

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Alondra Esquivel-Garcia, Director, Youth Commission
Joy Zhan, Youth Commission

FROM: Victor Young, Assistant Clerk,
Rules Committee

DATE: July 1, 2024

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Rules Committee has received the following matter. This item is being referred for comment and recommendation.

File No. 240699

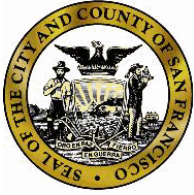
Ordinance requiring that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue (Assessor's Parcel Block No. 7136, Lot No. 060), subject to environmental review, required approvals, and other applicable laws; and prohibiting the expenditure of City funds to explore, pursue, or plan construction of a new Public Library branch serving those neighborhoods at any alternate location, except as required by the environmental review process, required approvals, or other applicable laws.

Please return this cover sheet with the Commission's response to Victor Young, Assistant Clerk, Rules Committee.

RESPONSE FROM YOUTH COMMISSION Date: _____

_____ No Comment
_____ Recommendation Attached

Chairperson, Youth Commission



City and County of San Francisco

Master Report

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

File Number: 240699	File Type: Ordinance	Status: 30 Day Rule
Enacted:		Effective:
Version: 1	In Control: Rules Committee	
File Name: Site for New Library Branch - 100 Orizaba Avenue		Date Introduced: 06/18/2024
Requester:	Cost:	Final Action:
Comment:	Title: Ordinance requiring that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue (Assessor's Parcel Block No. 7136, Lot No. 060), subject to environmental review, required approvals, and other applicable laws; and prohibiting the expenditure of City funds to explore, pursue, or plan construction of a new Public Library branch serving those neighborhoods at any alternate location, except as required by the environmental review process, required approvals, or other applicable laws.	
Sponsor: Safai		

History of Legislative File 240699

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	06/18/2024	ASSIGNED UNDER 30 DAY RULE	Rules Committee	07/18/2024	

[Site for New Library Branch - 100 Orizaba Avenue]

Ordinance requiring that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue (Assessor's Parcel Block No. 7136, Lot No. 060), subject to environmental review, required approvals, and other applicable laws; and prohibiting the expenditure of City funds to explore, pursue, or plan construction of a new Public Library branch serving those neighborhoods at any alternate location, except as required by the environmental review process, required approvals, or other applicable laws.

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

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

Section 1. Background and Findings.

(a) An October 10, 2019 Memorandum from the City Librarian to the Library Commission detailed the following: At the Library Commission meetings of April 18 and July 18, 2019, Library staff provided updates on Branch Capital Projects, which included information about a series of community meetings with Oceanview neighborhood residents regarding the prospective renovation of the Oceanview Branch Library. Three community meetings in February and March 2019 yielded valuable feedback regarding residents' level of support for and concerns about renovating the existing Oceanview Branch Library facility.

1 Community members shared that the existing building had numerous deficiencies including:
2 very limited space for physical collections, lack of adequate seating and study tables, lack of a
3 designated area for teens, lack of spaces for individual or group study, and an inadequate
4 meeting room that is unable to accommodate attendees of library events. Community
5 members expressed serious reservations about the efficacy of renovating the existing space
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7 conveyed the need for a new library branch to be constructed at a new location to serve their
8 growing population, and to address the historical inequity in the level of library services
9 available to residents in their area of the City as compared to other areas. With support from
10 the District 11 Supervisor to identify City-owned property in the neighborhood, the Library
11 partnered with the Department of Public Works to draft a Site Feasibility Report for
12 undeveloped land parcels along Brotherhood Way. A copy of the October 10, 2019
13 Memorandum is on file with the Clerk of the Board of Supervisors in File No. 240017.

14 (b) Library staff presented an Oceanview Branch Library Site Feasibility Report for
15 undeveloped land parcels along Brotherhood Way at the October 17, 2019 Library
16 Commission meeting. A Public Works architect also discussed the Site Feasibility Report at
17 the meeting. The presentation and discussion included details on the viability of different
18 potential sites, and a range of preliminary cost estimates for building construction. The Site
19 Feasibility Report specifically identified "Option D" (Parcel No. 7136/060) as meeting all site
20 viability criteria and the recommended site. This information informed the Commission's
21 consideration of additional budget allocations for the Oceanview Branch Library project as
22 part of the Fiscal Years 2021-2022 and 2022-2023 budget process. A copy of the Site
23 Feasibility Report and minutes from the October 17, 2019 Library Commission meeting are on
24 file with the Clerk of the Board of Supervisors in File No. 240017.

