

File No. 191183

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date March 30, 2020

Board of Supervisors Meeting

Date _____

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	Memorandum of Understanding (MOU)
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
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<input type="checkbox"/>	<input type="checkbox"/>	Form 126 - Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
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<input type="checkbox"/>	<input type="checkbox"/>	Form 700
<input type="checkbox"/>	<input type="checkbox"/>	Vacancy Notice
<input type="checkbox"/>	<input type="checkbox"/>	Information Sheet
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OTHER (Use back side if additional space is needed)

<input checked="" type="checkbox"/>	<input type="checkbox"/>	CEQA Determination
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Historic Preservation Commission Response 12/18/19
<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Victor Young Date March 26, 2020

Completed by: _____ Date _____

[Administrative Code - American Indian Cultural District]

Ordinance amending the Administrative Code to establish the American Indian Cultural District in and around the northwestern quadrant of the Mission District; to require the Mayor's Office of Housing and Community Development to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District and proposing strategies to acknowledge and preserve the cultural legacy of the District; and affirming the Planning Department's determination under the California Environmental Quality Act.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
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 ~~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. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this determination.

(b) On _____, the Historic Preservation Commission held a duly noticed hearing regarding the effects of this ordinance upon historic or cultural resources, and

submitted a written report to the Board of Supervisors as required under Charter Section 4.135. The report is on file with the Clerk of the Board of Supervisors in File No. ____.

Section 2. Chapter 107 of the Administrative Code is hereby amended by revising Section 107.3, to read as follows:

SEC. 107.3. LIST OF ESTABLISHED CULTURAL DISTRICTS.

The Cultural Districts of the City and County of San Francisco are:

* * * *

(h) American Indian Cultural District. The Cultural District shall include the area bounded by 15th Street to the north between Folsom Street and Julian Street, Julian Street to the east between 15th Street and 14th Street, 14th Street to the north between Julian Street and Valencia Street, Valencia Street to the west between 14th Street and 16th Street, 16th Street to the north between Valencia Street and Sanchez Street, Sanchez Street to the west between 16th Street and 17th Street, and 17th Street to the south between Sanchez Street and Folsom Street.

Section 3. The Administrative Code is hereby amended by adding Chapter 107C, consisting of Sections 107C.1 and 107C.2, to read as follows:

CHAPTER 107C:

AMERICAN INDIAN CULTURAL DISTRICT

SEC. 107C.1. FINDINGS.

The American Indian Cultural District (the "District") is within a geographic region that is of great historical and cultural significance to the American Indian community. This corridor holds a unique concentration of historical events, cultural resources, and Native American-based programming, services, and gathering spaces that are historically and presently important to the American Indian community in the San Francisco Bay Area.

1 San Francisco is the aboriginal home of the Ramaytush Ohlone Peoples. There are known and
2 documented Ohlone cultural resources and sacred sites within the District, including the home of a
3 once-thriving Ohlone village called "E-la-muh," which was located in the area currently known as
4 Mission Dolores Park. Nearby within the District is Mission Dolores. Many American Indian
5 community members see the Mission as a reminder of the painful history of the Mission Era, which
6 lasted from 1769 to 1833. The missions were created to convert American Indians to Christianity.
7 Historical documentation of missions reflect enslavement, forced religious practices, division of
8 families, forced labor, and cruel punishment including the use of irons and whips. The average
9 lifespan of a Native American in the mission system was ten years. This area holds a unique historical
10 perspective to the American Indian community. First Nations people do not just see a park and a
11 mission, they recognize an area that started as a thriving village site and transitioned to an area of
12 great suffering, where California Native Americans have been buried.

13 Following the Mission Era, government policies stripped aboriginal people of millions of acres
14 of their land, created boarding schools that ran until the 1970's to "civilize" Indian children, and
15 implemented policies to end government assistance to tribes. In 1952, the Bureau of Indian Affairs
16 implemented an urban Indian relocation program to assimilate American Indians into "modern
17 culture." This program gave Indians one-way tickets to urban areas. San Francisco was one of four
18 counties in California to receive a large influx of American Indians from all over the United States.
19 American Indian people waited for days and weeks at local bus stations for government representatives
20 to meet families and carry out the promise of stable employment and success in the urban cities.

