

File No. 121003

Committee Item No. 2

Board Item No. 8

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date December 10, 2012

Board of Supervisors Meeting Date January 15, 2013

Cmte Board

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| <input checked="" type="checkbox"/> | <input checked="" 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"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Map and Diagrams |
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Completed by: Alisa Miller Date December 7, 2012

Completed by: Alica Miller Date January 10, 2013

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Street Artist Spaces - Hallidie Plaza - East of 5th Street]

2
3 **Resolution approving re-designation of 47 selling spaces at Hallidie Plaza, east of 5th**
4 **Street, for street artists certified by the Arts Commission, City and County of San**
5 **Francisco; exempting said spaces for one year from the regulations of Police Code**
6 **Section 2405(c)(3), (4), and (11), relating to size of space and distance between street**
7 **artists.**

8
9 WHEREAS, The Street Artists Ordinance adopted by the voters of San Francisco as
10 Proposition "L" at the election held on November 4, 1975, authorizes the Board of
11 Supervisors, by resolution, to designate sales areas where any street artist or craftsman
12 previously certified may sell art or craft items; and

13 WHEREAS, The Board of Supervisors by Resolution No. 572-77 previously designated
14 fifty-one (51) spaces at Hallidie Plaza, east of 5th Street, as a street artist sales area; and

15 WHEREAS, The Union Square Business Improvement District, in an effort to upgrade
16 Hallidie Plaza to be a more inviting place for people to gather, has designed a uniform street
17 artist booth to improve the businesses of street artists; and

18 WHEREAS, The Union Square Business Improvement District has proposed a
19 voluntary one-year pilot program of providing the uniform booths to street artists for their
20 usage in street artist spaces at Hallidie Plaza; and

21 WHEREAS, The Arts Commission, on October 1, 2012, unanimously voted to approve
22 the concept of a voluntary pilot program at Hallidie Plaza submitted by the Union Square
23 Business Improvement District for street artists to display their wares in uniform booths
24 furnished by the Union Square Business Improvement District; and
25

1 WHEREAS, The size of each uniform booth would be three (3) feet wide by five (5) feet
2 long by seven (7) feet tall, thereby exceeding the length of a street artist space by one (1) foot
3 and its height by two (2) feet; and

4 WHEREAS, The size of each uniform booth would extend by one (1) foot into the area
5 of five (5) feet which is required for the distance between street artists; and

6 WHEREAS, The street artist spaces at Hallidie Plaza, in order to accommodate the
7 uniform booths, would require their exemption from the regulations of Police Code Section
8 2405(c)(3), (4) and (11) relating to size of space and distance between street artists; and

9 WHEREAS, The Arts Commission, on October 1, 2012, unanimously voted to request
10 the Board of Supervisors to issue a temporary one (1) year exemption of Hallidie Plaza street
11 artist spaces from the regulations of Police Code Section 2405(c)(3), (4) and (11); and

12 WHEREAS, Ordinance No 388-83 authorizes the Board of Supervisors in a resolution
13 designating or re-designating spaces in a street artist sales area to exempt the area from one
14 or more of the regulations set forth in subsection (c) of Police Code Section 2405 if the Board
15 finds that the exemption will not be inconsistent with or interfere with the purposes of the
16 regulation from which the area is exempted; and

17 WHEREAS, The Board of Supervisors finds that exemption of the street artist spaces
18 at Hallidie Plaza from the regulations of Police Code Section 1405(c)(3), (4) and (11), relating
19 to size of space and distance between street artists, will not be inconsistent with or interfere
20 with the purposes of the regulations; now, therefore, be it

21 RESOLVED, That the remaining forty-seven (47) selling spaces of the original fifty-one
22 (51) spaces at Hallidie Plaza are hereby re-designated for street artists certified by the Arts
23 Commission; and, be it

24 FURTHER RESOLVED, That the forty-seven (47) spaces at Hallidie Plaza hereby re-
25 designated for street artists are exempt for a period of one (1) year from the provisions of

1 Police Code Section 2405(c)(3), (4) and (11) which prohibits street artists from selling in an
2 area more than five (5) feet above any sidewalk, in an area more than four (4) feet long, and
3 within five (5) feet of each other.
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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