1 (c) The Department of Public Works, in a letter dated May 21, 2021 to the Library,
2 presented a "Memorandum of Understanding for the Proposal of Architectural Services for the
3 Oceanview Branch Library, Concept Design & Preliminary Planning Application" (MOU) for a
4 potential new library building to replace the existing Oceanview Branch Library. The MOU
5 assumed that the project will be the development of the site boundary approximately
6 comprising the site "Option D" (Parcel No. 7136/060) as depicted in the Oceanview Branch
7 Library Site Feasibility Report. In the letter, Public Works defined the assumed site boundary
8 in a dimensioned drawing as part of this project. A copy of the May 21, 2021 Public Works
9 letter is on file with the Clerk of the Board of Supervisors in File No. 240017.

10 (d) The Planning Department issued a Preliminary Project Assessment on April 28,
11 2022 for Public Works Case No. 2022-001023PPA that provided feedback regarding the
12 project at 100 Orizaba Avenue, located at Block/Lot 7136/060, on an approximately 31,620
13 square foot lot currently designated as public open space. A copy of the April 28, 2022
14 Planning Department Preliminary Project Assessment is on file with the Clerk of the Board of
15 Supervisors in File No. 240017.

16 (e) The Library conducted three publicly-noticed community meetings on June 8, 9,
17 and 11, 2022 to gather community input on the Preliminary Project Assessment findings. The
18 meetings were held virtually, and also in person at 446 Randolph Street and 345 Randolph
19 Street. Community members expressed concerns about traffic safety and expressed an
20 overall consensus in favor of the recommended location at 100 Orizaba Avenue, at Parcel No.
21 7136/060.

22 (f) The San Francisco Municipal Transportation Agency (SFMTA) in a letter dated
23 February 28, 2023 to the District 11 Supervisor, described SFMTA's conceptual planning for
24 improvements to the intersection of Brotherhood Way, Alemany Boulevard, Sagamore Street,
25 and Orizaba Avenue, and adjacent roadways. Because of the intersecting roadways, multiple

1 travel lanes on many approaches, and unusual geometry, the SFMTA's letter noted that the
2 current street configuration could be modified for improved pedestrian access and safety to
3 the Brotherhood Way Open Space, and improved general pedestrian and traffic safety.
4 Implementation of these improvements would require dedicated funding, which was not
5 identified at the time of SFMTA's letter. The letter noted that funding, planning, and
6 implementation of street improvements can be fully independent of any adjacent land use
7 changes, including potential siting of a San Francisco Public Library branch nearby. A copy of
8 the February 28, 2023 SFMTA letter is on file with the Clerk of the Board of Supervisors in File
9 No. 240017.

10 (g) Following a lack of commitment from the Library to move forward with the 100
11 Orizaba Avenue location at the Board of Supervisors' Budget and Appropriations Committee
12 hearings on June 16 and June 23, 2023, the Budget and Appropriations Committee put
13 funding for the construction of the new Library branch on reserve for Fiscal Years 2023-2024
14 and 2024-2025.

15 (h) On January 9, 2024, an ordinance was introduced at the Board of Supervisors to
16 require that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside,
17 and Lakeview neighborhoods be built on the City-owned parcel located at 100 Orizaba
18 Avenue (Parcel No. 7136/060), subject to environmental review, required approvals, and other
19 applicable laws. The ordinance, as introduced, also prohibited the expenditure of City funds to
20 explore, pursue, or plan construction of a new Public Library serving these neighborhoods at
21 any alternate location, except as required by the environmental review process, required
22 approvals, or other applicable laws. A copy of the version of this ordinance as introduced on
23 January 9, 2024 is on file with Clerk of the Board of Supervisors in File No. 240017.

24 (i) On January 30, 2024, on first reading, the Board of Supervisors amended and
25 passed that ordinance. The Board's amendments changed the requirement, subject to

1 necessary approvals, that the City-owned parcel located at 100 Orizaba Avenue be used as
2 the location for a new Public Library branch to instead require only that the City prioritize this
3 location for a new Public Library branch. The Board's amendments also changed the
4 prohibition on the expenditure of City funds to explore alternate locations to instead require
5 that City departments prioritize the expenditure of City funds for a new Public Library branch
6 at this location. On February 6, 2024, on second reading, the Board of Supervisors finally
7 passed that ordinance as amended. It became enacted ten days later, on February 16, 2024,
8 without the Mayor's signature, and became effective on March 18, 2024. A copy of the final
9 version of that ordinance, Ordinance No. 32-24, is on file with Clerk of the Board of
10 Supervisors in File No. 240017, and is posted on the Board of Supervisors website.

