



## **STATE LEGISLATION COMMITTEE**

**Wednesday, June 15, 2022**

**11:00am – 1:00pm**

**City Hall, Room 201**

### **MEMBERS:**

Mayor's Office (Chair) -- Edward McCaffrey  
Supervisor Dean Preston -- Preston Kilgore  
Supervisor Connie Chan -- Kelly Groth  
Assessor's Office -- Holly Lung  
City Attorney's Office -- Rebekah Krell  
Controller's Office -- Dan Kaplan  
Treasurer's Office -- Eric Manke

### **AGENDA**

#### **I. ROLL CALL**

**II. APPROVAL OF MEETING MINUTES (Action Item).** Discussion and possible action to approve the minutes from the meeting of May 18, 2022.

**III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item).** The City's state lobbyist will present to the Committee an update on State legislative matters.

**IV. PROPOSED LEGISLATION (Discussion and Action).** Discussion and possible action item: the Committee will review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

### **New Business**

#### **San Francisco Municipal Transportation Agency**

Presenter: Katie Angotti

AB 1909 (Friedman): Vehicles: bicycle omnibus bill

***Recommended Position: Support and seek amendments***

AB 1909 changes provisions of the California Vehicle Code related to the operations of bicycles and the rules of the road for motor vehicles to make it safer for and encourage bicycle and e-bicycle use.

## **Department of Environment**

Presenter: Kyle Wehner

SB 2481 (Smith): Household Hazardous Waste: Facilities: Transportation and Acceptance

***Recommended Position: Support***

AB 2481 makes a variety of technical and noncontroversial changes to the Health and Safety Code to clarify laws related to transportation of Household Hazardous Waste (HHW) and operation of HHW collection facilities. This bill will provide flexibility for local facilities and make it easier for individuals to properly dispose of household toxics and HHW while still protecting public health, safety, and the environment.

SB 1256 (Wieckowski): Waste management: disposable propane cylinders

***Recommended Position: Support***

Beginning January 1, 2028, SB 1256 would prohibit the sale of 1 lb. disposable propane cylinders. Violation of this provision may be subject to civil penalties imposed by a city attorney or county counsel.

## **San Francisco Public Utilities Commission**

Presenter: Scott Ammon

SB 1020 (Laird): Clean Energy, Jobs, and Affordability Act of 2022

***Recommended Position: Support***

This bill would revise the zero-carbon electric sector targets set by SB 100 to include interim targets requiring 90 percent of all retail electricity sales to be supplied by eligible renewable and zero-carbon energy resources by 2035; this requirement would increase to 95 percent by 2040. The bill would also require 100 percent of electricity procured to serve state agencies to be supplied by eligible renewable and zero-carbon resources by 2030.

## **Mayor's Office of Housing and Community Development**

Presenter: Sheila Nickolopoulos

AB 2305 (Grayson): Housing Finance: Coordinated Housing Finance Committee

***Recommended Position: Support***

AB 2305 will establish a Coordinated Housing Finance Committee to allocate state-controlled resources to finance affordable rental housing. This would provide a one-stop-shop to apply for all state affordable housing financing, which would significantly streamline the current system.

SB 948 (Becker): Housing finance programs: development reserves

***Recommended Position: Support***

SB 948 will cut costs for affordable housing projects in California by shifting the responsibility to hold a certain amount of money – what are called “transition reserves” – from the individual project level to a pooled reserve model operated by the Department of Housing and Community Development (HCD).

**Office of Economic and Workforce Development**

Presenter: Ben Van Houten

SB 930 (Wiener): Alcoholic beverages: hours of sale

***Recommended Position: Support***

SB 930 would empower seven cities in California – Cathedral City, Coachella, Fresno, Oakland, Palm Springs, San Francisco, and West Hollywood – to participate in a pilot program to enable businesses within those jurisdictions to apply for “additional hours licenses” from the Department of Alcoholic Beverage Control (ABC). Additional hours licenses would allow restaurants, bars, and music venues to serve alcoholic beverages between 2am and 4am.

**V. GENERAL PUBLIC COMMENT**

Members of the public may address the Committee on items of interest that are within the Committee’s subject matter jurisdiction and that do not appear on the agenda.

**VI. ADJOURNMENT**

### **Disability Access**

Room 201 of City Hall is located at 1 Dr. Carlton B. Goodlett Place and is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible Muni lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness, as well as Muni Metro stations at Van Ness and Civic Center. For more information about Muni accessible services, call 923-6142. There is accessible parking at the Civic Center Plaza garage.

### **Know Your Rights Under the Sunshine Ordinance**

The government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Donna Hall at Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, by phone at 415-554-7724, by fax at 415-554-7854, or email the Sunshine Ordinance Taskforce Administrator at [sotf@sfgov.org](mailto:sotf@sfgov.org). Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Task Force, or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at [www.sfgov.org/sunshine.htm](http://www.sfgov.org/sunshine.htm).

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Sec. 2.100 -2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone 415-581-2300, fax 415-581-2317, Internet website: [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

### **Cell Phones and Pagers**

The ringing and use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

### **Public Comment**

Public Comment will be taken on each item on the agenda before or during consideration of that item.

Documents that may have been provided to members of the State Legislation Committee in connection with the items on the agenda include proposed state legislation, consultant reports, correspondence and reports from City departments, and public correspondence. These may be inspected by contacting Edward McCaffrey, Manager, State and Federal Affairs, Mayor's Office at: (415) 554-6588.

**Health  
Considerations**

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.



