



City and County of San Francisco

Meeting Minutes

Land Use and Transportation Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Aaron Peskin, Ahsha Safai, Dean Preston

Clerk: Erica Major (415) 554-4441

Monday, October 5, 2020

1:30 PM

Regular Meeting

Present: 3 - Aaron Peskin, Ahsha Safai, and Dean Preston

The Land Use and Transportation Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, October 5, 2020, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 1:32 p.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: Erica.Major@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Land Use and Transportation Committee Meetings begin at 1:30 p.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

ROLL CALL AND ANNOUNCEMENTS

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

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

201062 [Administrative Code - Vehicles Owned or Leased by the City]

Sponsors: Yee; Peskin, Preston and Safai

Ordinance amending the Administrative Code to require City departments to report annually information about the number, cost, and usage of vehicles the departments have rented for periods of longer than 30 days; to authorize the City Administrator to inspect or provide maintenance upon request for any vehicle rented, leased, or owned by the City; to require departments to submit information to the City Administrator and the Board of Supervisors regarding the usage and safety of City vehicles; and to authorize the City Administrator to require departments to develop correction plans to reduce speeding, idling, and/or collisions involving City vehicles.

09/15/20; ASSIGNED to Land Use and Transportation Committee. 9/17/20 - President Yee waived the 30-day rule pursuant to Board Rule No. 3.22.

09/21/20; REFERRED TO DEPARTMENT. Referred to the Office of the City Administrator, Police Department, Sheriff's Department, Adult Probation Department, Juvenile Probation Department, and the Office of the District Attorney for informational purposes; Referred to the Planning Department for environmental review.

09/28/20; RESPONSE RECEIVED. 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.

Heard in Committee. Speakers: Supervisor Norman Yee (Board of Supervisors); Fred Brousseau and Julian Metcalf (Budget and Legislative Analyst's Office); Naomi Kelly, City Administrator (Office of the City Administrator); Kristen Jensen (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Jodie Medeiros (Walk SF); spoke in support of the hearing matter. Speaker; Speaker; spoke on various concerns relating to the hearing matter.

Member Preston and Vice Chair Safai requested to be added as a co-sponsors.

Chair Peskin moved that this ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 16-25, by adding 'If the department does not have access to all the information required by this subsection (e)(1) five days prior to renting or leasing, the department shall report all available information in its possession at that time. (2) If a department determines that it is necessary to immediately rent or lease one or more vehicles for a period of more than 30 days to address an emergency, the department is not required to submit a report by the deadline in subsection (e)(1); provided that the department shall report the information required by subsection (e)(1) to the City Administrator within 15 days after renting or leasing the vehicle(s) with a written explanation of the emergency circumstances.'; and other clarifying and conforming changes. The motion carried by the follow vote:

Ayes: 3 - Peskin, Safai, Preston

See duplicate File No. 201148.

DUPLICATED

Chair Peskin requested that File No. 201062 be DUPLICATED.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Peskin, Safai, Preston

201148 [Administrative Code - Vehicles Owned or Leased by the City]**Sponsors: Yee; Peskin**

Ordinance amending the Administrative Code to require City departments to report annually information about the number, cost, and usage of vehicles the departments have rented for periods of longer than 30 days; to authorize the City Administrator to inspect or provide maintenance upon request for any vehicle rented, leased, or owned by the City; to require departments to submit information to the City Administrator and the Board of Supervisors regarding the usage and safety of City vehicles; and to authorize the City Administrator to require departments to develop correction plans to reduce speeding, idling, and/or collisions involving City vehicles.

Duplicated from File No. 201062.

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

Ayes: 3 - Peskin, Safai, Preston

Chair Peskin was noted absent at 3:30 p.m. and for the remainder of the meeting.

200701 [Building Code, Environment Code - Mandating New Construction Be All-Electric]

Sponsor: Mandelman

Ordinance amending the Building Code to require new construction to utilize only electric power; amending Environment Code to provide public hearings on implementation of all-electric requirement; adopting findings of local conditions under the California Health and Safety Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

06/30/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/30/2020.