11 (j) This ordinance re-introduces the original version of Ordinance No. 32-24, prior
12 to its amendment and enactment. Like the original version, this ordinance would require that
13 the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and
14 Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue
15 (Parcel No. 7136/060) and prohibit the expenditure of City funds to explore, pursue, or plan
16 construction of a new Public Library branch at any alternate location, subject to environmental
17 review, required approvals, and other applicable laws. Enactment of this ordinance would
18 have the effect of repealing Ordinance No. 32-24.

19
20 Section 2. Location of New Public Library Branch Serving Oceanview, Merced
21 Heights, Ingleside, and Lakeview Neighborhoods at 100 Orizaba Avenue.

22 (a) Subject to the budgetary and fiscal provisions of the Charter, planning approvals,
23 environmental review under the California Environmental Quality Act, further regulatory and
24 City approvals as required by law, and any other applicable laws, the City-owned Parcel No.
25 7136/060, located at 100 Orizaba Avenue at the intersection of Orizaba Avenue and

1 Brotherhood Way, shall be used as the location for a new Public Library branch serving the
2 Oceanview, Merced Heights, Ingleside and Lakeview Neighborhoods.

3 (b) The Public Library, Department of Public Works, Planning Department, and Real
4 Estate Division shall not expend any City funds to design, plan, perform environmental review
5 of, or implement a new Public Library branch serving the Oceanview, Merced Heights,
6 Ingleside, and Lakeview neighborhoods at any location other than Parcel No. 7136/060, the
7 adjacent Parcel No. 7135/045, and the adjacent right of way. Neither this subsection (b) nor
8 any other provision of this ordinance shall preclude the City from considering alternative
9 locations as part of the environmental review process, if needed.

10 (c) This ordinance does not constitute an approval of the construction of a new Library
11 branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods. The
12 City retains its full discretion to approve, disapprove, or modify the Library branch proposal,
13 including but not limited to the adoption of mitigation measures, project alternatives, or not
14 moving forward with the project, as required by the environmental review process under the
15 California Environmental Quality Act, the budgetary and fiscal provisions of the Charter,
16 planning approvals, further regulatory and City approvals as required by law, or any other
17 applicable laws.

18
19 Section 3. Direction to the Clerk of the Board of Supervisors. Upon enactment of this
20 ordinance, the Clerk of the Board of Supervisors shall place a copy of this ordinance in File
21 Number 240017, and shall note on the Board's website referencing the passage of Ordinance
22 No. 32-24 that this ordinance repeals Ordinance No. 32-24.

23
24 //

25 //

//

Section 4 Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/
JON GIVNER
Deputy City Attorney

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LEGISLATIVE DIGEST

[Site for New Library Branch - 100 Orizaba Avenue]

Ordinance requiring that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue (Assessor's Parcel Block No. 7136, Lot No. 060), subject to environmental review, required approvals, and other applicable laws; and prohibiting the expenditure of City funds to explore, pursue, or plan construction of a new Public Library branch serving those neighborhoods at any alternate location, except as required by the environmental review process, required approvals, or other applicable laws.

Existing Law

On February 6, 2024, the Board of Supervisors finally passed an uncodified ordinance (Ordinance No. 32-24, File No. 240017) requiring the City to prioritize the City-owned parcel of land at 100 Orizaba Avenue (Parcel No. 7136/060) as a potential site for the new Public Library branch serving the Oceanview, Merced Heights, Ingleside and Lakeview neighborhoods, subject to environmental review, required approvals, and other applicable laws. The ordinance also required City departments to prioritize the expenditure of City funds for a new Public Library branch at that location. Ordinance No. 32-24 became enacted on February 16, 2024, without the Mayor's signature, and became effective on March 18, 2024.

In addition to the previously-enacted Ordinance No. 32-24, the construction of a new Public Library branch is generally governed by the California Environmental Quality Act; the budgetary and fiscal provisions of the Charter; planning, regulatory, and other required City approvals; and other applicable laws.

Amendments to Current Law

This is an uncodified ordinance that would require the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue (Parcel No. 7136/060), subject to environmental review, required approvals, and other applicable laws; and prohibit the expenditure of City funds to explore, pursue, or plan construction of a new Public Library branch serving those neighborhoods at any alternate location, except as required by the environmental review process, required approvals, or other applicable laws.