## STATE LEGISLATION COMMITTEE

Wednesday, May 18, 2022

11:00am – 1:00pm

City Hall, Room 201

### MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey  
Supervisor Dean Preston -- Preston Kilgore  
Supervisor Connie Chan -- Kelly Groth  
Assessor's Office -- Holly Lung  
City Attorney's Office -- Rebekah Krell & Jen Kwart  
Controller's Office -- Dan Kaplan  
Treasurer's Office -- Eric Manke

### AGENDA

#### I. ROLL CALL

**II. APPROVAL OF MEETING MINUTES (Action Item).** Discussion and possible action to approve the minutes from the meeting of April 20, 2022.

**III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item).** The City's state lobbyist will present to the Committee an update on State legislative matters.

**IV. PROPOSED LEGISLATION (Discussion and Action).** Discussion and possible action item: the Committee will review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

### New Business

#### Department on the Status of Women

Presenter: Daisy Prado

SB 1161 (Min): Transit operators: street harassment plans

**Recommended Position: Support**

California's public transit systems provide a crucial service to local communities. Unfortunately, studies show that many women (trans and

cisgender) and other vulnerable communities experience harassment while using these services. This measure will require California's 10 largest transit operators to gather research on street harassment of women and other vulnerable communities and to develop data-driven initiatives to help prevent street harassment on public transit systems.

### **Department of Homelessness & Supportive Housing**

Presenter: Emily Cohen

AB 2547 (Nazarian): Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Act

***Recommended Position: Support***

This bill would require the California Department of Aging to create and administer the Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Program. The bill would require the department to offer competitive grants to nonprofit community-based organizations, continuums of care, and public housing authorities to administer a housing subsidy program for older adults and persons with a disability that are experiencing homelessness or at risk of homelessness. The bill would require the department, to prioritize communities where renters face high rates of poverty, displacement, gentrification, and homelessness. Funds would be dedicated to specific activities, including, housing subsidies, landlord recruitment and tenancy acquisition services, landlord incentives, and housing navigation and tenancy transition services.

### **Department of Public Health**

Presenter: Max Gara

AB 1737 (Holden): Children's camps: local registration and inspections

***Recommended Position: Oppose***

AB 1737 would establish a statewide regulatory structure for children's camps to be administered by local health departments (LHDs). This bill would expand the responsibilities of LHDs beyond their scope of expertise and current capacity without achieving the bill's child safety aims. Therefore San Francisco Department of Public Health recommends an oppose position.

### **San Francisco Public Utilities Commission**

Presenter: Rebecca Peacock

SB 1345 (Ochoa Bogh): Excavations: subsurface installations

***Recommended Position: Oppose unless amended***

This bill would remove the exemption for unpressurized sewer lines and storm drains from California's Dig Safe Law. It also makes other changes, such as redefining working days to exclude weekends and holidays and removing a provision regarding discrepancies in excavation area delineation. The SFPUC recommends an oppose unless amended position for SB 1345.

## **Department of Environment**

Presenter: Kyle Wehner

SB 1255 (Portantino): Single-use products waste reduction: Dishwasher Grant Program for Waste Reduction in K–12 Schools and Community Colleges

***Recommended Position: Support***

SB 1255 would establish the Dishwasher Grant Program for Waste Reduction in K-12 schools and community colleges in California. This program would be administered by CalRecycle and would provide grants of up to \$40,000 to school districts, charter schools, and community colleges for the purchase and installation of commercial dishwashers.

## **Office of Economic Workforce Development**

Presenter: Christopher Corgas

AB 2890 (Bloom): Property and business improvement districts

***Recommend Position: Support***

AB 2890 clarifies the standards and procedures that Property Business Improvement District leadership and engineers use when determining what is a “special benefit” and “general benefit” for the purposes of Property and Business Improvement District (PBID) assessments. AB 2890 clears up current statute ambiguity with the benefit identification requirement.

Presenter: Laurel Arvanitidis

SB 301 (Skinner): Online Marketplaces: Retail Theft

***Recommended Position: Support***

SB 301 would help combat the sale of stolen goods on online marketplaces by providing higher standards of accountability and verification for third-party-sellers on online platforms, helping online marketplaces identify and take action against sellers of stolen goods. The bill would empower the California Attorney General to enforce through civil penalties increased transparency requirements for third party online sellers on online marketplaces. Marketplaces must require sellers to disclose information such as their name, address, bank account information, tax identification information, and contact information. Disclosure requirements become more significant for higher volume sellers. The marketplace must receive and verify required information, and if sellers do not comply with the law’s requirements, the marketplace must suspend their activity or face penalties.

## **V. GENERAL PUBLIC COMMENT**

Members of the public may address the Committee on items of interest that are within the Committee’s subject matter jurisdiction and that do not appear on the agenda.

## **VI. ADJOURNMENT**



### **Disability Access**

Room 201 of City Hall is located at 1 Dr. Carlton B. Goodlett Place and is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible Muni lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness, as well as Muni Metro stations at Van Ness and Civic Center. For more information about Muni accessible services, call 923-6142. There is accessible parking at the Civic Center Plaza garage.

### **Know Your Rights Under the Sunshine Ordinance**

The government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Donna Hall at Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, by phone at 415-554-7724, by fax at 415-554-7854, or email the Sunshine Ordinance Taskforce Administrator at [sotf@sfgov.org](mailto:sotf@sfgov.org). Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Task Force, or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at [www.sfgov.org/sunshine.htm](http://www.sfgov.org/sunshine.htm).

