

1 [Administrative Code - Establishing a San Francisco Super Bowl 50 Impact Fund]

2
3 **Ordinance amending the Administrative Code to establish a San Francisco Super**
4 **Bowl 50 Impact Fund to be used to provide financial support to small businesses**
5 **specifically impacted by Super Bowl-related events.**

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

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

14 Section 1. The Administrative Code is hereby amended by adding Section 10.100-319,
15 to read as follows:

16 **SEC. 10.100-319. SAN FRANCISCO SUPER BOWL 50 IMPACT FUND.**

17 (a) Establishment of Fund. The San Francisco Super Bowl 50 Impact Fund ("the Fund") is
18 hereby established as a category four fund to be used to provide financial support to small businesses
19 specifically impacted by Super Bowl-related events.

20 (b) Source of Funds. Monies from the following sources may be deposited by appropriation
21 into the Fund: (1) donations or cost reimbursements related to any City-incurred costs associated with
22 Super Bowl-related events; (2) surplus, discretionary General Fund tax revenues attributable to Super
23 Bowl-related events, as estimated by the Controller's Office following an accounting of the events; and
24 (3) any other sources.

25 (c) Use of Funds. The Board of Supervisors may appropriate monies from the Fund to provide
financial support to reimburse (1) businesses, merchants, or individuals who paid the City a license,

1 operating, or other fee for the purposes of operating their business and were subsequently displaced as
2 a result of the event, and (2) other businesses and merchants who were adversely impacted by Super
3 Bowl-related events. No monies shall be disbursed from the Fund until the Board of
4 Supervisors adopts by ordinance rules and procedures governing the allocation of grants.

5 (d) Administration of Grant Program. Those street artists licensed through the Arts
6 Commission that can demonstrate a loss of income related to the reduction of spaces
7 resulting from covered events shall be eligible for a grant award equivalent to their income
8 loss, not to exceed \$600 per street artist.

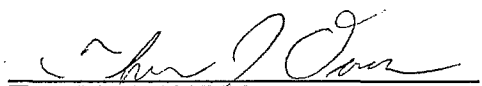
9 Food trucks, restaurants, and other individuals and businesses permitted or licensed
10 through the Department of Public Work's Bureau of Street Use & Mapping shall be eligible for
11 grants equivalent in value to permit fee(s) for the period of time under the approved permit(s)
12 during which the permittee was not able to make use of the permitted benefit. Such grants
13 shall not exceed \$600 per grantee. Utility-related permits or licenses are not eligible for such
14 grants.

15 The Controller's Office shall develop and administer the grant application, calculation,
16 award, and disbursement process, in consultation with the Department of Public Works and
17 Arts Commission. The Controller shall proportionally reduce grant awards authorized above
18 to the extent that total calculated awards exceed the available balance in the fund.

19
20 Section 2. Effective Date. This ordinance shall become effective 30 days after
21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
22 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
23 of Supervisors overrides the Mayor's veto of the ordinance.
24

1 Section 3. Undertaking for the General Welfare. In enacting and implementing this
2 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
3 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
4 is liable in money damages to any person who claims that such breach proximately caused
5 injury.

6
7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: 
11 THOMAS OWEN
12 Deputy City Attorney

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AMENDED IN COMMITTEE
3/16/16

FILE NO. 160116

LEGISLATIVE DIGEST

[Administrative Code - Establishing a San Francisco Super Bowl 50 Impact Fund]

Ordinance amending the Administrative Code to establish a San Francisco Super Bowl 50 Impact Fund to be used to provide financial support to small businesses specifically impacted by Super Bowl-related events.

Existing Law

The City currently does not have a special fund or other program to provide financial assistance to small businesses that suffered financial losses due to events in the City related to Super Bowl 50 in January and February of this year.

Amendments to Current Law

The proposal is an ordinance that would amend the Administrative Code to establish a San Francisco Super Bowl 50 Impact Fund ("the Fund"). The general purpose of the Fund would be to provide financial support to small businesses specifically impacted by Super Bowl-related events.

