

1 [Public Works Code - Public Works Graffiti Abatement Pilot Program]

2
3 **Ordinance amending the Public Works Code to require Public Works to create a pilot**
4 **program allowing property owners in commercial areas to opt into graffiti abatement by**
5 **Public Works at no cost to the property owner; and affirming the Planning**
6 **Department's determination under the California Environmental Quality Act.**

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 *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough 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. Land Use Findings.

16 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. 220538 and is incorporated herein by reference. The Board affirms
20 this determination.

21 Section 2. Article 23 of the Public Works Code is hereby amended by revising
22 Sections 2304, and 2306, to read as follows:

23 **SEC. 2304. VIOLATIONS.**

24 (a) **Notice of Violation.** Where the Director determines that any property contains
25 graffiti in violation of Section 2303, the Director may issue a notice of violation to the property

1 owner and/or any Offending Party. At the time the notice of violation is issued, the Director
2 shall take one or more photographs of the alleged graffiti, and shall make copies of the
3 photographs available to the property owner and/or any Offending Party upon request. The
4 photographs shall be dated and retained as a part of the file for the violation. The notice shall
5 give the owner and/or any Offending Party 30 calendar days from the date of the notice to
6 either remove the graffiti or request a hearing on the notice of violation, and shall set forth the
7 procedure for requesting the hearing. The notice shall also inform the owner and/or any
8 Offending Party that where the owner and/or any Offending Party fail to either remove the
9 graffiti or request a hearing within 30 calendar days from the date of the notice, the Director
10 may initiate proceedings in accordance with this Article 23 to enter upon the property and
11 abate the graffiti. The notice shall inform the owner and/or any Offending Party that should the
12 Director need to abate the graffiti, ~~that~~ the owner and/or any Offending Party shall be liable for
13 all costs of enforcement and abatement. The notice shall further inform the owner and/or any
14 Offending Party that the minimum charge for removing graffiti is the greater of either \$500 or
15 the actual cost to the City, including overhead and administrative costs, as well as attorneys'
16 fees where the Director has elected to seek recovery of attorneys' fees. The Director shall
17 serve the notice of violation as follows:

18 (1) One copy of the Notice shall be posted in a conspicuous place upon the
19 building or property.

20 (2) One copy of the Notice shall be served upon each of the following:

21 (A) The person, if known, in real or apparent charge and control of the
22 premises or property involved;

23 (B) The owner of record; and

24 (C) Any Offending Party.

25

1 (3) The Director shall serve one copy of the Notice upon any Community Benefits
2 District, Business Improvement District, or Green Benefits District., as those districts are defined in
3 Articles 15 and 15A of the Business and Tax Regulation Code, in the neighborhood where the Notice is
4 posted. The Director may also serve one copy of the notice upon any other parties with a
5 recorded interest.

6 Service required by subsections (a)(2) and (3) may be made by personal service or by
7 certified mail.

8 * * * *

9 **SEC. 2306. ABATEMENT BY DIRECTOR.**

10 * * * *

11 (d) The following procedures shall apply to actions by the Director to abate and
12 recover costs for abatement of graffiti on private property:

13 (1) **Abatement Action.** After obtaining a court order, the Director shall implement
14 the Abatement Order. The Director may enter upon the property and cause the removal,
15 painting over, or other eradication of the graffiti as the Director deems appropriate. The
16 Director shall not authorize or undertake to provide for the painting or repair of any more
17 extensive area than that where the graffiti is located, except where the Director determines in
18 a written notice to the owner that a more extensive area is required to be repainted or repaired
19 in order to avoid an aesthetic disfigurement to the neighborhood or community. Where the
20 Director removes graffiti in accordance with the requirements of this Article 23, the owner
21 and/or any Offending Party shall pay the greater of either \$500 or the actual cost (including
22 overhead and administrative costs, as well as attorneys' fees where the Director has elected
23 to seek recovery of attorneys' fees) of removing the graffiti. The Director shall provide an
24 accounting to the owner and/or any Offending Party of the costs of the abatement action
25 (Abatement Accounting) on a full cost recovery basis not later than 10 days from the date the

1 abatement action is completed. The Abatement Accounting shall include all administrative
2 costs incurred by the City in abating graffiti on the property. The total amount set forth in the
3 Abatement Accounting shall be due and payable by the owner and/or any Offending Party
4 within 30 days from the date of mailing of the Abatement Accounting.