21 San Francisco was one of the largest relocation cities in the United States. As the urban
22 American Indian population in San Francisco began to expand, the Mission District became a home
23 base for that community. To remedy the lack of adequate government support, the community
24 developed its own support systems, including social services, cultural retention activities, employment
25 and housing opportunities, education, political empowerment, and some of the first urban pow wows.

1 The community also came together to develop cultural programming, education courses, annual events,
2 Native-owned and supported businesses, community gathering spaces, and an American Indian
3 Cultural Center (AICC). These American Indian-based enterprises and the rich cultural history of the
4 area are at the heart of the proposed District.

5 The 16th Street corridor was home to the first AICC, located on 16th and Valencia Streets, and
6 the second AICC, located at 223-225 Valencia Street at Duboce Street from 1969 to the 1980s. The
7 AICC was the meeting place for Bay Area American Indian organizations and home of the United Bay
8 Indian Council, which brought together 30 clubs into one large Council. The American Indian
9 Movement originally held an office in the AICC before moving to the International Indian Treaty
10 Council on Mission Street. The buildings that housed the AICC and the surrounding areas hold great
11 importance to the community and have provided a home for historically and politically significant
12 events.

13 Across the street from the AICC, Al Smith owned a trading post where the Native community
14 came together to sell arts, crafts, and beadwork. Other meeting spots in the area included places such
15 as Aunt Mary's, a cafe across from the Roxie Theater where the Native community would gather for
16 breakfast, and the Rainbow Cattle Company, a bar on Duboce and Valencia Streets. Muddy Waters
17 and Modern Times, popular spots for artists, poetry nights, and speaking engagements, have also been
18 located on Valencia Street. These gathering places reflect the history of a strong cultural connection to
19 the area among Indian Americans.

20 The District was also at the center of the Red Power/American Indian Movement and was home
21 to famous Native activist, Richard Oakes. Oakes met within the District regularly with Adam Fortunate
22 Eagle, Chairman of the United Bay Area Council of American Indian Affairs, to plan the 1969-1971
23 occupation of Alcatraz by "Indians of all Tribes." This movement changed federal Indian termination
24 policies, created a new era of self-determination, and brought attention to the needs of the American
25 Indian community in San Francisco. On February 11, 1978, "The Longest Walk," a five-month, cross-

1 country march began in San Francisco on Alcatraz Island. The march concluded in Washington D.C.
2 on July 15, 1978, and raised public awareness about the growing governmental threat to American
3 Indian sovereignty. Although President Carter refused to meet with the marchers, Congress responded
4 to the public pressure by declining to pass a proposed anti-treaty bill and passing the American Indian
5 Religious Freedom Act, Public Law No. 95-341, 92 Stat. 469 (Aug. 11, 1978).

6 The Redstone Building, also known as the Redstone Labor Temple (and formerly called The San
7 Francisco Labor Temple), located at 2940 16th Street, was a hub of union organizing and work
8 activities, historic labor communities, and various programs for over 50 years. American Indian
9 programs that have been housed in this central space for community building include the International
10 Indian Treaty Council, American Indian Film Institute, 500 Years Coalition, and the Big Mountain
11 Support Group.

12 American Indian events and services initiated in the District continue today, including San
13 Francisco's first Pow Wow, which initiated at 5051 Mission Street in 1975, and the AICC, which was
14 established in 1968. As of 2019, the AICC is in the process of re-establishing its roots in the District
15 with a Cultural Center to bring back a space for American Indian programming, events, and
16 community services. Other examples of American Indian services that originated and still operate in
17 the District include The Friendship House of American Indians, the Native American Health Center,
18 and American Indian education programs.

19 The Friendship House of Association of American Indians, located at 56 Julian Street, was
20 established in 1963 as a drop-in center that helped Native people find affordable housing and
21 employment and develop urban survival skills. As of 2019, Friendship House was under the leadership
22 of Helen Devore Waukazoo, who relocated from the Navajo reservation to San Francisco in 1956.
23 Friendship House is the oldest social service agency in the United States run by and for American
24 Indians. Friendship House helps Native people recover from substance abuse, builds job training and
25 education skills, and oversees several community-wide programs. Since Helen Devore Waukazoo

1 became Executive Director in 1980, Friendship House has expanded to two locations including a four-
2 story, 80-bed treatment facility in the District.