Under the proposal, the Controller would establish a program to award any street artist licensed through the Arts Commission a grant based on his or her proven loss of income due to the reduction of sales spaces during Super Bowl-related events, not to exceed \$600 per artist. The proposal would also authorize the Controller award the owner of a food truck, restaurant, or other business permitted or licensed through DPW's Bureau of Street Use & Mapping a grant based on its permit fee(s), pro-rated for the period of time during which the permittee was not able to make use of the benefit due to Super Bowl-related events, not to exceed \$600 per permit holder. The proposal would not authorize grants based on utility-related permits or licenses. The proposal would require the Controller to proportionally reduce the amount of each grant if the total calculated awards exceeded the available balance in the Fund.

The Board of Supervisors would appropriate money to the Fund from: donations or cost reimbursements related to any City-incurred costs associated with Super Bowl-related events; surplus, discretionary General Fund tax revenues attributable to Super Bowl-related events, as estimated by the Controller's Office following an accounting of the events; or any other available sources.

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<p>Items 2 and 3 Files 16-0116 and 16-0117</p>	<p>Department: Controller's Office (Controller)</p>
<p>EXECUTIVE SUMMARY</p>	
<p style="text-align: center;">Legislative Objectives</p>	
<ul style="list-style-type: none"> • <u>File 16-0116</u> is an ordinance amending the Administrative Code to establish a San Francisco Super Bowl 50 Impact Fund ("Fund") to be used to provide financial support to small businesses specifically impacted by Super Bowl-related events. • <u>File 16-0117</u> is an ordinance appropriating \$100,000 from the General Reserve to deposit into the Super Bowl 50 Impact Fund. 	
<p style="text-align: center;">Key Points</p>	
<ul style="list-style-type: none"> • Monies from the Super Bowl 50 Impact Fund would be used to reimburse businesses, merchants or individuals who paid the City a license, permit or other fee to operate a business and who were subsequently displaced due to Super Bowl 50 events. • Funds to be deposited into the Fund would come from (1) an initial appropriation of \$100,000 from the General Reserve (File 16-0117), (2) donations or reimbursements related to any City-incurred costs associated with Super Bowl-related events, and (3) surplus discretionary General Fund tax revenues attributable to Super Bowl-related events, as determined by the Controller. • The Controller would administer the Fund, and the Arts Commission, Department of Public Works or other City departments that issued the licenses and permits would be responsible to review applications for reimbursement funds from eligible businesses, merchants or individuals. 	
<p style="text-align: center;">Fiscal Impact</p>	
<ul style="list-style-type: none"> • The proposed ordinance (File 16-0117) would appropriate \$100,000 from the General Reserve. As of the writing of this report the General Reserve balance is \$73,931,443. If the Board of Supervisors approves the proposed \$100,000 supplemental appropriation, the General Fund Reserve would be reduced to \$73,831,443. 	
<p style="text-align: center;">Recommendation</p>	
<ul style="list-style-type: none"> • Approval of the proposed ordinances is a policy matter. 	

MANDATE STATEMENT

Charter Section 9.105 provides that amendments to the appropriation ordinance, subject to the Controller certifying the availability of funds, are subject to Board of Supervisors approval.

City Administrative Code Section 10.100-1 establishes categories of funds to assist with the financial management of special funds or accounts.

DETAILS OF PROPOSED LEGISLATION

File 16-0116 is an ordinance amending the Administrative Code to establish a San Francisco Super Bowl 50 Impact Fund ("Fund") to be used to provide financial support to small businesses specifically impacted by Super Bowl-related events:

File 16-0117 is an ordinance appropriating \$100,000 from the General Reserve to deposit into the Super Bowl 50 Impact Fund.

The proposed Super Bowl 50 Impact Fund would be established as a category four fund, in accordance with Administrative Code Section 10.100-1 which (1) requires Board of Supervisors approval for appropriation of funds, (2) allows interest earnings on the fund balance to be retained in the Fund, and (3) allows unspent fund balance to be carried forward into the next fiscal year.

Funds to be deposited into the Fund would come from (1) an initial appropriation of \$100,000 from the General Reserve (File 16-0117), (2) donations or reimbursements related to any City-incurred costs associated with Super Bowl-related events, and (3) surplus discretionary General Fund tax revenues attributable to Super Bowl-related events, as determined by the Controller.