5 * * * *

6 (e) **Abatement in Commercial Areas: Pilot Program.** Within 90 days of the effective date of the
7 ordinance in Board File No. 220538 adding this subsection (e), the Director shall create a pilot
8 program that allows property owners in Commercial Corridors to provide written consent authorizing
9 Public Works to enter onto their property and remove graffiti. The scope of any graffiti abatement
10 shall be consistent with the scope of abatement provided in subsection (d)(1). Such removal and
11 abatement shall be offered at no cost to the property owner, provided that the owner waives any claims
12 arising from the work, other than any claims for damages arising from negligence or non-compliance
13 with laws. The pilot program is an alternative to the other abatement procedures in this Article 23, and
14 a property owner may enroll in the pilot program at any time, including upon receipt of a Notice of
15 Violation; provided, however, that a property owner who contests the Notice of Violation shall be
16 ineligible to participate in the program. The Director is authorized to issue regulations consistent with
17 this subsection (e).

18 (1) **Commercial Corridors.** For purposes of this subsection (e), Commercial Corridors
19 shall include properties in the following areas: Neighborhood Commercial Districts, Named
20 Neighborhood Commercial Districts, Neighborhood Commercial Transit Districts, and Named
21 Neighborhood Commercial Transit Districts, listed in Section 201 of the Planning Code, and defined in
22 Section 702 of the Planning Code; the Chinatown Community Business District, as defined in Planning
23 Code Section 810; the Chinatown Residential/Neighborhood Commercial District, as defined in
24 Planning Code Section 812; and the Chinatown Visitor Retail District, as defined in Planning Code
25 Section 811.

1 (2) **Relationship to Community Benefits Districts and Green Benefits Districts.** The
2 owner of any property located in a Community Benefits District or Green Benefits District, as defined
3 in Articles 15 and 15A of the Business and Tax Regulations Code, must first demonstrate to the
4 Director's satisfaction that the relevant district lacks funding for graffiti abatement, or has exhausted
5 all available funding for graffiti abatement, in order to participate in the pilot program established in
6 this subsection (e).

7 (3) **Expiration of Pilot Program.** Unless the Board of Supervisors by ordinance
8 extends the term of the Pilot Program, this subsection (e) shall expire by operation of law 27 months
9 following the effective date of the ordinance in Board File No. 220538 establishing the Pilot Program.
10 After that date, the City Attorney is authorized to remove this subsection (e) to be removed from the
11 Public Works Code.

12
13 Section 3. Effective Date. This ordinance shall become effective 30 days after
14 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
15 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
16 of Supervisors overrides the Mayor's veto of the ordinance.

17 ///

18 ///

LEGISLATIVE DIGEST

[Public Works Code - Public Works Graffiti Abatement Pilot Program]

Ordinance amending the Public Works Code to require Public Works to create a pilot program allowing property owners in commercial areas to opt into graffiti abatement by Public Works at no cost to the property owner; and affirming the Planning Department's determination under the California Environmental Quality Act

Existing Law

Under Public Works Code Article 23, it is unlawful for a property owner to allow graffiti to remain on the property owner. Public Works is charged with issuing Notices of Violations when the Director determines that property contains graffiti in violation of the code. Property owners can request hearings to demonstrate a hardship, in which case, the Director may remove the graffiti at no cost, subject to certain conditions. If no hardship is shown, the Director may provide paint to the property owner at no charge. In addition, the Director may order that the graffiti be abated, but must obtain a court order prior to the Public Works entering onto the property, and any abatement is subject to state and federal art preservation laws.

