	151077 COMMITTEE/BOAR	Committee Item Board Item No. ₋ D OF SUPER	
	AGENDA PACKE	T CONTENTS LIS	T
Committee:	Land Use and Transporta	tion Dat	e November 16, 2015
Board of Su	pervisors Meeting	Dat	e December 8, 2015
Cmte Boa	Motion Resolution Ordinance Legislative Digest Budget and Legislative A Youth Commission Repolative A Introduction Form Department/Agency Cov Memorandum of Unders Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 - Ethics Comm Award Letter Application Form 700 Vacancy Notice Information Sheet Public Correspondence	ort er Letter and/or F tanding (MOU)	Report
OTHER	(Use back side if additio	nal space is need	led)

Date November 13, 2015

Date November 25, 2015

Completed by: Alisa Somera
Completed by: Alisa Somera

NOTE:

[Administrative Code - Advertising Sugar-Sweetened Beverages on City Property]

Ordinance amending the Administrative Code to remove prohibition on the advertising of sugar-sweetened beverages on City property.

Unchanged Code text and uncodified text are in plain Arial font.

Additions to Codes are in single-underline italics Times New Roman font.

Deletions to Codes are in strikethrough italics Times New Roman font.

Board amendment additions are in double-underlined Arial font.

Board amendment deletions are in strikethrough Arial font.

Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. The Administrative Code is hereby amended by revising Section 4.20 to read as follows:

SEC. 4.20. TOBACCO PRODUCT, <u>AND</u> ALCOHOLIC BEVERAGE, <u>AND SUGAR</u> SWEETENED BEVERAGE ADVERTISING PROHIBITION.

- (a) No advertising of cigarettes or tobacco products, or alcoholic beverages, or Sugar-Sweetened Beverages shall be allowed on any property owned by or under the control of the City and County of San Francisco, except as exempted stated in subsections (c) and (d) below. For purposes of this Section 4.20, "alcoholic beverage" shall be as defined in California Business and Professions Code section 23004 and shall not include cleaning solutions, medical supplies, and other products and substances not intended for drinking, and "Sugar-Sweetened Beverages" shall be as defined in subsection (e) below.
- (b) This prohibition shall include the placement of the name of a company producing, selling, or distributing cigarettes or tobacco products or alcoholic beverages, the name of a

company producing Sugar Sweetened Beverages, or the name of any cigarette or tobacco product, or alcoholic beverages, or Sugar Sweetened Beverages, in any promotion of any event or promotion of any product or beverage on property owned by or under the control of the City and County of San Francisco. This prohibition shall not apply to any advertisement sponsored by a state, local, nonprofit or other entity designed to (1) communicate the health hazards of cigarettes and tobacco products, alcoholic beverages or Sugar Sweetened Beverages, (2) encourage people not to smoke or to stop smoking, or encourage people not to drink or to stop drinking alcohol or Sugar Sweetened Beverages, or (3) provide or publicize drug or alcohol treatment or rehabilitation services; nor shall this prohibition apply to the inclusion of the name of a company producing Sugar Sweetened Beverages, or the name of a charitable foundation containing any such company's name, on signage listing sponsors of a charitable event occurring on City property.

- (c) All leases, permits, or agreements awarded by the City and County of San Francisco allowing any person to use City property shall specifically provide that there shall be no advertising of cigarettes or tobacco products, <u>or</u> alcoholic beverages, <u>or Sugar Sweetened</u>

 Beverages as set forth in this Section 4.20. These prohibitions on advertising shall only apply to those leases, permits, or agreements entered into, renewed, or materially amended from and after the effective date of the ordinance establishing the prohibition.
- (d) City property used for operation of a restaurant, concert or sports venue, or other facility or event where the sale, production, or consumption of alcoholic beverages is permitted, shall be exempt from the alcoholic beverage advertising prohibition in subsections (a) through (c) above, and City property used for operation of a restaurant, concert or sports venue, or other facility or event where the sale or production of Sugar-Sweetened Beverages is permitted, shall be exempt from the Sugar Sweetened Beverage advertising prohibition in subsections (a) through (c) above, but either of the prohibitions may be made applicable by lease, permit, or agreement.
 - (e) For purposes of this Section 4.20,