Businesses, merchants or individuals who paid the City a license, permit or other fee to operate a business and who were subsequently displaced due to Super Bowl 50 events would be eligible to apply for reimbursements from the Fund. Other businesses and merchants who were adversely impacted by Super Bowl-related events, such as Port tenants, would also be eligible to apply for reimbursements.

According to the Office of the Sponsor, the Controller would administer the Fund, and the Arts Commission, Department of Public Works or other City departments that issued the licenses and permits would be responsible to review applications for reimbursement funds from eligible businesses, merchants or individuals.

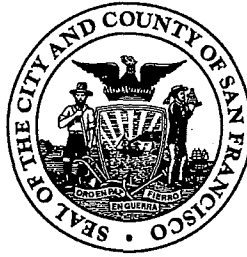
FISCAL IMPACT

The proposed ordinance (File 16-0117) would appropriate \$100,000 from the General Reserve. As of the writing of this report the General Reserve balance is \$73,931,443. If the Board of Supervisors approves the proposed \$100,000 supplemental appropriation, the General Fund Reserve would be reduced to \$73,831,443.

RECOMMENDATION

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

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

MEMORANDUM

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

FROM: Linda Wong, Assistant Clerk, Budget and Finance Committee,
Board of Supervisors

DATE: February 17, 2016

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Budget and Finance Committee

The Board of Supervisors' Budget and Finance Committee has received the following proposed 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. 160116

Ordinance amending the Administrative Code to establish a San Francisco Super Bowl 50 Impact Fund to be used to provide financial support to small businesses specifically impacted by Super Bowl-related events.

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

Wong, Linda (BOS)

From: Wong, Linda (BOS)
Sent: Wednesday, February 17, 2016 2:35 PM
To: Dick-Endrizzi, Regina (ECN)
Subject: File No. 160116 - REFERRAL FROM BOARD OF SUPERVISORS (Budget & Finance Committee)
Attachments: 160116.pdf

Hi Regina,

The Board of Supervisors' Budget and Finance Committee has received the following proposed 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. 160116

Ordinance amending the Administrative Code to establish a San Francisco Super Bowl 50 Impact Fund to be used to provide financial support to small businesses specifically impacted by Super Bowl-related events.

If the Small Business Commission wishes to submit a response, please send it directly to me at the address provided below.

Sincerely,

Linda Wong
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: 415.554.7719 | Fax: (415) 554-5163
Linda.Wong@sfgov.org | www.sfbos.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

160116

Introduction Form

By a Member of the Board of Supervisors or the 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 [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) 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 a Imperative Form.

Sponsor(s):

Supervisors Aaron Peskin; Kim

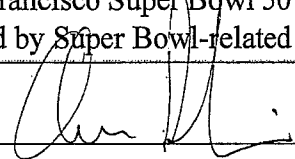
Subject:

[Administrative Code - Establishing a San Francisco Super Bowl 50 Impact Fund]

The text is listed below or attached:

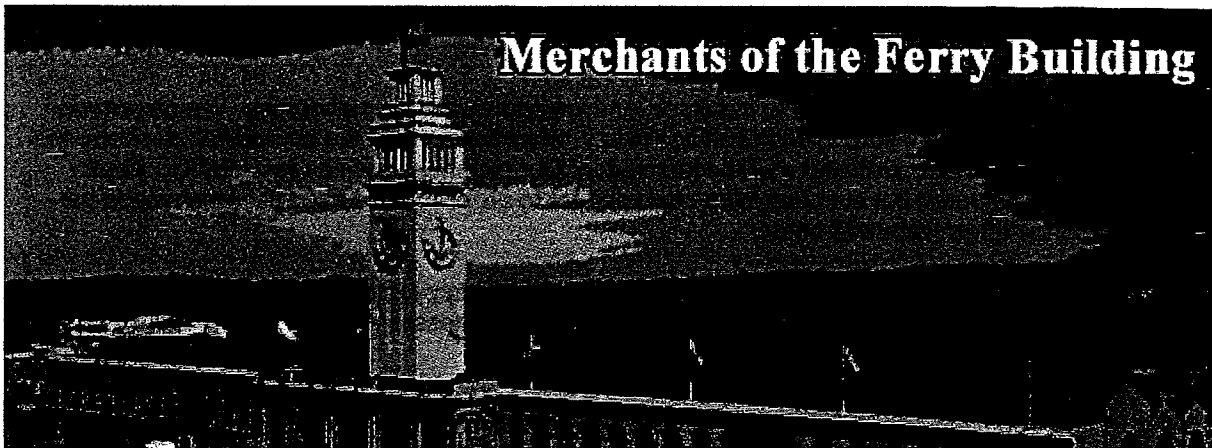
Ordinance amending the Administrative Code to establish a San Francisco Super Bowl 50 Impact Fund to be used to provide financial support to small businesses specifically impacted by Super Bowl-related events.

