



**San Francisco Youth Commission
Minutes
Monday, December 5th, 2022
5:00pm**

**Held via Videoconference
(remote public access provided via teleconference)**

Members: Chloe Wong, Allister Adair, Qien Feng, Maureen Loftus, Hayden Miller, Gabrielle Listana, Ann Anish, Astrid Utting, Yoselin Colin, Vanessa Pimentel, Emily Nguyen, Ewan Barker Plummer, Steven Hum, Raven Shaw, Sahara Frett, Yena Im, Tyron S. Hillman III

Present: Chloe Wong, Allister Adair, Maureen Loftus, Hayden Miller, Gabrielle Listana, Ann Anish, Yoselin Colin, Vanessa Pimentel, Emily Nguyen, Ewan Barker Plummer, Steven Hum, Raven Shaw, Yena Im, Tyron S. Hillman III

Absent: Qien Feng (unexcused), Astrid Utting (excused), Sahara Frett (unexcused).

The San Francisco Youth Commission met in-person and provided public comment through teleconferencing, on Monday December 5th, 2022, with Chair Nguyen presiding.

Chair Nguyen calls the meeting order at 5:12pm.

1. Call to Order and Roll Call for Attendance

On the call of the roll, the below Commissioners were noted presently.

Roll Call Attendance: 14 present, 3 absent.

Chloe Wong present
Allister Adair present
Qien Feng absent
Maureen Loftus present
Hayden Miller present
Gabrielle Listana present
Ann Anish present
Astrid Utting absent
Yoselin Colin present
Vanessa Pimentel present
Emily Nguyen present
Ewan Barker Plummer present
Steven Hum present



Raven Shaw present
Sahara Frett absent
Yena Im present
Tyrone S. Hillman III present

A quorum of the Commission was present.

Vice Chair Barker Plummer, seconded by Commissioner Hum, motioned to excuse Commissioner Utting. The motion was carried by the following voice vote:

Voice Vote: 14 ayes, 3 absent.

Chloe Wong aye
Allister Adair aye
Qien Feng absent
Maureen Loftus aye
Hayden Miller aye
Gabrielle Listana aye
Ann Anish aye
Astrid Utting absent
Yoselin Colin aye
Vanessa Pimentel aye
Emily Nguyen aye
Ewan Barker Plummer aye
Steven Hum aye
Raven Shaw aye
Sahara Frett absent
Yena Im aye
Tyrone S. Hillman III aye

Action: Commissioner Utting's absence excused.

2. Communications

Alondra Esquivel Garcia, Director of the San Francisco Youth Commission, shared communications and meeting announcements with the Commissioners.

3. Approval of Agenda

Chair Nguyen inquired whether any Commissioner had any changes to the December 5th, 2022, Full Youth Commission agenda. There were no changes.

No discussion. No public comment.

Commissioner Miller, seconded by Commissioner Colin, motioned to approve December 5th, 2022, Full Youth Commission Agenda. The motion was carried by voice vote:



Voice Vote: 14 ayes, 3 absent.

Chloe Wong aye
Allister Adair aye
Qien Feng absent
Maureen Loftus aye
Hayden Miller aye
Gabrielle Listana aye
Ann Anish aye
Astrid Utting absent
Yoselin Colin aye
Vanessa Pimentel aye
Emily Nguyen aye
Ewan Barker Plummer aye
Steven Hum aye
Raven Shaw aye
Sahara Frett absent
Yena Im aye
Tyrone S. Hillman III aye

Action: Agenda approved.

4. Approval of Minutes November 21st, 2022

Chair Nguyen inquired whether any Commissioner had any changes to the November 21st, 2022, Full Youth Commission Minutes. There were no changes. No discussion. No public comment.

Commissioner Colin, seconded by Commissioner Listana, motioned to approve the November 21st, 2022 Full Youth Commission Minutes. The motion was carried by the following voice vote:

Voice Vote: 14 ayes, 3 absent.

Chloe Wong aye
Allister Adair aye
Qien Feng absent
Maureen Loftus aye
Hayden Miller aye
Gabrielle Listana aye
Ann Anish aye
Astrid Utting absent
Yoselin Colin aye
Vanessa Pimentel aye
Emily Nguyen aye
Ewan Barker Plummer aye
Steven Hum aye



Raven Shaw aye
Sahara Frett absent
Yena Im aye
Tyrone S. Hillman III aye

Action: Minutes approved.

5. Public Comment on Items not on Agenda

No public comment.

**6. Approving Revised Meeting Schedule for January 2023 (Discussion Item and Action Item)
Presenter: YC Staff**

Commissioner Loftus asked for a clarification of when the Civic Engagement Committee will meet in January since these new dates conflict. Commissioner Im asked about the retreat dates. Commissioner Shaw amended her motion to include January 14-15 instead of January 21 due to a mistake on the dates.

Officer Shaw, seconded by Vice Chair Barker Plummer, motioned to approve the revised meeting schedule for January 2023.

No public comment.

The motion was carried by the following voice vote:

Voice Vote: 14 ayes, 3 absent.

Chloe Wong aye
Allister Adair aye
Qien Feng absent
Maureen Loftus aye
Hayden Miller aye
Gabrielle Listana aye
Ann Anish aye
Astrid Utting absent
Yoselin Colin aye
Vanessa Pimentel aye
Emily Nguyen aye
Ewan Barker Plummer aye
Steven Hum aye
Raven Shaw aye
Sahara Frett absent
Yena Im aye
Tyrone S. Hillman III aye



Action: revised January 2023 calendar approved.

7. Housing & Land Use Committee Name Change to Housing, Recreation, and Transit Committee (Discussion Item and Action Item) Presenter: Housing and Land Use Committee

Commissioner Miller explained the reasoning for changing the name of the committee, in order to more accurately describe the discussion and action done within the committee.

No public comment.

Commissioner Adair motions to approve, Commissioner Wong seconds. The motion was carried by the following voice vote:

Voice Vote: 14 ayes, 3 absent.

Chloe Wong aye
Allister Adair aye
Qien Feng absent
Maureen Loftus aye
Hayden Miller aye
Gabrielle Listana aye
Ann Anish aye
Astrid Utting absent
Yoselin Colin aye
Vanessa Pimentel aye
Emily Nguyen aye
Ewan Barker Plummer aye
Steven Hum aye
Raven Shaw aye
Sahara Frett absent
Yena Im aye
Tyrone S. Hillman III aye

Action: HLU name change to HRT approved.

8. Civic Engagement Committee Name Change to Civic Engagement and Education Committee (Discussion Item and Action Item) Presenter: Civic Engagement Committee

Commissioner Loftus explained that education is a critical aspect of youth's lives, and because so much of the work on the Youth Commission is based on education, that this name change would be more accurate. LAO Hum recognized that the CEC would work with the SFUSD Student Advisory Council to collaborate on education issues.

No public comment.



Commissioner Colin motions to approve, Commissioner Im seconds. The motion was carried by the following voice vote:

Voice Vote: 14 ayes, 3 absent.

Chloe Wong aye
Allister Adair aye
Qien Feng absent
Maureen Loftus aye
Hayden Miller aye
Gabrielle Listana aye
Ann Anish aye
Astrid Utting absent
Yoselin Colin aye
Vanessa Pimentel aye
Emily Nguyen aye
Ewan Barker Plummer aye
Steven Hum aye
Raven Shaw aye
Sahara Frett absent
Yena Im aye
Tyrone S. Hillman III aye

Action: CEC name change to CEEC approved.

9. Slow Streets Resolution (Second Reading and Action Item) Presenter: Commissioner Miller and Co-Sponsor Commissioner Hum

Commissioner Miller went over the amendments that he and Officer Hum worked on since the first reading. He also added a clause specifically for the BOS and Mayor to support the permanence of the Lake Slow Street, since SFMTA had no recommendation. Commissioner Miller and Officer Hum read the final resolution language aloud. Vice Chair Barker Plummer highlighted an amendment to Clause 3, and Commissioner Loftus asked for clarification on Equity Priority Communities.

No public comment.

Vice Chair Barker Plummer, seconded by Officer Hum, motions to pass the resolution with the amended language. The motion was carried by the following roll call vote:

Roll Call Vote: 14 ayes, 3 absent.

Chloe Wong aye
Allister Adair aye
Qien Feng absent
Maureen Loftus aye



Hayden Miller aye
Gabrielle Listana aye
Ann Anish aye
Astrid Utting absent
Yoselin Colin aye
Vanessa Pimentel aye
Emily Nguyen aye
Ewan Barker Plummer aye
Steven Hum aye
Raven Shaw aye
Sahara Frett absent
Yena Im aye
Tyrone S. Hillman III aye

Action: Resolution in Support of Slow Streets approved.

10. Bus Stops Resolution (Second Reading and Action Item) Presenter: Commissioner Miller with Co-Sponsors Commissioner Barker Plummer, Commissioner Hum, and Commissioner Nguyen

Commissioner Miller and Officer Hum highlighted the changes in the resolution since the first reading, and then read the final resolution language aloud. Commissioner Miller, Chair Nguyen, and Commissioner Adair highlighted grammatical amendments. Staff will assist in the grammatical amendments within the resolution, and they will be reflected in the minutes at the following full Youth Commission meeting.

No public comment.

Officer Hum motions, seconded by Commissioner Miller, to approve the resolution including grammatical amendments and footnotes. The motion was carried by the following roll call vote:

Roll Call Vote: 14 ayes, 3 absent.

Chloe Wong aye
Allister Adair aye
Qien Feng absent
Maureen Loftus aye
Hayden Miller aye
Gabrielle Listana aye
Ann Anish aye
Astrid Utting absent
Yoselin Colin aye
Vanessa Pimentel aye
Emily Nguyen aye
Ewan Barker Plummer aye
Steven Hum aye



Raven Shaw aye
Sahara Frett absent
Yena Im aye
Tyrone S. Hillman III aye

Action: Resolution urging the SFMTA to remove parking at all transit stops and implement transit stop signage and wayfinding improvements approved.

**11. Debrief of SHARP Youth Town Hall on Sexual Violence & Gender-Based Violence
(Discussion Item) Presenter: Chair Nguyen and Commissioner Miller**

Chair Nguyen highlighted her summary and overall main points and takeaways from the SHARP Town Hall. Commissioner Miller and Commissioner Colin briefly commented on their takeaways. Vice Chair Barker Plummer asked about information regarding the Safer Schools Task Force, and staff responded that they haven't responded. Commissioner Colin asked if there were any updates on the resolution on the topic of sexual assault, and Commissioner Loftus gave an update on where that resolution stands.

No public comment.

12. Mid-Year Retreat (Discussion Item) Presenter: YC Staff

Director Esquivel Garcia stated that calendar invitations have been sent out for January 14th and 15th, and if there were any further requests from Commissioners to include on the retreat agenda. Specialist Zhan highlighted that community circles, budget advocacy / planning / priorities, community organizing, and committee breakout sessions will be the main focuses on the retreat. Vice Chair Barker Plummer asked if staff could clarify their specific roles so Commissioners know who to contact. Chair Nguyen asked if we could do an update on how far the Commission has come on their priorities. Staff also clarified that the retreat will be public and minutes will be taken. Commissioner Miller and Commissioner Anish asked specifically about the dates of the retreat, and how flexible they can be. Commissioners and staff discussed each preference for the schedule of the retreat.

No public comment.

13. Committee Reports (Discussion Item)

A. Executive Committee

a. Legislative Affairs Officers

Officer Hum and Officer Shaw listed the legislation that has been referred to the Youth Commission. Vice Chair Barker Plummer said he would prefer legislation be only referred to and acted on by the full Youth Commission, since any action can only be taken by a majority vote of the full Commission. Multiple commissioners expressed the need for a review of the Youth Commission bylaws to have a clear understanding of the limitations of how the Commission can respond to referred legislation.



b. Communication and Outreach Officers

Officer Listana gave updates regarding recent social media posts of recent YC actions, drafting podcast episodes, and social media takeovers.

c. General Committee Updates

1. Committee Retreats Debrief

Commissioner Colin debriefed the Transformative Justice Committee retreat and discussed their committee goals and reasons they joined the committee.

2. Youth Commission Attendance

Director Esquivel Garcia went over the full Youth Commission attendance, and passed out the current record of attendance. She also stated that their attendance will be shared with their appointing officers. Staff went over the attendance policy to clarify.