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lee

October 11, 2012

**San Francisco
Arts Commission**

Edwin M. Lee
Mayor

Tom DeCaigny
Director of
Cultural Affairs

Programs:
Civic Art Collection
Civic Design Review
Community Arts & Education
Cultural Equity Grants
Public Art
SFAC Galleries
Street Artist Licensing

25 Van Ness Avenue, Ste. 345
San Francisco, CA 94102
tel 415-252-2590
fax 415-252-2595

artscommission.org
facebook.com/sfartscommission
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City and County of
San Francisco

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

Subject: Resolution approving re-designation of 47 selling spaces at Hallidie Plaza, east of 5th Street, for street artists certified by Arts Commission; exempting spaces for 1 year from Police Code Section 2405(c)(3), (4), and (11) relating to size of space and distance between street artists

Dear Ms. Calvillo:

On behalf of the Arts Commission and its licensed street artists, we are respectfully requesting that you please submit to the Board the enclosed resolution approving re-designation of forty-seven (47) street artist selling spaces at Hallidie Plaza, east of 5th Street, and exempting the spaces for one (1) year from the regulations of Police Code Section 2405(c)(3), (4), and (11) which relate to the size of the spaces and the distance between street artists.

This resolution reflects the unanimous approval of the full Arts Commission on October 1, 2012 to request the Board of Supervisors for re-designation of the spaces subject to their exemption from the Police Code section for one year.

The 47 Hallidie Plaza spaces, along with four others which are no longer in existence, were previously designated for the artists by the Board of Supervisors in Resolution No. 572-77. (Please see the attached map of the spaces.) For 35 years, the spaces have represented a cherished, viable selling area for the artists.

During the past year, the Union Square Business Improvement District approached the Arts Commission with a unique idea relevant to the street artists in an effort to upgrade Hallidie Plaza to be a more

inviting place for people to gather and to further strengthen the Plaza as a premier destination for visitors. The Union Square BID proposed a one-year pilot program of providing newly designed, uniform booths for street artists to display their wares in their spaces at the Plaza. The booths have been designed by Architect Stephan Ciulla with input by the staff of both the Union Square BID and the Arts Commission's Street Artists Program (please see the attached schematic drawing). The booths would bear City and Arts Commission logos and would be uniform in size and color to attract customers at the Plaza and across Market Street.

Furthermore, the cost of the manufacture of the booths would be borne by the Union Square BID and not by the street artists or their licensing Program.

The size of each uniform booth would be 3 feet wide x 5 feet long x 7 feet tall, thereby exceeding the length regulation of a street artist space by one foot and its height regulation by two feet. In addition, the length of each uniform booth would extend one foot into the five-foot area required for the distance between street artists. Therefore, in order to accommodate the uniform booths, the spaces upon which they would be placed would require exemption from the regulations of Police Code Section 2405(c)(3), (4), and (11) which relate to the size of the space and the distance between street artists. Such exemptions fall within the authority of the Board of Supervisors.

Ordinance No. 388-83 authorizes the Board of Supervisors in a resolution designating or re-designating spaces in a street artist area to exempt the area from one or more of the regulations of Police Code Section 2405(c) so long as the Board finds that the exemption will not be inconsistent with or interfere with the purposes of the regulation from which the area is exempted. (Since 1983, the Board has designated and re-designated various street artist spaces in over 40 resolutions.)

Again, subject to the Board's approval, this resolution would allow for the implementation of a one-year pilot program for street artists to voluntarily use improved, uniform booths at Hallidie Plaza provided by the Union Square BID at no cost to the artists or their licensing Program.

We would greatly appreciate your submitting the enclosed resolution to the Board for its referral to the Land Use Committee. We will then request the Committee's Chair to calendar the item for a hearing as soon as possible.

An electronic version of this legislation is also being sent to you.

If you have questions, please call me: 252-2583.