3 The Native American Health Center (NAHC), founded in 1972, is located at 160 Capp Street
4 between 16th and 17th Streets. NAHC was created as a direct result of the needs of American Indians
5 following the Indian Relocation Act of 1956. NAHC expanded to two additional sites to help further
6 meet the needs of Indian people throughout the Bay Area. One office is in Oakland, another site is in
7 Richmond, and NAHC also operates eight school-based health centers. NAHC provides medical,
8 dental and family services to Native Americans and the residents of the surrounding communities. This
9 expansion reflects the needs of American Indians and their ongoing presence in the Bay Area.

10 Native American education also has roots in the District. The State and Federal Indian
11 Education Program, known in various iterations over the years as Titles IV and VII, was located in the
12 San Francisco Unified School District bungalows at 1950 Mission Street. The Indian Education
13 Program supports the unique educational and culturally related academic needs of American
14 Indian/Alaskan Native students in the San Francisco Unified School District (the "School District").
15 In 2014, the Indian Education Program advocated to the School District to be given a permanent
16 services center. Ultimately, through the advocacy of parents, youth, and the larger American Indian
17 community, the School District provided a space for the Indian Education Program at Sanchez
18 Elementary School on 16th Street. The Parent Advisory Committee formed to help determine the Indian
19 Education Program's goals and advise on the distribution of funds for the program services that will be
20 provided.

21 In the 2014-2015 school year, the California Department of Education reported over 270
22 American Indian/Alaskan Native students in San Francisco. The Department found that Native students
23 disproportionately have the highest dropout rate in the School District as compared to students of other
24 ethnicities. The Indian Education Program addresses these academic challenges, but these statistics
25

1 also reflect the importance of cultural-based programming and a place for American Indian students to
2 connect and be proud of.

3 While the American Indian community has had its roots in the District from time immemorial,
4 the community also recognizes the shared cultural and historical importance of the area to the Latino
5 community. Since the enactment of the Relocation Act, countless programs, efforts, and support
6 systems have been developed cross-culturally in these communities. In pre-colonial times, Northern
7 Native and Southern Native communities co-existed with intricate trade routes and shared ceremonies.
8 Similarly, in current times, many programs, gatherings and ceremonies take place together and co-
9 exist in this District. American Indians, Latino community organizers, and Southern Native groups
10 have come together to support the District as a small manifestation of justice and repatriation.

11 According to 2015 Census data, American Indians make up roughly 1.6% of the population in
12 California, and 0.5% of the population in San Francisco. The legacy of American Indians in the Bay
13 Area is in jeopardy due to the increased cost of living, the lack of affordable housing, and lack of safe
14 community space for cultural gatherings and events. The District will help provide a recognized home
15 base for the American Indian community and ensure that American Indian history and contributions
16 will not be forgotten or overwritten. The District will not only benefit the American Indian community,
17 but it will help foster cultural competency in the broader San Francisco community, serve as a model
18 for the rest of California, and honor First Nations people and their longstanding history in San
19 Francisco.

20
21 **SEC. 107C.2. MAYOR'S OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT**
22 **RESPONSIBILITIES; CULTURAL, HISTORY, HOUSING, AND ECONOMIC**
23 **SUSTAINABILITY STRATEGY REPORT.**

24 **(a) Cultural, History, Housing, and Economic Sustainability Strategy Report.**
25

1 (1) **Preparation of Report.** *By no later than January 31, 2021, the Mayor’s Office of*
2 *Housing and Community Development (“MOHCD”) shall prepare and submit to the Board of*
3 *Supervisors and the Mayor a Cultural, History, Housing, and Economic Sustainability Strategy Report*
4 *(“CHHESS Report”) for the District. The CHHESS Report shall include a demographic and economic*
5 *profile of the District, including past, current, and future trends; analyze and record the tangible and*
6 *intangible elements of the District’s cultural heritage; identify areas of concern that could inhibit the*
7 *preservation of the District’s unique culture; and propose as appropriate legislative, economic, and*
8 *other solutions and strategies to support the District.*

9 (2) **Assistance from City Departments.** *In preparing the CHHESS Report, MOHCD*
10 *may request assistance from the Historic Preservation Commission and any other City department,*
11 *office, or other agency of City government. Those agencies shall upon request provide to MOHCD an*
12 *assessment of relevant assets and needs in the District, recommendations on programs, policies, and*
13 *funding sources that could benefit the District, and other recommendations that could serve the District*
14 *to advance its goals.*