Amendments to Current Law

The amendment would create a pilot program in which property owners in commercial corridors may opt into having Public Works abate graffiti. The program would last for approximately two years.

n:\legana\as2022\2200394\01600612.docx

<p>Item 15 File 22-0538</p>	<p>Department: Public Works</p>
<p>EXECUTIVE SUMMARY</p>	
<p style="text-align: center;">Legislative Objectives</p> <ul style="list-style-type: none"> The proposed ordinance would amend the Public Works Code to create a pilot program that would allow property owners in commercial areas to opt into graffiti abatement by Public Works at no cost to the property owner and affirm the Planning Department’s determination under the California Environmental Quality Act (CEQA). The pilot program would last for 27 months. <p style="text-align: center;">Key Points</p> <ul style="list-style-type: none"> The Public Works Code requires property owners to abate graffiti from their property or receive a Notice of Violation. Property owners can request hearings to demonstrate hardship, in which case, Public Works may remove the graffiti at no cost. If property owners do not remove the graffiti or request a hearing within 30 days, the City initiates proceedings to abate the graffiti, charging property owners a minimum of \$500 for associated costs. Public Works abates graffiti on public property. Commercial areas to be included in the proposed pilot program include Neighborhood Commercial and Neighborhood Commercial Transit Districts (including individually named districts), as well as the following commercial districts located in Chinatown: the Chinatown Community Business District, the Chinatown Residential/Neighborhood Commercial District, and the Chinatown Visitor Retail District. Property owners located in a Community Benefits District or Green Benefits District must demonstrate that their district lacks sufficient funding for graffiti abatement to participate in the program. <p style="text-align: center;">Fiscal Impact</p> <ul style="list-style-type: none"> Public Works estimates the proposed pilot program would cost \$1,989,916 in FY 2022-23 and \$1,863,021 in FY 2023-24 based on seasonal graffiti abatement, rather than year-round abatement. Cost estimates include positions to abate graffiti and conduct inspections, and associated equipment and materials. According to Public Works staff, the Department would hire as-needed laborers to provide graffiti abatement for commercial properties under the proposed pilot, which would occur seasonally rather than year-round. The Board of Supervisors added \$2 million in FY 2022-23 and in FY 2023-24 during the Budget and Appropriations Committee phase of the budget, which is pending before the Board of Supervisors, to fund the proposed program. <p style="text-align: center;">Recommendation</p> <ul style="list-style-type: none"> Approval of the proposed ordinance is a policy matter for the Board of Supervisors. 	

MANDATE STATEMENT

City Charter Section 2.105 states that all legislative acts shall be by ordinance, approved by a majority of the members of the Board of Supervisors.

BACKGROUND

It is unlawful for San Francisco property owners to allow graffiti to remain on their property under Public Works Code Article 23. Public Works is responsible for painting over or otherwise removing graffiti on public property and issuing Notices of Violations to private property owners when property contains graffiti in violation of the code. The Department of Sanitation and Streets will be responsible for graffiti abatement starting in October 2022. Property owners can request hearings to demonstrate hardship, in which case, Public Works may remove the graffiti at no cost. If property owners do not remove the graffiti or request a hearing within 30 days, the City initiates proceedings to abate the graffiti, charging property owners a minimum of \$500 for associated costs.

According to Public Works, average monthly service orders for graffiti abatement on public and private property increased from 3,055 in FY 2019-20 to 4,146 in FY 2020-21, an increase of 36 percent, and subsequently declined to 3,706 in FY 2021-22. During the COVID emergency, Public Works has provided graffiti abatement at no cost to certain commercial districts to alleviate the impact to San Francisco businesses. In October 2020, Public Works provided graffiti abatement twice per week to commercial areas located in the Mission and Chinatown. Public Works also provides graffiti abatement (as well as litter removal, steam cleaning, and trash pickup) to a different commercial district every week through its CleanCorridorsSF pilot program, launched in 2020. In April 2021, the Board of Supervisors approved an ordinance that required Public Works to temporarily suspend posting graffiti notices of violation to private property owners and waived certain unpaid fees and fines assessed under Article 23 until 90 days after the expiration of the Mayor’s Emergency Proclamation regarding the COVID-19 pandemic (File 21-0258).

DETAILS OF PROPOSED LEGISLATION

The proposed ordinance would amend the Public Works Code to create a pilot program that would allow property owners in commercial areas to opt into graffiti abatement by Public Works at no cost to the property owner and affirm the Planning Department’s determination under the California Environmental Quality Act (CEQA). The pilot program would last for 27 months.