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Sec. 2.100 –2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone 415-581-2300, fax 415-581-2317, Internet website: [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

### **Cell Phones and Pagers**

The ringing and use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

### **Public Comment**

Public Comment will be taken on each item on the agenda before or during consideration of that item.

Documents that may have been provided to members of the State Legislation

Committee in connection with the items on the agenda include proposed state legislation, consultant reports, correspondence and reports from City departments, and public correspondence. These may be inspected by contacting Edward McCaffrey, Manager, State and Federal Affairs, Mayor's Office at: (415) 554-6588.

### **Health Considerations**

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.



# State Legislation Proposal Form

Date Submitted	June 1, 2022
Submitting Department	SFMTA
Contact Name	Katie Angotti
Contact Email	Kathryn.angotti@sfmta.com
Contact Phone	714-504-3061
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO    X N/A

## AB 1909 Asm. Friedman, District 43, Democrat Vehicles: bicycle omnibus bill

### Recommended Position

- SPONSOR**                       **SUPPORT**  
 **SUPPORT if amended**       **OPPOSE**  
**X OTHER & Describe: Support and seek amendments**

gives pedestrians a "head start" to begin crossing the cross walk before the rest of traffic is allowed to proceed increasing the visibility of pedestrians, especially to cars that are turning.

### Summary

AB 1909 changes provisions of the California Vehicle Code related to the operations of bicycles and the rules of the road for motor vehicles to make it safer for and encourage bicycle and e-bicycle use.

### Challenge

According to the City's 2021 Climate Action Plan, achieving San Francisco's climate goals for transportation requires a dramatic and sustained shift away from driving as the main travel choice. Of the 47% of total city emissions attributed to transportation in 2019, cars and trucks were responsible for the supermajority of emissions (72%). San Francisco has set a target of 80% of trips to, from, and within San Francisco to be made by low-carbon modes by 2030. Bicycling is one of those modes. In addition to the climate benefits that bicycling offers, choosing to travel by bike rather than car can help ease congestion on City streets and improve health outcomes. Moreover, the SFMTA's Strategic Plan Goal 2 is to make transit and other sustainable modes, including bicycling, the most attractive and preferred means of travel. The City of San Francisco is also committed to achieving Vision Zero. Creating safer conditions and reducing barriers to bicycle use is a top priority and SFMTA continues to seek new ways to do this.

### Background/Analysis

Electric bicycles have electric motors and are designated into three classes:

- Class 1 - Pedal assist, 20 mph limit
- Class 2 - Throttle assist, 20 mph limit
- Class 3 - Pedal assist, 28 mph limit

Currently, State law prohibits **Class 3 e-bikes** on bike lanes, bikeways, bike paths or trails, equestrian trails or hiking and recreation trails. State law allows local authorities to prohibit **Class 1 and Class 2 e-bikes (the lower speed e-bikes)** on a bike path or trail, equestrian, hiking or recreation trail.

Existing law allows local jurisdictions to require bicycle registration and requires that motor vehicle drivers give at least three-feet of space when passing a bicyclist that is proceeding on a street in the same direction.

A leading pedestrian interval (LPI) is a traffic signals that advances the "WALK" signal for three to seven seconds while the red signal that is stopping traffic continues to be displayed on parallel and turning traffic. LPIs

### Solution/Recommended Proposal

E-bikes are gaining in popularity. Adoption of electric bicycles increased by 145% from

2019 to 2020 in the United States. E-bikes are especially popular in San Francisco given the hilly terrain. AB 1909 has five components that would encourage e-biking and conventional bicycles:

(1) Eliminates the statewide ban of class 3 e-bikes on bike paths and eliminates the ability of local agencies to ban class 1 and 2 e-bikes on bike paths, allowing for more route options.

(2) Authorizes a local authority to prohibit any class of e-bikes on equestrian, hiking, or recreational trails.

(3) Eliminates local authority to require bicycle registration.

(4) Requires that when a motor vehicle driver passes a bicyclist on a roadway that is traveling the same direction, the driver must change lanes into another available lane if safe and lawful to do so, otherwise the driver must still provide three-feet of space. Five states, including Washington and Delaware, have implemented similar legislation to improve safety for cyclists.

(5) Allow bicyclists (not just pedestrians) to follow leading pedestrian intervals (LPIs) at intersections.

**Suggested amendment:** We agree that LPIs would provide cyclists more visibility at intersections resulting in safer intersection crossings. However, there may be unintended consequences by allowing this activity that could put cyclist's safety at risk.

Under this bill, cyclists would be able to follow LPIs and enter intersections when the "WALK" signal flashes. However, while many signals in San Francisco have LPIs, not all of them do, and there is no way for a cyclist to distinguish when a signal has an LPI and when it does not. It is likely that a cyclist's default interpretation would be it is okay to enter the intersection when they see a "WALK" signal. There are situations where it can be dangerous for cyclists to follow traffic signals meant for pedestrians, that are not LPIs.

For example, pedestrian scrambles provide the "WALK" signal to pedestrians entering the intersection from all directions. Under this law, a cyclists may see the "WALK" signal and assume it is an LPI, when it is not and they are

supposed to be stopped. Pedestrian scrambles are meant only for pedestrians to reduce conflicts.

Another example of concern is multi-leg intersections with multiple signal phases. A cyclists may enter a multi-leg intersection when the pedestrian "WALK" signal is flashing, crossing the first leg of the intersection and continuing onto the second leg without realizing there is oncoming traffic and could be hit.

If the bills passes as currently drafted, SFMTA would need to assess and inventory its intersections to determine which intersections pose potential conflicts AND install appropriate signage or signaling to address any confusion. This could be in the hundreds of intersections.

