

File No. 201422 Committee Item No. 5  
 Board Item No. 17

**COMMITTEE/BOARD OF SUPERVISORS**  
 AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date March 1, 2021

Board of Supervisors Meeting Date March 9, 2021

**Cmte Board**

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|-------------------------------------|--------------------------|----------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU                                          |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

**OTHER (Use back side if additional space is needed)**

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral FYI 010521</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>SBC Response 011921</u> |
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Completed by: Erica Major Date February 26, 2021  
 Completed by: Erica Major Date \_\_\_\_\_

1 [Urging Departments to Create a Permanent Shared Spaces Program]

2

3 **Resolution urging the Office of Economic and Workforce Development, Planning**  
4 **Department, Municipal Transportation Agency, Department of Public Works, Fire**  
5 **Department, and Recreation and Parks Department to develop a proposal for a**  
6 **permanent Shared Spaces Program; and affirming the Board of Supervisors’ support**  
7 **for creating a permanent version of the program.**

8

9 WHEREAS, The global pandemic, caused by COVID-19, has led to an economic crisis  
10 of an unprecedented magnitude; and

11 WHEREAS, The City and County of San Francisco and the State of California are  
12 under a State of Emergency that has required businesses to cease certain operations for  
13 various, often predictable, periods of time; and

14 WHEREAS, As of December 6, 2020, given the recent increase in COVID-19 cases in  
15 San Francisco, most small business activities have been paused indefinitely, including  
16 outdoor dining; and

17 WHEREAS, According to the California Employment Development Department, the  
18 City’s restaurant sector, which pre-COVID employed roughly 60,000, has lost more than  
19 30.5% of it’s workforce and observed dramatic losses in sales; and

20 WHEREAS, The City’s arts and entertainment and recreation sectors, which pre-  
21 COVID, employed 14,000 has lost more than 30% of its workforce and observed dramatic  
22 losses in sales; and

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1           WHEREAS, Although San Francisco and California do not currently report which  
2 activities contribute to the spread of COVID, New York City recently released data indicating  
3 that private household and social gatherings were the largest contributor to COVID spread at  
4 74%; and

5           WHEREAS, The local San Francisco Health Officer has presented to the Small  
6 Business Commission that while indoor dining increases the risk of COVID spread, there is no  
7 clear linkage between outdoor dining and the spread of the virus; and

8           WHEREAS, The distribution of local, State, and Federal relief to small businesses has  
9 been limited and uneven; and

10          WHEREAS, Aside from direct cash stimulus, the use of public outdoor space is one of  
11 the few options left to save small businesses from permanent closure during the pandemic  
12 and its aftermath; and

13          WHEREAS, The Shared Spaces program launched in June 2020 and allows local  
14 businesses to apply to temporarily use public spaces to operate outside in a safe, socially  
15 distanced way in order to promote public health, help struggling businesses survive, and  
16 contribute to a vibrant street life on our commercial corridors; and

17          WHEREAS, The program is a multi-agency collaboration born out of the city's  
18 Economic Recovery Task Force; and

19          WHEREAS, The Shared Spaces program has been in effect for approximately six  
20 months and has generated 2,281 applications with nearly 2,000 approved or partially  
21 approved to create Shared Spaces; and

22          WHEREAS, There are currently seven different types of permits that businesses can  
23 apply for under the Shared Spaces Program: Sidewalk Permits, Curbside Lane Permits,  
24 Street Closure Permits, Private Property Permits, Port Property Permits, Recreation and  
25 Parks Department Property Permits, and Just Add Music (JAM) Permits; and

1           WHEREAS, The Shared Spaces program has provided a lifeline to small businesses,  
2 activated neighborhoods, beautified commercial corridors, and created community; and

3           WHEREAS, From the Shared Spaces Impact survey of 1,600 small business owners in  
4 San Francisco, 80% wanted to continue operating outdoors and 90% said these shared  
5 outdoor spaces have kept them from closing permanently; and

6           WHEREAS, Shared Spaces permits were initially scheduled to expire at the end of  
7 2020, but in October, permits were extended through June 30, 2021; and

