

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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MEMORANDUM

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Hillary Ronen, Chair
Rules Committee

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: November 30, 2020

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, December 1, 2020

The following file should be presented as a **COMMITTEE REPORT** at the Board Meeting on Tuesday, December 1, 2020. This item was acted upon at the Rules Committee Meeting on Monday, November 30, 2020, at 10:00 a.m., by the votes indicated.

Item No. 60 File No. 201189

[Administrative Code - African American Arts and Cultural District]

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.

RECOMMENDED AS COMMITTEE REPORT

Vote: Supervisor Hillary Ronen - Aye
Supervisor Catherine Stefani - Excused
Supervisor Gordon Mar - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy Director
Anne Pearson, Deputy City Attorney

File No. 201189

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Nov 30, 2020

Board of Supervisors Meeting

Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- Memorandum of Understanding (MOU)
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 - Ethics Commission
- Award Letter
- Application
- Form 700
- Vacancy Notice
- Information Sheet
- Public Correspondence

OTHER (Use back side if additional space is needed)

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Completed by: Victor Young

Date Nov 22, 2020

Completed by: _____

Date _____

1 [Administrative Code - African American Arts and Cultural District]

2

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

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17

18 Section 1. Chapters 5 and 107A of the Administrative Code are hereby amended by
19 revising Sections 5.30-2, 5.30-5, 5.30-6, and 107A.2, to read as follows:

20

21 **SEC. 5.30-2. MEMBERSHIP.**

22 The Committee shall consist of ~~15~~ seven voting members, nominated by the Supervisor
23 for District 10 and appointed by the Board of Supervisors. Members of the Committee shall
24 reside within the boundaries of the African American Arts and Cultural District (the "District"),
25 as described in Section 107.3 of this Code, and shall have the following additional
qualifications:

(a) Seat 1 shall be held by an owner of a business located in the District.

1 ~~(b) Seat 2 shall be held by a performing artist.~~

2 ~~(eb) Seat 2³ shall be held by an employee of a nonprofit organization that advocates for~~
3 ~~housing~~ located in the District.

4 ~~(dc) Seat 3⁴ shall be held by a person with knowledge or expertise regarding the~~
5 ~~history or culture of the District.~~

6 ~~(e) Seat 5 shall be held by a faith-based leader of a church located in the District.~~

7 ~~(fd) Seat 4⁶ shall be held by a youth between ages of 14 to 18 24, inclusive, at the time~~
8 ~~of appointment.~~

9 ~~(ge) No additional requirements shall apply to the individuals holding Seats 5, 6, and 7. 7~~
10 ~~shall be held by a person with knowledge or expertise regarding the workforce in the District.~~

11 ~~(h) Seat 8 shall be held by a person with knowledge or expertise regarding communication or~~
12 ~~journalism.~~

13 ~~(i) Seat 9 shall be held by a retired senior.~~

14 ~~(j) Seat 10 shall be held by a person with knowledge or expertise regarding community~~
15 ~~activation or event planning.~~

16 ~~(k) Seat 11 shall be held by a person with knowledge or expertise regarding digital or social~~
17 ~~media.~~

18 ~~(l) Seat 12 shall be held by a person with knowledge or expertise regarding community~~
19 ~~engagement.~~

20 ~~(m) Seat 13 shall be held by a person with knowledge or expertise regarding African American~~
21 ~~health.~~

22 ~~(n) Seat 14 shall be held by a director of a nonprofit arts organization located in the District.~~

23 ~~(o) Seat 15 shall be held by a board member of a neighborhood association located in the~~
24 ~~District.~~

1 **SEC. 5.30-5. MEETINGS AND PROCEDURES.**

2 (a) The Committee shall hold its inaugural meeting not more than ~~30~~ 60 days after the
3 Board has appointed at least four members to the Committee. There shall be at least ten
4 days' public notice of the inaugural meeting. Following the inaugural meeting, the Committee
5 shall hold a regular meeting not less than ~~once every three months~~ four times a year until the
6 sunset date set forth in Section 5.30-6.

7 * * * *

8
9 **SEC. 5.30-6. SUNSET.**

10 Unless the Board of Supervisors by ordinance extends the term of the Committee, this
11 Article XXX shall expire by operation of law, and the Committee shall terminate, on January 31,
12 2023~~one year after the effective date of the ordinance in Board File No. 181080 enacting this Article.~~
13 After that date, the City Attorney shall cause this Article XXX to be removed from the
14 Administrative Code.

15
16 **SEC. 107A.2. REQUIRED REPORTS.**

17 (a) **Department Reports to the Mayor's Office of Housing and Community**
18 **Development.** By no later than ~~July 31, 2019~~ July 1, 2021, the departments listed in this
19 subsection (a) shall submit to the Mayor's Office of Housing and Community Development
20 reports containing an assessment of relevant assets and needs in the District,
21 recommendations on programs, policies, and funding sources that could benefit the District,
22 and other recommendations that could serve the District to advance the goals of this Chapter
23 107A. Each department shall seek the input of the African American Arts and Cultural District
24 Community Advisory Committee established in Chapter 5, Article XXX of the Administrative
25 Code, during that committee's existence, as well as residents, businesses, and organizations

1 in the District, when compiling the information relevant for the reports and when deciding on
2 recommendations.