15 (3) **Community Outreach and Engagement.** *In preparing the CHHESS Report,*
16 *MOHCD shall facilitate a community outreach and engagement process with the District’s residents,*
17 *businesses, workers, and other individuals who regularly spend time in the District, in order to develop*
18 *the strategies and plans that will preserve and enhance the culture of the District.*

19 (b) **Board of Supervisors Consideration.** *Following receipt of the CHHESS Report from*
20 *MOHCD, the Board of Supervisors may take any action by resolution that the Board deems*
21 *appropriate regarding the report, including approving the report, modifying the report, rejecting the*
22 *report, or requesting additional information or analysis from MOHCD or any other City department or*
23 *agency.*

1 (c) **Progress Reports.** MOHCD shall provide a progress report on the strategies outlined in
2 the CHHESS Report at least once every three years following enactment of a resolution approving or
3 modifying the CHHESS Report.

4 (d) **Assistance from Community-Based Organization.** Subject to the budgetary, fiscal, and
5 civil service provisions of the Charter, MOHCD shall issue a competitive solicitation for a community-
6 based organization to (1) assist MOHCD with planning, organizing, and facilitating the community
7 outreach and engagement process under subsection (a)(3); (2) provide input and advice to MOHCD
8 regarding the contents of the CHHESS Report and regarding strategies to support and preserve the
9 unique culture and heritage of the District; (3) provide additional advice and assistance to MOHCD
10 after the issuance of the CHHESS Report to implement the City's strategies to support and preserve the
11 culture of the District; (4) assist MOHCD with progress reports required under subsection (c); and (5)
12 fulfill any other responsibilities that MOHCD determines would help the City to support the District.

13
14 Section 4. Effective Date. This ordinance shall become effective 30 days after
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
17 of Supervisors overrides the Mayor's veto of the ordinance.

18
19 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
20 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
21 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
22 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
23
24
25

1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the ordinance.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By:


7 JON GIVNER
8 Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - American Indian Cultural District]

Ordinance amending the Administrative Code to establish the American Indian Cultural District in and around the northwestern quadrant of the Mission District; to require the Mayor's Office of Housing and Community Development to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District and proposing strategies to acknowledge and preserve the cultural legacy of the District; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

The Board of Supervisors has recognized seven neighborhoods with distinct cultural heritage as "cultural districts" in San Francisco. Chapter 107 of the Administrative Code outlines the process by which the Board intends to create new cultural districts in the future.

Amendments to Current Law

The proposed ordinance would establish American Indian Cultural District in and around the northwestern quadrant of the Mission District. The ordinance sets forth the geographic boundaries of the District and describes the District's rich cultural history and character.

The ordinance would require the Mayor's Office of Housing and Community Development to prepare a Cultural, 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 January 31, 2021, the Mayor's Office of Housing and Community Development will submit the report to the Board of Supervisors for the Board's consideration and possible approval. The Mayor's Office of Housing and Community Development will prepare additional progress reports every three years thereafter.

The ordinance also would require the Mayor's Office of Housing and Community Development to enter an agreement with a competitively selected community-based organization to assist the City with community outreach, preparation of the content of the CHHESS Report, and development of strategies to support and preserve the culture of the District.

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BOARD of SUPERVISORS



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

October 10, 2019

File No. 191183

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On November 19, 2019, the following legislation was introduced:

File No. 191183

Ordinance amending the Administrative Code to establish the American Indian Cultural District in and around the northwestern quadrant of the Mission District; to require the Mayor's Office of Housing and Community Development to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District and proposing strategies to acknowledge and preserve the cultural legacy of the District; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

By: Victor Young, Clerk
Rules Committee

Attachment

c: Devyani Jan, Environmental Planning
Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning
Don Lewis, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.



SAN FRANCISCO PLANNING DEPARTMENT

December 18, 2019

Ms. Angela Calvillo, Clerk
Honorable Supervisor Hillary Ronen
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Re: Transmittal of Planning Department Case Number 2019-022591PCA:
American Indian Cultural District
Board File No. 191183
Historic Preservation Commission Recommendation: Approval with
Modification

Dear Ms. Calvillo and Supervisor Ronen,

On December 18, 2019, the Historic Preservation Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Ronen that would amend the Administrative Code. At the hearing the Commission recommended approval with one modification.

