



STATE LEGISLATION COMMITTEE
Wednesday, February 15, 2023
11:00am – 12:00pm
City Hall, Room 201 and WebEx

This meeting will be held in hybrid format pursuant to Section 1(b)(iii) of the Mayor's 45th Supplement to the Proclamation of Local Emergency. Members of the public may attend and provide public comment in person at the meeting location identified above or may attend and provide public comment remotely via WebEx. To join the meeting via WebEx, please use the following access information:

<https://sfgov.webex.com/sfgov/j.php?MTID=m2e3b09e1e896a15e331e7974a1fdd51d>

Meeting ID: 2487 313 5279/ **Meeting Password:** MCpJsnPc354 (62757672 from phones) **Join by Phone at** +1-415-655-0001

(Public Comment Instructions available on page 5)

MEMBERS:

Mayor's Office (Chair) – Sarah Owens
Supervisor Dean Preston -- Preston Kilgore
Supervisor Connie Chan -- Kelly Groth
Assessor's Office -- Holly Lung
City Attorney's Office -- Rebekah Krell
Controller's Office -- Calvin Quock
Treasurer's Office -- Eric Manke

AGENDA

I. ROLL CALL

II. FINDINGS TO ALLOW TELECONFERENCED MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION 54953(e) (Action Item).

Discussion and possible adoption of a resolution setting forth findings required under Assembly Bill 361 (AB 361) that would allow the State Legislation Committee to hold meetings, or for members of the State Legislation Committee to attend meetings, when necessary, remotely according to the modified Brown Act teleconferencing set forth in AB 361.

III. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting on August 3, 2022.

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

V. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee with 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: Kathryn Angotti

AB 251 (Ward): California Transportation Commission: vehicle weight safety study

Recommended Position: Support and Seek Amendments

This bill would require the California Transportation Commission (CTC) to convene a task force to study the relationship between vehicle weight and injuries to vulnerable road users, such as pedestrians and cyclists, and to study the costs and benefits of imposing a passenger vehicle weight fee. The bill also requires the CTC to prepare and submit a report of the task force's findings to the Legislature by January 1, 2026.

Office of Economic and Workforce Development

Presenter: Ben VanHouten

SB 76 (Wiener): Alcoholic beverages: music venue license: entertainment zones: consumption

Recommended Position: Support

Senate Bill 76 would make two important changes to state alcohol laws to further support California's economic recovery. First, the bill would enable local jurisdictions to create outdoor "entertainment zones" that would enable bars and restaurants to sell takeout alcoholic beverages to patrons for consumption at street fairs, outdoor festivals, and other events.

SB 76 would also enable music venues to apply for catering licenses and event permits to offer alcohol service at a limited number of events, such as weddings or corporate events, that do not involve entertainment.

VI. 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.

VII. 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. 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.

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.

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 Sarah Owens, Manager, State and Federal Affairs, Mayor's Office at: sarah.owens@sfgov.org.

**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.

February 15, 2023 State Legislation Committee

View the meeting:

<https://sfgov.webex.com/sfgov/j.php?MTID=m2e3b09e1e896a15e331e7974a1fd51d>

NOTE: Depending on your broadband/WIFI connection, there may be a 30-second to 2-minute delay when viewing the meeting live.

PUBLIC COMMENT CALL-IN: +1-415-655-0001 Access code: 2487 313 5279
Webinar password: MCpJsnPc354 (62757672 from phones)

Information Regarding Providing Public Comment

- Each individual may comment 1 time per agenda item.
- Each individual may speak for up to 2 minutes; after which time the line is automatically silenced.
- To make public comment on a specific agenda item, dial in using the information above when the item is called.
- Dial *3 to be added to the public comment queue for this item.
- When it is your time to speak, you will hear "Your line has been unmuted."
- Ensure you are in a quiet location.
- Before you speak, mute the sound of any equipment around you including televisions, radios, and computers. It is especially important that **you mute your computer** so there is no echo sound when you speak.
- When the Commission Secretary states, "Next Caller," you are encouraged to state your name clearly. As soon as you speak, your 2 minute allotment will begin.
- After you speak, you will go back to listening mode. You may stay on the line to provide public comment on another item.

**RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED
MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION
54953(e)**

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

WHEREAS, In February 25, 2020, the Mayor of the City and County of San Francisco (the “City”) declared a local emergency, and on March 6, 2020 the City’s Health Officer declared a local health emergency, and both those declarations also remain in effect; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; those orders remain in effect, so City law currently allows policy bodies to meet remotely if they comply with restrictions in State law regarding teleconference meetings; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the City’s Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at www.sfdph.org/healthorders) and one directive (Health Officer Directive No. 2020-33i, available online at www.sfdph.org/directives) that continue to recommend measures to promote physical distancing and other social distancing measures, such as masking, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health (“Cal/OSHA”) has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in

California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City's Department of Public Health, in coordination with the City's Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks (as required by Health Officer Order No. C19-07), using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with any attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, On July 31, 2020, the Mayor issued an emergency order that, with limited exceptions, prohibited policy bodies other than the Board of Supervisors and its committees from meeting in person under any circumstances, so as to ensure the safety of policy body members, City staff, and the public; and

WHEREAS, State Legislation Committee has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; now, therefore, be it

RESOLVED, That State Legislation Committee finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, State Legislation Committee has considered the circumstances of the state of emergency.
2. As described above, State and City officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings.
3. As described above, because of the COVID-19 pandemic, conducting meetings of this body in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in person; and, be it

FURTHER RESOLVED, That for at least the next 30 days meetings of State Legislation Committee will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings of State Legislation Committee that occur by teleconferencing technology will provide an opportunity for members of the public to address this body and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it

FURTHER RESOLVED, That the Committee Chair of State Legislation Committee is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of State Legislation Committee within the next 30 days. If State Legislation Committee does not meet within the next 30 days, the Committee Chair is directed to place a such resolution on the agenda of the next meeting of State Legislation Committee.



STATE LEGISLATION COMMITTEE
Wednesday, August 3, 2022
11:00am – 1:00pm
City Hall, Room 201 and WebEx

This meeting will be held in hybrid format pursuant to Section 1(b)(iii) of the Mayor’s 45th Supplement to the Proclamation of Local Emergency. Members of the public may attend and provide public comment in person at the meeting location identified above or may attend and provide public comment remotely via WebEx. To join the meeting via WebEx, please use the following access information:

<https://ccsf.webex.com/ccsf/j.php?MTID=m19d4fa87b85b1e53e25e5f430281b19b>

Meeting ID: 2485 669 9869 / **Meeting Password:** mtE6yd6aPV3 (68369362 from phones) **Join by Phone** at +1-415-655-0001

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 -- Albert Lin
Treasurer’s Office -- Eric Manke

AGENDA

Meeting commenced at 11:04am.

I. ROLL CALL

Present: Edward McCaffrey, Kelly Groth, Rebekah Krell, Eric Manke, Albert Lin

Absent: Holly Lung, Preston Kilgore

II. FINDINGS TO ALLOW TELECONFERENCED MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION 54953(e) (Action Item).

Discussion and possible adoption of a resolution setting forth findings required under Assembly Bill 361 (AB 361) that would allow the State Legislation Committee to hold meetings, or for members of the State Legislation Committee to attend meetings, when necessary, remotely according to the modified Brown Act teleconferencing set forth in AB 361.

Public Comment: No Public Comment.

Motion to Adopt Resolution Allowing Teleconferenced Meetings Under California Government Code Section 54953(e): Edward McCaffrey

Seconded by: Eric Manke

Approved: 5-0

III. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting on May 18, 2022 and June 15, 2022.

Public Comment: No public comment.

Motion to Approve: Edward McCaffrey

Seconded by: Kelly Groth

Approved: 5-0

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

Presenter: Paul Yoder, Partner, Shaw Yoder Antwih Schmelzer & Lange

V. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee with 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 and San Francisco Planning Department

Presenter: Kathryn Angotti

SB 932 (Portantino): General plans: circulation element: bicycle and pedestrian plans and traffic calming plans

Recommended Position: Oppose

This bill requires that the next update of the Transportation Element of the General Plan include bicycle plans, pedestrian plans and traffic calming plans. Failure to implement these plans within two years would create a cause of action for bicyclists, pedestrians and users of micromobility devices injured as a result of a collision with a vehicle within corridors with large pedestrian and bicycle volumes.

Public Comment: No public comment.

Motion to Oppose SB 932: Edward McCaffrey

Seconded by: Eric Manke

Approved: 5-0

San Francisco Film Commission

Presenter: Lisa Pagan

SB 485 (Portantino): Tax Credit: Motion Picture Credit Extension

Recommended Position: Support If Amended

SB 485 would extend the California Film and Tax Credit Program 3.0 to 2030. We recommend supporting the bill if it is amended to include a 10% credit for filming in one of the nine Bay Area Counties (Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, Sonoma, and San Francisco).

Public Comment: No Public Comment.