Commercial areas to be included in the proposed pilot program include Neighborhood Commercial and Neighborhood Commercial Transit Districts (including individually named districts),¹ as well as the following commercial districts located in Chinatown: the Chinatown

¹ According to Planning Code Section 702, Neighborhood Commercial Districts are “low to high density mixed-use neighborhoods of varying scale established around historical neighborhood commercial centers” and Neighborhood

Community Business District, the Chinatown Residential/Neighborhood Commercial District, and the Chinatown Visitor Retail District.² Property owners located in a Community Benefits District or Green Benefits District must demonstrate that their district lacks sufficient funding for graffiti abatement to participate in the program.

Estimated Workload

In FY 2021-22, the average number of monthly service orders for graffiti abatement on public and private property was 3,706, including an average of 562 service orders (15 percent) along commercial corridors, as shown in Exhibit 1 below. This overstates the anticipated workload from the proposed pilot program because it includes service orders for public property (which are already covered by existing graffiti abatement activities) in addition to private property (which would reflect new graffiti abatement activities by the pilot program). Public Works estimates that approximately 411 or 59% percent of service orders along commercial corridors in FY 2021-22 were for private property.

Exhibit 1: Average Monthly Graffiti Service Orders Citywide and along Commercial Corridors

	<u>Citywide</u>	<u>Along Commercial Corridors</u>	
	Average Monthly Graffiti Service Orders (Public and Private Property)	Average Monthly Graffiti Service Orders (Public and Private Property)	Percent of Total
FY 2018-19	2,571	709	28%
FY 2019-20	3,055	624	20%
FY 2020-21	4,146	768	19%
FY 2021-22	3,706	562	15%

Source: Public Works

According to Public Works staff, the Department would hire as-needed laborers to provide graffiti abatement for commercial properties under the proposed pilot, which would occur seasonally rather than year-round.

FISCAL IMPACT

Public Works estimates the proposed pilot program would cost \$1,989,916 in FY 2022-23 and \$1,863,021 in FY 2023-24 based on seasonal graffiti abatement, rather than year-round abatement, as shown in Exhibit 2 below. The Board of Supervisors added \$2 million in FY 2022-

Commercial Transit Districts are “transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services.” Individually named Neighborhood Commercial Districts and Neighborhood Commercial Transit Districts (e.g., Castro Street Neighborhood Commercial District) provide more targeted zoning controls based on the needs of their respective neighborhoods.

² Chinatown commercial districts listed above are defined in Planning Code Sections 810, 812, and 811 respectively.

23 and in FY 2023-24 during the Budget and Appropriations Committee phase of the budget, which pending before the Board of Supervisors.

Exhibit 2: Public Works’ Cost Estimates for Proposed Pilot Program

	FY 2022-23 Cost	FY 2023-24 Cost
Labor	\$1,325,245	\$1,685,621
Salaries and Benefits (7.0 FTE)	761,543	971,655
7215 General Laborer Supervisor I (1.0 FTE)	108,839	138,864
7514 General Laborer (3.0 FTE)	293,600	374,874
6230 Street Inspector (2.0 FTE)	239,105	304,916
1842 Management Assistant (1.0)	119,999	153,001
Department Overhead	376,925	471,157
Division Overhead	186,776	242,809
Non-Labor	\$664,672	\$177,400
Materials and Supplies	161,922	133,300
Materials and Supplies for Painting	115,000	132,250
Tablets and Radios	1,000	1,050
Paint Color Matching Equipment, Sprayer, Mixer, Paint Tint-Shaker (2)	45,922	
Equipment	460,750	
Inspector Vehicles (?)	90,000	
Graffiti Abatement Vans (2)	250,000	
Steamer Unit with Truck and Water (1)	120,750	
Services of Other Departments	42,000	44,100
City Attorney - Consultation for Work on Private Property	42,000	44,100
Total	\$1,989,916	\$1,863,021

Source: DPW

Cost estimates do not include graffiti abatement above street level, which would be addressed by a private contractor that currently provides this service to Public Works; the costs of service are billed to the private property owner.

