

File No. 211099

Committee Item No. 6

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date November 17, 2021

Board of Supervisors Meeting Date \_\_\_\_\_

#### Cmte Board

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- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
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#### OTHER (Use back side if additional space is needed)

- CEQA Referral 10/26/21
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- SBC Referral 10/26/21
- CEQA Determination 10/27/21
- \_\_\_\_\_
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Completed by: Brent Jalipa Date November 12, 2021

Completed by: Brent Jalipa Date \_\_\_\_\_

1 [Waiver of Banner Fee - "Shop & Dine in the 49" Campaign]

2

3 **Ordinance waiving the banner fees under Public Works Code, Section 184.78, for the**  
 4 **placement of up to 300 banners per year, for three years starting on November 20,**  
 5 **2021, by the Office of Economic and Workforce Development to publicize the City's**  
 6 **"Shop & Dine in the 49" campaign; and affirming the Planning Department's**  
 7 **determination under the California Environmental Quality Act.**

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

12

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

14

15 Section 1. Background and Findings.

16 (a) The Planning Department has determined that the actions contemplated in this  
 17 ordinance comply with the California Environmental Quality Act (California Public Resources  
 18 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
 19 Supervisors in File No. 211099 and is incorporated herein by reference. The Board affirms  
 20 this determination.

21 (b) Annually, in collaboration with Shop Small and San Francisco's Buy Local  
 22 campaign, the Office of Economic and Workforce Development ("OEWD") coordinates the  
 23 "Shop & Dine in the 49" campaign (the "Campaign") to promote local businesses and  
 24 challenge local residents to do their shopping and dining within San Francisco. To help  
 25 publicize the Campaign in major merchant corridors, OEWD has been posting banners

1 publicizing the Campaign in major merchant corridors, subject to approval by San Francisco  
2 Public Works (“Public Works”), with banner fees otherwise required by Public Works Code  
3 Section 184.78 waived in accordance with Ordinance No. 80-19. Small Business Saturday,  
4 the annual marquee event of the Campaign aimed at promoting small businesses, takes place  
5 on the first Saturday after the Thanksgiving holiday.

6 Section 2. Fee Waiver. The fees set forth in Public Works Code Section 184.78 shall  
7 be waived for OEWD for up to 300 banners posted per year on City-owned utility poles to  
8 publicize the Campaign in major merchant corridors, commencing November 20, 2021 and  
9 concluding three years later, on November 19, 2024. All other provisions of Public Works  
10 Code Section 184.78 shall remain in full effect for the duration of the fee waiver period  
11 authorized in this ordinance.

12 Section 3. Effective Date; Retroactivity.

13 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs  
14 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not  
15 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
16 Mayor’s veto of the ordinance.

17 (b) It is the intent of the Board of Supervisors that, notwithstanding the November 19,  
18 2021 end date of Ordinance No. 80-19, there be no gap in the waiver of banner fees  
19 otherwise required under Public Works Code Section 184.78 for OEWD’s placement of  
20 banners publicizing the Campaign in major market corridors. Accordingly, as indicated in  
21 Section 2 of this ordinance, the ordinance shall be retroactive to November 20, 2021. It is the  
22 intent of the Board of Supervisors that Public Works exercise administrative discretion to not  
23 charge said banner fees to OEWD for placement of said banners in the period between the  
24 termination of Ordinance No. 80-19 and the effective date of this ordinance. Upon the  
25 effective date of this ordinance, Public Works shall be obligated to refund any fees collected

1 from OEWD pursuant to Public Works Code Section 184.78 for banners publicizing the  
2 Campaign placed in major merchant corridors during that interim period.

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4 APPROVED AS TO FORM:  
5 DENNIS J. HERRERA, City Attorney

6 By: /s/ Christopher T. Tom  
7 CHRISTOPHER T. TOM  
8 Deputy City Attorney

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**LEGISLATIVE DIGEST**

[Waiver of Banner Fee - “Shop & Dine in the 49” Campaign]

**Ordinance waiving the banner fees under Public Works Code, Section 184.78, for the placement of up to 300 banners per year, for three years starting on November 20, 2021, by the Office of Economic and Workforce Development to publicize the City’s “Shop & Dine in the 49” campaign; and affirming the Planning Department’s determination under the California Environmental Quality Act.**

Existing Law

Public Works Code Section 184.78 specifies a process and conditions under which banners may be placed on City-owned utility poles. Ordinance 80-19 waives the banner fees under this section from November 20, 2018 to November 19, 2021.

Amendments to Current Law

This ordinance would waive banner fees for an additional three years beginning on November 20, 2021.