Vice Chair Barker Plummer gave updates. Commissioner Colin asked for a follow-up email and calendar invite for the December 14th leadership training at the scheduled Executive Committee.

B. Housing and Land Use Committee

Commissioner Anish gave updates from the most recent HRT committee meeting.

C. Civic Engagement Committee

Commissioner Loftus and Officer Hum have no updates, since there's been no CEEC meeting since the last full Youth Commission meeting.

D. Transformative Justice Committee

Commissioner Colin gave updates and said that the Transformative Justice Committee was not able to meet due to lack of quorum.

E. LGBTQ+ Task Force

Officer Listana gave updates on the election of the Chair and Vice Chair of the Task Force, in addition to creating legislative priorities for the Task Force.

14. Staff Report (Discussion Item)

Director Esquivel Garcia gave an update on commissioners' status on the online trainings, key youth seat vacancies amongst citywide commissions and committees, the arrival of the German Youth Council that's visiting San Francisco in the Summer of 2023, and topics to discuss at the Mid-Year Retreat.



Specialist Zhan gave updates on the Mid-Year Retreat for Commissioners to send their priorities during the retreat, appointing officer 1:1 meeting updates, the Fun Friday event on Friday, and the Leadership Training taking place at the December 14th Executive Committee meeting.

Specialist Ochoa gave brief updates on the BOS Land Use and Transportation Committee regarding legislation referred to the Commission, the Youth Community Convener on January 11th, any requests to the Mid-Year Retreat for activities or facilities, and the Civic Center Tree Lighting ceremony on December 7th.

No public comment.

15. Announcements, including Community Events.

Vice Chair Barker Plummer let commissioners know about the Interfaith Annual Vigil for Victims of Gun Violence on Saturday, December 10th at the Third Baptist Church of SF, starting at 3pm.

16. Adjournment

There being no further business, the Youth Commission adjourned at 7:14pm.



**OPPORTUNITIES
FOR ALL** Pathways to Economic
Inclusion for Youth

#CaliforniansForAll
Youth Jobs Corps



VISION

Getting to All

There is a need to increase the number of programs offering work-based learning opportunities for youth, especially youth from diverse backgrounds (Symonds et al., 2011).



Research

Summer jobs help youth develop their skills, while gaining work experience and earning money (Modestino & Paulsen 2018).

Youth and communities benefit when youth participate in work-based learning opportunities.

Programs like OFA, develop safe caring environments which is important for upward mobility.

Opportunity Youth United recommend leadership skills development for youth to decrease poverty.

Opportunities For All – Intent and Goal

01

INTRODUCTION TO THE WORKFORCE

02

JOB TRAINING AND CAREER EXPOSURE

03

ECONOMIC STABILITY

04

BUILDING PIPELINES FOR CAREER
OPPORTUNITIES

05

JOB SECURITY AND UPWARD MOBILITY

San Francisco has some of the largest income disparities in the nation (Berube, 2018; McIntosh et al., 2020). Opportunities for All (OFA) was launched in October 2018 as a strategy to address income and opportunity gaps.

Social Networks

- Mentor rich environments
- Opportunities to engage with caring individuals

Economic Mobility

- Provide opportunities for youth to earn money now
- Increase lifetime earnings
- Develop employer identified skills for employability

Youth Leadership

- College Fellows lead cohorts of high school interns
- Peer leaders developed within cohorts
- Youth-centered project-based work experiences

Intentional Outreach

- Youth from diverse backgrounds and experiences
- In diverse neighborhoods and different locations.
- Collect and share data to improve outcome and engagement

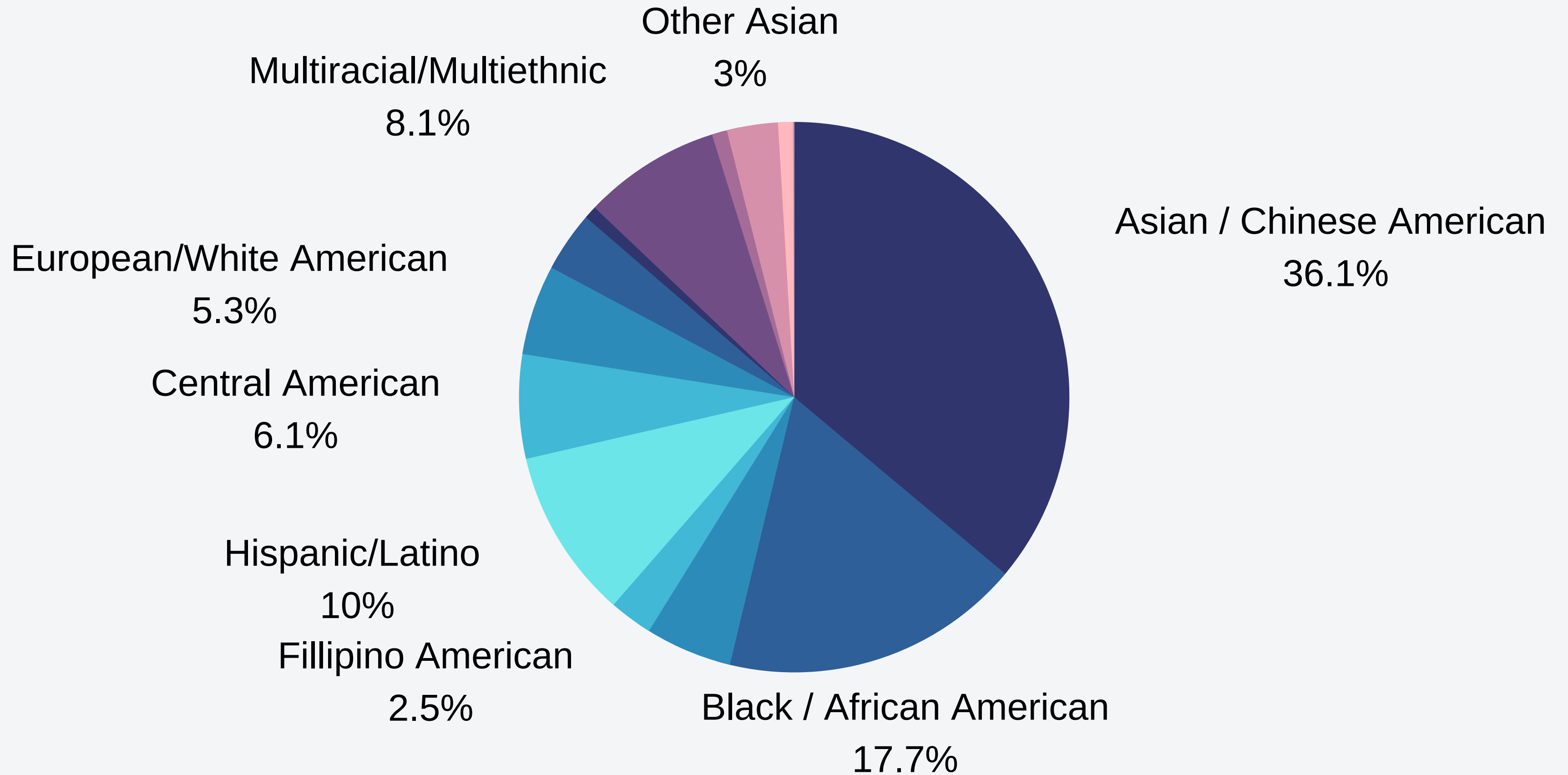
Support and Resources

- Support for youth with little to no experience
- Comprehensive wrap around support for employers and youth

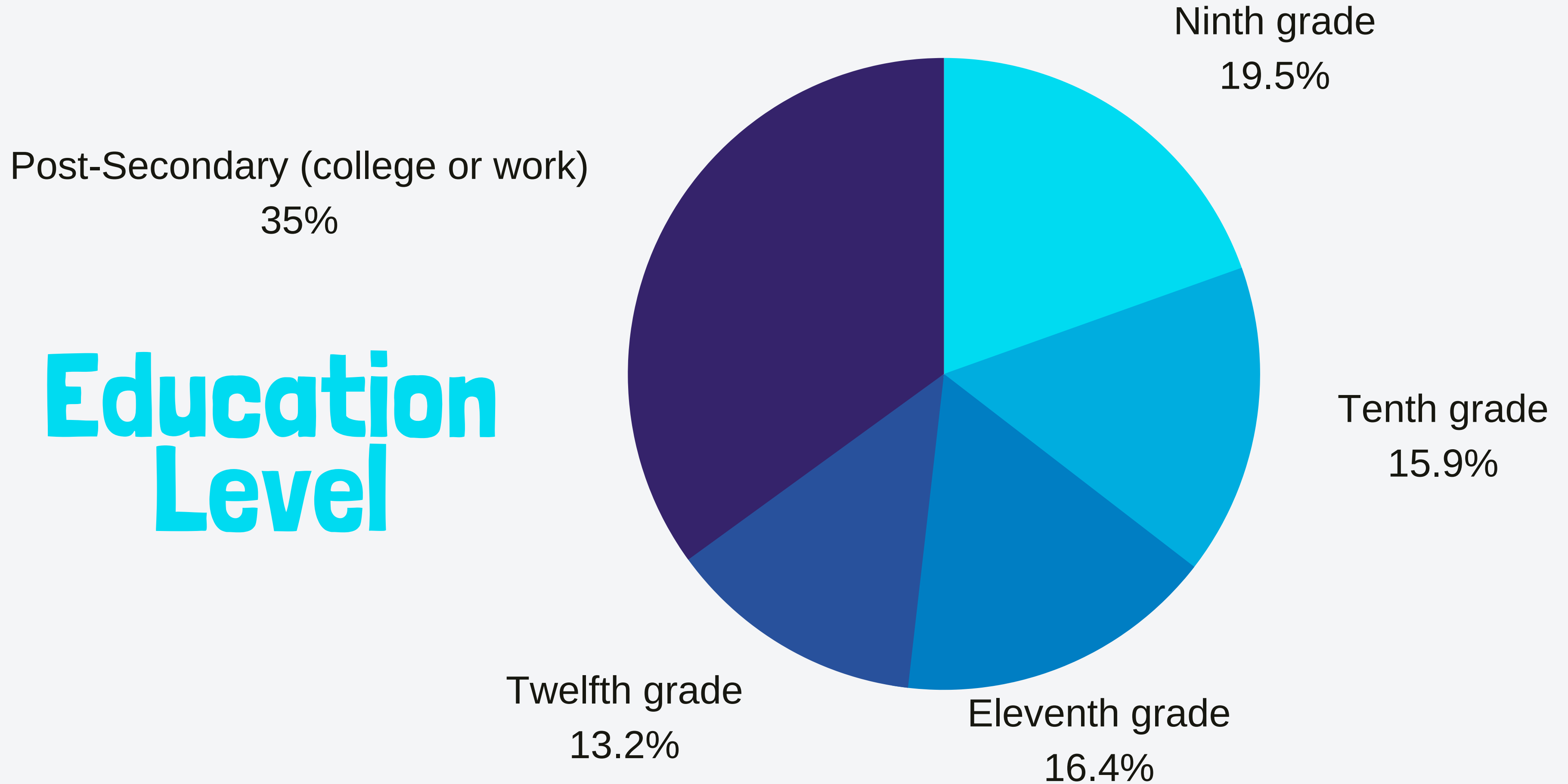
Expand opportunities

- Meet basic as well as employment needs
- Develop year-round experiences for youth
- Shift policies to prioritize collaboration across stakeholder groups

