 Letters. Copy: Each Supervisor. (15)

From the Black Employee Alliance, regarding various subjects. Copy: Each Supervisor. (16)

From Ana Powers, regarding the practices of the San Francisco Police Department regarding car burglaries. Copy: Each Supervisor. (17)

From J. Scott Evans, regarding various subjects pertaining to how Board of Supervisor meetings are held. Copy: Each Supervisor. (18)

From concerned citizens, regarding tree removal/replacement. 2 Letters. Copy: Each Supervisor. (19)

From Allen Jones, concerning Recology's curbside pick-up as it pertains to the homeless. Copy: Each Supervisor. (20)

From concerned citizens, concerning two proposed projects at 230 Anza Street and 1268-17th Avenue. 3 Letters. Copy: Each Supervisor. (21)

From Kristin Chu, submitting her resignation to the Citizens' General Obligation Bond Oversight Committee. Copy: Each Supervisor. (22)

From Howard Strassner, regarding various subjects. Copy: Each Supervisor. (23)

From Sherman Tom, regarding City fees pertaining to upgrading homes. Copy: Each Supervisor. (24)

From concerned citizens, regarding a proposed Ordinance amending the Administrative Code to authorize the Sheriff to contract with private individuals and private entities to provide supplemental law enforcement services. File No. 211301. 2 Letters. Copy: Each Supervisor. (25)

ADJOURNMENT