

File No. 210454

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Appropriations Committee

Date May 12, 2021

Board of Supervisors Meeting

Date _____

Cmte Board

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| <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 checked="" 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"/> | 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"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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Completed by: Linda Wong Date May 7, 2021

Completed by: Linda Wong Date _____

[Administrative Code - Free Muni Pilot Program Fund]

Ordinance amending the Administrative Code to create a special fund for a Free Muni pilot program ending September 30, 2021, and setting conditions for use of the Fund.

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. Chapter 10, Article XIII, of the Administrative Code is hereby amended by adding Section 10.100-73, to read as follows:

SEC. 10.100-73. FREE MUNI PILOT PROGRAM FUND.

(a) Establishment of Fund. *The Free Muni Pilot Program Fund (“the Fund”) is established as a category four fund to receive any monies appropriated or donated for the purpose of conducting a “Free Muni” pilot program.*

(b) Use of Fund. *Monies in the Fund shall be used only to fully offset the projected lost fare revenue to the San Francisco Municipal Transportation Agency (“SFMTA”) resulting from providing free Muni service on a trial basis for the period from July 1, 2021 through September 30, 2021 (“the Trial Period”).*

(c) Administration of Fund. *The SFMTA shall administer the Fund. Withdrawals from the Fund shall be subject to all of the following conditions during the Trial Period:*

(1) The SFMTA shall suspend all fare enforcement during the Trial Period:

1 (2) The SFMTA shall publicize the Free Muni pilot program through email and social
2 media, and in general shall make a good faith effort to reach as many Muni riders as possible. The
3 SFMTA shall post signs on Muni vehicles, stations, and other passenger facilities informing the public
4 that fare payment is voluntary during the Trial Period. Signage shall comply with the Language Access
5 requirements of Administrative Code Chapter 9I;

6 (3) The SFMTA shall allow voluntary payment of fares and shall keep fare collection
7 equipment and procedures, such as Clipper card machines and fare boxes, in operation for that
8 purpose; and

9 (4) On August 15, September 15, and October 15, 2021, the SFMTA shall file a written
10 report with the Board of Supervisors summarizing the status of the pilot program, changes in ridership
11 levels and characteristics, voluntary fares collected and revenues foregone, and other impacts of the
12 program.

13 (d) **Sunset Date.** This Section 10.100-73 shall expire by operation of law upon submission of
14 the October 15, 2021 report referenced in subsection (c)(4), although, as stated in subsection (b), the
15 last day of the free MUNI service provided through the pilot program shall be September 30, 2021.
16 Upon expiration of this Section 10.100-73, the City Attorney shall cause the Section to be removed from
17 the Administrative Code.

18
19 Section 2. Effective Date. This ordinance shall become effective 30 days after
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
22 of Supervisors overrides the Mayor's veto of the ordinance.

23
24 Section 3. Undertaking for the General Welfare. In enacting and implementing this
25 ordinance, the City is assuming an undertaking only to promote the general welfare. It is

not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

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

By: /s/
THOMAS J. OWEN
Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - Free Muni Pilot Program Fund]

Ordinance amending the Administrative Code to create a special fund for a Free Muni pilot program ending September 30, 2021, and setting conditions for use of the Fund.

Existing Law

The City currently does not have a law that would provide for paying the costs of offering free Muni service.

Amendments to Current Law

The proposed ordinance would create a special fund to reimburse the San Francisco Municipal Transportation Agency ("SFMTA") for any fare revenues the SFMTA lost if it agreed to provide free Muni service on a trial basis from July 1 through September 30, 2021. Money in the fund would come from City appropriations or possible donations made to support the Free Muni pilot program.

The SFMTA would administer the fund. In order to withdraw money from the fund, the SFMTA would have to meet two basic conditions during the pilot program:

- Provide free Muni service and suspend fare enforcement, although passengers could continue to pay fares on a voluntary basis; and
- Publicize the Free Muni pilot program and post signs on Muni vehicles and facilities telling passengers that fare payment is voluntary during the pilot program.

The SFMTA would also have to file monthly reports with the Board of Supervisors explaining the progress and impacts of the pilot program.

The ordinance creating the fund would automatically expire after the SFMTA filed the last required report, on or about October 15, 2021.

Background Information

Under the Charter, the Board of Supervisors may not direct the SFMTA to provide free Muni service, but the Board and the Mayor may appropriate General Fund money to the SFMTA to reimburse the agency for lost revenues if the SFMTA chooses to provide free service.

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

MEMORANDUM

TO: Kiely Hosmon, Director, Youth Commission

FROM: Linda Wong, Assistant Clerk
Budget and Appropriations Committee

DATE: May 3, 2021

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Budget and Appropriations Committee has received the following legislation, introduced by Supervisor Dean Preston on April 27, 2021. This item is being referred to the Youth Commission for comment and recommendation.

File No. 210454

Ordinance amending the Administrative Code to create a special fund for a Free Muni pilot program ending September 30, 2021, and setting conditions for use of the Fund.

Please return this cover sheet with the Commission's response by email to:
Linda.Wong@sfgov.org.

RESPONSE FROM YOUTH COMMISSION **Date:** May 3, 2021

 No Comment
 X **Recommendation Attached**

A handwritten signature in cursive script, appearing to read "Nora Hyatt".