We recommend that the author acknowledge that all pedestrian signals could be interpreted as LPIs and as result, we suggest that the implementation of the LPI provision be delayed one year so that cities have the opportunity to assess and inventory their intersections and determine how to address conflicts. The bill should also direct Caltrans to establish rules and regulations in the California Manual on Uniform Traffic Control Devices (MUTCD) that addresses what signage or signals cities should use to address these situations in the long term.

---

#### Departments Impacted & Why

SFPD will be responsible for enforcement and has no concerns.

---

#### Fiscal Impact

The city may be required to install additional signage or signally at certain intersections to address potential confusion that may arise.

---

#### Support / Opposition

##### Support:

California Bicycle Coalition  
Sierra Club  
Active San Gabriel  
LA County Bicycle Coalition  
Move LA,

*Streets for All*

**Opposition:**

*Safe Trails Coalition*

*Sea and Sage Audubon Society*



# State Legislation Proposal Form

Date Submitted	6/1/2022
Submitting Department	ENV
Contact Name	Maggie Johnson
Contact Email	Margaret.johnson@sfgov.org
Contact Phone	415-355-5006
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO    X N/A

## AB 2481

### Asm. Smith, District 33, Republican

## Household Hazardous Waste: Facilities: Transportation and Acceptance

#### Recommended Position

- SPONSOR                       SUPPORT  
 SUPPORT if amended         OPPOSE  
 OTHER & Describe

#### Summary

AB 2481 makes a variety of technical and noncontroversial changes to the Health and Safety Code to clarify laws related to transportation of Household Hazardous Waste (HHW) and operation of HHW collection facilities. This bill will provide flexibility for local facilities and make it easier for individuals to properly dispose of household toxics and HHW while still protecting public health, safety, and the environment.

#### Background/Analysis

Improperly discarded hazardous waste can pose a threat to human health and the environment. Common HHWs include paints, cleaners, oils, batteries, adhesives, fluorescent lights, and electronic devices. These hazardous wastes cannot be discarded in San Francisco's normal three bin collection system. Like many local governments, San Francisco operates HHW collection programs to provide households and small businesses with a convenient opportunity to properly dispose of these wastes.

#### Challenge

California's hazardous waste control laws governing transportation and management of HHW and operation of HHW collection facilities are complex. Over the years, portions of these laws have been found to be internally inconsistent or ambiguous.

#### Solution/Recommended Proposal

Working with the Rural Representatives of California, this bill's author has identified opportunities to refine these laws to reduce costs and administrative burdens, increase flexibility, and facilitate proper management of hazardous wastes while continuing to protect public health, safety, and the environment.

Specifically, AB 2481 will clarify the following technical issues concerning regulation of HHW management and transportation:

- The bill will allow an individual who is not a resident of the generating household (*i.e.*, a friend, neighbor, or relative) to transport waste to a HHW facility on behalf of a generator who is unable or unavailable to transport the waste.
- AB 2481 will allow small businesses to transport hazardous waste to a HHW collection facility in a leased vehicle. (Existing law requires that a vehicle used to transport waste must be owned by the business.)
- The bill will allow HHW facilities to

accept unlimited quantities of recyclable latex and oil-based paint.

- AB 2481 will allow HHW from households and small businesses to be delivered to a collection facility on the same date and time, which is currently prohibited by existing law.
- Overall, this bill makes numerous other changes to clarify the Health and Safety Code to make it easier for individuals and small businesses to properly dispose of hazardous waste.

---

#### **Departments Impacted & Why**

AB 2481 is not expected to affect City departments.

---

#### **Fiscal Impact**

AB 2481 is not expected to have a direct fiscal impact on the City. However, this bill may help reduce labor costs to San Francisco businesses related to disposal of hazardous waste.

---

#### **Support / Opposition**

Supported by:  
Rural County Representatives of California

Opposed by:  
None on record



# State Legislation Proposal Form

<b>Date Submitted</b>	6/1/22
<b>Submitting Department</b>	Environment
<b>Contact Name</b>	Alexa Kielty
<b>Contact Email</b>	Alexa.Kielty@sfgov.org
<b>Contact Phone</b>	415-355-3747
<b>Reviewed and approved by Department Head?</b>	X YES <input type="checkbox"/> NO
<b>Reviewed and approved by Commission?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO    X N/A

## **SB 1256**

### **Sen. Wieckowski, District 10, Democrat**

### **Waste management: disposable propane cylinders**

#### **Recommended Position**

- SPONSOR**                                     **SUPPORT**  
 **SUPPORT if amended**                     **OPPOSE**  
 **OTHER & Describe**

#### **Summary**

Beginning January 1, 2028, SB 1256 would prohibit the sale of 1 lb. disposable propane cylinders. Violation of this provision may be subject to civil penalties imposed by a city attorney or county counsel.

#### **Background/Analysis**

The management of single-use propane cylinder waste disposal is abysmal. Despite the fact that single-use cylinders are made predominantly of sheet metal, which has a decent value on the recyclable materials market, a mere 25% of cylinders sold in California are believed to be recycled. The remaining 75% of cylinders are likely landfilled, which is a waste of recyclable metal at one pound of metal per cylinder. Further, recycling of single-use cylinders has underperformed compared to the general statewide recycling rate, which is about 40%. Flame King, based in Pico Rivera, California, is the only known manufacturer of reusable 1 lb. propane cylinders in the United States. SB 1256 would encourage other cylinder manufacturers to produce reusable cylinders to meet the growth in consumer demand for reusable products.

