

File No. 171318

Committee Item No. 3

Board Item No. 6

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date March 1, 2018

Board of Supervisors Meeting

Date March 20, 2018

#### Cmte Board

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|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" 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)

- |                                     |                                     |                              |
|-------------------------------------|-------------------------------------|------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Public Hearing Notice</u> |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____                        |
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Completed by: Linda Wong

Date February 23, 2018

Completed by: Linda Wong

Date March 8, 2018

1 [Public Works Code - Fees for Autonomous Delivery Device Testing and Nighttime Work  
2 Permits and Nighttime Work Permits]

3 Ordinance amending the Public Works Code to establish fees for Autonomous Delivery  
4 Device Testing permits and appeals of Public Works Director's decisions regarding  
5 such permits, ~~and to increase fees for Nighttime Work permits; and to increase fees for~~  
6 Nighttime Work permits.

7 NOTE: Unchanged Code text and uncodified text are in plain Arial font.  
8 Additions to Codes are in *single-underline italics Times New Roman font*.  
9 Deletions to Codes are in ~~italics Times New Roman font~~.  
10 Board amendment additions are in Arial font.  
11 Board amendment deletions are in ~~Arial font~~.  
12 Asterisks (\* \* \* \*) indicate the omission of unchanged Code  
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. The Public Works Code is hereby amended by revising Section 2.1.1, to  
16 read as follows:

17 **SEC. 2.1.1. FEES.**

18 Notwithstanding the permit fee provisions listed elsewhere in this Code, the permit fee  
19 and assessment schedule for the permit categories and uses specifically listed below shall be:

20 \* \* \* \*

21 (p) Nighttime work permit fee: ~~\$115.45~~ \$123 ~~\$115.45~~ \$123; and

22 (q) Preapplication meeting or staff consultation fee: \$404.76 for the first two hours or  
23 portion thereof and \$202.38 for each additional hour or portion thereof; and

24 (r) Autonomous Delivery Device Testing fees pursuant to Section 794

25 (i) Application fee: for one device - \$860; for two devices - \$1,540; and for three  
devices - \$1,995;

1 (ii) Permit extension fee: for one device - \$555; for two devices - \$1010; and for three  
2 devices - \$1,465; and

3 (iii) Referrals to Department of Public Health: The Department of Public Health may  
4 charge up to \$191 per hour for referrals sent by Public Works pursuant to Section 794.

5  
6 Section 2. The Public Works Code is hereby amended by revising Section 794, to read  
7 as follows:

8 **SEC. 794. AUTONOMOUS DELIVERY DEVICES ON SIDEWALKS – PERMIT**  
9 **REQUIRED.**

10 \* \* \* \*

11 **(g) Public Hearings.**

12 \* \* \* \*

13 **(2) Appeal to Board of Supervisors.** The Public Works Director's approval or  
14 disapproval of an Autonomous Delivery Device permit application, or the Public Works  
15 Director's modification, suspension or revocation of an Autonomous Delivery Device permit,  
16 may be appealed to the Board of Supervisors. During the appeal, the permittee may not  
17 operate any Autonomous Delivery Device. The Board of Supervisors shall hold a public  
18 hearing on an appeal of the Public Works Director's decision, and may approve, disapprove,  
19 or modify the Public Works' prior determination. The Board of Supervisors' decision on such  
20 an appeal is final.

21 (A) Any such appeal shall be filed in writing with the Clerk of the Board of  
22 Supervisors within 10 days of the Public Works Director's decision, and shall be accompanied  
23 by payment of a fee of \$300, payable to the Office of the Clerk of the Board, and payment of a  
24 fee of \$225, payable to the San Francisco Department of Public Works. The Clerk of the Board may  
25 establish a policy to waive the appeal fee for neighborhood organizations or those whose

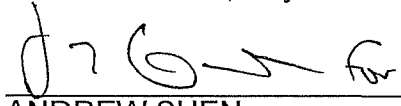
1 income is not enough to pay for the fee without affecting his, her or their abilities to pay for the  
2 necessities of life.

3 \* \* \* \*

4  
5 Section 3. Effective Date. This ordinance shall become effective 30 days after  
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
8 of Supervisors overrides the Mayor's veto of the ordinance.

9  
10 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
11 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
12 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
13 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
14 additions, and Board amendment deletions in accordance with the "Note" that appears under  
15 the official title of the ordinance.

16  
17 APPROVED AS TO FORM:  
18 DENNIS J. HERRERA, City Attorney

19 By:   
20 ANDREW SHEN  
21 Deputy City Attorney

22 n:\legana\as2017\1700514\01259980.docx

**REVISED LEGISLATIVE DIGEST**

(3/13/2018, Amended in Board)

[Public Works Code - Fees for Autonomous Delivery Device Testing and Nighttime Work Permits]

**Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits, and to increase fees for Nighttime Work permits.**

Existing Law

The Public Works Code does not yet establish any fees for Autonomous Delivery Device Testing permits, or for appeals of Public Works Director's decision regarding such permits.

Public Works Code Section 2.1.1(p) establishes a fee of \$115.45 for nighttime work permits.