Enactment of this ordinance would have the effect of repealing Ordinance No. 32-24. This ordinance differs from the previously-passed ordinance in that it would require the new Public Library branch to be built at the 100 Orizaba location (Parcel No. 7136/060), subject to

environmental review, required approvals, and other applicable laws instead of requiring the City to prioritize this location. This ordinance also differs from the previously-passed ordinance in that it would prohibit expenditure of City funds to explore, pursue, or plan construction of a new Public Library branch at locations other than Parcel No. 7136/060, except as required by the environmental review process, required approvals, or other applicable laws, rather than requiring the City to prioritize the expenditure of City funds for a new Public Library branch at that location.

Background Information

This legislative digest reflects an ordinance that re-introduces the original version of Ordinance No. 32-24, prior to amendments made by the Board on January 30, 2024, and final passage by the Board of the amended ordinance on February 6, 2024. This ordinance would override, and thus have the effect of repealing, Ordinance No. 32-24, by requiring the new Public Library branch be built at this location, instead of requiring only that this location be prioritized.

In early 2019, during community meetings with Oceanview neighborhood residents regarding the prospective renovation of the Oceanview Branch Library facility, community members expressed concern with the shortcomings of the existing facility, and reservations about the efficacy of renovating the existing facility to address the community's needs for library services. Oceanview residents conveyed the need for a new library branch to be constructed at a new location to serve their growing population. Following those community meetings, the Library partnered with the Department of Public Works to prepare a Site Feasibility Report for the construction of a new Library branch at 100 Orizaba Avenue, on an approximately 31,620 square foot lot currently designated as public open space. In April 2022, the Planning Department issued a Preliminary Project Assessment for the project at 100 Orizaba Avenue. During community meetings in June 2022, community members supported the construction of a new Public Library branch at the recommended location at 100 Orizaba Avenue. This ordinance does not constitute an approval of the Library branch proposal, and the City retains its discretion to approve, disapprove, or modify the proposal, as required by the environmental review process and other applicable laws.

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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☒ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor _____ inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. _____ from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No. _____
- ☐ 9. Reactivate File No. _____
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☒ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Safai

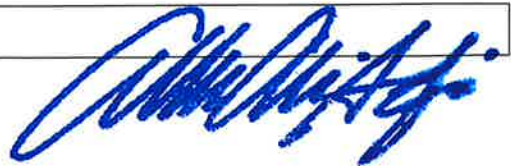
Subject:

[Site for New Library Branch for Oceanview, Merced Heights, Ingleside, and Lakeview Neighborhoods]

Long Title or text listed:

Ordinance requiring that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue (Parcel No. 7136/060), subject to environmental review, required approvals, and other applicable laws; and prohibiting the expenditure of City funds to explore, pursue, or plan construction of a new Public Library branch serving those neighborhoods at any alternate location, except as required by the environmental review process, required approvals, or other applicable laws.

Signature of Sponsoring Supervisor:



From: [Buckley, Jeff \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Cc: [PEARSON, ANNE \(CAT\)](#); [HUBER, JEN \(CAT\)](#); [GIVNER, JON \(CAT\)](#); [Safai, Ahsha \(BOS\)](#); [Carrillo, Lila \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Yan, Calvin \(BOS\)](#)
Subject: Introduction - Oceanview Library Legislation and request to Waive 30-Day Rule
Date: Tuesday, June 18, 2024 3:37:19 PM
Attachments: [Legislative Digest - Oceanview Branch Library - June 2024.DOCX](#)
[Ord re Oceanview Branch Library \(6172024 v 2 - pre-Amendment version\).DOCX](#)
[Intro Form - Oceanview Library Ordinance.pdf](#)

Hello,

Please see the attached Oceanview Library legislation for introduction.

We are also requesting that Board President Peskin (cc'd here) waive the 30-day rule for this item and request the item be heard in Rules Committee. We are requesting the waiver because this newly introduced ordinance is almost exactly like the original file # [240017](#) before it was amended with some minor non-substantive changes.

Let me know if you have any questions.

Thank you!

JEFF BUCKLEY *(he/him/his)*

Chief of Staff

District 11 Supervisor Ahsha Safaí

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

415.554.7897 (direct)

415.554.6975 (main line)

From: [Givner, Jon \(CAT\)](#)
To: [BOS Legislation, \(BOS\)](#); [Buckley, Jeff \(BOS\)](#)
Cc: [PEARSON, ANNE \(CAT\)](#); [HUBER, JEN \(CAT\)](#); [Safai, Ahsha \(BOS\)](#); [Carrillo, Lila \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Yan, Calvin \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: RE: Introduction - Oceanview Library Legislation and request to Waive 30-Day Rule
Date: Tuesday, June 18, 2024 3:51:24 PM
Attachments: [image002.png](#)
[image004.png](#)

Thanks Lisa. I approve.