Single-use cylinders can be dangerous to both personnel and equipment when disposed of improperly. "Empty" single-use cylinders often still contain a small amount of gas, posing a danger to sanitation workers due to the risk of explosions and resulting fires. Further, they are not designed to be safely refilled. Consumers have been critically injured and killed as a result of refilling activities. Because of these risks, single-use cylinders must be disposed of properly, which can cost local governments millions of dollars annually. In addition, many propane cylinders end up in landfills, wasting valuable resources – including metals – and contributing to the premature and unnecessary filling of landfills.

#### **Solution/Recommended Proposal**

California's growing infrastructure of refilling and exchange locations for refillable / reusable 1 lb. propane cylinders. While this infrastructure continues to expand, the availability of wasteful single-use cylinders hinders this growth. Among various propane gas cylinder sizes, only 1 lb. cylinders are available for single-use. Some consumers will want to continue to refill their own 1 lb. cylinders from a 20 lb. barbecue tank and should be able to do so safely. While single-use 1 lb. cylinders are not designed to be refilled, refillable/reusable cylinders are designed to be refilled safely. Currently, there is no responsibility placed on manufacturers or distributors of single-use cylinders for their products' end-of-life costs.

#### **Departments Impacted & Why**

SB 1256 will reduce generation of single-use materials, helping San Francisco toward its

#### **Challenge**



goals to reduce municipal solid waste generation (including recyclables, compost, and trash) by 15% by 2030, and to reduce disposal via landfill and incineration by 50% by 2030.

### **Fiscal Impact**

---

SB 1256 is not expected to have a fiscal impact on the city. However, the City Attorney may collect civil penalties imposed pursuant to violations of this bill. The City Attorney may impose a civil liability on a person who violates SB 1256 in the amount of \$500 per day for the first violation, \$1,000 per day for a second violation, and \$2,000 per day for the third and subsequent violations.

### **Support / Opposition**

---

Supported by:

California Interfaith Power & Light  
California Product Stewardship Council  
California Resource Recovery Association  
California Waste & Recycling Association  
Californians Against Waste  
City of Sunnyvale  
City of Thousand Oaks  
City of Vallejo  
County of Santa Clara  
Del Norte Solid Waste Mgmt Authority  
Delta Diablo  
Little Kamper, LP  
National Stewardship Action Council  
Republic Services Inc.  
Resource Recovery Coalition of California  
Rethinkwaste  
Sea Hugger  
Stopwaste  
Sunnyvale Mayor, Larry Klein  
Western Placer Waste Mgmt Authority  
Zero Waste Sonoma



# State Legislation Proposal Form

Date Submitted	6/1/2022
Submitting Department	SFPUC
Contact Name	Scott Ammon
Contact Email	<a href="mailto:sammon@sfwater.org">sammon@sfwater.org</a>
Contact Phone	415-407-5208
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

## SB 1020

**Sen. Laird, District 17, Democrat**

## **Clean Energy, Jobs, and Affordability Act of 2022**

### Recommended Position

- SPONSOR**                       **SUPPORT**  
 **SUPPORT if amended**       **OPPOSE**  
 **OTHER & Describe**

### Summary

This bill would revise the zero-carbon electric sector targets set by SB 100 to include interim targets requiring 90 percent of all retail electricity sales to be supplied by eligible renewable and zero-carbon energy resources by 2035; this requirement would increase to 95 percent by 2040. The bill would also require 100 percent of electricity procured to serve state agencies to be supplied by eligible renewable and zero-carbon resources by 2030.

Existing law requires the California Air Resources Board (CARB) to develop a scoping plan every 5 years for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions. CARB is required to conduct public workshops to provide interested parties the opportunity to comment on the plan and a portion of these workshops must be held in regions of the state that have the most significant exposure to air pollutants, including communities with minority populations, communities with low-income populations, or both. This bill would modify existing law to require that these areas also include those designated as federal extreme nonattainment.

This bill would authorize the California Public

Utilities Commission (CPUC) and the California Energy Commission (CEC), upon request of the California Independent System Operator (CAISO), to disclose confidential information related to power purchase agreements and transmission planning to the CAISO.

The bill would require the CPUC and the CEC to jointly authorize the establishment of the California Affordable Decarbonization Authority (CADA), a nonprofit public benefit corporation, with a board appointed by the Governor and the Legislature, to administer the Climate and Equity Trust Fund. Money in the Fund would be appropriated by the Legislature and expended by the Authority for the benefit of electricity customers and affordable rates through direct credits on ratepayer bills, direct rebates or incentives to market participants, technology vendors, technology installers, and end-use customers, and reimbursement of eligible costs incurred by an electrical corporation, electric service provider, community choice aggregator, or local publicly owned electric utility. The bill would also require the Authority to submit annual and multiyear spending plans to the CPUC and CEC for approval before disbursing money appropriated to the Fund.

### Background/Analysis

The 100 Percent Clean Energy Act of 2018, or SB 100, established a target for eligible

renewable and zero-carbon energy resources to supply 100 percent of all retail electricity sales in California and 100 percent of electricity procured to serve state agencies by 2045. The law also set an interim goal to supply 60 percent of all retail electricity sales in the state with renewable energy resources by 2030.

---

### **Challenge**

SB 1020 would establish interim targets to the framework established by the 100 Percent Clean Energy Act of 2018. These interim targets will help ensure California is making consistent progress towards the goals articulated in SB 100. SB 1020 also establishes more ambitious goals for renewable and zero-carbon energy resource deployment by state agencies by accelerating the timeline for procuring 100 percent eligible renewable and zero-carbon energy resources to serve state agencies by 15 years.