Motion to Support if Amended SB 485: Edward McCaffrey

Seconded by: Kelly Groth

Approved: 5-0

San Francisco Public Utilities Commission

Presenter: Scott Ammon

SB 717 (Dodd): Broadband communications: report

Recommended Position: Oppose Unless Amended

This bill would require the California Department of Technology to do a report to the Legislature that reviews and identifies barriers to and opportunities for the buildout of broadband access points on public and private property as well as access to mobile and fixed broadband infrastructure for low-income tribal, urban, and rural customers, and underserved communities.

Public Comment: No Public Comment.

Motion to Oppose Unless Amended SB 717: Edward McCaffrey

Seconded by: Kelly Groth

Approved: 5-0

Office of Small Business

Presenter: Kerry Birnbach

AB 2164 (Lee): Disability access: certified access specialist program

Recommended Position: Support

Current law requires that a City or a County include an additional four-dollar fee to any business license, instrument, permit, or building permit to support disability access education and improvements. Ten percent of that fee goes to the Division of the State Architect's (DSA) Disability Access and Education Revolving Fund, to be used to support accessibility improvements in places of public accommodation. Local jurisdictions receive the other 90% of the fee. On January 1 2024, local jurisdictions will receive 70% of the fee, and the fee will decrease to one dollar. This bill would remove the sunset date of the four-dollar fee, and remove the sunset of the 90% fee allocation going to local jurisdictions, making the business license/permit fee of \$4 permanent, and the 90% allocation to local jurisdictions permanent. AB 2164 would also

require cities or counties to annually report total fees collected, total number of small businesses who received financial assistance and the amount of financial assistance provided to the California Commission on Disability Access (CCDA).

Public Comment: No Public Comment.
Motion to Support AB 2164: Eric Manke
Seconded by: Kelly Groth
Approved: 5-0

Department of Environment

Presenter: Kyle Wehner

AB 2026 (Friedman): Recycling: plastic packaging
Recommended Position: Support

This bill would require online (e-commerce) retailers that ship purchased products in or into California to reduce from 2023 levels the total weight and number of units of single-use plastic shipping envelopes, cushioning, and void fill used to ship or transport products by an unspecified percentage set by CalRecycle by 2030. The bill would establish exemptions from these requirements.

Public Comment: No Public Comment.
Motion to Support AB 2026: Kelly Groth
Seconded by: Eric Manke
Approved: 5-0

Department on the Status of Women

Presenter: Daisy Prado

AB 1242 (Bauer-Kahan): Reproductive Rights
Recommended Position: Support

The purpose of AB 1242 is to prohibit third-party enforcement from arresting a person for performing or aiding in the performance of a lawful abortion or for obtaining an abortion and to prohibit law enforcement agencies from cooperating with or providing information to an individual or agency from another state regarding a lawful abortion.

Public Comment: No Public Comment.
Motion to Support AB 1242: Edward McCaffrey
Seconded by: Kelly Groth
Approved: 5-0

AB 2091 (Bonta): Disclosure of information: reproductive health and foreign penal civil actions
Recommended Position: Support

AB 2091 enhances privacy protections in California for medical records related to abortion and pregnancy.

Public Comment: No public comment.
Motion to Support AB 2091: Edward McCaffrey
Seconded by: Kelly Groth
Approved: 5-0

AB 2223 (Wicks): Reproductive Health
Recommended Position: Support

AB 2223 protects people from prosecutions and criminalization of abortion or pregnancy loss. It also protects patients that self-manage their abortion.

Public Comment: No Public Comment.
Motion to Support AB 2223: Edward McCaffrey
Seconded by: Eric Manke
Approved: 5-0

SB 1142 (Caballero): Abortion Services
Recommended Position: Support

Senate Bill 1142 would fund the work of abortion fund organizations, abortion providers, or other community-based organizations that secure practical support needs for patients. The bill would also require California Health and Human Services Agency (CHHS) to develop, implement, and update as necessary, a statewide educational and outreach campaign to inform the public on how to access abortion services in the state.

Public Comment: No Public Comment.
Motion to Support SB 1142: Edward McCaffrey
Seconded by: Kelly Groth
Approved: 5-0

SB 1245 (Kamlager): LA County Abortion Access Safe Haven Pilot Program
Recommended Position: Support

SB 1245 establishes the Los Angeles County Abortion Access Safe Haven Pilot Program for the purpose of expanding and improving access to sexual and reproductive health care, including abortion, in Los Angeles County.

