



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, August 31, 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, August 31, 2020, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 1:34 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

200762 [Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19 Pandemic]**Sponsors: Peskin; Ronen and Preston**

Reenactment of emergency ordinance (Ordinance No. 84-20) to establish protections for occupants of residential hotels ("SRO Residents") during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

07/14/20; ASSIGNED to Land Use and Transportation Committee. 7/16/20 - President Yee waived the 30-day rule pursuant to Board Rule No. 3.22.

07/22/20; REFERRED TO DEPARTMENT. Referred to the Department of Homelessness and Supportive Housing, Department of Public Health, and the Rent Board for informational purposes.

08/10/20; CONTINUED. Heard in Committee. Speaker: Theresa Flandric (Senior and Disability Action); spoke in support of the hearing matter.

08/17/20; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Stephanie Cohen and Jim Marks (Department of Public Health); presented information and answered questions raised throughout the discussion. Diana Flores, Director (Dolores Street Community Services); spoke in support of the hearing matter. Francisco Da Costa; Anastasia Yovanopoulos; Gen Fujioka (Chinatown Community Development Center); Speaker; Eric Marquo (Senior and Disability Action); spoke on various concerns relating to the hearing matter.

Member Preston requested to be added as a co-sponsor.

Heard in Committee. Speakers: Stephanie Cohen (Department of Public Health); presented information and answered questions raised throughout the discussion. Pria Brecker (Dolores Street Community Services); Eric Mark (Senior and Disability Action); Diana Flores (Dolores Street Community Services); Anastasia Yovanopoulos; Matthias Mormino, Director (Chinatown Community Development Center); Patia (San Francisco Housing Clinic); Eric Wu (Chinatown Community Development Center); Speaker; Theresa Flandric and Freddy (Seniors and Disability Action); spoke on various concerns relating to the hearing matter.

Chair Peskin moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 1-4, by adding 'and amends Section 3 of such emergency ordinance to read as follows. Even though both Ordinance No. 84-20 and this reenacted emergency ordinance are uncodified, for purposes of clarity the respective fonts for additions and deletions to the Municipal Code as stated in the'; on Page 3, Lines 1-2, by adding "'Note'" that appears at the beginning of this ordinance are used to show the amendments to Section 3 of Ordinance No. 84-20;'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

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

Ayes: 3 - Peskin, Safai, Preston

200764 [Health Code - Cleaning and Disease Prevention Standards in Tourist Hotels and Large Commercial Office Buildings]**Sponsors: Peskin; Safai**

Ordinance amending the Health Code to establish cleaning and disease prevention standards and practices in tourist hotels and large commercial office buildings to help contain COVID-19, or other contagious public health threats; to require training related to these standards for employees, provide certain protections to employees as they perform cleaning duties, and prohibit retaliation against employees for refusing to perform work under conditions they believe may be unsafe or for reporting such conditions or exercising rights protected by the Ordinance; authorizing the Office of Labor Standards Enforcement to enforce the employee rights and protections under the ordinance; and to provide for administrative enforcement by the Department of Public Health, and for financial penalties and civil actions as authorized by City and state law.

07/14/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/13/2020.

07/22/20; REFERRED TO DEPARTMENT. Referred to the Office of Labor Standards Enforcement, Rent Board, and Department of Public Health.

08/17/20; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

Heard in Committee. Speakers: None.

Chair Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of September 14, 2020. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

200673 [Planning Code - Conversion of Certain Limited Restaurants to Restaurants - North Beach Neighborhood Commercial District]**Sponsor: Peskin**

Ordinance amending the Planning Code to allow certain Limited Restaurants in the North Beach Neighborhood Commercial District to convert to Restaurants that may apply for liquor licenses; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

06/23/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/23/2020.

07/02/20; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review; Small Business Commission for comment and recommendation; and Police Department for informational purposes.

07/06/20; 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

08/28/20; RESPONSE RECEIVED. On August 27, 2020, the Commission met and held a duly noticed hearing and recommended approval of the proposed legislation.

Heard in Committee. Speakers: Aaron Starr (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion.

Chair Peskin moved that this Ordinance AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by striking 'Commercial District' and replacing it with ' Special Use District'; on Page 5, Lines 11-14, by adding '(iii) Applications to convert pursuant to this subsection shall be exempt from the notice provisions of Planning Code Section 311 and from the requirement under Section 780.3 that Restaurants only occupy spaces that were previously occupied by a Restaurant or a Bar.'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

Ordinance amending the Planning Code to allow certain Limited Restaurants in the North Beach Special Use District to convert to Restaurants that may apply for liquor licenses; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Chair Peskin moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of September 14, 2020. 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 2:41 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.