



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 19, 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 26, 2020, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 1:31 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.

Vice Chair noted present at 1:35 p.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

200700 [Mission Bay South - Acceptance of Public Infrastructure Improvements - Official Sidewalk Width Change]**Sponsors: Mayor; Haney**

Ordinance accepting certain public infrastructure improvements for purposes of City maintenance and liability, including the streets and stormwater pump station in the Mission Bay South Redevelopment Plan, as listed herein; declaring City property and additional property as shown on official Public Works maps as open public right-of-way; dedicating the public infrastructure associated with the projects listed herein for public use and designating such public infrastructure for public street and roadway purposes; establishing official public right-of-way widths and street grades; amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to establish official sidewalk width on the subject streets; accepting the public infrastructure for City maintenance and liability purposes, subject to specified limitations; renaming the historic waterway portion of Channel Street to Mission Creek from Seventh Street to the east side of Third Street and to China Basin east of Third Street; renaming Channel as Channel Street and naming unnamed portions of that street Channel Street covering the entire segment of this street between Third and Carolina Streets; renaming El Dorado Street North and El Dorado Street South to Corinne Woods Way; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; and authorizing official acts in connection with this Ordinance, as defined herein.

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 Municipal Transportation Agency, Public Works, Real Estate Division, Office of the County Surveyor, Port Department, and the Port Commission for informational purposes.

08/12/20; REFERRED TO DEPARTMENT. Referred to Public Works, Police Department, San Francisco Municipal Transportation Agency, and Fire Department pursuant to Public Works Code, Section 423, California Streets and Highways Code, Sections 970.5, 971, 1806, and 5026, and California Government Code, Section 34091.1; and Department of Emergency Management for informational purposes.

08/13/20; RESPONSE RECEIVED. The Fire Department noted no objections to the proposed legislation.

08/17/20; RESPONSE RECEIVED. The Police Department noted no objections to the name changes.

08/17/20; RESPONSE RECEIVED. Public Works noted no objection to the proposed legislation.

08/19/20; RESPONSE RECEIVED. The San Francisco Municipal Transportation Agency noted no objections.

08/25/20; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

09/03/20; RESPONSE RECEIVED. Signed affidavit submitted to the Clerk's Office.

09/04/20; NOTICED. 10-Day Notice for Land Use and Transportation Committee hearing mailed to property owners and posted on-site, per California Streets and Highways Code Sections 970.5 & 5026, and California Government Code Section 9409.1.

09/14/20; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Cathal Hennessy (Department of Public Works); Marc Slutzkin (Office of Community Investment and Infrastructure); John Malamut (Office of the City Attorney); presented information and answered questions raised throughout the discussion.

10/09/20; RESPONSE RECEIVED. Signed affidavit submitted to the Clerk's Office.

10/09/20; NOTICED. 10-Day Notice for Land Use and Transportation Committee hearing mailed to property owners and posted on-site, per California Streets and Highways Code Sections 970.5 & 5026, and California Government Code Section 9409.1.

Heard in Committee. Speakers: Nadia Sesay, Executive Director (Office of Community Investment and Infrastructure); John Thomas (Public Works); presented information and

answered questions raised throughout the discussion.

Chair Peskin moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

200537 [Administrative Code - Floodplain Management and Flood Insurance Requirements]

Ordinance amending the Administrative Code to update the City's floodplain management requirements to conform to current Federal floodplain management and National Flood Insurance Program criteria; to remove obsolete provisions; and affirming the Planning Department's determination under the California Environmental Quality Act. (City Administrator)

05/14/20; RECEIVED FROM DEPARTMENT.

06/02/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/2/2020.

06/10/20; REFERRED TO DEPARTMENT. Referred to the Planning Department for CEQA determination; Office of Economic and Workforce Development, Public Utilities Commission, Port Department, Airport, and Department of Building Inspection for informational purposes.