Public Comment: No Public Comment.
Motion to Support SB 1245: Edward McCaffrey
Seconded by: Kelly Groth
Approved: 5-0

San Francisco Board of Supervisor Rafael Mandelman (District 8)
Presenter: Jacob Bintliff

AB 916 (Salas): Zoning: accessory dwelling units: bedroom addition

Recommended Position: Support If Amended

The bill is ostensibly intended to ease production of ADUs by increasing the height limits on ADUs provided under the existing State program. The bill additionally waives local hearing requirements for projects that add bedrooms to an existing dwelling unit.

Public Comment: Member of the public spoke in support of the support of the recommended position.

Motion to Support if Amended AB 916: Edward McCaffrey

Seconded by: Kelly Groth

Approved: 5-0

VI. 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.

No Public Comment.

VII. ADJOURNMENT

Meeting adjourned at 12:02pm.

State Legislation Committee 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 Sarah Owens at Sarah.Owens@sfgov.org and cc Susanna Conine-Nakano at Susanna.Conine-Nakano@sfgov.org.

Date Submitted	Monday, February 6, 2023
Submitting Department	SFMTA
Contact Name	Katie Angotti
Contact Email and Phone Number	Kathryn.angotti@sfmta.com
SLC Meeting Presenter	Katie Angotti
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 Bill 251

Asm. Ward, District 78, Democrat

California Transportation Commission: vehicle weight safety study

Recommended Position

SPONSOR SUPPORT SUPPORT if amended OPPOSE SUPPORT AND Seek Amendments

Summary

This bill would require the California Transportation Commission (CTC) to convene a task force to study the relationship between vehicle weight and injuries to vulnerable road users, such as pedestrians and cyclists, and to study the costs and benefits of imposing a passenger vehicle weight fee. The bill also requires the CTC to prepare and submit a report of the task force's findings to the Legislature by January 1, 2026.

Background/Analysis

There is a growing body of research that indicates that heavy vehicles pose increased safety risks to pedestrians and cyclists in a collision. Larger SUVs and trucks generate additional force during a crash, endangering anyone not inside them. Researchers have linked the ascent of SUVs to the rising number of American pedestrian deaths in metropolitan areas, which hit a 40-year high in 2021.

NTSB Chair Jennifer Homendy recently gave remarks noting:

"I'm concerned about the increased risk of severe injury and death for all road users from heavier curb weights and increasing size, power, and performance of vehicles on our roads, including electric vehicles.

Now I want to be clear: I'm inspired by the Administration's commitment to phasing out carbon emissions. We do have a climate crisis that needs to be addressed. The U.S. transportation sector accounts for the largest portion of U.S. greenhouse gas emissions, and I firmly believe it is a human right to breathe clean air.

But we have to be careful that we aren't also creating unintended consequences: more death on our roads. Safety, especially when it comes to new transportation policies and new technologies, cannot be overlooked,"

As noted, heavier vehicles may emit more carbon dioxide per mile than smaller vehicles as they require more energy for propulsion.

As part of their 2023 budget, Washington D.C. tripled the fees on vehicles that weigh more than 6,000 pounds while the fee for cars weighing 3,500 pounds or less stayed the same. District officials cited that heavier vehicles are bad for the environment, impact their roads, and pedestrians or cyclists hit by heavy vehicles are two to three times more likely to die. Norway also recently implemented new taxes on car purchases that scale with vehicle weight.

Challenge

Currently, there is no state law to disincentivize the purchase of large vehicles or to account for the safety and environmental externalities that they impose to society.

Pros:

A weight fee could change consumer behavior in the direction of purchasing smaller vehicles that are better for the environment, the efficiency of our roadway as heavier vehicles tend to be larger vehicles, and traffic safety. This is consistent with the City's Vision Zero goals.

Cons:

Imposing weight fees could disincentivize consumers from purchasing electric vehicles as some electric vehicles may be considered "heavy vehicles" due to the size and weight of the battery. The City of San Francisco's goal is for 100% of new vehicle registrations to be all- electric by 2030. The City's goal does not distinguish between large and small electric vehicles.

Notably, **this bill does not impose a weight fee**. It only studies it and will make a recommendation to the Legislature after the analysis is concluded.

Solution/Recommended Proposal

The bill proposed to establish a task force consisting of state agencies, local transportation agencies, safety advocates and representatives of the auto industry to analyze the relationship between vehicle weight and vulnerable road user injuries and fatalities. The task force must discuss how passenger vehicle weight fees may change consumer behavior and how revenues generated by a weight fee could be spent on traffic safety improvements.