The bill would also help reduce electricity rates for Californians and establish a long-term funding mechanism through the Climate and Equity Trust Fund to offset costs unrelated to the provision of basic electric service that would otherwise be collected in electricity rates. As electricity bills increasingly incorporate the costs of decarbonization, wildfire mitigation, and public purpose programs, the funding structure established through this bill would help mitigate the impact of these costs on ratepayers.

---

### **Solution/Recommended Proposal**

The SFPUC recommends a support position for SB 1020.

---

### **Departments Impacted & Why**

Although San Francisco's greenhouse gas reduction targets are more ambitious than the State's, the interim targets adopted by SB 1020 would help facilitate meeting the goals articulated in the 100 Percent Clean Energy Act of 2018. As the SFPUC Power Enterprise provides retail electric service to state agencies, the accelerated timeline for serving state agency load with eligible renewable and zero-carbon resources would

affect the Power Enterprise's procurement operations.

Through the Climate and Equity Trust Fund, SB 1020 would also potentially provide reimbursements for the costs related to San Francisco's programs that help make rates more affordable, advance decarbonization, transportation electrification, building electrification, and energy efficiency programs as well as programs to advance clean energy access for disadvantaged communities.

---

### **Fiscal Impact**

If SB 1020 becomes law, the bill would create a funding source through the Climate and Equity Trust Fund that could reimburse SFPUC's two enterprise programs, Hetch Hetchy Power and CleanPowerSF, for costs related to programs that increase affordability, and advance decarbonization and electrification. However, the amount of funding that would be appropriated by the legislature and approved by the CPUC and CEC for expenditure by the Authority is unknown at this time. Because the amount of funding available to the Climate and Equity Trust Fund is not yet known and the portion of the funding that would be allocated to SFPUC's enterprises is not known, the fiscal impact of SB 1020 on San Francisco and the SFPUC cannot be reasonably estimated.

---

### **Support / Opposition**

#### Support:

- Clean Power Campaign
- Environment California
- Offshore Wind California
- The Utility Reform Network

#### Opposition:

- Animal Legal Defense Fund
- California Large Energy Consumers Association
- Center for Food Safety
- Food & Water Watch



# State Legislation Proposal Form

This form should be used to submit legislative proposals for consideration by the State Legislation Committee. We ask that you keep your submissions under two pages. Before submission, proposals must be reviewed and approved by the Department Head or Commission. Please send completed forms to Eddie McCaffrey in the Mayor’s Office at [edward.mccaffrey@sfgov.org](mailto:edward.mccaffrey@sfgov.org) and cc Susanna Conine-Nakano at [Susanna.Conine-Nakano@sfgov.org](mailto:Susanna.Conine-Nakano@sfgov.org).

Date Submitted	5/17/2022
Submitting Department	MOHCD
Contact Name	Sheila Nickolopoulos
Contact Email	sheila.nickolopoulos@sfgov.org
Contact Phone	628-652-7442
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

## AB 2305

### Asm. Grayson, District 14, Democrat

# Housing Finance: Coordinated Housing Finance Committee

#### Recommended Position

- |   |   |
|---|---|
| <input type="checkbox"/> SPONSOR            | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE             |
| <input type="checkbox"/> OTHER & Describe   |   |

#### Summary

AB 2305 will establish a Coordinated Housing Finance Committee to allocate state-controlled resources to finance affordable rental housing. This would provide a one-stop-shop to apply for all state affordable housing financing, which would significantly streamline the current system.

#### Background/Analysis

California's affordable housing finance system is comprised of four separate entities: the California Department of Housing and Community Development (HCD), the California Housing Finance Agency (CalHFA), the California Tax Credit Allocation Committee (TCAC) and the California Debt Limit Allocation Committee (CDLAC). These agencies administer a variety of financial resources including loans, tax credits, and tax-exempt bonds to housing developers who build and rehabilitate affordable housing for lower-income households. Currently each has different priorities, scoring, and allocation timing. This results in projects spending years applying for funds from different state agencies.

In San Francisco, MOHCD provides

additional funds on top of these state financing sources.

#### Challenge

The lack of a coordinated and centralized structure for the management and allocation of housing resources has reduced the effectiveness of our state's response to our housing affordability crisis. In November 2020, a report from the California State Auditor detailed deficiencies in the state's approach to affordable housing finance, concluding that:

- The State lacks a sound, well-coordinated strategy to maximize efficient use its financial resources to support affordable housing.
- The lack of a comprehensive plan allowed one agency to mismanage and ultimately lose \$2.7 billion in bond resources.
- The four agencies' requirements are misaligned and inconsistent, which results in an unnecessarily cumbersome process for awarding financial resources.

Given the tremendous need for affordable housing in this state, and the significant amount of financial resources on the line, it is imperative that we have a coherent and unified housing strategy.

### **Solution/Recommended Proposal**

AB 2305 will establish a Coordinated Housing Finance Committee, which will allocate state-controlled resources for the finance of affordable rental housing through a single process and competition, and will allow an applicant to obtain all necessary state assistance at one time with a single application. Creating a one-stop-shop for affordable housing finance will reduce redundant processes, create operational efficiencies, and make better use of the state's affordable housing dollars.