- Add language in Section 107C.1 "Findings" section of the draft ordinance to clarify that the "American Indian Cultural Center" cited on page 4 has historically been known by various other names.

The proposed amendment is not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Aaron D. Starr", followed by the word "For" in a similar script.

Aaron D. Starr
Manager of Legislative Affairs

cc:

Jon Givner, Deputy City Attorney
Paul Monge, Aide to Supervisor Hillary Ronen
Victor Young, Office of the Clerk of the Board

Attachments :

Historic Preservation Commission Resolution
Planning Department Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 1107

HEARING DATE: DECEMBER 18, 2019

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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Planning
Information:
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Project Name: Establish the American Indian Cultural District
Case Number: 2019-022591PCA [Board File No. 191183]
Initiated by: Supervisors Ronen, Mandelman, Brown, Haney, Fewer, Peskin, Mar, Safai, Walton, and Yee / Introduced November 19, 2019
Staff Contact: Shelley Caltagirone, Cultural Heritage Specialist
shelley.caltagirone@sfgov.org, 415-558-6625
Reviewed by: Allison Vanderslice, CEQA Cultural Resources Manager
allison.vanderslice@sfgov.org, 415-575-9075

RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE AN ORDINANCE THAT ESTABLISHES THE AMERICAN INDIAN CULTURAL DISTRICT IN AND AROUND THE NORTHWESTERN QUADRANT OF THE MISSION NEIGHBORHOOD; REQUIRES THE MAYOR'S OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT (MOHCD) TO SUBMIT WRITTEN REPORTS AND RECOMMENDATIONS TO THE BOARD OF SUPERVISORS AND THE MAYOR DESCRIBING THE CULTURAL ATTRIBUTES OF THE DISTRICT AND PROPOSING STRATEGIES TO ACKNOWLEDGE AND PRESERVE THE CULTURAL LEGACY OF THE DISTRICT; AND, AFFIRMS THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, on November 19, 2019, Supervisors Ronen, Mandelman, Brown, Haney, Fewer, Peskin, Mar, Safai, Walton, and Yee introduced an Ordinance under Board of Supervisors (hereinafter "Board") File Number 191183, which would establish the American Indian Cultural District (hereinafter "District") in and around the northwestern quadrant of the Mission neighborhood and require the Mayor's Office of Housing and Community Development to report to the Board of Supervisors and the Mayor regarding the District; and

WHEREAS, the Board referred the proposed ordinance to the Historic Preservation Commission (hereinafter "Commission") on November 26, 2019; and

WHEREAS, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Ordinance on December 18, 2019; and

WHEREAS, the Ordinance has been determined to be Categorically Exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15378; and

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance; and

MOVED, that the Historic Preservation Commission hereby recommends that the Board of Supervisors approve the Ordinance with the following amendment:

- Add language in Section 107C.1 "Findings" section of the draft ordinance to clarify that the "American Indian Cultural Center" cited on page 4 has historically been known by various other names.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. San Francisco's cultural diversity is integral to the City fabric and is what helps make San Francisco a desirable location for living, working and recreating.
2. Cultural heritage is the expression of a way of living. It is developed by a community through objects, beliefs, traditions, practices, artistic interpretation, and significant places. It manifests itself in tangible and intangible elements passed through generations. Examples of these elements include buildings, plazas, crafts, art, festivals, processions, protests, businesses, and other institutions. Losing any of these elements diminishes a community's cultural integrity. Preserving these unique cultural elements requires distinct strategies according to each community's needs in partnership with local government.
3. During periods of rapid change in the City, cultural districts can help preserve and enhance indispensable elements of the City's fabric.
4. The City should plan for adequate City resources to support the CHHESS report development for the District.
5. The City and community-based organization selected by the Mayor's Office of Housing and Community Development should support an inclusive community engagement process during the development of the Cultural, History, Housing and Economic Sustainability Strategy for the American Indian Cultural District.
6. The City and community-based organization selected by the Mayor's Office of Housing and Community Development should explore the documentation of oral histories to support the work of the American Indian Cultural District.

