

File No. 230228 Committee Item No. 4
 Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date March 20, 2023

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
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
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- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- Texas SB 147 _____
- Pres Action Memo 030323 _____
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Completed by: Erica Major Date March 16, 2023
 Completed by: Erica Major Date _____

1 [Condemning Texas State Senate Bill No. 147 (Kolkhorst) - Banning the Purchase of Real
2 Property by Immigrants]

3 **Resolution condemning Texas State Senate Bill No. 147, introduced by Texas State**
4 **Senator Lois Kolkhorst, that prohibits immigrants from owning Texas real estate.**

5
6 WHEREAS, Texas State Senator Lois Kolkhorst introduced State Senate Bill 147 (SB
7 147) which as currently proposed, will prohibit, among other things, citizens of China, Iran,
8 North Korea, or Russia from owning real property located in the State of Texas; and

9 WHEREAS, SB 147, perhaps disguised as necessary for national security, is a racist
10 proposal that serves no legitimate state purpose; and

11 WHEREAS, SB 147 is at its core an Alien Land Law, which was deeply rooted in our dark
12 and ugly history of targeting and banning Asian Americans from owning real estate in
13 Washington, Oregon, and California, serving only to institutionalize racism and discriminatory
14 practices; and

15 WHEREAS, We have since then learned from this racist past and overturned Alien
16 Land Laws, including in California, when in 1952 the California Supreme Court ruled that
17 California’s 1920 Alien Land Law violated the equal protection clause of the 14th Amendment;
18 and

19 WHEREAS, Alien Land Laws and other exclusionary policies have a harmful and
20 dehumanizing effect on immigrants, their families, and their communities and the
21 repercussions are still felt today; and

22 WHEREAS, SB 147 prevents Asian and other immigrants from establishing roots in the
23 state, making investments in their communities, and pursuing the American Dream; and

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1 WHEREAS, SB 147 will create unnecessary and undue burdens and expenses on
2 financial institutions, title insurance companies, professionals, and the real estate industry;
3 and

4 WHEREAS, Alien Land Laws like SB 147 violate the Equal Protection Clause of the
5 United States Constitution and the Civil Rights Act; and

6 WHEREAS, There is broad community opposition to SB 147 including the Asian
7 American Bar Association of Houston (AABA Houston), the Austin Asian American Bar
8 Association (Austin AABA), and the Dallas Asian American Bar Association (DAABA), and the
9 National Asian Pacific American Bar Association (NAPABA); now, therefore, be it

10 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
11 condemns SB 147 as a racist, unconstitutional measure and urges the Texas State
12 Legislature to withdraw SB 147; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
14 Francisco hereby directs the Clerk of the Board to transmit a copy of this Resolution to the
15 Texas State Senate and the Texas State Assembly as well as the Bill's primary sponsor; and,
16 be it

17 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
18 Francisco hereby directs the Clerk of the Board to transmit a copy of this Resolution to the
19 Governor of the State of California to send to the Governor of Texas.

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A BILL TO BE ENTITLED
AN ACT

relating to the purchase of or acquisition of title to real property by certain aliens or foreign entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 5.005, Property Code, is amended to read as follows:

Sec. 5.005. ALIENS. Except as provided by Section 5.0051, ~~an~~ ~~[An]~~ alien has the same real and personal property rights as a United States citizen.

SECTION 2. Subchapter A, Chapter 5, Property Code, is amended by adding Section 5.0051 to read as follows:

Sec. 5.0051. PURCHASE OF OR ACQUISITION OF TITLE TO REAL PROPERTY BY CERTAIN FOREIGN INDIVIDUALS OR ENTITIES PROHIBITED. Notwithstanding any other law, the following may not purchase or otherwise acquire title to real property in this state:

.(1) a governmental entity of China, Iran, North Korea, or Russia;

.(2) a company or other entity that is:

.(A) headquartered in China, Iran, North Korea, or Russia;

.(B) directly or indirectly held or controlled by the government of China, Iran, North Korea, or Russia; or

.(C) owned by or the majority of stock or other ownership interest of which is held or controlled by individuals who are citizens of China, Iran, North Korea, or Russia;

.(3) a company or other entity that is owned by or the majority of stock or other ownership interest of which is held or controlled by a company or entity described by Subdivision (2); or

.(4) an individual who is a citizen of China, Iran, North Korea, or Russia.