07/07/20; 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

07/13/20; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Brian Strong, Director (Office of Resilience and Capital Planning); Rebecca Benassini (Port); Christopher Barkley (AECOM); Sarah Minick (Public Utilities Commission); presented information and answered questions raised throughout the discussion. Francisco Acosta; spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Bill Barnes (Office of the City Administrator); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion.

Chair Peskin moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 7, Lines 24-25, by adding 'Determined as contributing to the historical significance of a district listed on a state inventory of historic places for a state program approved by the Secretary of Interior;'; on Page 8, Lines 5-7, by adding '(6) Determined as contributing to the historical significance of a district listed on a local inventory of historic places, including, but not limited to those structures that have been certified either by an approved state program or by the Secretary of the Interior; or'; and adding other clarifying and confirming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

Chair Peskin moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

200948 [Administrative Code - Community Opportunity to Purchase Act]**Sponsors: Fewer; Walton, Yee, Mandelman, Mar and Preston**

Ordinance amending the Administrative Code to require sellers of multifamily residential buildings to provide a new right of first offer and right of first refusal to qualified nonprofit organizations if a multifamily residential building is not under contract or remains unsold after one year and after each year thereafter; require sellers to provide additional disclosures to qualified nonprofit organizations; provide information to current tenants, and assist qualified nonprofits with due diligence; and allow multifamily residential buildings acquired by qualified nonprofit organizations under the Community Opportunity to Purchase Act to convert to a limited equity cooperative under Subdivision Code, Division 11.

08/18/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 9/17/2020.

08/25/20; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development and the Rent Board for informational purposes.

Heard in Committee. Speakers: Supervisor Sandra Lee Fewer (Board of Supervisors); presented information and answered questions raised throughout the discussion. Speaker; Bruce Wolf; spoke in support of the hearing matter. Peter Cohen (Council of Community Housing Organization); Linda Chapman; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Vice Chair Preston requested to be added as a co-sponsor.

Chair Peskin moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 11-12, by adding ‘; and exclude from COPA land dedications to the City and County of San Francisco.’; on Page 1, Line 21, by adding ‘41B.3,’; on Page 3, Lines 17-21, by adding ‘(7) For the purpose of a land dedication under the Planning Code or a development agreement or similar agreement approved by the Board of Supervisors, any transfer to the City or its designee of an interest in any privately-owned lot on which the Planning Code and other applicable laws would permit the construction of three or more residential rental units.’; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

Chair Peskin moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of October 26, 2020. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

201138 [Initiating Landmark Designation - Phyllis Lyon and Del Martin House]**Sponsors: Mandelman; Peskin, Preston and Safai**

Resolution initiating a landmark designation under Article 10 of the Planning Code for 649-651 Duncan Street, the longtime home of pioneering lesbian activists Phyllis Lyon and Del Martin.

09/29/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

10/02/20; REFERRED TO DEPARTMENT. Referred to the Planning Department and Historic Preservation Commission for informational purposes.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); presented information and answered questions raised throughout the discussion. Woody LaBounty (San Francisco Heritage); Anastasia Youvanopoulos; spoke in support of the hearing matter.

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

Chair Peskin moved that this Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

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.

10/05/20; CONTINUED. 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.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Anne Pearson (Office of the City Attorney); Leigh Lutenski (Office of Economic and Workforce Development); Charles Sullivan (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Joe Coffee; Speaker; Sarah Greenwald; Bruce Wolf; Daniel Tahara and Helena Burke (San Francisco Climate Emergency Coalition); Rebecca Barker; Paul Wermer; Alex Landford; Jonie Eisen; Melissa Yu (Sierra Club); Amy Liden; David Pilpel; Sarah Sheer; Anastasia Yovanopoulos; spoke in support of the hearing matter. Speaker (Local 38); spoke on various concerns relating to the hearing matter.

