

LAND USE AND TRANSPORTATION COMMITTEE CITY AND COUNTY OF SAN FRANCISCO MEETING MINUTES

Monday, June 7, 2021 - 1:30 PM

Held via Videoconference
(remote public access provided via teleconference)
www.sfgovtv.org

Regular Meeting

Members: Myrna Melgar, Dean Preston, Aaron Peskin

Clerk: Erica Major (415) 554-4441

Angela Calvillo, Clerk of the Board

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

Members Present: Myrna Melgar, Dean Preston, and Aaron Peskin

The Land Use and Transportation Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, June 7, 2021, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:31 p.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) 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: Erica.Major@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Land Use and Transportation Committee Meetings begin at 1:30 p.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Melgar, Vice Chair Preston, and Member Peskin were noted present. A quorum was present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

210527 [Approve Project List - California Senate Bill 1 Local Streets and Road Program - Road Maintenance and Rehabilitation Account Funds]

Resolution approving the list of projects to be funded by Fiscal Year 2021-2022 Road Maintenance and Rehabilitation Account funds as established by California Senate Bill 1, the Road Repair and Accountability Act of 2017. (Public Works)

Heard in Committee. Speakers: Elizabeth Ramos, Jeremy Spitz, and Edmund Lee (Public Works); presented information and answered questions raised throughout the discussion. Bob Planthold; David Pilpel; Jerry Dratler; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Resolution be AMENDED, on Page 1, Line 20, by replacing 'June' with 'July'. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin moved that this Resolution be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of June 18, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Supervisors Ronen and Mar were noted present at 2:13 p.m.

SPECIAL MEETING OF THE BOARD OF SUPERVISORS

Supervisor Mandelman was noted present at 2:15 p.m.; thereby constituting a quorum of the Board of Supervisors. A Special Meeting of the Board of Supervisors was convened at 2:15 p.m.; although, the meeting was conducted in all respects as a committee meeting for items on the agenda and any substantive decisions constitute a recommendation of the committee and not action taken by the Board.

Present: Supervisors Melgar, Preston, Peskin, Ronen, Mar, and Mandelman

At the hour of 3:43 p.m., Supervisor Mandelman was noted absent present; thereby adjourning the Special Meeting of the Board of Supervisors.

210514 [Hearing - Oversight and Safety of Construction Conducted under the Mandatory Soft Story Retrofit Program]

Sponsors: Melgar; Ronen, Peskin, Mar and Mandelman

Hearing on the oversight and safety of the construction conducted under the Mandatory Soft Story Retrofit Program to fully evaluate the concerns raised by the Structural Subcommittee of the Code Advisory Committee and the Structural Engineers Association of Northern California, specifically, but not limited to, the risk of gas pipe ruptures; and requesting the Department of Building Inspection, Structural Subcommittee of the Code Advisory Committee, Board of Examiners, Pacific Gas and Electric Company, Structural Engineers Association of Northern California, and other subject matter experts to report.

Heard in Committee. Speakers: Lauren Wilson and John Klavdianos (Pacific Gas and Electric Company); Christine Gasparac (Department of Building Inspection); Ramon Kong (Public Works); Supervisor Hillary Ronen (Board of Supervisors); Charles Perry (Charles Perry & Associates); Steve Panelli (Department of Building Inspection); Stephen K. Harris (Code Advisory Committee); Douglas Hansen; Willy Yau (Department of Building Inspection); Supervisor Gordon Mar (Board of Supervisors); Joseph Duffy (Department of Building Inspection); Randy Collins (Board of Examiners); Patrick O'Riordan, Interim Director (Department of Building Inspection); Emily Guglielmo, President (Structural Engineers Association of Northern California); David Bonowitz; presented information and answered questions raised throughout the discussion. Carry; Lena Maybaum; Matthias Mormino (Chinatown); Pat Ruskavitch; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Hearing be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

210284 [Administrative, Public Works, and Transportation Codes - Shared Spaces]

Sponsors: Mayor; Mandelman, Safai, Stefani, Haney and Peskin

Ordinance amending the Administrative Code to rename and modify the Places for People Program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, setting permit and license fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements; amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works; amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Economic Impact)