07/08/20; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Building Inspection Commission pursuant to Charter, Section D3.750-5.

08/21/20; RESPONSE RECEIVED. On August 19, 2020, the Commission met and held a duly noticed meeting and recommended approval of the proposed legislation.

09/11/20; RESPONSE RECEIVED. The Commission on the Environment submitted their Resolution in response to the proposed legislation.

09/21/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); James Zhan (Department of Building Inspection); Anne Pearson (Office of the City Attorney); Deborah Raphael, Director, and Cyndy Comerford (Department of the Environment); presented information and answered questions raised throughout the discussion. Harold Fissinger; Bert Rodriguez; Maura McKnight (Business Council on Climate Change); Daniella Cortiz (Flatline); Corey Smith (San Francisco Housing Action Coalition); Helena Brickie; Nan Fresco; Sara Sheer; Elizabeth Balkan (Natural Resources Defense Council); Speaker; Matthew Levin; Diana Joy; Steven Liking; Trip; Paul Wormer; Eric Mavous; Zack; Melissa Yu (Sierra Club); Celia; Chris; Rebecca Barker (Earth Justice); Melissa Lionheart; Fierstein Yower; Gabe Wilson; John Anderson; Speaker; Jennifer Feng; Daniel Tahara; spoke in support of the hearing matter. Dave Fahey (Local 38); Gabriel Goffman; Speaker; Tom Ensel; spoke on various concerns relating to the hearing matter.

09/21/20; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Kristen Jensen (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Steven Guttman; Corey Smith (San Francisco Housing Action Coalition); Dave Gaufman; Elaina Engel; Chris; Jonie Eisen; Paul Wermer; Daniel Tahara; Matt Gough (Sierra Club); Melissa Yu; Mark Zinger; Jennifer Feng; spoke in support of the hearing matter. Speaker (Local 38); Anastasia Yovanopoulos; Sean Keak; spoke in opposition of the hearing matter. Speaker; spoke on various concerns relating to the hearing matter.

Vice Chair Safai moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of October 19, 2020. The motion carried by the following vote:

Ayes: 2 - Safai, Preston

Absent: 1 - Peskin

Supervisor Peskin Excused from Attendance

Vice Chair Safai moved to excuse Chair Peskin from the remaining of the meeting. The motion carried by the following vote:

Ayes: 2 - Safai, Preston

Excused: 1 - Peskin

Vice Chair Safai recessed the meeting at 3:31 p.m. and reconvened at 3:35 p.m.

201059 [Administrative Code - Temporary Tenant Protections Due to COVID-19]

Sponsors: Preston; Peskin, Ronen, Haney, Walton and Mandelman

Ordinance amending the Administrative Code to limit residential evictions through March 31, 2021, unless the eviction is based on the non-payment of rent or is necessary due to violence-related issues or health and safety issues.

09/15/20; ASSIGNED to Land Use and Transportation Committee. President Yee waived the 30 Day Rule for this matter.

09/22/20; REFERRED TO DEPARTMENT. Referred to the Rent Board, Mayor's Office of Housing and Community Development and Department of Homelessness and Supportive Housing for informational purposes.

Heard in Committee. Speakers: Anastasia Youvanopolus; Hannah Flannery; Evie Patimantere; spoke in support of the hearing matter. Tess Welborn (Haight Ashbury Neighborhood Council); Speaker; Lorraine Petty (Senior and Disability Action); Fernando Marti; Theresa Flandric (Senior and Disability Action); Linda Chapman; spoke on various concerns relating to the hearing matter.

Member Preston moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 5-9, by adding 'This Section 37.9(n) is intended to limit evictions until March 31, 2021, and shall therefore apply to all residential dwelling units described in subsections (1) and (2), including but not limited to those where a notice to vacate or quit was pending as of the date that this Section 37.9(n) took effect and regardless whether the notice was served before or after September 15, 2020.'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 2 - Safai, Preston

Excused: 1 - Peskin

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

Ayes: 2 - Safai, Preston

Excused: 1 - Peskin

200610 [Administrative Code - Housing Stability Fund]**Sponsors: Preston; Ronen, Mar, Walton and Haney**

Ordinance amending the Administrative Code to establish the Social Housing Program Fund for the acquisition, creation, and operation of affordable Social Housing Developments.