Staffing

Budget estimates include salaries and benefits for 7.0 new full-time equivalent (FTE) positions, which are fully annualized in FY 2023-24, to conduct inspections (3.0 FTE) and abate graffiti (4.0 FTE). Public Works current staffing for graffiti abatement activities includes 1 FTE 7215 General Laborer Supervisor II, 2 FTE 7215 General Laborer Supervisor I, and 11 FTE 7514 General Laborers to abate graffiti on public property (14.0 FTEs) and 3.0 FTE 6229 Street Inspection Trainees and 1.0 FTE 2917 Analyst to inspect and notify property owners about graffiti on private property (4.0 FTEs).

RECOMMENDATION

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

May 17, 2022

File No. 220538

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

Dear Ms. Gibson:

On May 10, 2022, Supervisor Myrna Melgar introduced the following Ordinance assigned to the Budget and Finance Committee:

File No. 220538

Ordinance amending the Public Works Code to require Public Works to create a pilot program allowing property owners in commercial areas to opt into graffiti abatement by Public Works at no cost to the property owner; 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, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

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

May 18, 2022

A handwritten signature in black ink, appearing to read "Don Lewis".



CITY AND COUNTY OF SAN FRANCISCO
LONDON BREED, MAYOR

OFFICE OF SMALL BUSINESS
DIRECTOR KATY TANG

July 13, 2022

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 #220538 – Public Works Code – Public Works Graffiti Abatement Pilot Program – SUPPORT

Dear Ms. Calvillo,

On July 11, 2022 the Small Business Commission (the Commission) heard BOS File No. 220538 Public Works Graffiti Abatement Pilot Program. Jennifer Fieber, legislative aide to Supervisor Melgar, presented the legislation. **The Commission voted unanimously to support this legislation.**

The Commission noted that small businesses are often the victims of graffiti and yet still carry the burden of removing it promptly. This legislation falls in line with the Commission's previous recommendations that San Francisco follow the examples of Los Angeles, New York City, Boston, Dallas, and Chicago, which all perform graffiti abatement for commercial properties at no cost to the property owner.

This legislation sends a powerful message to property owners and small businesses that the City supports their work and understands the difficulty that comes with owning and operating a business. The Commission looks forward to working with Supervisor Melgar's office and the Department of Public Works to implement this pilot program.

The Commission thanks the Mayor's Office and Supervisor Melgar for this thoughtful proposal and their ongoing engagement on this important issue. Thank you for considering the Commission's recommendations. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Katy Tang".

Katy Tang
Director, Office of Small Business

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

May 17, 2022

File No. 220538

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

Dear Ms. Gibson:

On May 10, 2022, Supervisor Myrna Melgar introduced the following Ordinance assigned to the Budget and Finance Committee:

File No. 220538

Ordinance amending the Public Works Code to require Public Works to create a pilot program allowing property owners in commercial areas to opt into graffiti abatement by Public Works at no cost to the property owner; 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, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Carla Short, Interim Director, Department of Public Works

FROM: Brent Jalipa, Assistant Clerk, Budget and Finance Committee

DATE: May 17, 2022

SUBJECT: LEGISLATION INTRODUCED

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

File No. 220538

Ordinance amending the Public Works Code to require Public Works to create a pilot program allowing property owners in commercial areas to opt into graffiti abatement by Public Works at no cost to the property owner; and affirming the Planning Department's determination under the California Environmental Quality Act.

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: David Steinberg, Public Works
Bryan Dahl, Public Works
Lena Liu, Public Works

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Katy Tang, Director
Small Business Commission, City Hall, Room 448
FROM: Brent Jalipa, Assistant Clerk, Budget and Finance Committee
DATE: June 17, 2022
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. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 220538

Ordinance amending the Public Works Code to require Public Works to create a pilot program allowing property owners in commercial areas to opt into graffiti abatement by Public Works at no cost to the property owner; and affirming the Planning Department's determination under the California Environmental Quality Act.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

___ No Comment

___ Recommendation Attached

Chairperson, Small Business Commission

cc: Kerry Birnbach, Senior Policy Analyst/Commission Secretary

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

PRESIDENTIAL ACTION

Date: 6/7/2022

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. 220538 Melgar
(Primary Sponsor)

Title. Public Works Code - Public Works Graffiti Abatement Pilot Program

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: _____ Meeting
(Date) (Committee)

Start Time: _____ End Time: _____

Temporary Assignment: Partial Full Meeting


Shamann Walton, President
Board of Supervisors

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Jalipa, Brent \(BOS\)](#)
Subject: FW: Graffiti abatement
Date: Wednesday, July 20, 2022 4:25:25 PM
Attachments: [image001.png](#)

Hello,

Please see below for communication from Meredith Blau regarding File No. 220538.