3 (1) The Historic Preservation Commission's report shall describe and evaluate
4 historic resources in the District and make recommendations regarding how the City may
5 preserve those resources.

6 (2) The Office of Economic and Workforce Development's report shall (A)
7 describe existing businesses and nonprofit organizations that contribute to the culture of the
8 District, and make recommendations regarding how the City may serve those businesses and
9 organizations; and (B) describe tourist activity in the District, and make recommendations
10 regarding how the City can sustain and increase that activity.

11 (3) The Arts Commission's report shall describe the artistic and cultural assets
12 in the District, including fine arts, performing arts, and regular cultural events like festivals, and
13 make recommendations about how the City may preserve and support those assets.

14 (4) The Department of Public Works' report shall (A) describe potential
15 improvements to public amenities and infrastructure in the District that could better reflect the
16 culture of the District; and (B) evaluate available opportunities for adding to the public
17 amenities and infrastructure that reflect and enhance the culture of the District, and make
18 recommendations for potential funding sources to support those additions.

19 (5) The Planning Department's report shall make recommendations regarding
20 potential amendments to the Planning Code that could contribute to the preservation of the
21 character of the District.

22 (6) The Human Rights Commission's report shall evaluate and describe the
23 cultural competency of City services in the District, and propose policy changes to address
24 deficits in those areas.

25

1 (b) **Culture, History, Housing, and Economic Sustainability Strategy Report.** By
2 no later than December 31, 2021~~July 31, 2020~~, the Mayor's Office of Housing and Community
3 Development shall prepare and submit to the Board of Supervisors and the Mayor a Culture,
4 History, Housing, and Economic Sustainability Strategy Report ("CHHESS Report") for the
5 District.

6 The CHHESS Report shall include a demographic and economic profile of the District,
7 including past, current, and future trends; analyze and record the tangible and intangible
8 elements of the District's cultural heritage; identify areas of concern that could inhibit the
9 preservation of the District's unique culture; and propose legislative, economic, and other
10 solutions and strategies to support the District. The CHHESS Report shall discuss or
11 incorporate the findings and recommendations of departments in the reports required by
12 subsection (a) of this Section 107A.2. In preparing the CHHESS Report, the Mayor's Office of
13 Housing and Community Development shall solicit recommendations and feedback from the
14 African American Arts and Cultural District Community Advisory Committee, and spearhead a
15 community engagement process with residents, businesses, and workers in the District, in
16 order to develop the strategies and plans that will preserve and enhance the culture of the
17 District.

18 (c) **Timeline Extensions.** The Board of Supervisors may extend any of the deadlines
19 in subsections (a) or (b) of this Section 107A.2 by resolution. Prior to requesting that the
20 Board extend a deadline, any department requesting such an extension shall notify the
21 African American Arts and Cultural District Community Advisory Committee in writing.

22 (d) **Board of Supervisors Consideration.** Following receipt of the CHHESS Report
23 from the Mayor's Office of Housing and Community Development, the Board of Supervisors
24 may take any action that the Board deems appropriate, including, by resolution, approving the
25 report, modifying the report, rejecting the report, or requesting additional information or

1 analysis from the Mayor’s Office of Housing and Community Development or any other City
2 department or agency.

3 (e) **Progress Reports.** The Mayor’s Office of Housing and Community Development
4 shall provide a progress report on the strategies outlined in the CHHESS Report at least once
5 every three years following the Board of Supervisors’ enactment of a resolution approving or
6 modifying the CHHESS Report.

7
8 Section 2. **Effective Date.** This ordinance shall become effective 30 days after
9 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
10 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
11 of Supervisors overrides the Mayor’s veto of the ordinance.

12
13 Section 3. **Scope of Ordinance.** In enacting this ordinance, the Board of Supervisors
14 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
15 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
16 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
17 additions, and Board amendment deletions in accordance with the “Note” that appears under
18 the official title of the ordinance.

19
20
21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: /s/
24 **JON GIVNER**
25 **Deputy City Attorney**

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LEGISLATIVE DIGEST

[Administrative Code - African American Arts and Cultural District]

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.

Existing Law

In 2018, the Board of Supervisors establishes the African American Arts and Cultural District in the Bayview Hunters Point neighborhood. Under that ordinance, several City departments must prepare and submit reports to the Mayor's Office of Housing and Community Development (MOHCD) by July 2019. The reports will assess the assets and needs in the District, and will recommend programs, policies, and funding sources that could benefit the District and preserve its cultural legacy. After these reports are complete, MOHCD will prepare a Culture, History, Housing, and Economic Sustainability Strategy Report (CHHESS Report). The CHHESS Report will include a demographic and economic profile of the District, including past, current, and future trends; analyze and record the District's cultural heritage; identify areas of concern that could inhibit the preservation of the District's unique culture; and propose legislative, economic, and other solutions and strategies to support the District. By October 8, 2019, MOHCD will submit the report to the Board of Supervisors for the Board's consideration and possible approval. MOHCD will prepare additional progress reports every three years thereafter.

