

File No. 211098

Committee Item No. 1  
Board Item No. 16

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date December 1, 2021  
Board of Supervisors Meeting Date December 7, 2021

#### Cmte Board

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

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

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Referral FYI - 10/26/21</u>
<input type="checkbox"/>	<input type="checkbox"/>	<hr/>
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Completed by: Brent Jalipa Date November 22, 2021  
Completed by: Brent Jalipa Date December 2, 2021

1 [Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk  
2 Sales During the Holiday Season]

3 **Ordinance waiving the fee required by Public Works Code, Section 724.1(b) for**  
4 **temporary street space occupancy permits on certain designated City streets on**  
5 **Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021,**  
6 **and Sunday, December 12, 2021, to promote sidewalk sales of merchandise during the**  
7 **holiday season.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
9 **Additions to Codes** are in *single-underlined 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.

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

16 Section 1. To promote sidewalk sales of merchandise during the holiday season, the  
17 fee set in Public Works Code, Article 15, Section 724.1(b) for temporary street space  
18 occupancy, is hereby waived for all City streets between the hours of 7 a.m. and 9 p.m. on  
19 Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and  
Sunday, December 12, 2021, ~~for the following areas:~~

20 ~~3rd Street between Armstrong Avenue and Jerrold Avenue;~~  
21 ~~9th Avenue between Lincoln Way and Kirkham Street;~~  
22 ~~14th Street between Church Street and Landers Street;~~  
23 ~~18th Street between Eureka Street and Douglass Street;~~  
24 ~~18th Street between Noe Street and Diamond Street;~~  
25 ~~Arguello Boulevard between Clement Street and Euclid Avenue;~~

1                   Balboa Street between 2nd Avenue and 8th Avenue;  
2                   Balboa Street between 32nd Avenue and 39th Avenue;  
3                   Besworth Street between Diamond Street and Brompton Avenue;  
4                   Bush Street between Webster Street and Steiner Street;  
5                   California Street between Fillmore Street and Steiner Street;  
6                   Castro Street between Market Street and 19th Street;  
7                   Cheney Street between Brompton Avenue and Natick Street;  
8                   Church Street between Market Street and 15th Street;  
9                   Clement Street between Arguello Boulevard and 6th Avenue;  
10                  Cole Street between Frederick Street and Grattan Street;  
11                  Cortland Avenue between Bonview Street and Folsom Street;  
12                  Diamond Street between Monterey Boulevard and Surrey Street;  
13                  Divisadero Street between Golden Gate Avenue and Page Street;  
14                  Fillmore Street between Eddy Street and Jackson Street;  
15                  Fillmore Street between Green Street and Filbert Street;  
16                  Geary Boulevard between Masonic Avenue and 28th Avenue;  
17                  Gough Street between Green Street and Filbert Street;  
18                  Haight Street between Central Avenue and Stanyan Street;  
19                  Haight Street between Webster Street and Steiner Street;  
20                  Irving Street between 5th Avenue and Funston Avenue;  
21                  Irving Street between 14th Avenue and 18th Avenue;  
22                  Laguna Street between Green Street and Filbert Street;  
23                  Market Street between Castro Street and Church Street;  
24                  Mission Street between Cesar Chavez Street and Randall Street;  
25                  Noe Street between Market Street and Beaver Street;

1        Ocean Avenue between Howth Street and Victoria Avenue;  
2        Ocean Avenue between Junipero Serra Boulevard and 19th Avenue;  
3        Octavia Street between Green Street and Filbert Street;  
4        O'Farrell Street between Fillmore Street and Steiner Street;  
5        Polk Street between Geary Boulevard and Golden Gate Avenue;  
6        Sacramento Street between Spruce Street and Broderick Street;  
7        Sacramento Street between Webster Street and Steiner Street;  
8        San Bruno Avenue between Hale Street and Olmstead Street;  
9        Steiner Street between Green Street and Filbert Street;  
10       Taraval Street between 19th Avenue and Forest Side Avenue;  
11       Ulloa Street between Claremont Boulevard and Wawona Street;  
12       Union Street between Gough Street and Steiner Street;  
13       Valencia Street between Market Street and Cesar Chavez Street;  
14       Vicente Street between Claremont Boulevard and Wawona Street;  
15       West Portal Avenue between Ulloa Street and 15th Avenue; and  
16       Wilder Street between Diamond Street and Carrie Street.