7. The City and community-based organization selected by the Mayor's Office of Housing and Community Development should explore the creation of public history and educational installations to support the work of the American Indian Cultural District.
8. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

ART ELEMENT

OBJECTIVE II-2

SUPPORT ARTS AND CULTURAL PROGRAMS WHICH ADDRESS THE NEEDS OF DIVERSE POPULATIONS.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.3

Maintain a Favorable Social and Cultural Climate in the City in order to Enhance its Attractiveness as a Firm Location

MISSION AREA PLAN

OBJECTIVE 8.2

PROTECT, PRESERVE, AND REUSE HISTORIC RESOURCES WITHIN THE MISSION PLAN AREA

OBJECTIVE 8.3

ENSURE THAT HISTORIC PRESERVATION CONCERNS CONTINUE TO BE AN INTEGRAL PART OF THE ONGOING PLANNING PROCESSES FOR THE MISSION PLAN AREA AS THEY EVOLVE OVER TIME

OBJECTIVE 8.6

FOSTER PUBLIC AWARENESS AND APPRECIATION OF HISTORIC AND CULTURAL RESOURCES WITHIN THE MISSION PLAN AREA

Creating the Cultural District will help efforts to preserve and enhance the City's remaining ethnic and cultural enclaves. Their preservation and enhancement also serve the City's interest as an abundance of cultural and recreational activities lends San Francisco a comparative advantage over other municipalities. The District will support efforts to integrate preservation into ongoing planning processes and to foster public awareness and appreciation of cultural resources.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board APPROVE the Ordinance.

I hereby certify that the foregoing Resolution was ADOPTED by the Historic Preservation Commission on December 18, 2019.


Jonas P. Lohm
Commission Secretary

AYES: Hyland, Matsuda, Black, Foley, Johns, Pearlman, So

NOES: None

ABSENT: None

ADOPTED: December 18, 2019



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Administrative Code Text Amendment

HEARING DATE: DECEMBER 18, 2019
30-DAY DEADLINE: DECEMBER 19, 2019

Project Name: Establish the American Indian Cultural District
Case Number: 2019-022591PCA [Board File No. 191183]
Initiated by: Supervisors Ronen, Mandelman, Brown, Haney, Fewer, Peskin, Mar, Safai, Walton, and Yee / Introduced November 19, 2019
Staff Contact: Shelley Caltagirone, Cultural Heritage Specialist
shelley.caltagirone@sfgov.org, 415-558-6625
Reviewed by: Allison Vanderslice, CEQA Cultural Resources Manager
allison.vanderslice@sfgov.org, 415-575-9075
Recommendation: **Approval**

1650 Mission St.
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ADMINISTRATIVE CODE AMENDMENT

The proposed Ordinance amends the Administrative Code to establish the American Indian Cultural District (the "District") in and around the northwestern quadrant of the Mission neighborhood and to require the Mayor's Office of Housing and Community Development (MOHCD) to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District and proposing strategies to acknowledge and preserve the cultural legacy of the District.

The Way It Was:

1. The American Indian Cultural District in and around the northwestern quadrant of the Mission neighborhood does not currently exist.

The Way It Will Be:

1. The Ordinance establishes the American Indian Cultural District in and around the northwestern quadrant of the Mission neighborhood with boundaries including the area bounded by 15th Street to the north between Folsom Street and Julian Street, Julian Street to the east between 15th Street and 14th Street, 14th Street to the north between Julian Street and Valencia Street, Valencia Street to the west between 14th Street and 16th Street, 16th Street to the north between Valencia Street and Sanchez Street, Sanchez Street to the west between 16th Street and 17th Street, and 17th Street to the south between Sanchez Street and Folsom Street.

BACKGROUND

Cultural District Designation Process

This Ordinance relies on the Cultural District designation process outlined in Section 107.3 of the Administrative Code, which was adopted on May 22, 2018. Prior to adoption of this process the Board of Supervisors (BoS) adopted each cultural district and its process separately; however, there was no codified process directing City departments to provide an assessment a Cultural District's assets and needs, or

provide recommendations on programs, policies and funding sources benefitting the Cultural District, as well as other recommendations to advance Cultural District goals.

Per the Cultural District designation process, the Mayor's Office of Housing and Community Development, with assistance from a community-based organization and City Departments, will prepare a Cultural, History, Housing, and Economic Sustainability Strategy (CHHESS) Report within one year of the effective date of the ordinance, unless the BoS extends the deadline by resolution, for submittal to the BoS for approval, modification, rejection, or request for further information or analysis. MOHCD will provide progress reports on the strategies outlined in the CHHESS report every three (3) years.