SECTION 3. The changes in law made by this Act apply only to the purchase of or other acquisition of title to real property on or after the effective date of this Act. The purchase of or other acquisition of title to real property before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2023.



Resolution Against Texas' Senate Bill 147

The San Francisco Labor Council strongly condemns and opposes passage of Texas' Senate Bill 147, which if enacted would ban citizens of China, Russia, North Korea, and Iran from buying property or real estate in Texas. At least 11 other states are considering similar legislation. The ultra-conservative American Legislative Council is supporting and raising money to pass these bills as a "model policy" justified on the grounds of U.S. national security.

Whereas, support for these racist and xenophobic bills is based on the four countries being designated as enemies of the United States; and

Whereas, we are a nation of laws and SB147 would violate the equal protection and due process protections of the Constitution; and

Whereas, passing SB147 and similar legislation would offend our basic principles of morality, racial, and economic justice; and

Whereas, these racist, xenophobic, and unconstitutional bills would be a shameful revival of the darkest, ugliest, and most hateful periods of our past,

Therefore Be It Resolved, that the San Francisco Labor Council demands that members of the Texas Senate condemn and reject SB147; and

Therefore Be It Finally Resolved, that the San Francisco Labor Council forward this resolution to the California Labor Federation and to the AFL-CIO for concurrence and appropriate action.

Adopted unanimously by the San Francisco Labor Council on March 13, 2023.

March 13, 2023

Supervisor Connie Chan
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Re: Support for San Francisco Board of Supervisors Resolution “Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate”

Dear Supervisor Chan,

Chinese for Affirmative Action (CAA) strongly supports San Francisco Board of Supervisors Resolution Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.

This bill is based solely on xenophobia without any legislative finding or reliable evidence of any threat of immigrants owning Texas real estate. Texas has no legitimate state interest in denying immigrants the opportunity to own Texas real estate. It has been long established that alien land laws are unconstitutional and serve only to exclude and deny opportunities to immigrants and communities of color. We must stop repeating racist history and reject this Texas bill.

We join the many community organizations and bar associations in condemning these resolutions and request the San Francisco Board of Supervisors Resolution “Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.”

Sincerely,



Andy Wong
Managing Director of Advocacy

cc: Kelly Groth Akemi
Office of Supervisor Chan

Allan E. Low, Esq.
Perkins Coie LLP



March 15, 2023

Via Email -chanstaff@sfgov.org

Supervisor Connie Chan
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, room 244
City Hall
San Francisco, CA 94102

Re: Support for San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate"

Dear Supervisor Chan,

Community Youth Center of San Francisco strongly supports San Francisco Board of Supervisors Resolution Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.

This bill is based solely on xenophobia without any legislative finding or reliable evidence of any threat of immigrants owning Texas real estate. Texas has no legitimate state interest in denying immigrants the opportunity to own Texas real estate. It has been long established that alien land laws are unconstitutional and serve only to exclude and deny opportunities to immigrants and communities of color. We must stop repeating racist history and reject this Texas bill.

We join the many community organizations and bar associations in condemning these resolutions and request the San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate."

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Sarah Wan', is written over a light blue horizontal line.

Sarah Wan
Executive Director

cc: via email - kelly.groth@sfgov.org
Kelly Groth Akemi
Legislative Aide
Office of Supervisor Chan
District 1

via email -alow@perkinscoie.com
Allan E. Low, Esq.
Perkins Coie LLP
June 25, 2012

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March 15, 2023

Via Email -chanstaff@sfgov.org

Supervisor Connie Chan
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, room 244
City Hall
San Francisco, CA 94102

Re: Support for San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate"

Dear Supervisor Chan,

On behalf of the Japanese Community Youth Council, we would like to express our strong support for the San Francisco Board of Supervisors Resolution Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.

This bill is based solely on xenophobia without any legislative finding or reliable evidence of any threat of immigrants owning Texas real estate. Tragically, this parallels the same pattern of racism that led to incarceration of nearly 120,000 Japanese Americans during WWII.