### **Departments Impacted & Why**

MOHCD is the only department that applies for funding from CA HCD, TCAC/CDLAC, and CalHFA. This bill would significantly streamline the process, resulting in faster and more coordinated funding of our projects. To date many of our projects have been stalled, sometimes for years, due to conflicting priorities from these State departments. The creation of a one-stop-shop would save MOHCD funds due to less landholding costs and building more quickly to avoid rising construction costs. MOHCD bears these costs because we provide larger subsidy loans to affordable housing developers to fill their financing gaps.

### **Fiscal Impact**

In the long term this would save MOHCD money by lowering the per project costs through a streamlined funding system. Thus, MOHCD could provide smaller loans to a given project and put those funds into other projects or use the funds to pay for deeper affordability.

### **Support / Opposition**

Support:

California State Controller (Sponsor)  
AIDS Healthcare Foundation  
California Apartment Association  
San Francisco Bay Area Planning and Urban  
Research Association  
SV@Home Action Fund

No opposition on file



# State Legislation Proposal Form

This form should be used to submit legislative proposals for consideration by the State Legislation Committee. We ask that you keep your submissions under two pages. Before submission, proposals must be reviewed and approved by the Department Head or Commission. Please send completed forms to Eddie McCaffrey in the Mayor’s Office at [edward.mccaffrey@sfgov.org](mailto:edward.mccaffrey@sfgov.org) and cc Susanna Conine-Nakano at [Susanna.Conine-Nakano@sfgov.org](mailto:Susanna.Conine-Nakano@sfgov.org).

<b>Date Submitted</b>	5/17/22
<b>Submitting Department</b>	MOHCD
<b>Contact Name</b>	Sheila Nickolopoulos
<b>Contact Email</b>	sheila.nickolopoulos@sfgov.org
<b>Contact Phone</b>	628-652-7442
<b>Reviewed and approved by Department Head?</b>	X YES <input type="checkbox"/> NO
<b>Reviewed and approved by Commission?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO    X N/A

## SB 948

### Sen. Becker, District 13, Democrat

### Housing finance programs: development reserves

#### Recommended Position

- SPONSOR                                       **SUPPORT**
- SUPPORT if amended**                       **OPPOSE**
- OTHER & Describe**

#### Summary

SB 948 will cut costs for affordable housing projects in California by shifting the responsibility to hold a certain amount of money – what are called “transition reserves” – from the individual project level to a pooled reserve model operated by the Department of Housing and Community Development (HCD).

#### Background/Analysis

State affordable housing programs require some housing to remain affordable for at least 55 years. In some cases, though, affordable rents are supported by federal or local rental assistance contracts (e.g., project-based Housing Choice Vouchers) that have a duration of 15-20 years. As a result, HCD currently requires each development that has rental assistance to set aside enough money up front to continue the assistance for one year after a contract ends in order to transition tenants to higher rents. This is known as a transition reserve. The reserve requirement was originally designed to serve as a backstop in the event that an operating subsidy or voucher program expired. The reserve would be

available in that instance to provide a funding bridge to the development to find a solution to the loss of subsidy, like loan restructuring or ownership transfer, before having to resort to increasing rents on residents to continue operating.

#### Challenge

Transition reserves can range from as low as a few hundred thousand dollars in a small project or a project with a small percentage of affordable units, to over \$3 million in a 100% affordable subsidized project. This is a sizable additional cost to projects that are already dependent on scarce affordable housing funding sources to pay for the cost of the actual housing units and services provided to residents.

However, the risk of rental assistance contracts not being renewed is extremely remote. A 2020 report commissioned by HCD cites the non-renewal rate for the primary rental assistance program as 0.0023%. In essence, HCD requires each development with rental assistance to fully self-insure for an event that is extremely unlikely to happen.

The same HCD-commissioned report recommends that HCD replace the development-specific transition reserve requirement with a department-wide pooled reserve. This would be akin to how insurance

works. Each development would pay a relatively small amount into the reserve, which would then have enough resources to cover the extremely small number of claims for rental assistance contracts that are not renewed. This pooled transition reserve model would save millions of dollars that HCD can use to invest into additional affordable homes.

#### **Solution/Recommended Proposal**

SB 948 eliminates the requirement for each development to hold specific transition reserves and instead authorizes HCD to create a pooled transition reserve to mitigate the impacts on tenants in the unlikely event of a total loss of rental assistance. The bill would apply to housing constructed from a variety of state affordable housing programs, including the Multifamily Housing Program, the Infill Infrastructure Grant Program, the No Place Like Home Program, and a variety of others. SB 948 will free up significant financial resources within many HCD-funded affordable housing projects – resources that can instead be utilized to create more homes for low-income individuals and families in California.

#### **Departments Impacted & Why**

As a gap lender, MOHCD provides the necessary financing to cover the additional costs imposed by HCD's transition reserve requirement. Moving to a pooled transition reserve model would save MOHCD on average \$1.3 million per applicable project, which could then be allocated to other projects or used to allow for deeper affordability targeting. The current policy has cost projects in San Francisco more than \$8.2 million in the last two years alone. MOHCD is the only SF department that uses funding programs from the California Department of Housing and Community Development; no other SF department would be impacted.

#### **Fiscal Impact**

This would reduce costs on future affordable housing projects and thus lower the amount of gap financing that MOHCD would need to provide to the program.