ISSUES AND CONSIDERATIONS

Planning Department Native American Historical and Archeological Data

The Planning Department's archaeological staff maintain confidential records and maps of documented San Francisco archaeological sites of Native American origin in its project review files and archives. These archaeological sites are the physical evidence of local Native American use of San Francisco lands from the time of the earliest identified human occupation of San Francisco through the historical period. At the time the Spanish arrived in the bay area in the 1760s, a few hundred Ohlone Native Americans are believed to have resided in San Francisco. Known archaeological sites in San Francisco date from as early as 7,700 years ago to as recently as AD 1800 or later.

The Spanish occupation of the Bay Area disrupted Ohlone lifeways and, within a few decades, resulted in a very substantial decrease in local Ohlone populations, mixing of local native groups who were forcibly recruited into mission settlements around the bay area, and to the loss, by the Ohlone, of their native lands. The Planning Department maintains confidential records and maps of documented archeological sites associated with the Hispanic period (1769-1840s), as well as historical maps, drawing, accounts, mission records, and other archival materials associated with the Spanish, Mexican and Californio periods. This information can inform the community's development of the CHHESS and related future projects.

Planning Department Consultation Process for Tribal Cultural Resources

The Planning Department and its archaeological consultants routinely conduct outreach to Ohlone Native Americans recognized by the California Native American Heritage Commission regarding San Francisco projects that may have the potential to affect Native American archaeological sites, and Planning requires that Ohlone monitors have the opportunity to participate in all archaeological projects that involve resources of Native American origin. In addition, California law requires that when a Native American burial is identified a tribal representative will be appointed by the California Native American Heritage Commission to provide recommendations for the appropriate treatment and disposition of the remains.

In 2015, the state of California enacted AB 52. This law amends the California Environmental Quality Act to recognize Tribal Cultural Resources as a class of cultural resources; requires that impacts to such resources be considered significant under CEQA; and sets forth a mandatory consultation process for the identification of such resources. In compliance with AB 52, the Planning Department conducted meetings with interested Ohlone individuals and tribes (from the list maintained by the California Native American Heritage Commission) in May 2015. In those meetings, Ohlone attendees indicated that all archaeological resources of Native American origin—that is, all prehistoric or ethnohistoric archaeological resources—be

considered to be tribal cultural resources. No other tribal cultural resources in San Francisco were identified through this outreach process. Accordingly, the Planning Department treats all archaeological resources of Native American origin as tribal cultural resources and requires mitigation measures that were developed in consultation with local Ohlone representatives. These measures include the development of an interpretive program designed and implemented in consultation with Ohlone representatives. In addition, as required by CEQA for tribal cultural resources, notification of CEQA projects is sent to Ohlone representatives on the Native American Heritage Commission list who have requested notification, asking if they would like to request tribal cultural resources consultation.

The Planning Department has worked for many years with local Ohlone representatives on Native American Heritage Commission List and suggests that these representatives are invited to participate during the cultural district's CHHESS preparation.

Mandated Timeline

Given the breadth of required information, it is the Department's experience that the identification and assessment of cultural heritage resources through a community-led inventory typically takes between nine (9) and eighteen (18) months to complete. Given how well-documented the history of the Mission neighborhood is, it is likely that this process can be completed within twelve (12) months. Therefore, the proposed CHHESS report deadline of January 31, 2021 is practical and feasible.

Community-Based Organization

The Cultural District program relies on the integral participation of a community group to ensure a responsive and grassroots plan that can be implemented in partnership with the City. The ordinance recommends a process by which MOHCD will select a community-based organization to act as spokesperson, advisor, facilitator, and navigator of the CHHESS development and implementation. The Department supports this approach to partnering with the community.

General Plan Compliance

The proposed ordinance would comply with the General Plan, specifically with the Commerce and Industry Element, which calls for the City to "maintain and enhance a sound and diverse economic base and fiscal structure for the City" and with the Arts Element, which calls for the City to "support arts and cultural programs which address the needs of diverse populations. The ordinance complies with the Mission Area Plan Historic Preservation objectives, which call for the City to protect, preserve, and reuse historic resources, to integrate preservation into ongoing planning processes, and to foster public awareness and appreciation of cultural resources. The ordinance would also comply with General Plan Priority Policy #2, which states that "That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods." Creating the new cultural district will help efforts to preserve and enhance the City's remaining ethnic and cultural enclaves. Preservation and enhancement of these districts serves the City's interest as an abundance of cultural and recreational activities lends San Francisco a comparative advantage over other municipalities.