17  
18       Section 2. All other provisions of Public Works Code Section 724.1 et seq. shall  
19       remain in full effect.

20  
21       Section 3. Effective Date; Retroactivity.

22       (a) This ordinance shall become effective 30 days after enactment. Enactment occurs  
23       when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not  
24       sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
25       Mayor's veto of the ordinance.

(b) If this ordinance becomes effective after December 4, 2021, the ordinance shall be retroactive to December 4, 2021. If, prior to the effective date of this ordinance, any fees are charged for a temporary street space occupancy that is to be waived under Section 1 of this ordinance, said fees shall be reimbursable upon the effective date of the ordinance.

APPROVED AS TO FORM:  
DAVID CHIU, City Attorney

By: /s/ **Christina Fletes-Romo**  
CHRISTINA FLETES-ROMO  
Deputy City Attorney

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**REVISED LEGISLATIVE DIGEST**

Amended, 11/17/2021

[Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk Sales During the Holiday Season]

**Ordinance waiving the fee required by Public Works Code, Section 724.1(b) for temporary street space occupancy permits on City streets on Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and Sunday, December 12, 2021, to promote sidewalk sales of merchandise during the holiday season.**

**Existing Law**

Section 724.1(b) of the Public Works Code requires that a fee of \$57.62 per day be charged “[f]or temporary street space occupancy for any purpose other than a building construction operation.”

**Amendments to Current Law**

This uncodified ordinance would temporarily waive the fee required by Section 724.1(b) of the Public Works Code, City-wide, in connection with the sidewalk sales of merchandise during the holiday season. The fee would be waived between 7 a.m. and 9 p.m. on Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and Sunday, December 12, 2021. If the ordinance were to become effective after December 4, 2021, the ordinance would be retroactive to that date.

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CITY AND COUNTY OF SAN FRANCISCO  
LONDON BREED, MAYOR

OFFICE OF SMALL BUSINESS  
REGINA DICK-ENDRIZZI, DIRECTOR

November 16, 2021

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. 211098 – Public Works Code – Waiver of Temporary Street Space Occupancy Permit Fee – Sidewalk Sales During the Holiday Season.

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

Dear Ms. Calvillo,

On November 8, 2021 the Small Business Commission heard a presentation by Emily Abraham, Legislative Aide to Supervisor Stefani regarding BOS File No. 211098 – Public Works Code – Waiver of Temporary Street Space Occupancy Permit Fee – Sidewalk Sales During the Holiday Season. Ms. Abraham explained that this legislation was intended to help local businesses by waiving the fees typically required for temporary space occupancy permits and was based on similar legislation from previous years that encouraged merchants to have holiday sidewalk sales.

The Commission engaged in a discussion with Ms. Abraham about how important this is at a time when businesses need it the most. The Commission is grateful to Supervisor Stefani and her staff for this proposal and unanimously voted to support it. 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 that reads "R. Dick-Endrizzi".

Regina Dick-Endrizzi  
Director, Office of Small Business

cc: Catherine Stefani, Member, Board of Supervisors  
Tom Paulino, Mayor's Liaison to the Board of Supervisors  
Brent Jalipa, Clerk, Budget and Finance Committee

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**

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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.

**211098**

**Stefani**

(Primary Sponsor)

Title. **[Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk Sales During the Holiday Season]**

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Transferring (Board Rule No 3.3)

File No.

(Primary Sponsor)

Title.

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):

Stefani

Subject:

Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk Sales During the Holiday Season

The text is listed:

Ordinance waiving the fee required by Public Works Code, Section 724.1(b) for temporary street space occupancy permits on certain designated City streets on Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and Sunday, December 12, 2021, to promote sidewalk sales of merchandise during the holiday season.

Signature of Sponsoring Supervisor: /s/ Catherine Stefani

For Clerk's Use Only