Texas has no legitimate state interest in denying immigrants the opportunity to own Texas real estate. It has been long established that alien land laws are unconstitutional and serve only to exclude and deny opportunities to immigrants and communities of color. We must stop repeating the racist history of America and reject this Texas bill and other attempts to scapegoat innocent immigrants.

We join our fellow community organizations and bar associations in condemning these resolutions and urge the San Francisco Board of Supervisors to pass this resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate."

Sincerely,


Jon Osaki
Executive Director

cc: via email - kelly.groth@sfgov.org
Kelly Groth Akemi
Legislative Aide

Empowering Young People for the Future



Self-Help for the Elderly

安老自助處

www.selfhelpelderly.org

731 Sansome Street, Suite 100 | San Francisco, CA 94111-1725

t: (415) 677-7600 | f: (415) 296-0313 | e: info@selfhelpelderly.org

Providing strength, hope and empowerment to seniors since 1966

March 14, 2023

Via Email: chanstaff@sfgov.org

Supervisor Connie Chan
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
City Hall
San Francisco, CA 94102

Re: Support for San Francisco Board of Supervisors Resolution “Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate”

Dear Supervisor Chan,

Self-Help for the Elderly strongly supports the San Francisco Board of Supervisors Resolution Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.

This bill is based solely on xenophobia without any legislative findings or reliable evidence of any threat of immigrants owning Texas real estate. Texas has no legitimate state interest in denying immigrants the opportunity to own Texas real estate. It has been long established that alien land laws are unconstitutional and serve only to exclude and deny opportunities to immigrants and communities of color. We must stop repeating racist history and reject this Texas bill.

We join the many community organizations and bar associations in condemning these resolutions and request the passing of the San Francisco Board of Supervisors Resolution “Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.”

Sincerely,

Anni Chung
President and CEO

cc: via email: kelly.groth@sfgov.org
Kelly Groth Akemi
Legislative Aide
Office of Supervisor Chan
District 1

via email: alow@perkinscoie.com
Allan E. Low, Esq.
Perkins Coie LL

San Francisco

415.677.7500
601 Jackson Street
San Francisco, CA 94133

San Mateo

650.342.0822
50 East Fifth Avenue
San Mateo, CA 94401

South Bay

408.733.1883
550 East Remington Drive
Sunnyvale, CA 94087

Alameda

510.336.0144
2400 MacArthur Boulevard
Oakland, CA 94602



舊金山中華文化基金會

Chinese Culture Foundation of San Francisco

Dedicated to elevating underserved communities
and giving voice to equality through education and contemporary art.

Chair
Tatwina Chinn Lee

March 13, 2023

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Wai Ling Eng
Alfred Tom
Rebecca Lee

Supervisor Connie Chan
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
City Hall
San Francisco, CA 94102

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Cynthia Tongson

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George Mak

Re: Support for San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate"

Board of Directors
Debbie Chinn
Richard B. Evans
Gin Y. Ho
Rebecca Lee
Michael Moon
Jon Moscone
Sophia Xiao
Manni Liu

Dear Supervisor Chan,

Chinese Culture Center of San Francisco strongly supports San Francisco Board of Supervisors Resolution Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.

Executive Director
Jenny Leung

This bill is based solely on xenophobia without any legislative finding or reliable evidence of any threat of immigrants owning Texas real estate. Texas has no legitimate state interest in denying immigrants the opportunity to own Texas real estate. It has been long established that alien land laws are unconstitutional and serve only to exclude and deny opportunities to immigrants and communities of color. We must stop repeating racist history and reject this Texas bill.

Advisory Council
Abby Chen
Irene Yee Riley
Sherman Tang
Norman Yee

We join the many community organizations and bar associations in condemning these resolutions and request the San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate."