Implementation

The Department has determined that this Ordinance will not impact our current implementation procedures for permit review or their costs as it does not amend the Planning Code. The Department has

determined that the Ordinance will require staff time for collaboration and assistance with the CHHESS report.

RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

BASIS FOR RECOMMENDATION

The Department is supportive of the proposed Ordinance and anticipates working collaboratively with the designated community-based organization and MOHCD to support the community stabilization and cultural heritage conservation goals of the community.

- The Ordinance recommends a feasible timeframe for the development of the required CHHESS report.
- The Ordinance proactively recommends a process for identifying an appropriate community partner to act as spokesperson, advisor, facilitator, and navigator of the CHHESS development and implementation, which should ensure that the work of MOHCD is responsive to community concerns and existing neighborhood conditions.
- The Ordinance complies with the City's General Plan.
- The Ordinance, while having an incremental impact to Department staff time dedicated to supporting the cultural district program, would not impact our current permit review procedures or costs.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

ENVIRONMENTAL REVIEW

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment. Although this ordinance refers to cultural resources and sacred sites associated with Ohlone Native Americans, this ordinance is not defined as a project under CEQA and, therefore, does not require Tribal Cultural Resource notification.

PUBLIC COMMENT

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

Attachments:

- Exhibit A: Draft Historic Preservation Commission Resolution
Exhibit B: Board of Supervisors File No. 191183

BOARD of SUPERVISORS



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

October 10, 2019

File No. 191183

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On November 19, 2019, the following legislation was introduced:

File No. 191183

Ordinance amending the Administrative Code to establish the American Indian Cultural District in and around the northwestern quadrant of the Mission District; to require the Mayor's Office of Housing and Community Development to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District and proposing strategies to acknowledge and preserve the cultural legacy of the District; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

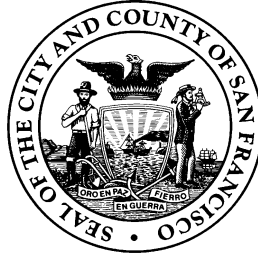
A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Clerk
Rules Committee

Attachment

c: Devyani Jan, Environmental Planning
Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning
Don Lewis, Environmental Planning

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MEMORANDUM

TO: Jonas Ionin, Historic Preservation Commission

FROM: Victor Young, Assistant Clerk, Rules Committee *Victor Young*

DATE: November 26, 2019

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Rules Committee

The Board of Supervisors' Rules Committee has received the following legislation, which is being referred to the Historic Preservation Commission, pursuant to Charter, Section 4.135, for comment and recommendation.

File No. 191183

Ordinance amending the Administrative Code to establish the American Indian Cultural District in and around the northwestern quadrant of the Mission District; to require the Mayor's Office of Housing and Community Development to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District and proposing strategies to acknowledge and preserve the cultural legacy of the District; and affirming the Planning Department's determination under the California Environmental Quality Act.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: John Rahaim, Planning Department
Scott Sanchez Planning Department
Lisa Gibson, Planning Department
AnMarie Rodgers, Planning Department
Tim Frye, Planning Department
Aaron Starr, Planning Department
Andrea Ruiz-Esquide, Planning Department
Joy Navarrete, Planning Department
Georgia Powell, Planning Department

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MEMORANDUM

TO: Dan Adams, Acting Director, MOHCD

FROM: Victor Young, Assistant Clerk
Rules Committee

A handwritten signature in cursive script that reads "Victor Young".

DATE: November 26, 2019

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation on November 19, 2019:

File No. 191183

Ordinance amending the Administrative Code to establish the American Indian Cultural District in and around the northwestern quadrant of the Mission District; to require the Mayor's Office of Housing and Community Development to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District and proposing strategies to acknowledge and preserve the cultural legacy of the District; and affirming the Planning Department's determination under the California Environmental Quality Act.

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: victor.young@sfgov.org.

c: Eugene Flannery, MOHCD