Chairperson, Youth Commission

Youth Commission
 City Hall ~ Room 345
 1 Dr. Carlton B. Goodlett Place
 San Francisco, CA 94102-4532



(415) 554-6446
 (415) 554-6140 FAX
www.sfgov.org/youth_commission

YOUTH COMMISSION

MEMORANDUM

TO: Linda Wong, Assistant Clerk, Budget and Appropriations Committee
FROM: Youth Commission
DATE: Tuesday, May 4, 2021
RE: Referral response to BOS File No. 210454 - [Administrative Code - Free Muni Pilot Program Fund]

At our **Monday, May 3, 2021, meeting**, the Youth Commission voted to support the following motion:

To support BOS File No. 210454 - [Administrative Code - Free Muni Pilot Program Fund]

The Youth Commissioners voted to include the following questions, recommendations, and comments.

Recommendations:

- During this pilot reimagine the current fare inspector roles as more of a wellness check-in and as transit operator support roles - rather than fare enforcement
- MTA & Controller & Transit Authority - come up with a more comprehensive report upon the end of the pilot
- Survey or interview riders on how Free Muni for All may impact riders of color (specifically Black riders), low-income riders, families, or young riders general safety (i.e. because they don't have to worry about the fare enforcers)
- Hate crimes continue to impact AAPI communities along with ongoing police brutality against Black communities - more specific information is needed on which marginalized communities will benefit from Free Muni for All (AAPI, Black, low income, TAY, low income youth, etc...)

Youth Commissioners thank the Board of Supervisors for their attention to this issue. If you have any questions, please contact our office at (415) 554-6446, or your Youth Commissioner.

A handwritten signature in cursive script that reads "Nora Hylton".

Nora Hylton, Chair
 Adopted on May 3, 2021
 2020-2021 San Francisco Youth Commission

BOARD of SUPERVISORS



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

MEMORANDUM

TO: Jeffrey Tumlin, Executive Director, Municipal Transportation Agency

FROM: Linda Wong, Assistant Clerk
Budget and Appropriations Committee

DATE: May 7, 2021

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Budget and Appropriations Committee has received the following proposed legislation, introduced by Supervisor Dean Preston:

File No. 210454

Ordinance amending the Administrative Code to create a special fund for a Free Muni pilot program ending September 30, 2021, and setting conditions for use of the Fund.

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: linda.wong@sfgov.org.

c: Kate Breen, Municipal Transportation Agency
Janet Martinsen, Municipal Transportation Agency
Joel Ramos, Municipal Transportation Agency

[Administrative Code - Free Muni Pilot Program Fund]

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

By: /s/
THOMAS J. OWEN
Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - Free Muni Pilot Program Fund]

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President, District 10
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-6516
Fax No. 554-7674
TDD/TTY No. 544-6546

Shamann Walton

PRESIDENTIAL ACTION

Date: 4/29/2021

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.

210454

Preston

(Primary Sponsor)

Title.

Administrative Code - Free Muni Pilot Program Fund

☐ Transferring (Board Rule No 3.3)

File No.

(Primary Sponsor)

Title.

From:

Committee

To:

Committee

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

Supervisor:

Replacing Supervisor:

For:

(Date)

(Committee)

Meeting

Start Time:

End Time:

Temporary Assignment: ☐ Partial ☐ Full Meeting


Shamann Walton, President
Board of Supervisors

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

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

- ☒ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☐ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning : "Supervisor inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

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

Sponsor(s):

Supervisor Preston, Haney, Walton, Ronen and Chan

Subject:

[Administrative Code - Free Muni Pilot Program Fund]

The text is listed:

Ordinance amending the Administrative Code to create a special fund for a Free Muni pilot program ending September 30, 2021, and setting conditions for use of the Fund.

Signature of Sponsoring Supervisor:

For Clerk's Use Only

From: [Kilgore, Preston \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Gee, Natalie \(BOS\)](#); [Sandler, Risa \(CON\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Snyder, Jen \(BOS\)](#)
Subject: Free muni pilot program legislation and intro form
Date: Tuesday, April 27, 2021 4:00:30 PM
Attachments: [MTA Free Muni 4-21-21.docx](#)
[MTA Free Muni 4-21-21.pdf](#)
[01528632.DOCX](#)
[01528647.DOCX](#)
[Introduction Form appropriation for Free Muni Pilot 4.27.2021.pdf](#)
[Introduction Form ordinance for free Muni 4.27.2021.pdf](#)

Good Afternoon,

Attached to this email are the introduction forms and ordinances for Supervisor Preston's:

- Ordinance amending the Administrative Code to create a special fund for a Free Muni pilot program ending September 30, 2021, and setting conditions for use of the Fund; and
- Ordinance appropriating \$9,300,000 from the COVID Contingency Reserve to the San Francisco Municipal Transportation Agency to support a Free Muni Pilot Program in July, August, and September 2021 in Fiscal Year (FY) 2020-2021.

We have requested and received approval from President Walton's office to waive the 30 Day rule and to have both pieces of legislation heard together in the budget and finance committee.

I have added Supervisor Preston to this email to confirm his signature.

Please feel free to reach out with any questions.

Thank you again everyone.

Preston Kilgore
Legislative Aide
Office of Supervisor Dean Preston
(415) 554-7630