Jon

Jon Givner (he/him)
Deputy City Attorney
Office of City Attorney David Chiu
(415) 554-4694 Direct
www.sfcityattorney.org

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Tuesday, June 18, 2024 3:50 PM
To: Buckley, Jeff (BOS) <jeff.buckley@sfgov.org>; Givner, Jon (CAT) <Jon.Givner@sfcityatty.org>
Cc: Pearson, Anne (CAT) <Anne.Pearson@sfcityatty.org>; Huber, Jen (CAT) <Jen.Huber@sfcityatty.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Carrillo, Lila (BOS) <lila.carrillo@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Yan, Calvin (BOS) <calvin.yan@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: RE: Introduction - Oceanview Library Legislation and request to Waive 30-Day Rule

Thank you for the legislation submission. We are seeking the approval of Deputy City Attorney Jon Givner for use of his electronic signature and approval as to form on the proposed Ordinance, by reply to this email.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

***Disclosures:** 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 provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

From: Buckley, Jeff (BOS) <jeff.buckley@sfgov.org>

Sent: Tuesday, June 18, 2024 3:37 PM

To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>

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[Site for New Library Branch ~~for Oceanview, Merced Heights, Ingleside, and Lakeview Neighborhoods-~~ 100 Orizaba Avenue]

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2 presented a "Memorandum of Understanding for the Proposal of Architectural Services for the
3 Oceanview Branch Library, Concept Design & Preliminary Planning Application" (MOU) for a
4 potential new library building to replace the existing Oceanview Branch Library. The MOU
5 assumed that the project will be the development of the site boundary approximately
6 comprising the site "Option D" (Parcel No. 7136/060) as depicted in the Oceanview Branch
7 Library Site Feasibility Report. In the letter, Public Works defined the assumed site boundary
8 in a dimensioned drawing as part of this project. A copy of the May 21, 2021 Public Works
9 letter is on file with the Clerk of the Board of Supervisors in File No. 240017.

10 (d) The Planning Department issued a Preliminary Project Assessment on April 28,
11 2022 for Public Works Case No. 2022-001023PPA that provided feedback regarding the
12 project at 100 Orizaba Avenue, located at Block/Lot 7136/060, on an approximately 31,620
13 square foot lot currently designated as public open space. A copy of the April 28, 2022
14 Planning Department Preliminary Project Assessment is on file with the Clerk of the Board of
15 Supervisors in File No. 240017.

16 (e) The Library conducted three publicly-noticed community meetings on June 8, 9,
17 and 11, 2022 to gather community input on the Preliminary Project Assessment findings. The
18 meetings were held virtually, and also in person at 446 Randolph Street and 345 Randolph
19 Street. Community members expressed concerns about traffic safety and expressed an
20 overall consensus in favor of the recommended location at 100 Orizaba Avenue, at Parcel No.
21 7136/060.

22 (f) The San Francisco Municipal Transportation Agency (SFMTA) in a letter dated
23 February 28, 2023 to the District 11 Supervisor, described SFMTA's conceptual planning for
24 improvements to the intersection of Brotherhood Way, Alemany Boulevard, Sagamore Street,
25 and Orizaba Avenue, and adjacent roadways. Because of the intersecting roadways, multiple

1 travel lanes on many approaches, and unusual geometry, the SFMTA's letter noted that the
2 current street configuration could be modified for improved pedestrian access and safety to
3 the Brotherhood Way Open Space, and improved general pedestrian and traffic safety.
4 Implementation of these improvements would require dedicated funding, which was not
5 identified at the time of SFMTA's letter. The letter noted that funding, planning, and
6 implementation of street improvements can be fully independent of any adjacent land use
7 changes, including potential siting of a San Francisco Public Library branch nearby. A copy of
8 the February 28, 2023 SFMTA letter is on file with the Clerk of the Board of Supervisors in File
9 No. 240017.

10 (g) Following a lack of commitment from the Library to move forward with the 100
11 Orizaba Avenue location at the Board of Supervisors' Budget and Appropriations Committee
12 hearings on June 16 and June 23, 2023, the Budget and Appropriations Committee put
13 funding for the construction of the new Library branch on reserve for Fiscal Years 2023-2024
14 and 2024-2025.