Sincerely,

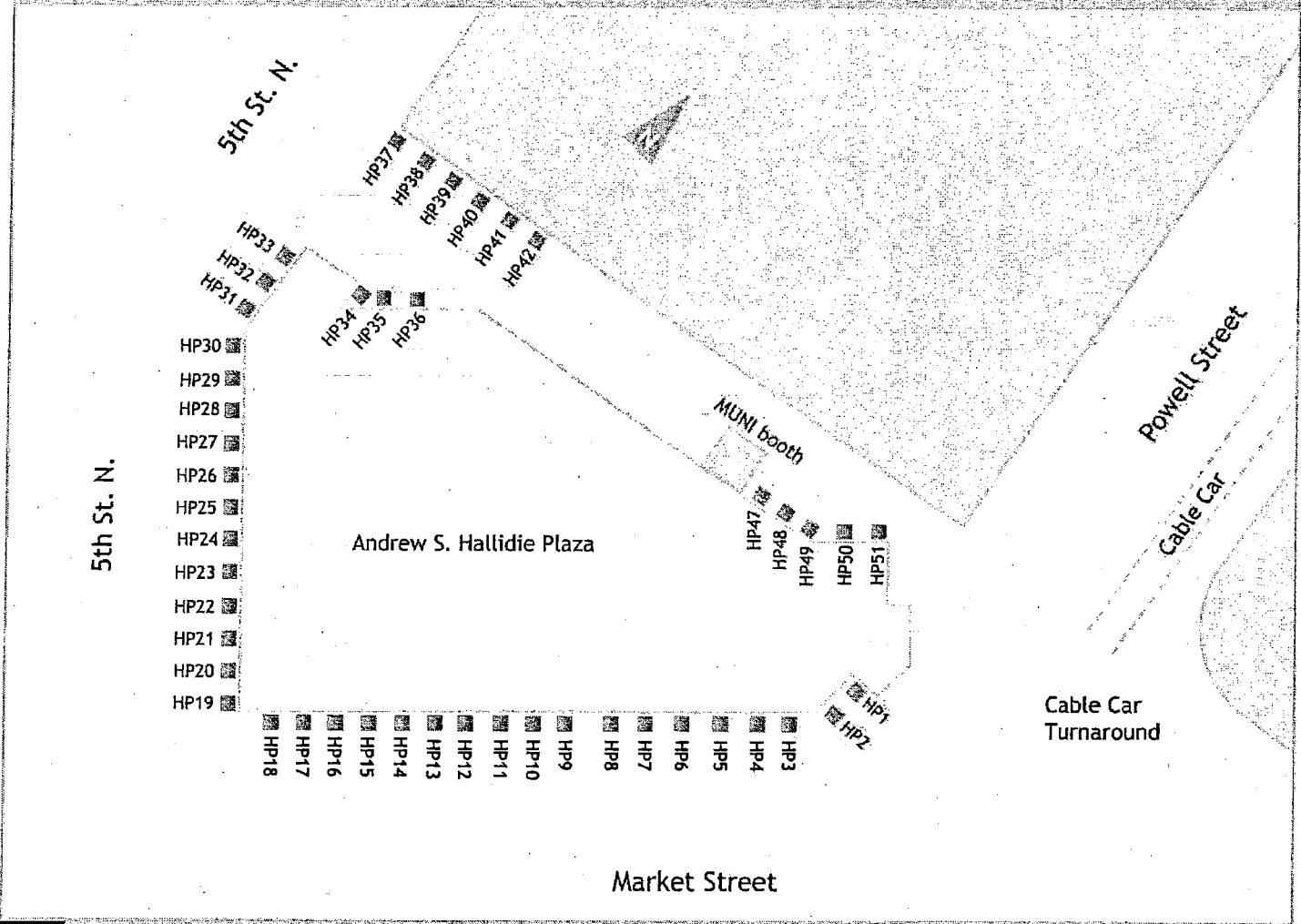


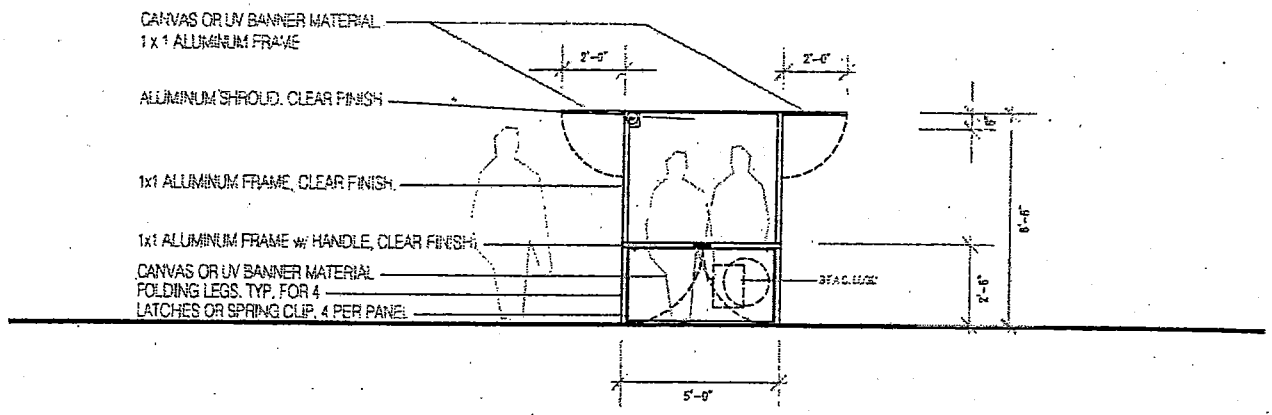
Howard Lazar

Street Artists Program Director

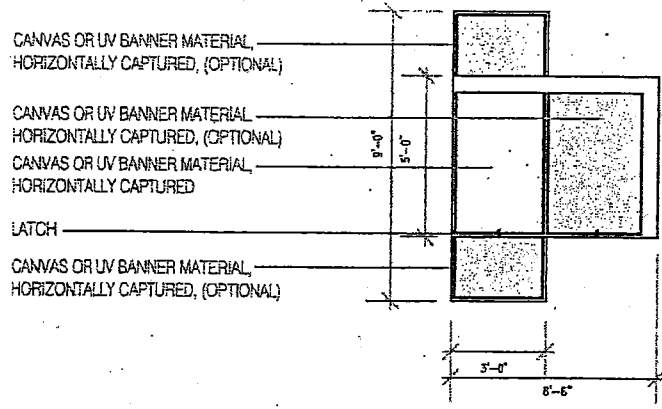
Attachments: (a) Original resolution draft and 4 copies
(b) Map of Hallidie Plaza street artist spaces
(c) Architectural drawing of uniform street artist booth

Cc: Arts Commissioners Greg Chew, John Calloway, Amy Chuang,
Jessica Silverman – Street Artists Program Committee
Director of Cultural Affairs Tom DeCaigny
Deputy Director Rebekah Krell
Street Artists Program Assistant Alyssa Licouris