#### **Support / Opposition**

##### Support:

- California Housing Partnership Corporation (Co-Sponsor)
- Housing California (Co-Sponsor)
- All Home
- Brilliant Corners
- California State Association of Counties
- Housing Action Coalition
- Housing Leadership Council of San Mateo County
- Palo Alto Forward
- San Diego Housing Federation
- San Joaquin Valley Housing Collaborative
- Southern California Association of Nonprofit Housing (SCANPH)
- The Kelsey

No Opposition on file



# State Legislation Proposal Form

This form should be used to submit legislative proposals for consideration by the State Legislation Committee. We ask that you keep your submissions under two pages. Before submission, proposals must be reviewed and approved by the Department Head or Commission. Please send completed forms to Eddie McCaffrey in the Mayor's Office at [edward.mccaffrey@sfgov.org](mailto:edward.mccaffrey@sfgov.org) and cc Susanna Conine-Nakano at [Susanna.Conine-Nakano@sfgov.org](mailto:Susanna.Conine-Nakano@sfgov.org).

<b>Date Submitted</b>	6/7/22
<b>Submitting Department</b>	Office of Economic and Workforce Development
<b>Contact Name</b>	Ben Van Houten
<b>Contact Email</b>	ben.vanhouten@sfgov.org
<b>Contact Phone</b>	415-554-7038
<b>Reviewed and approved by Department Head?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>Reviewed and approved by Commission?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

## **SB 930**

### **Sen. Wiener, District 11, Democrat** **Alcoholic beverages: hours of sale**

#### **Recommended Position**

- SPONSOR**                         **SUPPORT**  
 **SUPPORT if amended**         **OPPOSE**  
 **OTHER & Describe**

#### **Summary**

SB 930 would empower seven cities in California – Cathedral City, Coachella, Fresno, Oakland, Palm Springs, San Francisco, and West Hollywood – to participate in a pilot program to enable businesses within those jurisdictions to apply for “additional hours licenses” from the Department of Alcoholic Beverage Control (ABC). Additional hours licenses would allow restaurants, bars, and music venues to serve alcoholic beverages between 2am and 4am.

In order to participate in this pilot program, a city's local governing body would be required to: 1) designate a task force to develop a local plan that satisfies a set of enumerated requirements; 2) adopt the local plan through an ordinance; and 3) submit the adopted plan to ABC.

SB 930 requires that the task force contain at least two members of law enforcement, including one member of the California Highway Patrol. The local plan would be required to, among other elements, identify the areas of the city in which businesses

would be eligible for additional hours licenses, show significant support from local residents and businesses, include a public safety plan created with local law enforcement, and demonstrate the accessibility of transportation services during extended service hours.

After the approval of the local plan, ABC would be able to issue additional hours licenses between January 1, 2025, and January 2, 2030, when the entire program would sunset.

#### **Background/Analysis**

In 1935, the California Legislature adopted a law prohibiting alcohol sales between 2am and 6am across the State. Despite several legislative attempts, that law has remained unchanged over the last eighty-seven years.

SB 930 is largely similar to several past attempts to extend service hours, including SB 58 (Wiener), which died in the Assembly in 2019.

#### **Challenge**

Nightlife is a major economic driver in San Francisco. Prior to the pandemic, our 3,800 nightlife businesses employed over 64,000 people and generated an estimated \$7 billion in annual economic impact. While San



Francisco continues to make progress in its economic recovery, the COVID-19 pandemic has had a devastating impact on our restaurants, bars, performing arts spaces, and music venues. Employment in the San Francisco metro area's leisure and hospitality sector in April 2022 remained down over 23% compared to February 2020, and many nightlife businesses face substantial unpaid rent and other debts accrued over the last two years.

Inflexibility in closing hours places California cities, including San Francisco, at a competitive disadvantage for attracting tourists, conferences, and conventions. A number of major cities across the country and around the world offer later or flexible closing hours, including New York City, Chicago, Washington, D.C., Las Vegas, Atlanta, Barcelona, Tokyo, Berlin, Rio de Janeiro, and Sydney.

---

#### **Solution/Recommended Proposal**

Enabling additional service hours would significantly help San Francisco's nightlife sector to recover from the pandemic and would enhance the City's overall vibrancy. Later service hours would enable restaurants to remain open for dining by swing-shift and overnight workers and other late-night patrons. Additional hours would help music venues host more performances by local musicians and would make our City more competitive in attracting tourists and conventions. Extending and staggering closing times could reduce sidewalk congestion, noise, and the potential for interpersonal conflicts as patrons leave nightlife businesses at the end of an evening.

SB 930 would establish a thoughtful, balanced approach to implementing additional service hours. The bill would ensure that the task force designated with developing a local implementation plan considers public safety, land use, surrounding neighbors, transportation, and other elements to develop a plan specifically tailored to San Francisco's needs. Moreover, the Board of Supervisors would need to approve the plan prior to its submission to

ABC to ensure that the plan appropriately balances all these important interests.

---

#### **Departments Impacted & Why**

If SB 58 is adopted, multiple departments, including the Police Department, Planning Department, Entertainment Commission, and Office of Economic and Workforce Development, would likely participate in the creation and facilitation of a task force and the development of a local additional hours plan.

Following the completion of the local plan, the Police Department would be required to review applications for additional hours licenses. In order to operate between 2am and 4am, business owners would also need to apply for Extended Hours Premises permits from the Entertainment Commission; in some areas, zoning could require business owners to seek Conditional Use Authorization from the Planning Commission in order to operate during those hours.

---

#### **Fiscal Impact**

Staff time from the above-mentioned City departments would be required to participate in the creation and facilitation of a task force and the development of a local additional hours plan. Staff time in administering Extended Hours Premises permits and Conditional Use Authorization requests would be recovered through permit fees.

While the implementation of additional service hours may result in increased law enforcement costs, SB 930 would authorize a local governing body to charge additional hours licensees a fee to fund local law enforcement efforts.

---

#### **Support / Opposition**

None on record