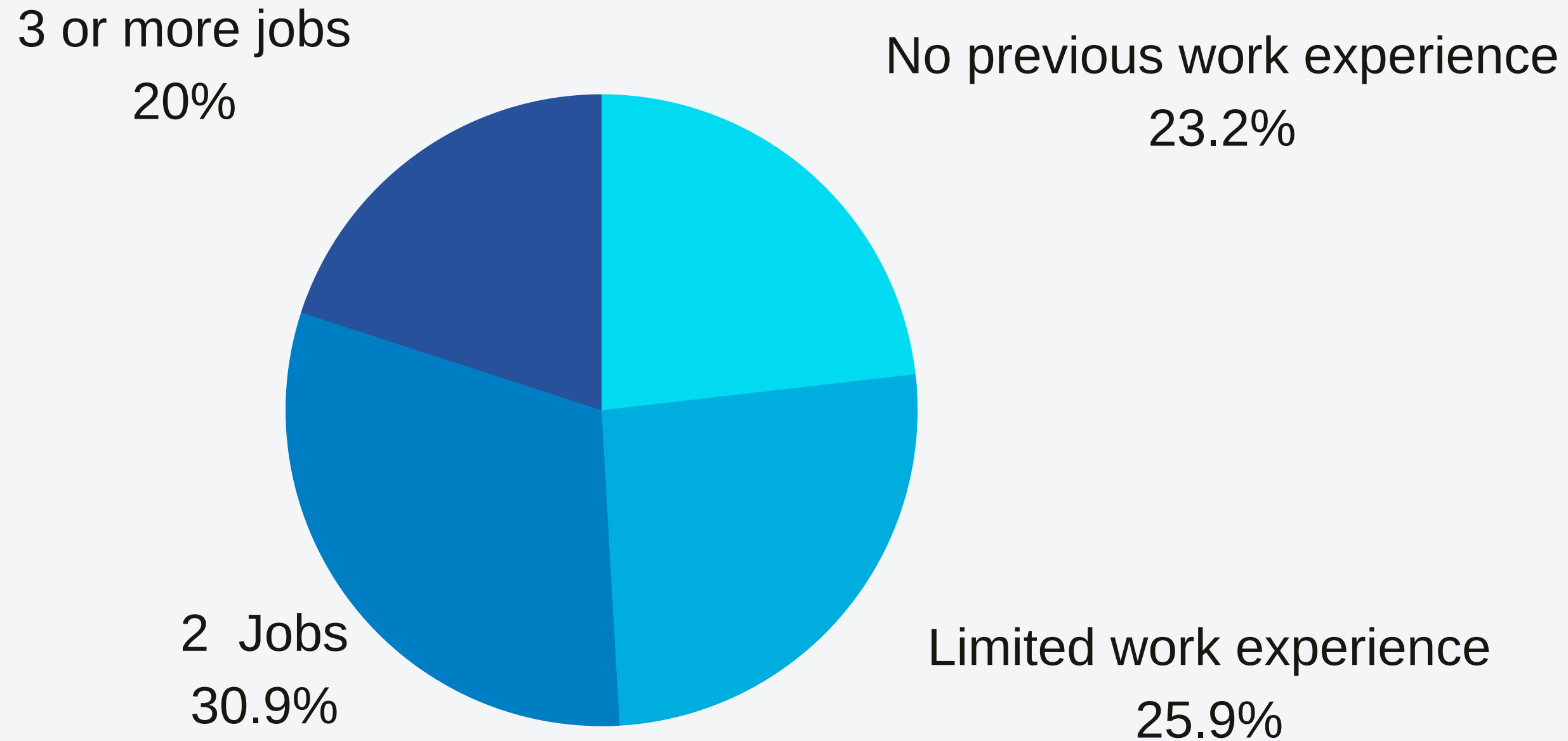
Race/Ethnicity of participants (2022)



Education Level



Previous work experience





Employer and Partners

Seniors Fellows and Fellows

**Cohorts
Partner-based & CSI**

Project-Based Learning

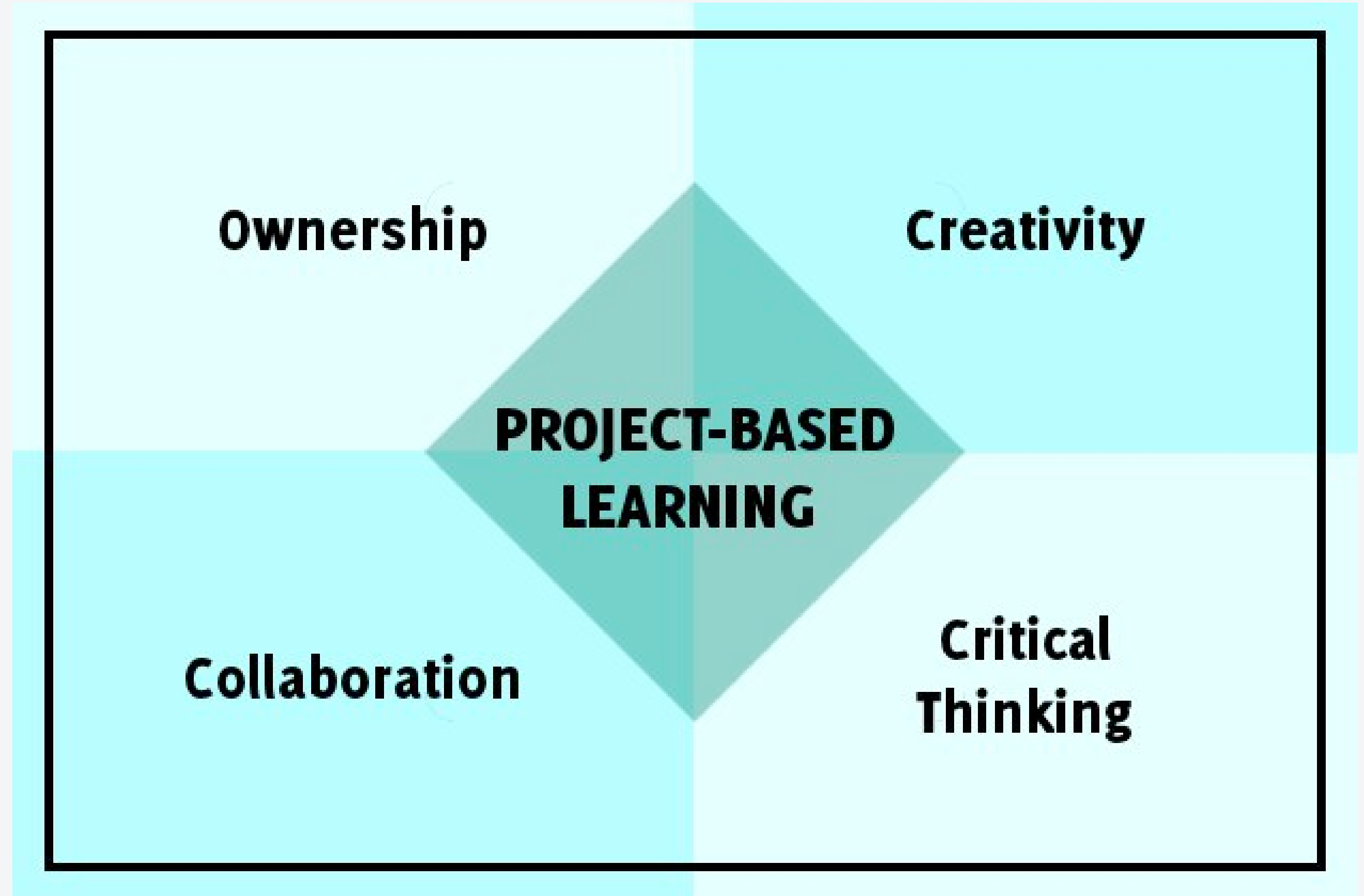
Interns

What is A Fellow?



**Fellows are Transitional Aged Youth (TAY) who lead or support a cohort of high school-aged youth.
Fellows are selected through a comprehensive application and interview process.**

COHORT MODEL



Project Based Model

Interns are expected to share
final projects and
presentations at the end of
the summer.

OFA can assist your
organization with Project
Development, if needed.



www.opps4allsfsummer.org



CSI City Services

Here in the City Services cohort, we inform and educate what services are offered by the City and County of SF and how we can utilize them.

OFA

2022

OPPORTUNITIES
FOR ALL

Objection: A Spotlight On Justice



**AMA with Deputy Public
Defender: Patrick Geddes**

AMA with Deputy Public Defender - Patrick

Mar 14 · Objection: A Spotlight On Justice

Follow

15

15

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Cohort Spotlight



CHANGE SF

Community Health Advancing

Next Generation Efforts

YOUNG DEFENDERS

Best Practices

1

Recruitment and timelines that engage youth from diverse backgrounds

- Intentional outreach and engagement and timelines that support youth
- Partner with CBO's that work with target audiences

2

Supportive environment and system for youth, with motivated and passionate staff

- Mentor rich environments
- Opportunities to engage with caring individuals
- Additional programming beyond the placement

3

Support for employers, that includes liaisons, workshops and program design

- Workshops
- Assigned liaisons to support with implementation.
- Recognition and celebration of commitment to youth/programming

Recruitment



Host workshops at schools during lunch and the school day

During lunch time and in partnership with classroom teachers



Working with housing developments and community based organizations

Collaboration with trusted partners and messengers



Longer enrollment periods

Rolling Applications: Youth may still enroll after summer begins.



Criteria that supports diverse groups of youth

Opportunities range from no experience to youth with experience and academic success

Intentionality

We are committed to applying best practices and ensuring participants have meaningful experiences – even if they learn what they don't want to do



Mentor rich environment, engaging with caring individuals



Support youth with diverse experiences and skill sets



The ability to explore different industries or to roles within an organization or industry



Support for employer partners



Peer mentor support. Regular check-ins, surveys and continual engagement



Dedicated resources and supports for participants

What does successful implementation look like?



Increase the # of youth who are work ready (self-described)

Through surveys, focus groups or interviews youth report feeling better prepared as a result of their experience



Participants report access to employment opportunities

Youth report the opportunities were accessible and meaningful



Employer partners report youth skills improved or youth are work ready

Employers share that youth skills, attitudes and abilities improved over the course of their work experience



Employers are willing to hire former interns

Employers return and find participation in the program beneficial

MILESTONES

Outreach

More than 3,000 applicants.

Recruit employers to support and participate at different levels.

Engagement

Program partners and youth engage at different levels and times. Partners include program development as well as employers and youth.

Placements

Creating opportunities for youth to work and learn. Place over 2,000 youth each summer

Mobility

Youth have the opportunity to earn money and develop skills that support economic success.

Findings

- **OVER 75% OF SURVEY RESPONDENTS REPORT WORKING TO GAIN EXPERIENCE**
- **OVER 90% OF SURVEY RESPONDENTS INDICATED THEY HAD AN OPPORTUNITY TO LEAD AN ACTIVITY OR PROJECT IN THEIR WORK EXPERIENCE**
- **93% OF RESPONDENTS REPORTED THE PLACEMENT SITE/ORGANIZATION CARED ABOUT THEIR SUCCESS**
- **77% SAID THEY WOULD INTERN AGAIN WITH THE ORGANIZATION**
- **EMPLOYER PARTNERS FOUND THE PROGRAM MUTUALLY BENEFICIAL**

CRANKSTART

DOLBY

Sponsors



BANK OF AMERICA



LinkedIn



WAYMO

Google

BlackRock



#CaliforniansForAll

Youth Jobs Corps

WAYS TO PARTICIPATE

1

Host an Intern or Cohort

Develop the project and provide oversight and support for the intern

2

Mentor a Cohort

Help develop a project. OFA manages the project to completion, supervises the interns, and provides a final product/report/presentation

3

Host a Site Tour

Virtual or In Person site tours are welcome

4

Join a Panel or Workshop

Participate in our Mentor Series, or host a group session or in depth conversation.

Contact US

Address

**25 Van Ness Avenue, 8th Floor
San Francisco**

Phone

415.252.2500

Email

Director of Economic Rights – Brittni.Chicuata@sfgov.org

OFA Program Manager – Sara@opps4allsf.org

Partners – partners@opps4allsf.org

Placement – placement@opps4allsf.org

Payroll – payroll@opps4allsf.org

JCYC – ofa@icvc.org



- How many young people participate in OFA each summer and school year?
 - OFA has grown exponentially over the past 4 years. in 2019, OFA had, approximately 1500 participants. In 2022, there were over 2400 participants.
- What is the breakdown of participants in in person placements vs virtual placements?
 - 80% of the summer 2022 cohorts were either hybrid or completely in person.
- What is the breakdown of participants assigned to a cohort with an OFA fellow vs with a community org or other employer?
 - 25% of OFA cohorts are part of the Community Safety Initiative (CSI), and are completely Fellow led. 75% of cohorts are facilitated by partners, including CBO's, city agencies, and private sector businesses.
- How is curriculum for cohorts lead by OFA Fellows developed? Are youth involved in the development of the curriculum?
 - Fellows are given tools developed by Director Davis and the OFA team to support curriculum development. Fellows also participate in a rigorous training in partnership with CORO Northern California, and are partnered with a Mentor who has expertise in the field in which their cohort sits during their project planning period.
- Does OFA have surveys or other data measuring the effectiveness of the program?
 - OFA conducts surveys throughout the summer. Additionally, OFA conducts focus groups and one on one meetings with participants.
- Who funds the OFA program? What % of the budget is corporate sponsors vs public dollars?
 - OFA is predominately funded through Public Dollars, both city and state. Approximately 10% of the budget is from corporate sponsorship

[Stop Pretext Stops]

Resolution advocating for the Board of Supervisors and the Mayor of San Francisco to support the Coalition to End Biased Stops in San Francisco.