Deputy Director Donna Ficarrota, Union Square Business
Improvement District
President and CEO Mary McCue, MJM Management Group



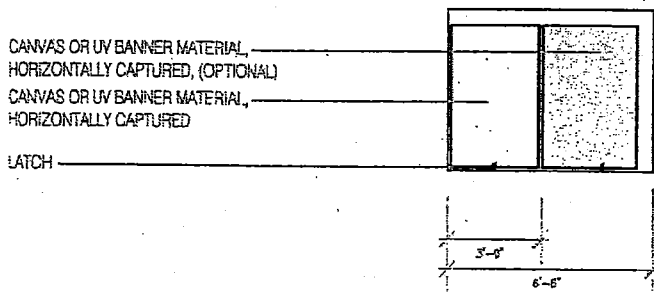


LONG ELEVATION



TOP VIEW (WITH SUNSHADES OPEN)

NOTE: ALL CANVAS OR UV BANNER MATERIAL,
TO BE COLOR #2



TOP VIEW (WITH SUNSHADES CLOSED)

NOTE: ALL CANVAS OR UV BANNER MATERIAL,
TO BE COLOR #2

OVERHEAD CANVAS ROLL, INTERNAL

THREADED CONNECTION

OVERHEAD CANVAS ROLL, INTERNAL

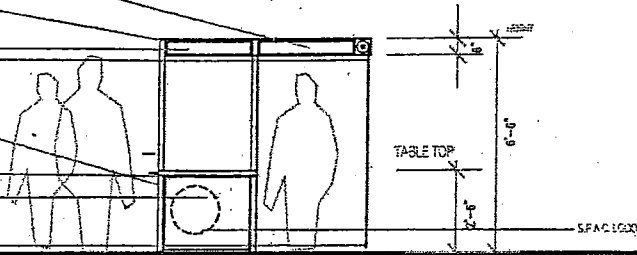
BACKDROP CANVAS ROLL

FOLDING LEGS, TYP. FOR 4

THREADED CONNECTION

CANVAS OR U.V. BANNER MATERIAL, (@ 3 SIDES, COLOR #2)