File No. 220538 - Public Works Code - Public Works Graffiti Abatement Pilot Program

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From: Meredith Blau <meredithblau15@gmail.com>
Sent: Tuesday, July 19, 2022 5:27 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Graffiti abatement

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

I really don't see why you can't follow the NYC plan. They are far bigger than we are! Just get the job done.

Anyone can report graffiti on any property in New York City. Simply **call 311 or submit a claim and the City will mail a notice to the property owner on file.**

Once the notice is delivered, the property owner will have 35 days to contact the City to decline graffiti removal services.

<https://url.avanan.click/v2/https://edc.nyc.YXAzOnNmZHQyOmE6bzoyNDk1MjFhNzI5N2Q5MmI0NmI4NDExYT VIMWNhMmM0Njo2OmZiMWQ6YzY0MTRiN2I4NjM4MzI3OTdhZWRlMTlmYTM0ZjczZDk1ZjBhNmU2MzJmZjI3NzIiY2I4Y2Y1NDViMDUwNmEwNz00IQ> > program > graffiti-...

[Graffiti-Free NYC | NYCEDC](#)

Sent from my iPhone

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Jalipa, Brent \(BOS\)](#)
Subject: FW: BOS Legislation: Item 26. 220538
Date: Tuesday, July 19, 2022 9:48:01 AM
Attachments: [Letter re Legislation #Item 26.220538.pdf](#)

Hello,

Please see below and attached for communication from Henry Karnilowicz regarding file No. 220538.

File No. 220538 - Public Works Code - Public Works Graffiti Abatement Pilot Program

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From: Henry Karnilowicz <occexp@aol.com>
Sent: Monday, July 18, 2022 10:17 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Dorsey, Matt (BOS) <matt.dorsey@sfgov.org>
Subject: BOS Legislation: Item 26. 220538

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

Hi Angela,

Attached is my letter to the Board of Supervisors regarding the referenced legislation to be heard tomorrow,

Please distribute.

Warm regards,

Henry Karnilowicz

OCCIDENTAL EXPRESS

Consulting Design Construction Management

CSL #319153

1019 Howard Street

San Francisco, CA 94103-2806

415.420.8113 cell

415.621.7583 fax

https://url.avanan.click/v2/_.YXAzOnNmZHQyOmE6bzpkYmlyNzg4N2QwN2NIOGNiMTQ2ODcwNWM1YmJhYWlwMDo2OjFjM2Q6OTMyNDImYjcxNTEwZDkxODU5MGZmOTJkN2UwYTRhYTAyYTkyODYxMGNkOGMyMzY4YTJkZjQ5MGI3OTgzZGYyNjp0OIQ

President Emeritus

San Francisco Council of District Merchants Associations

Co-chair

SFPD x Chief's Small Business Advisory Forum

HENRY KARNILOWICZ

President Emeritus
San Francisco Council of District Merchants Associations

July 18, 2022

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

Dear Ms. Calvillo,

I am writing to you to extend my thanks and appreciation to supervisors, Myrna Melgar, Catherine Stefani and Hillary Ronen for their legislation #26.220538, ordinance amending the Public Works Code to require Public Works to create a pilot program allowing property owners in commercial areas to opt into graffiti abatement by Public Works at no cost to the property owner; and affirming the Planning Department's determination under the California Environmental Quality Act.

Graffiti has gotten to the point where property owners and small businesses are struggling to keep it abated. For National Ice Cream day I stopped by at Joe's Ice Cream on Geary Boulevard with its colorfully painted shared space and it is vandalized with graffiti. This is not the only shared space that has been vandalized. What broke my heart was seeing the beautiful mural at Hoogasian Flowers with graffiti on it

I hope that abating the graffiti will also include prosecution of these so called graffiti artists and that it not be just a slap on the hand!

Supervisors, I urge you to unanimously support this legislation!

Sincerely,


Henry Karnilowicz

Cc:
Board of Supervisors

"Think big, Shop Small"

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