WHEREAS, Traffic stops are often racially biased, and are known as “driving, bicycling, or walking while Black or brown” or “pretext stops”¹; and

WHEREAS, Using racial profiling, police officers often stop individuals that pose little to no safety hazard in order to search for unrelated criminal offenses based on internalized racial biases; and

WHEREAS, Pretext stops funnel people of color into the criminal justice system causing communities of color to be further disproportionately harmed; and

WHEREAS, In 2021, the San Francisco Police Department (SFPD) conducted 27,543 stops that resulted in 6,003 searches, and the 5% Black population of San Francisco made up for 35% of all police searches²; and

WHEREAS, SFPD, using the term “officer safety,” has searched Black San Franciscans 50% more than White San Franciscans with Bayview (a predominantly Black community) having the highest percentage of these stops³; and

WHEREAS; San Francisco mirrors the state and nation in over-policing communities of color via pretextual stops, with data showcasing that in 2021, SFPD stopped Black and Brown people at least five times the rate of White people, searched

¹ Office of the Public Defender, “Coalition of 60 Civil Rights, Traffic Safety, and Community Groups Urging San Francisco Police Commission to End Racially-Biased Pretext Stops,” San Francisco Public Defender’s Office, August 30, 2022, <https://sfpublicdefender.org/news/2022/05/coalition-of-60-civil-rights-traffic-safety-and-community-groups-urging-san-francisco-police-commission-to-end-racially-biased-pretext-stops/>.

² Zac Dillon, Carolyn Ji Jong Goossen, Yoel Haile, Wesley Saver, “Coalition to End Biased Stops; Stop the Pretext!” Powerpoint Presentation for Transformative Justice Committee, October 17, 2022

³ Zac Dillon, Carolyn Ji Jong Goossen, Yoel Haile, Wesley Saver, “Coalition to End Biased Stops; Stop the Pretext!”

Black and Brown people at least eight times the rate of White people, and were thirteen times more likely to use force on Black and Brown people than White people, despite Black and Brown people being less likely to be found carrying contraband than White people⁴; and

WHEREAS; SFPD 2021 traffic stop data also shows that enforcing pretextual infractions has little demonstrable impact on reducing crime, has significant downsides in terms of the harassment and profiling of communities of color, especially BIPOC youth, and is a waste of taxpayer resources⁵; and

WHEREAS, The destructive legacy of pretext stops has led to the killings of innocent lives such as Sandra Bland (Texas), Philando Castile and Daunte Wright (Minnesota), and Walter Scott (South Carolina), to name a few, because of alleged traffic violations such as hanging a car air freshener, sleeping in their car, driving with a broken taillight, and riding a bike without headlights⁶; and

WHEREAS; In some cases, conducting traffic stops can lead to the decrease in motor vehicle crashes and fatalities, and promote public safety and the protection of the public from serious and sometimes violent crime⁷, such traffic stops can also subject motorists, pedestrians, and bicyclists to inconvenience, confusion, and anxiety, as well as strain relationships between law enforcement and the community because members

⁴ ACLU, et al, "Supplemental Briefing for October 6 DGO 9.01 Working Group" (San Francisco), September 13, 2022, <https://sf.gov/sites/default/files/2022-09/Supplemental%20Briefing%20Draft%20%28Oct.%206%20Meeting%29.pdf>

⁵ Zac Dillon, Carolyn Ji Jong Goossen, Yoel Haile, Wesley Saver, "Coalition to End Biased Stops; Stop the Pretext!"

⁶ Zac Dillon, Carolyn Ji Jong Goossen, Yoel Haile, Wesley Saver, "Coalition to End Biased Stops; Stop the Pretext!"

⁷ James W. Davis, et al. "Aggressive traffic enforcement: a simple and effective injury prevention program,." The Journal of trauma vol. 60,5 (2006), <https://pubmed.ncbi.nlm.nih.gov/16688057/>

of the community may perceive these traffic stops as biased, racially motivated, or unfair, and can lead to life-threatening interactions⁸; and

WHEREAS; Traffic stops thus result in neither increased trust in the police nor increased perceptions of safety among community members; and

WHEREAS; Racial disparities in traffic enforcement and the continued killing of Black and Brown drivers show that regardless of intentions, the harms of traffic stops far outweigh any potential public safety benefits⁹; and

WHEREAS; Miguel Bustos, Senior Director of GLIDE's Center for Social Justice, has stated that "Many GLIDE clients have been harmed by racially-biased pretext stops and repeated harassment. Pretext stops further alienating some of our most marginalized neighbors and makes them feel as though they are not welcome in their own community. These negative interactions perpetrate physical, psychological, and financial harm; they inflict and reinforce trauma on our community, particularly communities of color"¹⁰; and

WHEREAS; Sameena Usman, Senior Government Relations Coordinator for the Council on American-Islamic Relations-SFBA, has stated that "Pretext stops are an excuse to pull people over for simple things such as an item hanging from a rearview mirror or tinted windows, and question, search, and even detain people. They do not

⁸ Jany, Poston, "Minor police encounters plummet after LAPD put limits on stopping drivers and pedestrians."

⁹ Charles Epp, Steven Maynard-Moody, Donald P. Haider-Markel, "Beyond Profiling: The Institutional Sources of Racial Disparities in Policing," July 202,

https://www.researchgate.net/publication/311863335_Beyond_Profiling_The_Institutional_Sources_of_Racial_Disparities_in_Policin_g.

¹⁰ Office of the Public Defender, "Coalition of 60 Civil Rights, Traffic Safety, and Community Groups Urging San Francisco Police Commission to End Racially-Biased Pretext Stops."

help public safety and they disproportionately target communities of color, especially Black people”¹¹; and

WHEREAS; Avi Frey, the Deputy Director of the Criminal Justice Program, ACLU of Northern California, affirmed that “Pretext stops do nothing for public safety and routinely escalate into violence against Black and brown people. Their use is a constant reminder that the freedoms and lives of people of color are at the mercy of a government that views them as a suspect. It is past time to abolish this tool of racial oppression”¹²; and

WHEREAS; Jurisdictions such as Cambridge, Massachusetts; Montgomery County, Maryland; Berkeley and Los Angeles, California; Minneapolis and Ramsey County, Minnesota; Philadelphia, Pennsylvania; Virginia; and Washington, D.C, have taken initial or significant steps toward banning and/or limiting pretext stops¹³; and

WHEREAS; Los Angeles Police Department (LAPD) 2022 data¹⁴ demonstrates that limiting pretext stops has caused a huge decrease in minor police stops, and has pushed Los Angeles Police officers to have a genuine reason to suspect a more serious crime is afoot before initiating a pretext stop, and are required to record their reasoning on body camera before the stop; and

WHEREAS; LAPD data also shows that officers received consent to search in 24% of all searches, compared with 30% during the same five-month period last year,

¹¹ Office of the Public Defender, “Coalition of 60 Civil Rights, Traffic Safety, and Community Groups Urging San Francisco Police Commission to End Racially-Biased Pretext Stops.”

¹² Office of the Public Defender, “Coalition of 60 Civil Rights, Traffic Safety, and Community Groups Urging San Francisco Police Commission to End Racially-Biased Pretext Stops.”

¹³ Office of the Public Defender, “Coalition of 60 Civil Rights, Traffic Safety, and Community Groups Urging San Francisco Police Commission to End Racially-Biased Pretext Stops.”

¹⁴ Libor Jany, Ben Poston, “Minor police encounters plummet after LAPD put limits on stopping drivers and pedestrians,” Los Angeles Times, Published November 14, 2022,

<https://www.latimes.com/california/story/2022-11-14/minor-traffic-stops-plummet-in-months-after-lapd-policy-change>

and have become more purposeful in whom they stop and search, which has benefited LAPD because police officers have found something illegal in 26% of the searches conducted during stops for minor violations — a slight increase compared with their success rate before the new policy¹⁵; now, therefore be it

RESOLVED, That the 2022-2023 Youth Commission of the City and County of San Francisco urges the Mayor and Board of Supervisors to support legislation that confronts the issue of pretext stops by revising the Department General Order 9.01¹⁶, which governs San Francisco traffic enforcement, to ensure San Francisco's policies ban pretext stops; and be it

FURTHER RESOLVED, That in revising DGO 9.01, the Mayor and Board of Supervisors place a limit on “low-level” vehicle stops, pedestrian, and bike stops; and be it

FURTHER RESOLVED, That the City and County of San Francisco implement policies that also limit the search of other minor violations such as a driving with cracked windshield or without windshield wipers, sound violations, jaywalking, having an expired license, and so on, in order to minimize dangerous police-driver interactions and racial disparities in police exercising their discretion in stops; and be it

FURTHER RESOLVED, That less attention should be given to observations of vehicle equipment violations where no strong causal connection to collisions, and hence public safety, exists; and be it

¹⁵ Jany, Poston, “Minor police encounters plummet after LAPD put limits on stopping drivers and pedestrians.”

¹⁶ San Francisco Police Department [SFPD]. “DGO9.01 Traffic Enforcement,” August 10, 2010.
<https://www.sanfranciscopolice.org/sites/default/files/2018-11/DGO9.01%20Traffic%20Enforcement.pdf>.

FURTHER RESOLVED, That to maintain public trust, San Francisco's Police Department's use of pretext stops as a crime reduction strategy must be measured, in furtherance of achieving the necessary balance between the perception of fairness and identifying those engaged in serious criminal conduct; and be it

FURTHER RESOLVED, That the public safety reason for all traffic stops, citations, and warnings must be articulated on body-worn videos and should include an officer's response to any questions posed by the individual stopped, thus following Department General Order 10.11¹⁷ which was created to bring accountability in regards to police officer's engagement with the public, increase the public's trust in officers, and protect officers from unjustified complaints of misconduct; and be it

FURTHER RESOLVED, That to effectively address police violence and the legacy of police brutality on Black and Brown people, policymakers shift their attention to listening to the people most harmed by traffic stops, and shift the power to community members to define and address their public safety concerns and solutions; and be it

FURTHER RESOLVED, That San Francisco follow other jurisdictions, as mentioned in page four, who have taken initial or significant steps toward banning pretext stops, in order for San Francisco to not become an outlier; and be it

FURTHER RESOLVED, That the 2022-2023 Youth Commission of the City and County of San Francisco urges the Mayor and Board of Supervisors to publicly support Resolution NO. 2223-AL-05, in favor of ending biased stops in San Francisco.

¹⁷ San Francisco Police Department [SFPD]. "Department General Order 10.11 'Body Worn Camera Policy' Update Packet #52," June 22, 2016.
<https://www.sanfranciscopolice.org/sites/default/files/2018-11/A%2016-090%20Department%20General%20Order%2010.11%20Body%20Worn%20Camera%20Policy%20Update%20Packet%20%2352.pdf>.

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City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Youth Commission

FROM: Angela Calvillo, Clerk of the Board

DATE: December 2, 2022

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following, which at the request of the Youth Commission is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 220875

Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.

File No. 221202

Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.

Please return this cover sheet with the Commission's response to Erica Major, Assistant Clerk, Land Use and Transportation Committee at Erica.Major@sfgov.org.

RESPONSE FROM YOUTH COMMISSION **Date:** _____

_____ **No Comment**

_____ **Recommendation Attached**

Chairperson, Youth Commission

[Park Code - Upper Great Highway - Pilot Weekend and Holiday Vehicle Restrictions]

Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.

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. Background and Findings.