eatoric buosance means a substance managed catories to the ater of a person who
consumes that substance.
— "Caloric Sweetener" means any Caloric Substance suitable for human consumption that
humans perceive as sweet and includes, but is not limited to, sucrose, fructose, high fructose corn
syrup, glucose and other sugars.
— "Medical Food" means medical food as defined in Section 109971 of the California Health
and Safety Code, including amendments to that Section.
— "Milk" means natural liquid milk, natural milk concentrate or dehydrated natural milk
(whether or not reconstituted) regardless of animal source or butterfat content. For purposes of this
definition, "Milk" includes flavored milk containing no more than 40 grams of total sugar (naturally
occurring and from added Caloric Sweetener) per 12 ounces.
— "Natural Fruit Juice" means the original liquid resulting from the pressing of fruit, the
liquid resulting from the complete reconstitution of natural fruit juice concentrate, or the liquid
resulting from the complete restoration of water to dehydrated natural fruit juice.
— "Natural Vegetable Juice" means the original liquid resulting from the pressing of
vegetables, the liquid resulting from the complete reconstitution of natural vegetable juice concentrate
or the liquid resulting from the complete restoration of water to dehydrated natural vegetable juice.
— "Nonalcoholic Beverage" means any beverage that is not subject to tax under Part 14
(commencing with Section 32001) of the California Revenue and Tax Code.
"Sugar-Sweetened Beverage" means any Nonalcoholic Beverage sold for human
consumption that has one or more added Caloric Sweeteners and contains more than 25 calories per
12 ounces of beverage, or any powder or syrup with added Caloric Sweetener that is used for mixing,
compounding, or making Sugar Sweetened Beverages. Notwithstanding the foregoing sentence,
"Sugar Sweetened Beverage" does not include any of the following:

- (2) Milk alternatives, including but not limited to non-dairy creamers or beverages

 primarily consisting of plant-based ingredients (such as soy, rice, or almond milk products), regardless

 of sugar content.
- (3) Any beverage that contains solely 100 percent Natural Fruit Juice, Natural Vegetable

 Juice, or combined Natural Fruit Juice and Natural Vegetable Juice.
- (4) Any product sold for consumption by infants, which is commonly referred to as "infant formula," or any product whose purpose is infant rehydration.
 - (5) Medical Food.
- (6)—Any product designed as supplemental, meal replacement, or sole-source nutrition that includes proteins, carbohydrates, and multiple vitamins and minerals.
- (7)—Any product sold in liquid form designed for use as an oral nutritional therapy for persons who may have a limited ability to absorb or metabolize dietary nutrients from traditional food or beverages.
 - (8)—Any product sold in-liquid form designed for use for weight reduction.

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

Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment

additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By:

Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - Advertising Sugar-Sweetened Beverages on City Property]

Ordinance amending the Administrative Code to remove prohibition on the advertising of sugar-sweetened beverages on City property.

Existing Law

City law generally prohibits the advertising of cigarettes or tobacco products, alcoholic beverages, and Sugar-Sweetened Beverages ("SSBs") on City property, subject to certain exceptions.

Amendments to Current Law

The proposed legislation would remove the prohibition on advertising SSBs on City property, as well as the accompanying exceptions that apply to SSBs. The legislation would also clarify that the existing prohibition on advertising cigarettes or tobacco products or alcoholic beverages applies to the placement of the name of a company producing such products or the name of such a product, but does not apply to the name of a company that only sells or distributes such products (*i.e.*, a grocery store). The ordinance would also remove an exception for certain types of messages pertaining to cigarettes or tobacco products or alcoholic beverages.

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Youth Commission

City Hall ~ Room 345 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4532



(415) 554-6446 (415) 554-6140 FAX www.sfgov.org/youth_commission

YOUTH COMMISSION MEMORANDUM

TO:

Honorable Mayor Edwin M. Lee

Honorable Members, Board of Supervisors

CC:

Angela Calvillo, Clerk of the Board of Supervisors

Hydra Mendoza, Mayor's Families & Children's Advisor

Nicole Wheaton, Mayor's Legislative Director and Commission & Board Liaison

Maria Su, Director, Department of Children, Youth, and their Families

FROM: DATE: 2015-2016 Youth Commission Tuesday, November 17, 2015

RE:

Seven Youth Commission actions at the November 16, 2015 meeting: Support BOS File Numbers 151082, 151077, 150868, 150940, 150944, 151109; Election of District 7 commissioner, Jessica Calderon as YC Media and Outreach Officer

At our regular meeting of Monday, November 16, 2015, the Youth Commission voted to support BOS file no. 150940 [Charter Amendment - Park, Recreation and Open Space Fund] with comment and recommendation. Youth Commissioners shared recommendations regarding the need for equity in park funding, attention to park safety, and reopening resources available by only by reservation or rental under the current revenue-generating needs of the department. A full record of their response is available in 1516-RBM-08.