SFMTA's recommended amendment: We propose supporting this bill and seeking amendments. We recommend that the task force also consider the impacts of allowing local authorities to charge for parking based on vehicle weight. The Vehicle Code currently does not provide cities with explicit authority to do this. This could offset the parking related impacts of heavy vehicles:

1. Larger vehicles put strain on City owned garages
2. Because weight is a proxy for size, a bigger vehicle takes more on-street parking space than smaller vehicles
3. Larger vehicles parked on-street create sightline problems for drivers, especially when parked near intersections and crosswalks, along parking-protected bikeways, and along two-way or contra-flow bikeways.

Departments Impacted & Why

Department of Environment may be interested in this as it related to electric vehicles.

Fiscal Impact

None

Support / Opposition

None recorded.

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Date Submitted	2/6/23
Submitting Department	OEWD
Contact Name	Ben Van Houten
Contact Email and Phone Number	ben.vanhouten@sfgov.org / 415-554-7038
SLC Meeting Presenter	Ben Van Houten
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

SB 76

Sen. Wiener, Senate District 11, Democrat Music Venue Licenses and Entertainment Zones

Recommended Position

SPONSOR SUPPORT SUPPORT if amended OPPOSE OTHER & Describe

Summary

Senate Bill 76 would make two important changes to state alcohol laws to further support California’s economic recovery. First, the bill would enable local jurisdictions to create outdoor “entertainment zones” that would enable bars and restaurants to sell takeout alcoholic beverages to patrons for consumption at street fairs, outdoor festivals, and other events.

SB 76 would also enable music venues to apply for catering licenses and event permits to offer alcohol service at a limited number of events, such as weddings or corporate events, that do not involve entertainment.

Background/Analysis

Before the pandemic, outdoor event producers would typically acquire temporary liquor licenses to serve alcohol to attendees. With the pandemic’s devastating impact on restaurants and bars, some fairs have forgone alcohol sales to encourage attendees to support nearby businesses. Additionally, downtown restaurants and bars are exploring creative strategies to increase outdoor activities to attract patrons to their businesses.

In 2022, the Legislature adopted SB 793 with broad bipartisan support, creating a new type of liquor license for live music venues that enables alcohol service before, during, and after entertainment performances. Under existing law, restaurants, bars, and social clubs may acquire catering licenses that restaurants and bars use to sell alcohol at events. A restaurant or bar may also extend its liquor license to adjacent property four times a year using an event permit. At present, music venue licensees may not acquire catering licenses and event permits.

Challenge

Existing law prevents restaurants and bars from participating in, and generating revenue from, nearby outdoor events. While restaurants and bars statewide are struggling to recover from the pandemic, the challenges are especially acute in downtown districts where new outdoor activations are critical to recovery efforts.

Live music venues also play an important role in our continued economic recovery. While live performances make up the vast majority of events held at music venues, many San Francisco

venues also rely on significant income from a small number of other public or private events, including fundraisers, weddings, and corporate events. These events do not always involve live performances, preventing venues from serving alcohol with a music venue liquor license.

Solution/Recommended Proposal

Under SB 76, local governments would be able to designate “entertainment zones,” where restaurants and bars would be able to sell alcoholic beverages for consumption in the specified zone. Local legislative bodies would be empowered, but not required, to adopt ordinances to create these zones, and would be able to impose operating conditions (such as around days and hours of operation) to ensure their success. Similar programs to create “outdoor refreshment areas” have proven successful in supporting small businesses and downtown districts in other states, including in Michigan, Ohio, and North Carolina.

SB 76 would also enable music venue licensees to acquire catering licenses and event permits in order to serve alcohol at a limited number of events at their venue that do not involve entertainment. This approach would enable music venues to continue to host weddings and other events that help sustain their entertainment programming and overall operations.

Departments Impacted & Why

The ability to create entertainment zones would provide a critical tool to support downtown activation activities in alignment with OEWD’s work to support downtown recovery. Departments typically involved in street closures may also be impacted by the establishment of entertainment zones in conjunction with these closures, including SFMTA, SFPD, SFFD, and Public Works among others.

Fiscal Impact

SB 76 will not have any direct fiscal impact. If the bill passes and the San Francisco Board of Supervisors chooses to adopt any entertainment zones, it is possible that the operation of these zones could require increased public safety staffing or other City resources. However, event operators may be required to pay for additional City services where needed, and potential fiscal impacts would presumably be considered as part of the Board’s deliberations in establishing a zone.

Support / Opposition

SB 76 is sponsored by the National Independent Venue Association’s California chapter. We are not aware of any opposition at present.