8           WHEREAS, On October 8, 2020, Mayor London Breed established her support for  
9 moving forward on creating a plan to make elements of the Shared Spaces program  
10 permanent, and an analysis of how to make parts of the program permanent is currently  
11 underway; and

12           WHEREAS, As Shared Spaces transitions from an emergency lifeline for small  
13 businesses to a potentially long-term use of public space, stakeholders, City staff and  
14 members of the public have grappled with a range of related policy issues, including:  
15 navigating who is responsible for maintaining Shared Spaces in a safe and sanitary manner;  
16 expanding design standards to enhance public safety, prohibit hostile design, and to ensure  
17 effective architectural integration into permanent elements of the City's streetscape and  
18 commercial corridors; ensuring that commercial use of public space does not unfairly exclude  
19 any member of the public, and establishing fees and other financial incentives to ensure that  
20 free, public access is prioritized; implementing the Shared Spaces program in a way that is  
21 equitable and reflects the ethnic and cultural diversity of eligible small businesses across San  
22 Francisco; implementing tools for tracking the City's response to public feedback and for  
23 mediating disputes between competing uses of public space; and ensuring that  
24 interdepartmental coordination is conducive to an easily navigable permit system and the fair  
25 and even enforcement of conditions of the Shared Spaces program; and

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WHEREAS, The Small Business Commission has unanimously established their support for a more permanent Shared Spaces program to last at least three years via SBC Resolution No. 2020-002 in July of 2020; and

WHEREAS, The Economic Recovery Task Force established their support for a more permanent Shared Spaces program for long-term economic recovery in their October 2020 Report, recommending that the Program be extended three years until December 31, 2023, “so as to give businesses an incentive to make their spaces attractive, and give them certainty that the program will be a worthwhile investment;” and

WHEREAS, The Board of Supervisors unanimously established their support for the Shared Spaces program via Resolution No. 495-20; and

WHEREAS, The Board also unanimously passed an Ordinance (File No. 200786) waiving permit and renewal fees in the Public Works Code for café tables and chairs in public sidewalks and roadway areas, and waiving fees for use of parklets until April 2022; and

WHEREAS, Other metro areas with programs similar to Shared Spaces, like New York City, have already established permanent programs to support small businesses; now, therefore, be it

RESOLVED, That the Board of Supervisors supports a permanent Shared Spaces program; and, be it

FURTHER RESOLVED, That the Board urges the Office of Economic and Workforce Development, Municipal Transportation Agency, Planning Department, Fire Department, Department of Public Works, and Recreation and Parks Department to develop a proposal to make permanent a Shared Spaces program in prior to the current expiration date of the Shared Spaces program on June 1, 2021, or any extension of that term pursuant to the COVID-19 emergency; and, be it

1            FURTHER RESOLVED, That the Board supports streamlined and timely permitting in a  
2 permanent program that are currently core tenets of the Shared Spaces program; and, be it

3            FURTHER RESOLVED, That Board urges Departments to work together to prioritize  
4 equitable City-wide participation in a permanent Shared Spaces program.

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CITY AND COUNTY OF SAN FRANCISCO  
LONDON BREED, MAYOR

OFFICE OF SMALL BUSINESS  
REGINA DICK-ENDRIZZI, DIRECTOR

January 19, 2020

Ms. Angela Calvillo, Clerk of the Board  
City Hall Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

RE: BOS File No. 201422 – Urging Departments to Create a Permanent Shared Spaces Program.

Small Business Commission Recommendation to the Board of Supervisors: **Support.**

Dear Ms. Calvillo,

On January 11, 2020 the Small Business Commission (SBC or Commission) heard BOS File No. 201422 – Urging Departments to Create a Permanent Shared Spaces Program. Courtney McDonald, Legislative Aide to Supervisor Matt Haney, provided the SBC with an overview of the resolution.

The Commission engaged in a substantive discussion regarding the resolution and what a permanent Shared Spaces program may look like. They emphasized equity in community participation and in administration of a potentially permanent program.

Creating a permanent Shared Spaces program advances the Economic Recovery Task Force's recommendations to preserve the operation of and lessen regulatory burdens for small businesses through extending, improving, and supporting the Shared Spaces Program and reinforces advocacy efforts of the Commission.

The SBC voted (7-0) to recommend that the Board of Supervisors support the resolution.