(a) In April 2020, the City temporarily closed the four-lane limited access Upper Great Highway between Lincoln Way and Sloat Boulevard (hereafter, "the Upper Great Highway") to private motor vehicles, in response to the unprecedented COVID-19 pandemic, to ensure the safety and protection of persons using the Upper Great Highway to safely recreate. On August 15, 2021, with reduced pandemic restrictions and people resuming in-person work and school, the City modified the vehicular restrictions to apply only between Fridays at noon and Mondays at 6 a.m., and on holidays.

(b) The restrictions on private motor vehicles have enabled people of all ages and all walks of life to safely use the Upper Great Highway as a recreational promenade for

1 walking, jogging, biking, scooting, and rolling. From April 2020 until May 2022, there were an
2 estimated two million visits or more to the Upper Great Highway, with a total of 3,700 average
3 daily visits during the period when the Upper Great Highway was closed to private vehicles
4 and the recreational promenade was open at all times. There have been an estimated 3,300
5 average daily weekend visits since August 2021 when the weekend and Friday afternoon
6 promenade was instituted. The New York Times listed the promenade as one of 52 places to
7 go in the world in 2022, writing that a “Great Highway has become a unique destination – in a
8 city full of them – to take in San Francisco’s wild Pacific Ocean coastline by foot, bike, skates
9 or scooter, sample food trucks and explore local cafes, restaurants, record stores, bookstores
10 and more.”

11 (c) In 2012, the Ocean Beach Master Plan was released, calling for six key
12 infrastructure improvements for the City to implement for a sustainable “managed retreat” on
13 the length of Ocean Beach needed as a result of the anticipated impacts of climate change to
14 the western waterfront. As a result, the San Francisco Public Utilities Commission is planning
15 the Ocean Beach Climate Change Adaptation Project (“OBCCAP”), to improve the City’s
16 stormwater infrastructure near Ocean Beach and make it resilient to climate change and
17 erosion. This project includes converting the Great Highway Extension roadway between
18 Sloat Boulevard and Skyline Boulevard to a multi-use pathway. The project will protect key
19 stormwater infrastructure with a buried seawall, and will enhance recreational access to the
20 corridor with a multi-use path bridging a link in the Coastal Trail between Fort Funston and
21 Ocean Beach, new beach access points, and a new parking lot.

22 (d) Under this ordinance, the weekend and holiday vehicle restrictions on the Upper
23 Great Highway that were instituted on August 15, 2021 would be extended for a pilot period
24 expiring December 31, 2025. These proposed restrictions are consistent with the following
25 policies:

1 (1) Section 4.113 of the Charter, which states that park land, which includes the
2 Upper Great Highway, shall be used for recreational purposes.

3 (2) The Recreation and Park Department Strategic Plan, which calls for
4 developing more open space and improving access to existing facilities to address population
5 growth in high-need and emerging neighborhoods; and strengthening the City's climate
6 resiliency by protecting and enhancing San Francisco's precious natural resources through
7 conservation, education, and sustainable land and facility management practices.

8 (3) The Transit First Policy, codified at Section 8A.115 of the Charter, which
9 encourages the use of public right-of-way by pedestrians, bicyclists, and public transit, and
10 strives to reduce traffic and improve public health and safety; calls for enhanced pedestrian
11 areas, to improve the safety and comfort of pedestrians and to encourage travel by foot; and
12 promotes bicycling by encouraging safe streets for riding, convenient access to transit, bicycle
13 lanes, and secure bicycle parking.

14 (4) San Francisco's General Plan Transportation Element, which classifies the
15 Great Highway as a recreational street under Objective 18 with the major function to provide
16 for slow pleasure drives and cyclist and pedestrian use; more highly valued for recreational
17 use than for traffic movement. According to Objective 18, the order of priority for these streets
18 should be to accommodate: 1) pedestrians, hiking trails, or wilderness routes, as appropriate;
19 2) cyclists; 3) equestrians; 4) automobile scenic driving. The General Plan specifies that the
20 design capacity of the Great Highway should be reduced substantially to correspond with its
21 recreational function; emphasis to be on slow pleasure traffic, bicycles, and safe pedestrian
22 crossings.

23 (5) The 2021 Climate Action Plan, which calls for creating a complete and
24 connected active transportation network that shifts trips from automobiles to walking and
25 biking; and restoring and enhancing parks, natural lands, and large open spaces.

1 (e) On June 10, 2021, the Recreation and Park Commission and the San Francisco
2 Municipal Transportation Agency Board of Directors held a joint meeting regarding the
3 weekend and holiday restrictions on private vehicles using the Upper Great Highway. After
4 considering staff presentations and public comment, each body recommended that staff
5 pursue a pilot closure of the Upper Great Highway. Based on the foregoing and on the further
6 information presented to the Board of Supervisors, the Board finds that the closures set forth
7 herein are consistent with California Vehicle Code Section 21101, and that:.

8 (1) The pilot project leaves a sufficient portion of the streets in the surrounding
9 area for other public uses, including vehicular, pedestrian, and bicycle traffic.

10 (2) The pilot project is necessary for the safety and protection of persons who
11 are to use those parts of the streets during the closure or traffic restriction.

12 (3) Staff have done outreach and engagement for abutting residents and
13 property owners, including facilities located along the Upper Great Highway and surrounding
14 neighbors of the project.

15 (4) The City maintains a publicly available website with information about the
16 pilot program that identifies the streets being considered for closure and provides instructions
17 for participating in the public engagement process.

18 (5) Prior to implementing the pilot project, the Recreation and Park Department
19 shall provide advance notice of the pilot project to residents and owners of property abutting
20 those streets and shall clearly designate the closures and restrictions with appropriate
21 signage consistent with the California Manual on Uniform Traffic Control Devices.

22 (f) The Planning Department has determined that the actions contemplated in this
23 ordinance comply with the California Environmental Quality Act (California Public Resources
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
25

Supervisors in File No. 220875 and is incorporated herein by reference. The Board affirms this determination.

(g) On September 28, 2022, the Planning Department determined that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts this determination as its own. A copy of said determination is on file with the Clerk of the Board of Supervisors in File No. 220875, and is incorporated herein by reference.

(h) Upon enactment of this ordinance, the Recreation and Park Department intends to apply to the Planning Department for a permit to ensure compliance with any applicable coastal development requirements. The Planning Commission will review the application at a public hearing to determine whether the permit will be issued, as required by law.

(i) In conjunction with the restrictions on private vehicular traffic imposed by this ordinance, the Recreation and Park Department and the Municipal Transportation Agency shall study transportation and recreational impacts of weekend and holiday vehicle restrictions, including multi-modal transportation usage, open-space usage, and traffic impacts to adjacent intersections. City staff shall engage in public outreach and collect data, to inform a final decision by the Board of Supervisors at or near the end of the pilot program established by this ordinance.

Section 2. Article 6 of the Park Code is hereby amended by adding Section 6.13, to read as follows:

SEC. 6.13. RESTRICTING MOTOR VEHICLES ON THE UPPER GREAT HIGHWAY.

(a) Findings and Purpose. *In 2022, following the temporary closure of the Great Highway between Lincoln Way and Sloat Boulevard (hereafter, the "Upper Great Highway") due to the COVID-*

1 19 pandemic, and on recommendation of the Recreation and Park Commission and San Francisco
2 Municipal Transportation Agency (“SFMTA”) Board of Directors, the Board of Supervisors found that
3 it would be appropriate to restrict private vehicles from the four-lane limited-access Upper Great
4 Highway at certain times, as described herein, due to the need to ensure the safety and protection of
5 persons who are to use those streets; and because the restrictions would leave a sufficient portion of
6 the streets in the surrounding area for other public uses including vehicular, pedestrian, and bicycle
7 traffic.

8 (b) **Restrictions on Private Vehicles.** The Recreation and Park Department shall restrict
9 private vehicles from the Upper Great Highway from Fridays at 12:00 p.m. ~~afternoons~~ until Monday
10 mornings at 6:00 a.m., and on holidays, as set forth herein. These closures shall remain in effect until
11 December 31, 2025, unless extended by ordinance. The temporary closure of the Upper Great
12 Highway due to the COVID-19 pandemic from April 2020 until the commencement of the pilot project
13 is hereby ratified.

14 (c) **Public Notice and Engagement.**

15 (1) The Recreation and Park Department shall include on its website a map depicting
16 the street segments subject to the street closures and traffic restrictions authorized in subsection (b),
17 and such other information as it may deem appropriate to assist the public; and shall provide advance
18 notice of any changes to these street closures or traffic restrictions to residents and owners of property
19 abutting those streets.

20 (2) The Recreation and Park Department and SFMTA shall collect and publicly report
21 data on pedestrian and cyclist usage and vehicular traffic on the Upper Great Highway and
22 surrounding streets at regular intervals throughout the duration of the pilot program established in this
23 Section 6.13.

24 (3) SFMTA shall develop and release draft recommendations for traffic management no
25 later than July 31, 2023. The draft recommendations shall build upon past traffic management

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City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
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MEMORANDUM

TO: Alondra Esquivel-Garcia, Director, Youth Commission

FROM: John Carroll, Assistant Clerk,
Public Safety and Neighborhood Services Committee

DATE: December 6, 2022

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following legislation, introduced by Supervisor Chan on November 29, 2022. This item is being referred for comment and recommendation.

File No. 221206

Resolution urging the San Francisco Department of Public Health to create a program to provide resources and education for victims of gun violence regarding their rights to file lawsuits against gun manufacturers in accordance to California State Assembly Bill No. 1594.

Please return this cover sheet with the Commission's response to John Carroll, Assistant Clerk, Public Safety and Neighborhood Services Committee.

RESPONSE FROM YOUTH COMMISSION Date: _____

_____ No Comment
_____ Recommendation Attached

Chairperson, Youth Commission

1 [Urging Creation of Programming and Resources for Victims of Gun Violence]

2
3 **Resolution urging the San Francisco Department of Public Health to create a program**
4 **to provide resources and education for victims of gun violence regarding their rights to**
5 **file lawsuits against gun manufacturers in accordance to California State Assembly Bill**
6 **No. 1594.**

7
8 WHEREAS, Gun violence disproportionately affects Black and Brown communities in
9 San Francisco; and

10 WHEREAS, These shootings resulted in 113 victims injured by gun violence and 26
11 victims killed by gun violence; and

12 WHEREAS, Gun violence disproportionately affects Black and Brown communities in
13 San Francisco; and

14 WHEREAS, According to San Francisco Police Department data, from 2017
15 to 2020, 67% of victims killed by gun violence in San Francisco were Black and Latino men;
16 and

17 WHEREAS, According to San Francisco Police Department data, the total population
18 of Black and Brown residents in the City and County of San Francisco is below ten percent;
19 and

20 WHEREAS, Gun violence disproportionately affects young adults and children in the
21 City and County of San Francisco; and

22 WHEREAS, According to San Francisco Police Department data, in San
23 Francisco, 45% of gun violence homicide victims are under the age of 35; and

24 WHEREAS, According to San Francisco Police Department Data, in San
25 Francisco, 78% of victims injured by gun Violence are under the age of 35; and

1 WHEREAS, According to reporting by the Washington Post, nationally, Black men
2 make up 52% of all gun homicide victims, despite comprising less than 6% of the population;
3 and

4 WHEREAS, According to the UCSF Wraparound Project, in the United States, for
5 every homicide by gun violence, 100 others are injured by gun violence, and an estimated
6 cost of care for victims of gun violence in the United States is \$264 billion annually; and

7 WHEREAS, According to the Giffords Center against Gun Violence, over 110 people
8 die from gun violence every day in the United States; and

9 WHEREAS, According to the National Gun Violence Archive there were 690 mass
10 shootings in the United States in 2021, and there have been 617 mass shootings so far
11 in 2022; and

12 WHEREAS, Nationwide, we have seen hate based mass shootings rise, in March 2021
13 there were 8 people killed in Atlanta, in what was determined to be motivated by anti-Asian
14 hate; and

15 WHEREAS, In May 2022, a White-Supremacist shooter targeted a market in Buffalo,
16 New York motivated by hatred for African-Americans, killing ten people; and

17 WHEREAS, In November 2022, a shooter motivated by hate for the LGBTQ+
18 community targeted a club hosting a drag event in Colorado Springs, Colorado, killing five
19 people; and

20 WHEREAS, According to reporting by the Washington Post, between 2020 and 2021
21 there was a record 43 million firearms purchased in the United States; and

22 WHEREAS, According to reporting by National Public Radio (NPR), since 2020 gun
23 manufacturers have earned over \$3 billion dollars in profits from reported gun sales in the
24 United States; and

1 WHEREAS, This year, families from Sandy Hook Elementary sued Remington claiming
2 that the manufacturer's marketing of the AR-15-style rifle appealed to troubled men, like the
3 shooter who killed 26 people including children and teachers, violating Connecticut state law
4 and resulted in a \$73 million settlement; and

5 WHEREAS, On July 12, 2022, Governor Gavin Newsom signed into law Assembly Bill
6 No. 1594 (AB 1594), on file with the Clerk of the Board of Supervisors in File No. 221206,
7 which is hereby declared to be a part of this Resolution as if set forth fully herein, creating a
8 path for private citizens and local governments to sue gun manufacturers for the harm their
9 products cause when they do not follow California gun laws as allowed under federal law; and

10 WHEREAS, California law requires rigorous background checks to purchase a gun,
11 prevents straw purchases, requires the sale of safety devices with each firearm and bans the
12 sale or manufacturing of assault weapons; now, therefore, be it

13 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
14 urges the San Francisco Department of Public Health to establish a program to provide
15 services and information for victims of gun violence to their rights relating to AB 1594 in the
16 City and County of San Francisco beginning on January 1, 2023; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
18 Francisco urges the San Francisco Department of Public Health to expand existing violence
19 prevention programs to include a program to support victims of gun violence in San Francisco
20 and provide information and resources relating to rights afforded by AB 1594 and work with
21 the City Attorney's office the City Administrators' Office, and the Mayor's Budget Office to
22 identify funding and staffing as necessary.