The 2018 ordinance also established the African American Arts and Cultural District Community Advisory Committee to advise the Board of Supervisors, the Mayor, and MOHCD regarding strategies to support and preserve the culture and heritage of the African American Arts and Cultural District. The Advisory Committee is a 15-member body with members nominated by the District 10 Supervisor and appointed by the Board of Supervisors. The Advisory Committee was set to sunset in January 2020.

Amendments to Current Law

The proposed ordinance would change the size of the Advisory Committee so it will have 7 members instead of 15. The Advisory Committee would include an owner of a business located in the District, an employee of a nonprofit organization in the District, a person with knowledge or expertise regarding the history or culture of the District, a youth between ages of 14 to 24, and three other at-large members.

FILE NO. 201189

The proposed ordinance would extend the sunset date of the Advisory Committee to January 2023.

The proposed ordinance also would change the deadline for departments to submit reports to MOHCD to July 2021, and would extend the deadline for MOHCD to submit the initial CHHESS Report to December 2021.

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MEMORANDUM

Date: November 30, 2020

To: The Honorable Members, Board of Supervisors

From: *ACC* Angela Calvillo, Clerk of the Board

Subject: Revisions to the African American Arts and Cultural District Community Advisory Committee (File No. 201189)

Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. In order to fulfill these requirements, the following is provided:

File No. 201189 Administrative Code – African American Arts and Cultural District

- Does a current body address the same or similar subject matter?

No. There is no other body charged with addressing the same subject matter.

- Language requiring the body to meet at least once every four months

Yes. Page 3, Lines 4-6, Sections 5.30-5 entitled "Meeting and Procedures" states "Following the inaugural meeting, the Committee shall hold a regular meeting not less than four times a year until the sunset date set forth in Section 5.30-6."

- Language indicating members serve at the pleasure of the appointing authority

Yes. Section 5.30-3(a) states that "Members of the Committee shall serve at the pleasure of the Board of Supervisors and may be removed by the Board at any time."

vy:ams



- Language establishing attendance requirements

Yes. Section 5.30-3(c) states that “Any member who misses three regular meetings of the Committee within a six-month period without the express approval of the Committee at or before each missed meeting shall be deemed to have resigned from the Committee ten days after the third unapproved absence.”

- Number of seats and qualifications

The Ordinance proposes to amend the current membership to reduce the membership from 15 members down to 7, as follows:

Members shall be nominated by the Supervisor for District 10 and appointed by the Board of Supervisors. Members of the Committee shall reside within the boundaries of the African American Arts and Cultural District (the “District”), and shall have the following additional qualifications:

Seat 1 shall be held by an owner of a business located in the District.

Seat 2 shall be held by an employee of a nonprofit organization located in the District.

Seat 3 shall be held by a person with knowledge or expertise regarding the history or culture of the District.

Seat 4 shall be held by a youth between ages of 14 to 24, inclusive, at the time of appointment.

Seats 5, 6 and 7 shall have no additional requirements - qualifications to state that any positions on the Commission, not allocated to specific types of members, may be filled by persons with experience and knowledge of the mental health system representing the public interest, which may include, but need not be limited to, people who engage with individuals living with mental illness in the course of daily operations, such as representatives of county offices of education, large and small businesses, hospitals, hospital districts, physicians practicing in emergency departments, city police chiefs, county sheriffs, and community and nonprofit service providers.

- Term limits (i.e., commencement date? staggered terms?)

Yes. Section 5.30-3(a) states that “Each member may remain on the Committee until the termination of the Committee under Section 5.30-6, unless removed by the Board.”



- Administering department

Yes. Section 5.30-3 states “The Mayor’s Office of Housing and Community Development shall provide administrative support for the Committee.”

- Reporting requirements

The Advisory Committee was established to advise the Board of Supervisors, the Mayor, and the Mayor’s Office of Housing and Community Development regarding strategies to support and preserve the unique culture and heritage of the African American Arts and Cultural District, and provide input to all City agencies in the preparation of reports required under Administrative Code, Section 107A.2. These department reports shall contain assessments of relevant assets and needs in the District, recommendations on programs, policies, and funding sources that could benefit the District, and other recommendations that could serve the District to advance the goals of Administrative Code, Chapter 107A. The Committee shall also advise the Board of Supervisors, the Mayor, and the Mayor’s Office of Housing and Community Development regarding any potential need to re-examine the boundaries of the African American Arts and Cultural District.

- Sunset date

Unless the Board of Supervisors by ordinance extends the term of the Committee, this Article XXX shall expire by operation of law, and the Committee shall terminate, on January 31, 2023. After that date, the City Attorney shall cause this Article XXX to be removed from the Administrative Code.

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MEMORANDUM

TO: Ed D. Shaw, Director, MOHCD

FROM: Victor Young, Assistant Clerk

A handwritten signature in black ink that reads "Victor Young".

DATE: October 24, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation:

File No. 201189

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.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: linda.wong@sfgov.org.

c: Eugene, Flannery, MOHCD
Amy Chan, MOHCD