XianRui Artists
Dora Hsiung
Summer Lee
Beili Liu
Cathy Lu
Adrian Wong
Stella Zhang
Chongbin Zheng

Very Truly Yours,

Chinese Culture Center of San Francisco


Jenny Leung
Executive Director

Senior Advisor
Mabel S. Teng



Proudly consists of:

- APA Family Support Services
- APA Heritage Foundation
- API Legal Outreach
- ASIAN, Inc.
- Asian & Pacific Islander Wellness Center
- Asian Pacific American Community Center
- Asian Pacific Islander Cultural Center
- Asian Law Caucus, Inc.
- Asian Neighborhood Design, Inc.
- Bayanihan Equity Center
- Be Chinatown
- Bill Soro Housing Program
- Brightline Defense Project
- Center for Asian American Media
- Charity Cultural Services Center
- Chinatown Community Children's Center
- Chinatown Community Development Center
- Chinatown Media and Arts Collaborative
- Chinese Culture Center of San Francisco
- Chinese for Affirmative Action
- Chinese Historical Society of America
- Chinese Newcomers Service Center
- Chinese Progressive Association
- Community Youth Center
- Donaldina Cameron House
- Filipina Women's Network
- Filipino American Development Foundation
- Filipino Community Center
- First Voice
- Gum Moon/Asian Women Resources Center
- Japanese American Citizens League of SF
- Japanese Community Youth Council
- Japantown Community Benefit District
- Japantown Task Force
- Kai Ming Head Start
- Kimochi, Inc.
- Kultivate Labs
- Manilatown Heritage Foundation
- National Japanese American Historical Society
- NICOS Chinese Health Coalition
- Nihonmachi Street Fair
- Northeast Community Credit Union
- Northern California Cherry Blossom Festival
- North East Medical Services
- Richmond Area Multi-Services
- Samoan Community Development Center
- Self-Help for the Elderly
- SF Hep B Free
- SOMA Pilipinas
- South of Market Community Action Network
- Southeast Asian Community Center
- Southeast Asian Development Center
- The YMCA of San Francisco- Chinatown
- Visitacion Valley Asian Alliance
- West Bay Pilipino Multi-Service, Inc.
- Wu Yee Children's Services

March 14, 2023

Via Email -chanstaff@sfgov.org
 Supervisor Connie Chan
 San Francisco Board of Supervisors
 1 Dr. Carlton B. Goodlett Place, room 244
 City Hall
 San Francisco, CA 94102

**Re: Support for San Francisco Board of Supervisors Resolution
 "Condemning Texas State Bill No. 147 prohibiting immigrants from owning
 Texas real estate"**

Dear Supervisor Chan,

The Asian and Pacific Islander Council of San Francisco (API Council) strongly supports San Francisco Board of Supervisors Resolution Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.

This bill is based solely on xenophobia without any legislative finding or reliable evidence of any threat of immigrants owning Texas real estate. Texas has no legitimate state interest in denying immigrants the opportunity to own Texas real estate. It has been long established that alien land laws are unconstitutional and serve only to exclude and deny opportunities to immigrants and communities of color. We must stop repeating racist history and reject this Texas bill.

We join the many community organizations and bar associations in condemning these resolutions and request the San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate."

I respectfully ask you for your consideration in supporting this effort. I am available anytime to discuss my support. Please reach out to me if you have any questions at: cally.wong@apicouncil.org.

Sincerely,

Cally Wong
 Executive Director
 API Council



Japanese American
Citizens League
San Francisco Chapter

Supervisor Connie Chan
San Francisco Board of Supervisors
Via e-mail

March 13, 2023

Re: Support for San Francisco Board of Supervisors Resolution “Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate”

Dear Supervisor Chan,

The San Francisco Chapter of the Japanese American Citizens League strongly supports San Francisco Board of Supervisors Resolution Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.

This bill is based solely on xenophobia without any legislative finding or reliable evidence of any threat of immigrants owning Texas real estate. Texas has no legitimate state interest in denying immigrants the opportunity to own Texas real estate. It has been long established that alien land laws are unconstitutional and serve only to exclude and deny opportunities to immigrants and communities of color. We must stop repeating racist history and reject this Texas bill.

We join the many community organizations and bar associations in condemning these racist resolutions and stand in strong support of the San Francisco Board of Supervisors Resolution “Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.”

Sincerely,

Judy Hamaguchi
President

Japanese American Citizens League San Francisco Chapter Board of Directors
Judy Hamaguchi, President; David Takashima, Vice President; Emily Murase, PhD, Secretary;
John Hayashi, Treasurer; Board Members: Joyce Nakamura, Elena Nielsen, Merry Nishimura.