Assembly Bill No. 1594

CHAPTER 98

An act to add Title 20 (commencing with Section 3273.50) to Part 4 of Division 3 of the Civil Code, relating to firearms.

[Approved by Governor July 12, 2022. Filed with Secretary of State July 12, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1594, Ting. Firearms: civil suits.

Existing law generally regulates the transfer and possession of firearms. Existing law also provides for various private rights of action. Existing law also provides that specified unfair methods of competition and unfair or deceptive acts or practices are unlawful. Existing law also makes false advertising unlawful.

This bill, beginning on July 1, 2023, would establish a firearm industry standard of conduct, which would require a firearm industry member, as defined, to establish, implement, and enforce reasonable controls, as defined, take reasonable precautions to ensure that the member does not sell, distribute, or provide a firearm-related product, as defined, to a downstream distributor or retailer of firearm-related products who fails to establish, implement, and enforce reasonable controls, and adhere to specified laws pertaining to unfair methods of competition, unfair or deceptive acts or practices, and false advertising. The bill would also prohibit a firearm industry member from manufacturing, marketing, importing, offering for wholesale sale, or offering for retail sale a firearm-related product that is abnormally dangerous and likely to create an unreasonable risk of harm to public health and safety in California, as specified.

This bill would also authorize a person who has suffered harm in California, the Attorney General, or city or county attorneys to bring a civil action against a firearm industry member for an act or omission in violation of the firearm industry standard of conduct, as specified. The bill would authorize a court that determines that a firearm industry member has engaged in the prohibited conduct to award various relief, including injunctive relief, damages, and attorney's fees and costs.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known, and may be cited, as the Firearm Industry Responsibility Act.

SEC. 2. The Legislature finds and declares all of the following:

(a) The Legislature's intent and purpose in enacting the Firearm Industry Responsibility Act is to protect public health and safety in California by promoting safe and responsible firearm industry member practices and ensuring that firearm industry members may be held justly accountable for wrongful conduct that endangers and harms the public in California.

(b) Firearm industry members' business conduct has enormous direct and secondary impacts on individuals, families, and communities across California. Firearm industry members profit from the sale, manufacture, distribution, importing, or marketing of lethal products, and products designed to be used with and for lethal products, that are frequently used to threaten, injure, and kill human beings in California, and which frequently cause enormous harms to individuals' and communities' health, safety, and well-being, as well as economic opportunity and vitality.

(c) The firearm industry has long been made aware of these harms, and has been called on to adopt reasonably feasible and effective reforms to their business practices to prevent or minimize those harms, but many firearm industry members have failed to do so.

(d) California has adopted critical laws regulating aspects of the firearm industry. However, some members of the firearm industry have continued to develop dangerous business practices and to manufacture, sell, distribute, and market increasingly dangerous new products designed to circumvent and undermine these laws. That purpose has often been explicit in advertisements for products ranging from unserialized ghost gun build kits to bump stocks to bullet button assault weapons, and many more.

(e) Accordingly, the Legislature finds that it is necessary to proactively establish an affirmative obligation that firearm industry members meet a reasonable standard of conduct, and face civil liability for harms caused by knowing violations of that standard, including when those violations do not constitute criminal conduct.

(f) Many other industries are required to adopt reasonable controls that are reasonably feasible and effective at preventing foreseeable and substantial risks to the public, including the illicit use of their products. The Firearm Industry Responsibility Act is intended to bring regulation of firearm industry members who conduct business in California, who sell their products to California consumers, and who have reason to believe that their products will be sold or possessed in California, closer in line with these widely accepted public health and safety standards.

(g) Firearm industry members' failures to adopt reasonable controls to protect public health and safety have led to foreseeable and grave public harms that could have been reasonably prevented with minimal cost or effort.

(h) Such failures also provide an unfair business advantage to irresponsible firearm industry members over more responsible competitors who take reasonable precautions to protect human life and well-being.

(i) The Legislature intends to ensure a level playing field for responsible firearm industry members, incentivize firearm industry members to take reasonable steps to protect public health and safety, and ensure that members

of the California public who are harmed by a firearm industry member's violation of law, and public officials acting on behalf of the people of California, may bring legal action to seek appropriate justice and fair remedies for those harms in court.

SEC. 3. Title 20 (commencing with Section 3273.50) is added to Part 4 of Division 3 of the Civil Code, to read:

TITLE 20. FIREARM INDUSTRY RESPONSIBILITY ACT

3273.50. As used in this title, the following definitions apply:

(a) "Ammunition" has the same meaning as provided in subdivision (b) of Section 16150 of the Penal Code.

(b) "Firearm" has the same meaning as provided in subdivisions (a) and (b) of Section 16520 of the Penal Code.

(c) "Firearm accessory" means an attachment or device designed or adapted to be inserted into, affixed onto, or used in conjunction with a firearm that is designed, intended, or functions to alter or enhance the firing capabilities of a firearm, the lethality of the firearm, or a shooter's ability to hold and use a firearm.

(d) "Firearm-related product" means a firearm, ammunition, a firearm precursor part, a firearm component, and a firearm accessory that meets any of the following conditions:

- (1) The item is sold, made, or distributed in California.
- (2) The item is intended to be sold or distributed in California.
- (3) The item is or was possessed in California and it was reasonably foreseeable that the item would be possessed in California.

(e) "Firearm precursor part" has the same meaning as provided in Section 16531 of the Penal Code.

(f) "Firearm industry member" shall mean a person, firm, corporation, company, partnership, society, joint stock company, or any other entity or association engaged in the manufacture, distribution, importation, marketing, wholesale, or retail sale of firearm-related products.

(g) "Reasonable controls" means reasonable procedures, acts, or practices that are designed, implemented, and enforced to do the following:

(1) Prevent the sale or distribution of a firearm-related product to a straw purchaser, a firearm trafficker, a person prohibited from possessing a firearm under state or federal law, or a person who the firearm industry member has reasonable cause to believe is at substantial risk of using a firearm-related product to harm themselves or another or of possessing or using a firearm-related product unlawfully.

(2) Prevent the loss or theft of a firearm-related product from the firearm industry member.

(3) Ensure that the firearm industry member complies with all provisions of California and federal law and does not otherwise promote the unlawful manufacture, sale, possession, marketing, or use of a firearm-related product.

3273.51. (a) A firearm industry member shall comply with the firearm industry standard of conduct. It shall be a violation of the firearm industry standard of conduct for a firearm industry member to fail to comply with any requirement of this section.

(b) A firearm industry member shall do both of the following:

(1) Establish, implement, and enforce reasonable controls.

(2) Take reasonable precautions to ensure that the firearm industry member does not sell, distribute, or provide a firearm-related product to a downstream distributor or retailer of firearm-related products who fails to establish, implement, and enforce reasonable controls.

(c) A firearm industry member shall not manufacture, market, import, offer for wholesale sale, or offer for retail sale a firearm-related product that is abnormally dangerous and likely to create an unreasonable risk of harm to public health and safety in California. For the purposes of this subdivision, the following shall apply:

(1) A firearm-related product shall not be considered abnormally dangerous and likely to create an unreasonable risk of harm to public health and safety based on a firearm's inherent capacity to cause injury or lethal harm.

(2) There shall be a presumption that a firearm-related product is abnormally dangerous and likely to create an unreasonable risk of harm to public health and safety if any of the following is true:

(A) The firearm-related product's features render the product most suitable for assaultive purposes instead of lawful self-defense, hunting, or other legitimate sport and recreational activities.

(B) The firearm-related product is designed, sold, or marketed in a manner that foreseeably promotes conversion of legal firearm-related products into illegal firearm-related products.

(C) The firearm-related product is designed, sold, or marketed in a manner that is targeted at minors or other individuals who are legally prohibited from accessing firearms.

(d) A firearm industry member shall not engage in any conduct related to the sale or marketing of firearm-related products that is in violation of the following sections:

(1) Paragraph (1), (2), (3), (4), (5), (6), (7), (8), or (9) of subdivision (a) of Section 1770.

(2) Section 17200 of the Business and Professions Code.

(3) Section 17500 of the Business and Professions Code.

(4) Section 17508 of the Business and Professions Code.

3273.52. (a) An act or omission by a firearm industry member in violation of the firearm industry standard of conduct set forth in Section 3273.51 shall be actionable under this section.

(b) A person who has suffered harm in California because of a firearm industry member's conduct described by subdivision (a) may bring an action in a court of competent jurisdiction.

(c) (1) The Attorney General may bring a civil action in a court of competent jurisdiction in the name of the people of the State of California to enforce this title and remedy harm caused by a violation of this title.

(2) A city attorney may bring a civil action in a court of competent jurisdiction in the name of the people of that city to enforce this title and remedy harm caused by a violation of this title.

(3) A county counsel may bring a civil action in a court of competent jurisdiction in the name of the people of that county to enforce this title and remedy harm caused by a violation of this title.

(d) If a court determines that a firearm industry member engaged in conduct described by subdivision (a), the court may award any or all of the following:

(1) Injunctive relief sufficient to prevent the firearm industry member and any other defendant from further violating the law.

(2) Damages.

(3) Attorney's fees and costs.

(4) Any other appropriate relief necessary to enforce this title and remedy the harm caused by the conduct.

(e) (1) In an action alleging that a firearm industry member failed to establish, implement, and enforce reasonable controls in violation of paragraph (1) of subdivision (b) of Section 3273.51, there shall be a rebuttable presumption that the firearm industry member failed to implement reasonable controls if both of the following conditions are satisfied:

(A) The firearm industry member's action or failure to act created a reasonably foreseeable risk that the harm alleged by the claimant would occur.

(B) The firearm industry member could have established, implemented, and enforced reasonable controls to prevent or substantially mitigate the risk that the harm would occur.

(2) If the rebuttable presumption described by paragraph (1) is established, the firearm industry member has the burden of proving by a preponderance of the evidence that the firearm industry member established, implemented, and enforced reasonable controls.

(f) An intervening act by a third party, including, but not limited to, criminal misuse of a firearm-related product, shall not preclude a firearm industry member from liability under this section.

3273.54. (a) This title shall not be construed or implied to limit or impair in any way the right of a person or entity to pursue a legal action under any other authority.

(b) This title shall not be construed or implied to limit or impair in any way an obligation or requirement placed on a firearm industry member by any other authority.

(c) This title shall be construed and applied in a manner that is consistent with the requirements of the California and the United States Constitutions.