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only:

File #160116
Received in Granite
3/11/16
J.W.



March 9, 2016
The Honorable Aaron Peskin
San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisor Peskin,

We read in last week's *San Francisco Chronicle* an article ("*Super Bowl helped generate \$8.2 million in city hotel taxes*") about the financial success of Super Bowl 50 for San Francisco. Joe D'Alessandro, president and CEO of San Francisco Travel, is quoted as saying "our hotels were nearly filled with visitors spending not only on hotel rooms but restaurants, transportation, shopping, entertainment and more."

This is great news. If only it were true for the tenants of the Ferry Building. We have estimated that the City lost approximately \$495,000 in sales tax from our businesses during the Super Bowl festivities. Granted, that's a small sum compared to the \$8.2 million for the City, but it stems from a significant loss of income for us.

Many of us were excited about the prospect of all of the visitors to San Francisco coming through the Ferry Building and making purchases with us. But the reality was far from the hopes.

The reality was that our regular customers, the people who live here and shop with us frequently, stayed away. The reality was that the City did not coordinate well with us, and the resulting crowds, mostly hordes of upset people who could not get into the Super Bowl village, meandered about further making the Ferry Building unattractive for paying customers. The reality was we had a spike in shoplifting and vandalism as some visitors decided they'd rather take their anger out on us.

The reality was that some of us saw a drop in sales close to 40%. One of our vendors had a grand total of seven sales one day that week. Our expenses were up as well, because of the street closures and disruption. Many of us had to pay more to get deliveries, and many employees had a hard time getting to work. The reality was we got very little communication from the City; some of us found out that the southbound Embarcadero was going to be closed by reading about it in the press. Most customers just stayed away.

CUESA's Ferry Plaza Farmers Market (a tenant and longtime partner of the Ferry Building) saw a 50 - 75 percent decrease in farmer/vendor sales as their regular customers - San Francisco families and chefs - avoided the entire area for three weeks. As an important San Francisco institutional and destination, the Farmers Market was literally abandoned outside the walls of Super Bowl City, cut off from their normal

customers, leaving hard working farmers and sellers with significant losses and a bitter taste in their mouths.

We know you've been looking closely at this issue, and we appreciate your leadership. We can provide you with more information if you need. But suffice to say, when figuring out the tax windfall, we hope the loss of revenue from other businesses will be factored in. Our expenses such as rent, staffing, health care, etc. did not go down, but our customers could not get to us, or refused to come, which made the whole experience a huge financial burden.

Again, thank you for your leadership and we would we would be happy to host you at an informal breakfast at your convenience so that you may hear from our businesses first hand.

Best regards,

Acme Bread
Benedetta
Biscuit Bender
Blue Bottle Coffee
Boccalone
Book Passage
Cowgirl Creamery
CUESA – The Ferry Plaza Farmers Market
Dandelion Chocolate
Donut Farm
El Porteno Empanadas
Farm Fresh To You
Ferry Plaza Wine Merchants
Glassy Baby
Imperial Tea
Heath Ceramics
Hog Island Oyster Company
Market Bar
Marla Bakery
McEvoy Ranch
Miette
Mijita
Slanted Door
Sow Juice
Stonehouse Olive Oil
Village Market