1765 Sutter Street, 3rd Floor, San Francisco, CA 94115
info@sfjacl.org, www.sfjacl.org



CHINESE CHAMBER OF COMMERCE

730 Sacramento Street, San Francisco, CA 94108

(415) 982-3000
Fax: (415) 982-4720

March 13, 2023

Via Email -chanstaff@sfgov.org

Supervisor Connie Chan
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, room 244
City Hall
San Francisco, CA 94102

Re: Support for San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate"

Dear Supervisor Chan,

San Francisco Chinese Chamber of Commerce strongly supports San Francisco Board of Supervisors Resolution Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.

This bill is based solely on xenophobia without any legislative finding or reliable evidence of any threat of immigrants owning Texas real estate. Texas has no legitimate state interest in denying immigrants the opportunity to own Texas real estate. It has been long established that alien land laws are unconstitutional and serve only to exclude and deny opportunities to immigrants and communities of color. We must stop repeating racist history and reject this Texas bill.

We join the many community organizations and bar associations in condemning these resolutions and request the San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate."

Very Truly Yours,

Harlan Wong
First Vice President
Chinese New Year Festival & Parade Director
SF Chinese Chamber of Commerce

Supervisor Connie Chan
Letter of Support in condemning
Texas State Bill No. 147
Page 2

cc: via email - kelly.groth@sfgov.org
Kelly Groth Akemi
Legislative Aide
Office of Supervisor Chan
District 1

via email - alow@perkinscoie.com
Allan E. Low, Esq.
Perkins Coie LLP



March 13, 2023, 2023

Via Email chanstaff@sfgov.org

Board of Directors

Stephen Gong | President
Vincent Pan | Vice President
Tatwina Lee | Treasurer
Justin Hoover | Secretary
Buck Gee
David Ho
Jay Xu
Malcolm Yeung
Mabel S. Teng | Interim E.D.

Supervisor Connie Chan
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, room 244
City Hall
San Francisco, CA 94102

Re: Support for San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate"

Dear Supervisor Chan,

Chinatown Media and Arts Collaborative strongly supports San Francisco Board of Supervisors Resolution Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate.

This bill is based solely on xenophobia without any legislative finding or reliable evidence of any threat of immigrants owning Texas real estate. Texas has no legitimate state interest in denying immigrants the opportunity to own Texas real estate. It has been long established that alien land laws are unconstitutional and serve only to exclude and deny opportunities to immigrants and communities of color. We must stop repeating racist history and reject this Texas bill.

We join the man community organizations and bar associations in condemning these resolutions and request the San Francisco Board of Supervisors Resolution "Condemning Texas State Bill No. 147 prohibiting immigrants from owning Texas real estate."

Very Truly Yours,

Chinatown Media and Arts Collaborative

Mabel S. Teng
Interim Executive Director

cc: via email - kelly.groth@sfgov.org
Kelly Groth Akemi
Legislative Aide
Office of Supervisor Chan
District 1

via email - alow@perkinscoie.com
Allan E. Low, Esq.
Perkins Coie LLP

President, District 3
BOARD of SUPERVISORS



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Tel. No. 554-7450
Fax No. 554-7454
TDD/TTY No. 544-6546

Aaron Peskin

PRESIDENTIAL ACTION

Date: 3/3/23

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

- Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 230160 Mayor
(Primary Sponsor)

Title: Administrative Code - Establishing the Enhanced Infrastructure
Financing District Public Financing Authority No. 1 (Power Station)

- Transferring (Board Rule No 3.3)

File No. 230228 Chan
(Primary Sponsor)

Title: Condemning Texas State Senate Bill No. 147 (Kolkhorst) - Banning the
Purchase of Real Property by Immigrants

From: Public Safety & Neighborhood Services Committee

To: Land Use & Transportation Committee

- Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor: _____ Replacing Supervisor: _____

For: _____ Meeting
(Date) (Committee)

Start Time: _____ End Time: _____

Temporary Assignment: Partial Full Meeting


Aaron Peskin, President
Board of Supervisors