

BOARD of SUPERVISORS



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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

[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 ~~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. 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
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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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