Thank you for considering the Commission's recommendation. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Regina Dick-Endrizzi".

Regina Dick-Endrizzi  
Director, Office of Small Business

cc: Matt Haney, Member, Board of Supervisors  
Sophia Kittler, Mayor's Liaison to the Board of Supervisors  
Joaquin Torres, Director, Office of Economic and Workforce Development  
Jeffrey Tumlin, Director, San Francisco Municipal Transportation Agency  
Jeanine Nicholson, Chief, San Francisco Fire Department  
Alaric Degrafinried, Interim Director, Public Works  
Phil Ginsburg, General Manager, Recreation and Parks Department  
Erica Major, Clerk, Land Use and Transportation Committee



**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Major, Erica \(BOS\)](#); [Haneystaff \(BOS\)](#)  
**Subject:** FW: SFCDMA Letter re #201422, Shared Spaces Program, at Land Use Mon. 3.1.21  
**Date:** Monday, March 1, 2021 9:14:53 AM  
**Attachments:** [SFCDMA FINAL Letter #201422.pdf](#)

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**From:** Dee Dee Workman <deedee@sfcdma.org>  
**Sent:** Saturday, February 27, 2021 1:06 PM  
**To:** Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Cc:** Dick-Endrizzi, Regina (ECN) <regina.dick-endrizzi@sfgov.org>; sharky laguana <sharky@bandago.com>; SBC (ECN) <sbcs@sfgov.org>; Abad, Robin (CPC) <robin.abad@sfgov.org>  
**Subject:** SFCDMA Letter re #201422, Shared Spaces Program, at Land Use Mon. 3.1.21

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Supervisor Melgar and Members of the Board of Supervisors,

On behalf of Maryo Mogannam, President of the San Francisco Council of District Merchants Associations, please find the attached letter on Sup. Haney's Resolution (File #201422) regarding the Shared Spaces Program coming to Land Use Monday March 1, 2021.

To be distributed to all Supervisors and Small Business Commissioners.

Thank you.

*Dee Dee Workman*  
*Public Policy Advisor*  
*San Francisco Council of District Merchants Associations*  
[deedee@sfcdma.org](mailto:deedee@sfcdma.org)  
415-533-8130



# San Francisco Council of District Merchants Associations

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Maryo Mogannam  
President

Masood Samereie  
Vice-President

Al Williams  
Vice-President

Tracey Sylvester  
Secretary

Keith Goldstein  
Treasurer

February 26, 2021

The Honorable Myrna Melgar, Chair  
Land Use and Transportation Committee  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, #244  
San Francisco, CA 94102

RE: File #201422, Urging Departments to Create a Permanent Shares Spaces Program

Dear Supervisor Melgar and Members of the Board of Supervisors,

Thank you for your leadership in these unprecedentedly challenging times. I believe that as we look back at 2020, we will see that this adversity has brought many of us that are a part of the San Francisco "family" closer and made us stronger for the betterment of our City.

The San Francisco Council of District Merchants Associations (SFCDMA) has served to protect, preserve, and promote small businesses in San Francisco for 70 years. We represent 34 local merchant associations and advocate for all local merchants in every neighborhood commercial district.

We are writing in response to Supervisor Haney's Resolution (File #201422) coming to the Land Use and Transportation Committee of the Board of Supervisors on March 1, 2021 regarding the Shared Spaces Program. We appreciate the efforts Supervisor Haney and all Supervisors are making to help small neighborhood merchants survive and thrive as we begin to reopen and move through and beyond the COVID-19 pandemic.

San Francisco's merchant corridors help define the character of each of our individual neighborhoods. Local merchants contribute to San Francisco's reputation as a uniquely livable city in which to work, live and visit. It is therefore imperative that we continue to collaborate to find creative and equitable solutions that will ensure the economic recovery of local small businesses of every kind in all neighborhoods across the city.

The SFCDMA has supported the Shared Spaces Program as an emergency program. We are supportive of its continuation as a permanent Program with increasing and inclusive input from local merchants regarding equitable allocation of curb space, and with sensitivity to the fact that currently 95% of shared spaces are food based.

Thank you again for your support of San Francisco's merchants and merchant associations.