Peskin moved that this Ordinance be **AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 3, Lines 2-6, by adding 'Studies have shown children living in homes with natural gas stoves have a 42% increased risk of experiencing asthma symptoms and those impacts may be exacerbated in a compact city such as San Francisco where low-income households are more likely to have more people living in smaller spaces with less ventilation.'; on Page 4, Lines 9-17, by adding '(c)The Board of Supervisors hereby also finds that the City values the diverse restaurant community that makes the City a vibrant center of both culinary innovation and traditional cuisines that are critical to the cultural integrity, identity, and economic vitality of San Francisco. While electric cooking technology is widely and increasingly available, the Board of Supervisors finds that the potential for deleterious impacts to restaurant enterprises is sufficiently present, particularly in light of the severe economic disruption posed by the 2020 COVID-19 pandemic, that an additional transition period and process for seeking an exception for such enterprises that may be included in a new construction project is prudent, appropriate, and necessary for the public welfare.'; and adding other clarifying and conforming changes. The motion carried by the follow vote:

Ayes: 3 - Peskin, Safai, Preston

Chair Peskin moved that this Ordinance be **CONTINUED AS AMENDED** to the Land Use and Transportation Committee meeting of October 26, 2020. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

201154 [Urging The Golden Gate Bridge, Highway and Transportation District Board of Directors to Protect San Francisco and Bay Area Transportation Workers]

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

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to oppose any effort to issue layoff notices as they announced they would send out Worker Adjustment and Retraining Notification (WARN) ACT notices on September 11, 2020, to 185 employees who currently work the bus and ferry transit system carrying passengers between Marin, Sonoma, and San Francisco counties.

10/06/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: Lisa Lee (Golden Gate Transit); John Holden; Andy Shoal (Golden Gate Transit); Jason Crue; Shane Langstein; David Herrera (Golden Gate Transit); Robert Couffman; Robert Human; Robert Fermenger; Artem; Claris Scott; Augustine Ramirez; Speaker; Jordan Crawford (Golden Gate Transit); Chris Burkerson; Rapachiana James; Evan McLachlan; Robert Stratta (Golden Gate Bridge District); Westland Clarke; Joseph Hunter; spoke in support of the hearing matter. David Pilpel; spoke on various concerns relating to the hearing matter.

Member Preston moved that this Resolution be **AMENDED, AMENDMEN OF THE WHOLE BEARING SAME TITLE**, on Page 3, Line 1, by striking 'San Francisco Board of Supervisors' and replacing it with 'City and County of San Francisco'. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

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

Ayes: 3 - Peskin, Safai, Preston

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

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.

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.

10/05/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. 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.

10/05/20; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Lauren Petty; Theresa Imperial (Bill Soro Housing Program); Bruce Wolf; Peter Cohen (Council of Community Housing Organization); Linda Chapman; Anaxal Rama; Fernando Marti; spoke in support of the hearing matter.

Member Preston requested this matter to be DUPLICATED.

DUPLICATED

See duplicate File No. 201183.

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

Ayes: 3 - Peskin, Safai, Preston

201183 [Administrative Code - Housing Stability Fund]**Sponsors: Preston; Ronen, Mar, Walton and Haney**

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.

Duplicated from File No. 200610.

Member Preston moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 15-18, by adding 'Use of Housing Stability Funds through December 31, 2022' and 'It is the Board of Supervisors' present intent that with respect to expenditures made from the Fund through December 31, 2022, a minimum of 20% of those funds be prioritized for Social Housing Developments that provide housing for educators in San Francisco.'; on Page 7, Lines 15-18: Insert: "SEC. 5.45-6. SUNSET CLAUSE. Notwithstanding Rule 2.21 of the Board of Supervisors Rules of Order, which provides that advisory bodies created by the Board should sunset within three years, the Board intends the Oversight Board to exist indefinitely unless terminated by ordinance.'; and other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

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

Ayes: 3 - Peskin, Safai, Preston

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.

10/05/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. 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.

10/05/20; CONTINUED AS AMENDED.

Heard in Committee. Speakers: None.

Member Preston moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 4:27 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.