3273.55. This title shall become operative on July 1, 2023.

SEC. 4. If any provision of this act, or part of this act, any clause within this act, any combination of words within this act, or the application of any

provision or part or clause or combination of words of this act to any person or circumstance, is for any reason held to be invalid or unconstitutional, the remaining provisions, clauses, words, or applications of provisions, clauses, or words shall not be affected, but shall remain in full force and effect, and to this end the provisions of this measure are severable.

O

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):

Chan, Walton, Preston

Subject:

Urging creation of programming and resources for victims of gun violence

The text is listed:

Resolution urging the San Francisco Department of Public Health to create a program to provide resources and education for victims of gun violence regarding their rights to file lawsuits against gun manufacturers in accordance to State Law, Chapter 98.

Signature of Sponsoring Supervisor: /s/Connie Chan

For Clerk's Use Only

1 measures and past traffic studies, and shall be updated during the pilot program based on data
2 monitoring, traffic conditions, and community outreach. SFMTA shall also develop final
3 recommendations which may propose traffic management measures for after the pilot period, with a
4 description of potential improvements to the surrounding circulation system, cost estimates, and an
5 implementation schedule for accommodating any future vehicular traffic restrictions that may be in the
6 public interest.

7 (4) The Recreation and Park Department, in coordination with SFMTA, shall engage in
8 community outreach during the pilot period to gain public input on the effectiveness of the pilot
9 program and inform the development of the Westside Traffic Management Plan.

10 (5) Public Works or its successor agency shall develop an Upper Great Highway Sand
11 Management Plan by no later than ~~January~~ March 1, 2023. This plan shall detail how Public Works
12 will manage and maintain an Upper Great Highway free of sand incursions, along with any resource
13 or policy changes needed to accomplish this.

14 (d) **Exempt Motor Vehicles.** The following motor vehicles are exempt from the restrictions
15 in subsection (b):

16 (1) Emergency vehicles, including but not limited to police and fire vehicles.

17 (2) Official City, State, or federal vehicles, or any other authorized vehicle, being used
18 to perform official City, State, or federal business pertaining to the Upper Great Highway or any
19 property or facility therein, including but not limited to public transit vehicles, vehicles of the
20 Recreation and Park Department, and construction vehicles authorized by the Recreation and Park
21 Department.

22 (3) Authorized intra-park transit shuttle buses, paratransit vans, or similar authorized
23 vehicles used to transport persons along the Upper Great Highway.

24 (4) Vehicles authorized by the Recreation and Park Department in connection with
25 permitted events and activities.

1 (e) **Emergency Authority.** The General Manager of the Recreation and Park Department
2 shall have the authority to allow vehicular traffic on segments of the Upper Great Highway that would
3 otherwise be closed to vehicles in accordance with this Section 6.13 in circumstances which in the
4 General Manager's judgment constitute an emergency such that the benefit to the public from the
5 vehicular street closure is outweighed by the traffic burden or public safety hazard created by the
6 emergency circumstances.

7 (f) **Promotion of the General Welfare.** In enacting and implementing this Section 6.13, the
8 City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it
9 imposing on its officers and employees, an obligation for breach of which it is liable in money damages
10 to any person who claims that such breach proximately caused injury.

11 (g) **Severability.** If any subsection, sentence, clause, phrase, or word of this Section 6.13 or
12 any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a
13 decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining
14 portions or applications of Section 6.13. The Board of Supervisors hereby declares it would have
15 passed this Section and each and every subsection, sentence, clause, phrase, and word not declared
16 invalid or unconstitutional without regard to whether any other portions of Section 6.13 or application
17 thereof would be subsequently declared invalid or unconstitutional.

18 (h) **Sunset Clause.** This Section 6.13, and the temporary closures of the Upper Great
19 Highway authorized herein, shall expire by operation of law on December 31, 2025, unless extended by
20 ordinance. If not extended by ordinance, upon expiration the City Attorney is authorized to remove this
21 Section 6.13 from the Code.

22
23 Section 3. Effective Date. This ordinance shall become effective 30 days after
24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
25

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/
7 MANU PRADHAN
8 Deputy City Attorney
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REVISED LEGISLATIVE DIGEST
(Amended in Committee, 11/28/2022)

[Park Code - Upper Great Highway - Pilot Weekend and Holiday Vehicle Restrictions]

Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.

Existing Law

The Upper Great Highway is under the jurisdiction of the Recreation and Park Department, and before 2020 was used for private vehicle traffic. In April 2020, due to the COVID-19 emergency, the Recreation and Park Department temporarily restricted private vehicles from the Upper Great Highway between Sloat Boulevard and Lincoln Way, seven days a week. The Recreation and Park Department later modified the closures to be in effect only on holidays and on weekends (Fridays at 12:00 p.m. until Mondays at 6:00 a.m.).

Amendments to Current Law

The ordinance would approve a pilot program for closing the Upper Great Highway between Sloat Boulevard and Lincoln Way. The closures would be in effect from Fridays at 12:00 p.m. until Mondays at 6:00 a.m. and on holidays. During this pilot program, the Recreation and Park Department and Municipal Transportation Agency would study the transportation and recreational impacts of the closures, and provide recommendations to inform possible future decisions by the Board of Supervisors. The pilot program would end on December 31, 2025, unless extended by a subsequent ordinance.

Background

The legislation was amended on November 28, 2022, to clarify the precise start time of the Friday closures and to extend the date for completing a sand management plan.

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[Park Code - Upper Great Highway - Pilot Weekend and Holiday Vehicle Restrictions]

Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.

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. Background and Findings.

(a) In April 2020, the City temporarily closed the four-lane limited access Upper Great Highway between Lincoln Way and Sloat Boulevard (hereafter, "the Upper Great Highway") to private motor vehicles, in response to the unprecedented COVID-19 pandemic, to ensure the safety and protection of persons using the Upper Great Highway to safely recreate. On August 15, 2021, with reduced pandemic restrictions and people resuming in-person work and school, the City modified the vehicular restrictions to apply only between Fridays at noon and Mondays at 6 a.m., and on holidays.

(b) The restrictions on private motor vehicles have enabled people of all ages and all walks of life to safely use the Upper Great Highway as a recreational promenade for

1 walking, jogging, biking, scooting, and rolling. From April 2020 until May 2022, there were an
2 estimated two million visits or more to the Upper Great Highway, with a total of 3,700 average
3 daily visits during the period when the Upper Great Highway was closed to private vehicles
4 and the recreational promenade was open at all times. There have been an estimated 3,300
5 average daily weekend visits since August 2021 when the weekend and Friday afternoon
6 promenade was instituted. The New York Times listed the promenade as one of 52 places to
7 go in the world in 2022, writing that a “Great Highway has become a unique destination – in a
8 city full of them – to take in San Francisco’s wild Pacific Ocean coastline by foot, bike, skates
9 or scooter, sample food trucks and explore local cafes, restaurants, record stores, bookstores
10 and more.”

11 (c) In 2012, the Ocean Beach Master Plan was released, calling for six key
12 infrastructure improvements for the City to implement for a sustainable “managed retreat” on
13 the length of Ocean Beach needed as a result of the anticipated impacts of climate change to
14 the western waterfront. As a result, the San Francisco Public Utilities Commission is planning
15 the Ocean Beach Climate Change Adaptation Project (“OBCCAP”), to improve the City’s
16 stormwater infrastructure near Ocean Beach and make it resilient to climate change and
17 erosion. This project includes converting the Great Highway Extension roadway between
18 Sloat Boulevard and Skyline Boulevard to a multi-use pathway. The project will protect key
19 stormwater infrastructure with a buried seawall, and will enhance recreational access to the
20 corridor with a multi-use path bridging a link in the Coastal Trail between Fort Funston and
21 Ocean Beach, new beach access points, and a new parking lot.

22 (d) Under this ordinance, the weekend and holiday vehicle restrictions on the Upper
23 Great Highway that were instituted on August 15, 2021 would be extended for a pilot period
24 expiring December 31, 2025. These proposed restrictions are consistent with the following
25 policies:

1 (1) Section 4.113 of the Charter, which states that park land, which includes the
2 Upper Great Highway, shall be used for recreational purposes.

3 (2) The Recreation and Park Department Strategic Plan, which calls for
4 developing more open space and improving access to existing facilities to address population
5 growth in high-need and emerging neighborhoods; and strengthening the City's climate
6 resiliency by protecting and enhancing San Francisco's precious natural resources through
7 conservation, education, and sustainable land and facility management practices.

8 (3) The Transit First Policy, codified at Section 8A.115 of the Charter, which
9 encourages the use of public right-of-way by pedestrians, bicyclists, and public transit, and
10 strives to reduce traffic and improve public health and safety; calls for enhanced pedestrian
11 areas, to improve the safety and comfort of pedestrians and to encourage travel by foot; and
12 promotes bicycling by encouraging safe streets for riding, convenient access to transit, bicycle
13 lanes, and secure bicycle parking.

14 (4) San Francisco's General Plan Transportation Element, which classifies the
15 Great Highway as a recreational street under Objective 18 with the major function to provide
16 for slow pleasure drives and cyclist and pedestrian use; more highly valued for recreational
17 use than for traffic movement. According to Objective 18, the order of priority for these streets
18 should be to accommodate: 1) pedestrians, hiking trails, or wilderness routes, as appropriate;
19 2) cyclists; 3) equestrians; 4) automobile scenic driving. The General Plan specifies that the
20 design capacity of the Great Highway should be reduced substantially to correspond with its
21 recreational function; emphasis to be on slow pleasure traffic, bicycles, and safe pedestrian
22 crossings.

23 (5) The 2021 Climate Action Plan, which calls for creating a complete and
24 connected active transportation network that shifts trips from automobiles to walking and
25 biking; and restoring and enhancing parks, natural lands, and large open spaces.

1 (e) On June 10, 2021, the Recreation and Park Commission and the San Francisco
2 Municipal Transportation Agency Board of Directors held a joint meeting regarding the
3 weekend and holiday restrictions on private vehicles using the Upper Great Highway. After
4 considering staff presentations and public comment, each body recommended that staff
5 pursue a pilot closure of the Upper Great Highway. Based on the foregoing and on the further
6 information presented to the Board of Supervisors, the Board finds that the closures set forth
7 herein are consistent with California Vehicle Code Section 21101, and that:.

8 (1) The pilot project leaves a sufficient portion of the streets in the surrounding
9 area for other public uses, including vehicular, pedestrian, and bicycle traffic.

10 (2) The pilot project is necessary for the safety and protection of persons who
11 are to use those parts of the streets during the closure or traffic restriction.

12 (3) Staff have done outreach and engagement for abutting residents and
13 property owners, including facilities located along the Upper Great Highway and surrounding
14 neighbors of the project.

15 (4) The City maintains a publicly available website with information about the
16 pilot program that identifies the streets being considered for closure and provides instructions
17 for participating in the public engagement process.

18 (5) Prior to implementing the pilot project, the Recreation and Park Department
19 shall provide advance notice of the pilot project to residents and owners of property abutting
20 those streets and shall clearly designate the closures and restrictions with appropriate
21 signage consistent with the California Manual on Uniform Traffic Control Devices.

22 (f) The Planning Department has determined that the actions contemplated in this
23 ordinance comply with the California Environmental Quality Act (California Public Resources
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
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Supervisors in File No. 221202 and is incorporated herein by reference. The Board affirms this determination.

(g) On September 28, 2022, the Planning Department determined that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts this determination as its own. A copy of said determination is on file with the Clerk of the Board of Supervisors in File No. 221202, and is incorporated herein by reference.

(h) Upon enactment of this ordinance, the Recreation and Park Department intends to apply to the Planning Department for a permit to ensure compliance with any applicable coastal development requirements. The Planning Commission will review the application at a public hearing to determine whether the permit will be issued, as required by law.

(i) In conjunction with the restrictions on private vehicular traffic imposed by this ordinance, the Recreation and Park Department and the Municipal Transportation Agency shall study transportation and recreational impacts of weekend and holiday vehicle restrictions, including multi-modal transportation usage, open-space usage, and traffic impacts to adjacent intersections. City staff shall engage in public outreach and collect data, to inform a final decision by the Board of Supervisors at or near the end of the pilot program established by this ordinance.

Section 2. Article 6 of the Park Code is hereby amended by adding Section 6.13, to read as follows:

SEC. 6.13. RESTRICTING MOTOR VEHICLES ON THE UPPER GREAT HIGHWAY.