Sincerely,

  
Maryo Mogannam, President  
San Francisco Council of District Merchants Associations

cc: Clerk of the Board of Supervisors, to be distributed to all Supervisors; Clerk of the Small Business Commission, to be distributed to all Commissioners; Sharky Laguana, SBC President; Regina Dick-Endrizzi, OSB Executive Director

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Major, Erica \(BOS\)](#)  
**Subject:** FW: toxic waste on treasure island - action now!  
**Date:** Monday, March 1, 2021 9:19:37 AM

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**From:** Rachel Ball-Jones <balljonesr@gmail.com>  
**Sent:** Saturday, February 27, 2021 8:21 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** toxic waste on treasure island - action now!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear board of supervisors,

I'm a constituent of the 5th district writing to express my concern about the toxic environment on Treasure Island. Just recently, a [young boy](#) was diagnosed with a brain tumor that's suspected to be linked to waste from the island. The rest of his family suffers from hair loss and mysterious respiratory issues. Many residents of the island have claimed similar issues over the years (see these articles from a quick [Google search](#)). In spite of a shocking amount of evidence, nothing has been done and the Navy continues to claim that the environment of the island is safe to build on. Supervisor Haney's request for a public forum is a good start, but not nearly enough to fix what's gone wrong.

Every week, I tutor a young island resident in reading. He describes how his friends play on the island - they poke around the abandoned buildings, they look for treasures in the rocks by the shore. Typical kid stuff. It makes me sick to think that my student's family has been duped - they've chosen a safe life for their kids away from the big city, and every day their son is exposed to radiation and toxic chemicals. Kids deserve better from their government, and the board of supervisors has the opportunity to fix these issues.

Before building begins on the new residential buildings on the island, the city must ensure that proper waste disposal is done, that the residents of the island are engaged appropriately, and where necessary compensated for their losses and their exposures.

Best,  
Rachel

BOARD of SUPERVISORS



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

## MEMORANDUM

TO: Rich Hillis, Director, Planning Department  
Joaquin Torres, Director, Office of Economic and Workforce Development  
Jeffrey Tumlin, Executive Director, Municipal Transportation Agency  
Jeanine Nicholson, Chief, Fire Department  
Alaric Degrafinried, Interim Director, Public Works  
Phil Ginsburg, General Manager, Recreation and Parks Department

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: January 5, 2021

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Haney on December 22, 2020:

**File No. 201422**

**Resolution urging the Office of Economic and Workforce Development, Planning Department, Municipal Transportation Agency, Department of Public Works, Fire Department, and Recreation and Parks Department to develop a proposal for a permanent Shared Spaces Program; and affirming the Board of Supervisors' support for creating a permanent version of the program.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [erica.major@sfgov.org](mailto:erica.major@sfgov.org).

cc: Corey Teague, Planning Department  
Dan Sider, Planning Department  
Laura Lynch, Planning Department  
Scott Sanchez, Planning Department  
Lisa Gibson, Planning Department  
Devyani Jain, Planning Department  
Adam Varat, Planning Department  
AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department  
Andrea Ruiz-Esquide, Deputy City Attorney

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Joy Navarrete, Planning Department

J'Wel Vaughn, Office of Economic and Workforce Development  
Anne Taupier, Office of Economic and Workforce Development  
Lisa Pagan, Office of Economic and Workforce Development  
Kate Breen, Municipal Transportation Agency  
Janet Martinsen, Municipal Transportation Agency  
Joel Ramos, Municipal Transportation Agency  
Theresa Ludwig, Fire Department  
David Steinberg, Public Works  
Jeremy Spitz, Public Works  
John Thomas, Public Works  
Lena Liu, Public Works  
Sarah Madland, Recreation and Parks Department

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

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

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

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

Sponsor(s):

Haney

Subject:

Urging Departments to Create a Permanent Shared Spaces Program

The text is listed:

Resolution urging the Office of Economic and Workforce Development, San Francisco Planning Department, San Francisco Municipal Transportation Authority, Department of Public Works, San Francisco Fire Department, and Recreation and Parks Department to develop a proposal for a permanent Shared Spaces Program; and affirming the Board of Supervisors' support for creating a permanent version of the program.

Signature of Sponsoring Supervisor: /s/ Matt Haney