WEIGHTED ROLL



SIDE ELEVATION

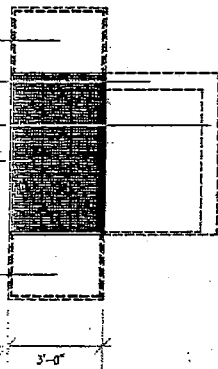
OPERABLE OVERHEAD SUNSHADE

OVERHEAD ALUMINUM SHROUD

OVERHEAD ALUMINUM SHROUD

1X1 ALUMINUM MESH, CLEAR FINISH

OPERABLE OVERHEAD SUNSHADE



PLAN @ TABLE TOP HEIGHT, (+2'-6" ABOVE FLOOR)

COLOR INDEX

(Color to be Shop Applied, "TigerCoat" Powder Coating, Min. 2 Finish Coats and Clear Sealed)

	To Match Sample:	Scope:
COLOR #1:	Clear Alum.	Legs, Frame, Shroud, Mesh
COLOR #2:	Blue 1	Canvas
COLOR #3:	Blue 2	(Alternate Color), Canvas

File 121003

From: Board of Supervisors
To: BOS-Supervisors
Subject: Spaces for our Veterans - Street Artists Program.

Mish

From: Francisco Da Costa [mailto:fdc1947@gmail.com]

Sent: Monday, December 10, 2012 9:16 PM

To: Lazar, Howard; Lee, Edwin (Mayor)

Cc: Kawa, Steve; Falvey, Christine; Dan Bernal; Kim, Jane; Dorsey, Matt; Cityattorney; Nuru, Mohammed; Sparks, Theresa; Angus McCarthy; Garcia, Barbara; Chiu, David; Campos, David; Mar, Eric (BOS); Board of Supervisors; Kelly, Naomi; Elsbernd, Sean; Chu, Carmen; Suhr, Greg; Bevan.Dufty

Subject: Spaces for our Veterans - Street Artists Program.

Mr. Howard Lazar:

Today, December 10, 2012 before the Land Use Committee -
I requested you to help our Veterans - who are part of the program
where they make and sell their art work to the public at large.

In this case the area you deem to choose near the Westfield Center;
in and around 5th and Market by the Cable Car turn-a-round - in other
places you deem fit for the artists to sell their wares which they create.

Two Veterans who have served our Nation - and were honorably
discharged - create and make their own art - and sell it to the public
at large - have been discriminated against - in the past.

I worked for Sixth U.S. Army and Presidio of San Francisco and was
Sixth Army's last congressional liaison - before Sixth U.S. Army was
deactivated. I know a lot about the Veterans and have been instrumental
in helping them - we helped create the Swords to the Plowshares at the
Presidio - before others centers were established at Treasure Island
and all over the City and County of San Francisco - today.

When I first heard the complaints - I requested the two Veterans to go
through the process - and they did - and were given the run a round.
This is totally uncalled for - and as and when this matter is adjudicated
fairly - you Mr. Howard Lazar will find out who is right and who is wrong.

I tried to be as civil as I could today - but, you still seem to think that
you and your organization has done nothing wrong - as part of your
explanation after I spoke. Trying to name all the criteria that these two
Veterans meet - and beyond in large measure.

Once again my request is simple - these two Veterans; humbly request
two spaces to sell their wares without any hurdles; that the others who sell
their wares do not encounter. Since you are in charge - I will send you the
information and request you to make a time and place to meet.

**I am a man of my word - and I can handle this situation - in other ways.
I am copying this letter to the Mayor of San Francisco - Ed Lee and to
some of his close circle of advisers and others that care for our Veterans.**

**Bottom line - if and when our Veterans return and want to make themselves
useful - by contributing to Society - the least we can do is accommodate them.
I believe strongly in following the laws - and we can go through the process
you so strongly articulate - all of which I guarantee you; these two Veterans satisfy.**

My cell number is: 415.816.2307. You have my business card.

Francisco Da Costa