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BOARD of SUPERVISORS



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

October 26, 2021

**File No. 210999**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On October 19, 2021, Supervisor Catherine Stefani introduced the following legislation:

**File No. 211099**

**Ordinance waiving the banner fees under Public Works Code, Section 184.78, for the placement of up to 300 banners per year, for three years starting on November 20, 2021, by the Office of Economic and Workforce Development to publicize the City's "Shop & Dine in the 49" campaign; and affirming the Planning Department's determination under the California Environmental Quality Act.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*Brent Jalipa*

By: Brent Jalipa, Assistant Clerk  
Budget and Finance Committee

Attachment

c: Devyani Jain, Environmental Planning  
Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning  
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Carla Short, Interim Director, Public Works  
Kate Sofis, Director, Office of Economic and Workforce Development

FROM: Brent Jalipa, Assistant Clerk  
Budget and Finance Committee

DATE: October 26, 2021

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Budget and Finance Committee has received the following proposed legislation, introduced by Supervisor Catherine Stefani:

**File No. 211099**

**Ordinance waiving the banner fees under Public Works Code, Section 184.78, for the placement of up to 300 banners per year, for three years starting on November 20, 2021, by the Office of Economic and Workforce Development to publicize the City's "Shop & Dine in the 49" campaign; and affirming the Planning Department's determination under the California Environmental Quality Act.**

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: [brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org).

c: David Steinberg, Public Works  
Jeremy Spitz, Public Works  
Lena Liu, Public Works  
J'Wel Vaughan, Office of Economic and Workforce Development  
Anne Taupier, Office of Economic and Workforce Development  
Lisa Pagan, Office of Economic and Workforce Development

BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

**MEMORANDUM**

TO: Regina Dick-Endrizzi  
**Small Business Commission, City Hall, Room 448**

FROM: Brent Jalipa, Assistant Clerk  
Budget and Finance Committee

DATE: October 26, 2021

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Budget and Finance Committee

The Board of Supervisors' Budget and Finance Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation.

**File No. 211099**  
**Ordinance waiving the banner fees under Public Works Code, Section 184.78, for the placement of up to 300 banners per year, for three years starting on November 20, 2021, by the Office of Economic and Workforce Development to publicize the City's "Shop & Dine in the 49" campaign; and affirming the Planning Department's determination under the California Environmental Quality Act.**

Please return this cover sheet with the Commission's response to Brent Jalipa, Budget and Finance Clerk, by email to: [brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org).

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**RESPONSE FROM SMALL BUSINESS COMMISSION - Date: \_\_\_\_\_**

**No Comment**  
 **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Small Business Commission**



BOARD of SUPERVISORS



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San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

October 26, 2021

**File No. 211099**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On October 19, 2021, Supervisor Catherine Stefani introduced the following legislation:

**File No. 211099**

**Ordinance waiving the banner fees under Public Works Code, Section 184.78, for the placement of up to 300 banners per year, for three years starting on November 20, 2021, by the Office of Economic and Workforce Development to publicize the City's "Shop & Dine in the 49" campaign; and affirming the Planning Department's determination under the California Environmental Quality Act.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*Brent Jalipa*

By: Brent Jalipa, Assistant Clerk  
Budget and Finance Committee

Attachment

c: Devyani Jain, Environmental Planning  
Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning  
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

10/27/2021

*Joy Navarrete*

President, District 10  
BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. 554-6516  
Fax No. 554-7674  
TDD/TTY No. 544-6546

**Shamann Walton**

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**PRESIDENTIAL ACTION**

Date: 10/21/2021

To: Angela Calvillo, Clerk of the Board of Supervisors

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Madam Clerk,

Pursuant to Board Rules, I am hereby:

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

File No.

211099

Stefani

(Primary Sponsor)

Title. [Waiver of Banner Fee - "Shop & Dine in the 49" Campaign]

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Transferring (Board Rule No 3.3)

File No.

(Primary Sponsor)

Title.

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From:

Committee

To:

Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor:

Replacing Supervisor:

For:

(Date)

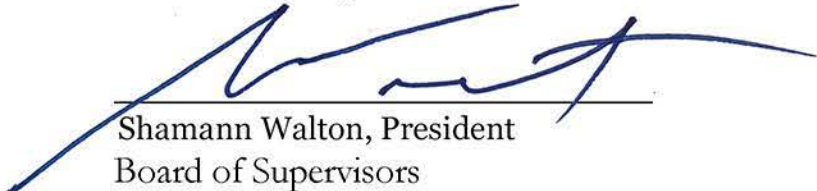
(Committee)

Meeting

Start Time:

End Time:

Temporary Assignment:  Partial  Full Meeting

  
Shamann Walton, President  
Board of Supervisors

# 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):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only