06/09/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/9/2020.

06/16/20; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development for informational purposes.

09/28/20; CONTINUED. Heard in Committee. Speakers: Speaker; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Fernando Marti; Corey Smith (San Francisco Housing Action Coalition); Linda Chapman; Theresa Flandric (Senior and Disability Action); spoke in support of the hearing matter. Anastasia Yovanopoulos; Speaker; Speaker; spoke on various concerns relating to the hearing matter.

Member Preston moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by striking 'Social' and striking 'Program' and replacing it with 'Stability'; on Page 1, Lines 3 and 4, by striking 'Social' and 'Program' and adding 'Stability' before 'Fund', and on Lines 5-6, by adding ', and establishing the Housing Stability Fund Oversight Board to advise the Board of Supervisors regarding the use of the Housing Stability Fund'; on Page 2, Lines 1-3, by adding 'Among the objectives of the Fund is to prioritize acquisition and creation of affordable housing that lacks access to traditional state and federal affordable housing funding.'; on Page 3, Lines 20-21, by adding 'SEC. 5.45-1. ESTABLISHMENT OF HOUSING STABILITY FUND OVERSIGHT BOARD.'; and adding other clarifying and conforming changes. The motion carried by the follow vote:

Ayes: 2 - Safai, Preston

Excused: 1 - Peskin

Ordinance amending the Administrative Code to establish the Housing Stability Fund for the acquisition, creation, and operation of affordable Social Housing Developments, and establishing the Housing Stability Fund Oversight Board to advise the Board of Supervisors regarding the use of the Housing Stability Fund.

Vice Chair Safai moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of October 19, 2020. The motion carried by the following vote:

Ayes: 2 - Safai, Preston

Excused: 1 - Peskin

Vice Chair Safai recessed the meeting at 4:42 p.m. and reconvened at 4:47 p.m.

Vice Chair Safai recessed the meeting at 4:48 p.m. and reconvened at 4:54 p.m.

200611 [Administrative Code - COVID-19 Rent Resolution and Relief Fund]**Sponsors: Preston; Ronen, Mar, Walton and Haney**

Ordinance amending the Administrative Code to establish the COVID-19 Rent Resolution and Relief Fund, to provide financial support to landlords whose tenants have been unable to pay rent due to the COVID-19 pandemic.

06/09/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/9/2020.

06/16/20; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development, Rent Board, and the Office of the Controller for informational purposes.

09/28/20; CONTINUED. Heard in Committee. Speakers: Speaker; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Laura Kiera (Legal Assistance to the Elderly); Anastasia Yovanopoulos; Evie Posmentier; Fernando Marti; spoke in support of the hearing matter. Speaker; spoke on various concerns relating to the hearing matter.

Member Preston moved that this Ordinance AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Lines 20-21, by adding 'The Mayor's Office of Housing and Community Development ("MOHCD") shall administer the Fund' and striking 'The Fund shall be used' and Lines 23-25, by adding 'In the case of small landlords facing hardship, the grant may exceed \$3,000 per month and may cover up to 65% of the rent that the landlord has waived. For purposes of this Section' and on Page 2, Lines 1-6, by adding '10.100-51.1, the term "small landlords" means landlords with 10 or fewer rental units in the City; and the term "facing hardship" means that the unpaid rent is likely to cause the landlord to become unable to pay mortgage payments, perform other preexisting obligations, or complete necessary repairs at the property.'; and adding other clarifying and conforming changes. The motion and carried by the following vote:

Ayes: 2 - Safai, Preston

Excused: 1 - Peskin

Vice Chair Safai moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of October 19, 2020. The motion carried by the following vote:

Ayes: 2 - Safai, Preston

Excused: 1 - Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 5:19 p.m.

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