Amendments to Current Law

The proposed legislation would establish the following fees for Autonomous Delivery Device Testing permits:

- Application fees: for one device - \$860; for two devices - \$1,540; and for three devices - \$1,995;
- Permit extension fees: for one device - \$555; for two devices - \$1010; and for three devices - \$1,465; and
- For Referrals to Department of Public Health: The Department of Public Health may charge up to \$191 per hour for referrals sent by Public Works.

The proposed legislation would also increase the fees for nighttime work permits from \$115.45 to \$123.

Background Information

As of December 12, 2017, an ordinance establishing a permitting scheme for Autonomous Delivery Device Testing was pending before the Board of Supervisors (see Board File No. 170599).

On March 1, 2018, the Board of Supervisors Budget and Finance Committee removed the proposed increase to Section 2.1.1's nighttime work permit fee, but on March 13, 2018, the Board of Supervisors amended the ordinance to reinstate the proposed increase.

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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

## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO BUDGET AND FINANCE SUB-COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Sub-Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

**Date:** Thursday, March 1, 2018

**Time:** 10:00 a.m.

**Location:** Legislative Chamber, Room 250, located at City Hall,  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

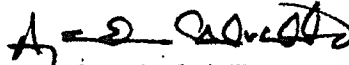
**Subject:** File No. 171318. Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits, and to increase fees for Nighttime Work permits.

If the legislation passes, the following fees shall be established for Autonomous Delivery Device Testing permits:

- Application fees: for one device - \$860; for two devices - \$1,540; and for three devices - \$1,995;
- Permit extension fees: for one device - \$555; for two devices - \$1010; and for three devices - \$1,465; and
- For Referrals to Department of Public Health: The Department of Public Health may charge up to \$191 per hour for referrals sent by Public Works.

The proposed legislation would also increase the fees for nighttime work permits from \$115.45 to \$123 and establish an appeal filing fee of \$225 to Public Works.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, February 23, 2018.

  
Angela Calvillo  
Clerk of the Board

DATED: February 15, 2018  
PUBLISHED: February 18 & 23, 2018

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SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description JEC - B&F Fee Add - 2018.03.01 - 171318

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

02/18/2018 , 02/25/2018

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

EXM# 3101473

NOTICE OF PUBLIC HEARING BUDGET AND FINANCE SUB-COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS THURSDAY, MARCH 1, 2018 - 10:00 AM LEGISLATIVE CHAMBER, ROOM 250, CITY HALL, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

available for public review on Friday, February 23, 2018.

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Sub-Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 171318. Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits, and to increase fees for Nighttime Work permits. If the legislation passes, the following fees shall be established for Autonomous Delivery Device Testing permits: Application fees: for one device - \$860; for two devices - \$1,540; and for three devices - \$1,995; Permit extension fees: for one device - \$555; for two devices - \$1010; and for three devices - \$1,465; and for Referrals to Department of Public Health; The Department of Public Health may charge up to \$191 per hour for referrals sent by Public Works. The proposed legislation would also increase the fees for nighttime work permits from \$115.45 to \$123 and establish an appeal filing fee of \$225 to Public Works. In accordance with Administrative Code, Section 67-7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be



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BOARD of SUPERVISORS



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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: Mohammed Nuru, Director, Public Works  
Barbara A. Garcia, Director, Department of Public Health

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

DATE: December 20, 2017

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following proposed legislation, introduced by Supervisor Yee on December 12, 2017:

**File No. 171318**

**Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits, and to increase fees for Nighttime Work permits.**

If you have any 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.

c: Jennifer Blot, Public Works  
David Steinberg, Public Works  
Naveena Bobba, Department of Public Health  
Sneha Patil, Department of Public Health



President, District 5  
BOARD of SUPERVISORS



London Breed

B03-11, Aides, Deputies  
PSNS Clerk, Bof Clerk, 203  
Dep City Atty, Mayor's Office  
City Hall

1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-7630  
Fax No. 554-7634  
TDD/TTY No. 544-5222

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2018 FEB - 1 PM 3:26  
AK

**PRESIDENTIAL ACTION**

Date: 2/1/18

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. \_\_\_\_\_

(Primary Sponsor)

Title. \_\_\_\_\_

Transferring (Board Rule No 3.3)

File No. \_\_\_\_\_

171318

Yee

(Primary Sponsor)

Title. \_\_\_\_\_

Ordinance amending the Public Works Code to establish fees for  
Autonomous Delivery Device Testing permits and appeals of Public

From: Public Safety & Neighborhood Services

Committee

To: Budget & Finance

Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor \_\_\_\_\_

Replacing Supervisor \_\_\_\_\_

For: \_\_\_\_\_

(Date)

(Committee)

Meeting

London Breed, President  
Board of Supervisors

# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
BOARD OF SUPERVISORS  
CITY OF SAN JOSE  
300

2317 DEC 12 PM 1:06

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 [redacted] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [redacted] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [redacted]
- 9. Reactivate File No. [redacted]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [redacted]

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):

Yee

Subject:

Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits.

The text is listed:

[Redacted area]

Signature of Sponsoring Supervisor:

For Clerk's Use Only