Heard in Committee. Speakers: Robin Abad (Planning Department); Monica Munowitch (Municipal Transportation Agency); presented information and answered questions raised throughout the discussion. Speaker; Barack; Lee Formerly (Bar Owners Alliance); Ken Syncope; Emily Horsemen (City for Everyone); Josh Harris; Raul Mantinado; Bernard Castinado; Rob Redding; Brian Schulman; David Philips; Jacob Quimby; David Naples; Matt Brewer; Hale Calexico; Sean Patrick; Sean Rigard; Dave Alexander; Colin O'Malley; Leana; Peter Dahaus; Michelle Delaney; Hansen Lee; Will Weston (SF Bar Owner Alliance); Share Oldman; Doug Marsky; Emy Matushack; Speaker; Debbie Horn; Nick (Hogwash); Eugene Power; Jean Mineier; Dan Kant; Jonathan; Kim; Chad; Mario Legana; Ty Row (Senior and Disability Action); Paul Valdez; Evelyn; Paul Broman; Brian Coil; Ally; Luke Bornheimer; Holly; Zach Schaub; Lex Montayo (Eagle Bar); Gretchen Sandoval; Erin Cole; Rachel Ryan (STUD Bar); Mike Chen; Technue; spoke in support of the hearing matter. Ben Bliman; Bob Planthold; Viti Bonbon; Jessica Lieman (Senior and Disability Action); Jordan Ling; Bill Toronto; Speaker; Anastasia Youvanopolous; Speaker; Leslie Long; Sharky Laguana; J.T. Rendeker; Henna Matushack; Amanda Michael; Jonathan Onimaga; Rachel Herbert; Regan Capone; Kimberly Litchfield; Guled Moussay; Pete Sitnick; Erick Arguello (Calle 24); William Rooke; spoke on various concerns relating to the hearing matter.

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

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 37, Lines 2-8, by adding revising Administrative Code, Section 94A.6(9)(A) to add the language for the 'Sidewalk Path of Travel for Sidewalk Shared Spaces'; on Page 37, Lines 9-12, by adding '(B) Site Treatments for Curbside Shared Spaces. Any design guidelines issued by Public Works or the MTA for Curbside Shared Spaces shall include the obligation to maximize visibility for safety, including, but not limited, to installation of reflective materials or soft hit posts.'; on Page 44, Lines 18-24, by adding 'Public Works shall develop, and Permittees shall be required to post on their Shared Space in a visible location, a public notice in English, Filipino, Spanish, and Chinese, which directs members of the public on how to file complaints with San Francisco 311, along with any relevant information pertaining to required disability access at the Shared Space. The 311 System should provide complainants updates on the status of the complaint and where applicable, how the issue was abated or why complaint was closed by the responsive agency.'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

(Economic Impact)

Member Peskin moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, by updating Administrative Code, Section 94A.4. on Page 13, Line 23, on Page 14, Lines 2 and 21-22, on Page 15, Lines 1 and 21, by striking 'Planning Department' and replacing it with 'Public Works'; On Page 16, Line 23, by striking 'may' and replacing it with 'shall'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 2 - Preston, Peskin

Noes: 1 - Melgar

(Economic Impact)

Chair Melgar moved that this Ordinance be **CONTINUED AS AMENDED** to the Special Land Use and Transportation Committee meeting of June 18, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

210053 [Emergency Ordinance - Eviction Protection for Tenants Unable to Pay Rent]

Sponsors: Preston; Walton, Chan, Ronen, Melgar and Peskin

Emergency ordinance to temporarily restrict landlords from evicting residential tenants for non-payment of rent due to the COVID-19 pandemic; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; and making findings as required by the California Tenant Protection Act of 2019.

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

Heard in Committee. Speakers: Danny; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Supervisors Melgar and Peskin requested to be added as a co-sponsors.

Vice Chair Preston moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Emergency ordinance to temporarily restrict landlords from evicting residential tenants for non-payment of rent that came due on or after July 1, 2021, in response to the COVID-19 pandemic; to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants; and making findings as required by the California Tenant Protection Act of 2019. (Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage)

Vice Chair Preston moved that this Ordinance be **RECOMMENDED AS AMENDED AS A COMMITTEE REPORT**. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 8:17 p.m.

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

Approved by the Board of Supervisors on July 13, 2021.

Angela Calvillo, Clerk of the Board