15 (h) On January 9, 2024, an ordinance was introduced at the Board of Supervisors to
16 require that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside,
17 and Lakeview neighborhoods be built on the City-owned parcel located at 100 Orizaba
18 Avenue (Parcel No. 7136/060), subject to environmental review, required approvals, and other
19 applicable laws. The ordinance, as introduced, also prohibited the expenditure of City funds to
20 explore, pursue, or plan construction of a new Public Library serving these neighborhoods at
21 any alternate location, except as required by the environmental review process, required
22 approvals, or other applicable laws. A copy of the version of this ordinance as introduced on
23 January 9, 2024 is on file with Clerk of the Board of Supervisors in File No. 240017.

24 (i) On January 30, 2024, on first reading, the Board of Supervisors amended and
25 passed that ordinance. The Board's amendments changed the requirement, subject to

1 necessary approvals, that the City-owned parcel located at 100 Orizaba Avenue be used as
2 the location for a new Public Library branch to instead require only that the City prioritize this
3 location for a new Public Library branch. The Board's amendments also changed the
4 prohibition on the expenditure of City funds to explore alternate locations to instead require
5 that City departments prioritize the expenditure of City funds for a new Public Library branch
6 at this location. On February 6, 2024, on second reading, the Board of Supervisors finally
7 passed that ordinance as amended. It became enacted ten days later, on February 16, 2024,
8 without the Mayor's signature, and became effective on March 18, 2024. A copy of the final
9 version of that ordinance, Ordinance No. 32-24, is on file with Clerk of the Board of
10 Supervisors in File No. 240017, and is posted on the Board of Supervisors website.

11 (j) This ordinance re-introduces the original version of Ordinance No. 32-24, prior
12 to its amendment and enactment. Like the original version, this ordinance would require that
13 the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and
14 Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue
15 (Parcel No. 7136/060) and prohibit the expenditure of City funds to explore, pursue, or plan
16 construction of a new Public Library branch at any alternate location, subject to environmental
17 review, required approvals, and other applicable laws. Enactment of this ordinance would
18 have the effect of repealing Ordinance No. 32-24.

19
20 Section 2. Location of New Public Library Branch Serving Oceanview, Merced
21 Heights, Ingleside, and Lakeview Neighborhoods at 100 Orizaba Avenue.

22 (a) Subject to the budgetary and fiscal provisions of the Charter, planning approvals,
23 environmental review under the California Environmental Quality Act, further regulatory and
24 City approvals as required by law, and any other applicable laws, the City-owned Parcel No.
25 7136/060, located at 100 Orizaba Avenue at the intersection of Orizaba Avenue and

1 Brotherhood Way, shall be used as the location for a new Public Library branch serving the
2 Oceanview, Merced Heights, Ingleside and Lakeview Neighborhoods.

3 (b) The Public Library, Department of Public Works, Planning Department, and Real
4 Estate Division shall not expend any City funds to design, plan, perform environmental review
5 of, or implement a new Public Library branch serving the Oceanview, Merced Heights,
6 Ingleside, and Lakeview neighborhoods at any location other than Parcel No. 7136/060, the
7 adjacent Parcel No. 7135/045, and the adjacent right of way. Neither this subsection (b) nor
8 any other provision of this ordinance shall preclude the City from considering alternative
9 locations as part of the environmental review process, if needed.

10 (c) This ordinance does not constitute an approval of the construction of a new Library
11 branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods. The
12 City retains its full discretion to approve, disapprove, or modify the Library branch proposal,
13 including but not limited to the adoption of mitigation measures, project alternatives, or not
14 moving forward with the project, as required by the environmental review process under the
15 California Environmental Quality Act, the budgetary and fiscal provisions of the Charter,
16 planning approvals, further regulatory and City approvals as required by law, or any other
17 applicable laws.

18
19 Section 3. Direction to the Clerk of the Board of Supervisors. Upon enactment of this
20 ordinance, the Clerk of the Board of Supervisors shall place a copy of this ordinance in File
21 Number 240017, and shall note on the Board's website referencing the passage of Ordinance
22 No. 32-24 that this ordinance repeals Ordinance No. 32-24.

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2 Section 4 Effective Date. This ordinance shall become effective 30 days after

3 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

4 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board

5 of Supervisors overrides the Mayor's veto of the ordinance.

6

7 APPROVED AS TO FORM:

8 DAVID CHIU, City Attorney

9 By: /s/

10 JON GIVNER

11 Deputy City Attorney

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