(a) Findings and Purpose. In 2022, following the temporary closure of the Great Highway between Lincoln Way and Sloat Boulevard (hereafter, the "Upper Great Highway") due to the COVID-

1 19 pandemic, and on recommendation of the Recreation and Park Commission and San Francisco
2 Municipal Transportation Agency (“SFMTA”) Board of Directors, the Board of Supervisors found that
3 it would be appropriate to restrict private vehicles from the four-lane limited-access Upper Great
4 Highway at certain times, as described herein, due to the need to ensure the safety and protection of
5 persons who are to use those streets; and because the restrictions would leave a sufficient portion of
6 the streets in the surrounding area for other public uses including vehicular, pedestrian, and bicycle
7 traffic.

8 (b) **Restrictions on Private Vehicles.** The Recreation and Park Department shall restrict
9 private vehicles from the Upper Great Highway from Fridays at 12:00 p.m. ~~afternoons~~ until Monday
10 mornings at 6:00 a.m., and on holidays, as set forth herein. These closures shall remain in effect until
11 December 31, 2025, unless extended by ordinance. The temporary closure of the Upper Great
12 Highway due to the COVID-19 pandemic from April 2020 until the commencement of the pilot project
13 is hereby ratified.

14 (c) **Public Notice and Engagement.**

15 (1) The Recreation and Park Department shall include on its website a map depicting
16 the street segments subject to the street closures and traffic restrictions authorized in subsection (b),
17 and such other information as it may deem appropriate to assist the public; and shall provide advance
18 notice of any changes to these street closures or traffic restrictions to residents and owners of property
19 abutting those streets.

20 (2) The Recreation and Park Department and SFMTA shall collect and publicly report
21 data on pedestrian and cyclist usage and vehicular traffic on the Upper Great Highway and
22 surrounding streets at regular intervals throughout the duration of the pilot program established in this
23 Section 6.13.

24 (3) SFMTA shall develop and release draft recommendations for traffic management no
25 later than July 31, 2023. The draft recommendations shall build upon past traffic management

1 measures and past traffic studies, and shall be updated during the pilot program based on data
2 monitoring, traffic conditions, and community outreach. SFMTA shall also develop final
3 recommendations which may propose traffic management measures for after the pilot period, with a
4 description of potential improvements to the surrounding circulation system, cost estimates, and an
5 implementation schedule for accommodating any future vehicular traffic restrictions that may be in the
6 public interest.

7 (4) The Recreation and Park Department, in coordination with SFMTA, shall engage in
8 community outreach during the pilot period to gain public input on the effectiveness of the pilot
9 program and inform the development of the Westside Traffic Management Plan.

10 (5) Public Works or its successor agency shall develop an Upper Great Highway Sand
11 Management Plan by no later than ~~January~~ March 1, 2023. This plan shall detail how Public Works
12 will manage and maintain an Upper Great Highway free of sand incursions, along with any resource
13 or policy changes needed to accomplish this.

14 (d) **Exempt Motor Vehicles.** The following motor vehicles are exempt from the restrictions
15 in subsection (b):

16 (1) Emergency vehicles, including but not limited to police and fire vehicles.

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19 property or facility therein, including but not limited to public transit vehicles, vehicles of the
20 Recreation and Park Department, and construction vehicles authorized by the Recreation and Park
21 Department.

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23 vehicles used to transport persons along the Upper Great Highway.

24 (4) Vehicles authorized by the Recreation and Park Department in connection with
25 permitted events and activities.

1 (e) **Emergency Authority.** The General Manager of the Recreation and Park Department
2 shall have the authority to allow vehicular traffic on segments of the Upper Great Highway that would
3 otherwise be closed to vehicles in accordance with this Section 6.13 in circumstances which in the
4 General Manager's judgment constitute an emergency such that the benefit to the public from the
5 vehicular street closure is outweighed by the traffic burden or public safety hazard created by the
6 emergency circumstances.

7 (f) **Promotion of the General Welfare.** In enacting and implementing this Section 6.13, the
8 City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it
9 imposing on its officers and employees, an obligation for breach of which it is liable in money damages
10 to any person who claims that such breach proximately caused injury.

11 (g) **Severability.** If any subsection, sentence, clause, phrase, or word of this Section 6.13 or
12 any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a
13 decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining
14 portions or applications of Section 6.13. The Board of Supervisors hereby declares it would have
15 passed this Section and each and every subsection, sentence, clause, phrase, and word not declared
16 invalid or unconstitutional without regard to whether any other portions of Section 6.13 or application
17 thereof would be subsequently declared invalid or unconstitutional.

18 (h) **Sunset Clause.** This Section 6.13, and the temporary closures of the Upper Great
19 Highway authorized herein, shall expire by operation of law on December 31, 2025, unless extended by
20 ordinance. If not extended by ordinance, upon expiration the City Attorney is authorized to remove this
21 Section 6.13 from the Code.

22
23 Section 3. Effective Date. This ordinance shall become effective 30 days after
24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
25

ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/
MANU PRADHAN
Deputy City Attorney
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LEGISLATIVE DIGEST

[Park Code - Upper Great Highway - Pilot Weekend and Holiday Vehicle Restrictions]

Ordinance amending the Park Code to restrict private vehicles on the Upper Great Highway between Lincoln Way and Sloat Boulevard, on a pilot basis, on weekends and holidays until December 31, 2025; making associated findings under the California Vehicle Code; 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.

Existing Law

The Upper Great Highway is under the jurisdiction of the Recreation and Park Department, and before 2020 was used for private vehicle traffic. In April 2020, due to the COVID-19 emergency, the Recreation and Park Department temporarily restricted private vehicles from the Upper Great Highway between Sloat Boulevard and Lincoln Way, seven days a week. The Recreation and Park Department later modified the closures to be in effect only on holidays and on weekends (Fridays at 12:00 p.m. until Mondays at 6:00 a.m.).

Amendments to Current Law

The ordinance would approve a pilot program for closing the Upper Great Highway between Sloat Boulevard and Lincoln Way. The closures would be in effect from Fridays at 12:00 p.m. until Mondays at 6:00 a.m. and on holidays. During this pilot program, the Recreation and Park Department and Municipal Transportation Agency would study the transportation and recreational impacts of the closures, and provide recommendations to inform possible future decisions by the Board of Supervisors. The pilot program would end on December 31, 2025, unless extended by a subsequent ordinance.

Background

On November 28, 2022, the Board of Supervisors created this legislative file as a duplicate of File No. 220875, including the amendments to File No. 220875 that clarified the precise start time of the Friday closures and extended the date for completing a sand management plan.

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Alondra Esquivel-Garcia, Director, Youth Commission

FROM: John Carroll, Assistant Clerk,
Public Safety and Neighborhood Services Committee

DATE: December 6, 2022

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following hearing request, introduced by Supervisor Stefani on November 29, 2022. This item is being referred for comment and recommendation.

File No. 221220

Hearing regarding updates on the Sheriff's Department's current staffing levels and how staffing impacts relate to jail conditions and a status report of rehabilitation programs, including but not limited to Five Keys Charter, RSVP, etc.; and requesting the Sheriff's Department to report.

Please return this cover sheet with the Commission's response to John Carroll, Assistant Clerk, Public Safety and Neighborhood Services Committee.

RESPONSE FROM YOUTH COMMISSION Date: _____

_____ No Comment
_____ Recommendation Attached

Chairperson, Youth Commission

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):

Stefani

Subject:

Hearing on the staffing levels at the San Francisco Sheriff's Department

The text is listed:

Requesting that the Sheriff's Department provide an update and report on current staffing levels and how staffing impacts relate to jail conditions; and requesting that the Sheriff's Department report on the status of rehabilitation programs, including but not limited to Five Keys Charter, RSVP, etc.

Signature of Sponsoring Supervisor: /s/Catherine Stefani

For Clerk's Use Only

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Youth Commission

FROM: Angela Calvillo, Clerk of the Board

DATE: December 13, 2022

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following, which at the request of the Youth Commission is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 221258

Hearing on the evictions in the City's Permanent Supportive Housing (PSH) project-based sites that receive city funds, and efforts to prevent and reduce evictions at PSH sites; and requesting the Department of Homelessness and Supportive Housing, Department of Public Health, and Mayor's Office of Housing and Community Development to report.

Please return this cover sheet with the Commission's response to Erica Major, Assistant Clerk, Land Use and Transportation Committee at Erica.Major@sfgov.org.

RESPONSE FROM YOUTH COMMISSION Date: _____

_____ **No Comment**

_____ **Recommendation Attached**

Chairperson, Youth Commission

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

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

- ☒ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor [] inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No. []
- ☐ 9. Reactivate File No. []
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on []

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

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

Sponsor(s):

Supervisor Dean Preston

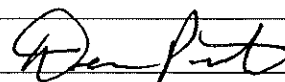
Subject:

Hearing on evictions in Permanent Supportive Housing project-based sites

Long Title or text listed:

Hearing on evictions in the city's Permanent Supportive Housing (PSH) project-based sites that receive city funds, and efforts to prevent and reduce evictions at PSH sites; and requesting the Department Of Homelessness and Supportive Housing (HSH), the Department of Public Health (DPH), and the Mayor's Office of Housing and Community Development (MOHCD) to report.

Signature of Sponsoring Supervisor:



Youth Local Civic Engagement Survey

This survey is designed by the San Francisco Youth Commission to capture San Francisco youth engagement in local government and elections. Your feedback is essential to understanding how the city and county of San Francisco can support local youth engagement in government and elections. You can contact the San Francisco Youth Commission through email at youthcom@sfgov.org and on social media [@sfyouthcom](https://twitter.com/sfyouthcom).

* Required

1. Name

2. Age *

Mark only one oval.

☐ 10

☐ 11

☐ 12

☐ 13

☐ 14

☐ 15

☐ 16

☐ 17

☐ 18

☐ 19

☐ 20

☐ 21

☐ 22

☐ 23

3. Grade *

Mark only one oval.

- ☐ 6th
- ☐ 7th
- ☐ 8th
- ☐ 9th
- ☐ 10th
- ☐ 11th
- ☐ 12th
- ☐ None

4.

Mark only one oval.

- ☐ Option 1

5.

Mark only one oval.

- ☐ Option 1

6. School *

7. Email (if you would like to be contacted regarding this survey)

8. District (insert find your district link) *

Mark only one oval.

- ☐ District 1
- ☐ District 2
- ☐ District 3
- ☐ District 4
- ☐ District 5
- ☐ District 6
- ☐ District 7
- ☐ District 8
- ☐ District 9
- ☐ District 10
- ☐ District 11

9. Are you preregistered to vote? *

Mark only one oval.

- ☐ Yes
- ☐ No
- ☐ Other: _____

10. Do you plan to vote when you are 18 or have already voted in a local election? *

Mark only one oval.

- ☐ Yes, I plan to vote or have voted in a local election.
- ☐ No, I do not plan to vote or have not voted in a local election.
- ☐ Other: _____

11. If you do not plan to vote in a local election, or have not already voted in a local election, why? *

Check all that apply.

- ☐ I don't know where to vote
- ☐ I don't understand what to vote for
- ☐ I don't see the importance of voting
- ☐ Other: _____

12. Prior to this survey, did you know who your District Supervisor is? *

Mark only one oval.

- ☐ Yes
- ☐ No
- ☐ Other: _____

13. Please select the answer you feel best represents your opinion about this statement: "I feel prepared to vote in a local election when I turn 18" *

Mark only one oval.

- ☐ Strong agree
- ☐ Agree
- ☐ Neutral
- ☐ Disagree
- ☐ Strong Disagree

14. If you answered disagree/neutral, what would make you feel prepared to vote? (you may select multiple answers)

Check all that apply.

- ☐ Information about voter guides
- ☐ More outreach in schools
- ☐ More outreach from local government and elected officials
- ☐ More youth voter engagement events
- ☐ I answered agree/strongly agree/neutral
- ☐ Other: _____

15. Please select the answer you feel best represents your opinion about this statement: "I think San Francisco provides many opportunities for youth to be educated on local government" *

Mark only one oval.

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree

16. Please list any programs (through school or community organizations) that have helped you vote/become engaged in government

17. This is an optional space for you to elaborate on any answers or opinions you were not able to express in this survey:

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