The Youth Commission also voted to support BOS file no. 150944 [Administrative Code – Establishing the Safer Schools Sexual Assault Task Force] with comment and recommendation. A full record of their response is available in 1516-RBM-09.

The Youth Commission also voted to support BOS file numbers 151109 [Establishing the SoMA Pilipinas – Filipino Cultural Heritage District in San Francisco]; 151082 [Health Code – Amendment to Sugar-Sweetened Beverage Warning Ordinance]; 151077 [Administrative Code – Advertising Sugar-Sweetened Beverages on City Property]; 150868 [Edgewood Center for Children and Families Psychiatric Facility Designation Agreement]. Records of their responses are available in 1516-RBM-10, 1516-RBM-05, 1516-RBM-06, 1516-RBM-07.

**

Finally, the Youth Commission elected District 7 Youth Commissioner, Jessica Calderon, as Communications and Outreach Officer.

Please do not hesitate to contact Youth Commissioners or Youth Commission staff (415) 554-6446 with any questions. Thank you.

1516-RBM-06

Youth Commission
City Hall ~ Room 345
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4532



(415) 554-6446 (415) 554-6140 FAX www.sfgov.org/youth_commission

YOUTH COMMISSION MEMORANDUM

TO:

Alisa Somera, Assistant Clerk, Land Use and Transportation Committee

FROM:

Youth Commission

DATE:

Tuesday, November 17, 2015

RE:

Referral response to BOS Files No. 151077

At our **Monday, November 16, 2015 meeting**, the Youth Commission voted to support the following motion:

To support BOS File No. 151077 – Ordinance amending the Administrative Code to remove prohibition on the advertising of sugar-sweetened beverages on City property.

Youth Commissioners thank the Board of Supervisors for their attention to issue of curbing sugar-sweetened beverage consumption, and look forward to working with members of the Board to continue to explore solutions. If you have any questions, please contact our office at (415) 554-6446, or your Youth Commissioner.

Chair, Luis Avalos-Nunez

Adopted on November 16, 2015

2015-2016 San Francisco Youth Commission

President, District 5
BOARD of SUPERVISORS



BOS-11, PSNS, LN

Dep crty city, COB,

City Hall Leg Dup., Man

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco 94102-4689

Tel. No. 554-7630

Fax No. 554-7634

TDD/TTY No. 544-5227

London Breed

	PRESIDENTIAL	ACTION		··.
Date:	11/2/2015		Call:	90 3 3 34 C3
To:	Angela Calvillo, Clerk of the Board	l of Supervisors		
Madam Cl Pursuant t	erk, o Board Rules, I am hereby:			
	Waiving 30-Day Rule (Board Rule No.	3.23)		
	File No	(Primary Sponsor)	,	
	Transferring (Board Rule No. 3.3) File No. 151077 Title. Ordinance amending the	Cohen (Primary Sponsor) Administrative Code		
· Ц	From: Public Safety & Neighborhood Services To: Land Use & Transportation Assigning Temporary Committee Appointment (Board Rul Supervisor		_ Committee _ Committee ule No. 3.1)	
	For: (Date)	(Committee)		_Meeting

London Breed, President 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: Youth Commission

FROM: Angela Calvillo, Clerk of the Board

DATE: November 3, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following, which at the request of the Youth Commission is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 151077

Ordinance amending the Administrative Code to remove prohibition on the advertising of sugar-sweetened beverages on City property.

	Chairperson, Youth Commission
Recommendation Attached	
No Comment	

Major, Erica (BOS)

/om:

Major, Erica (BOS)

Sent:

Tuesday, November 03, 2015 4:33 PM

To:

Carpenter, Adele

Cc:

Guzman, Monica (BOS); Lu, Allen

Subject:

REFERRAL YC (151077) Administrative Code - Advertising Sugar-Sweetened Beverages on

City Property

Attachments:

151077 YC.pdf

Greetings,

Attached is a referral for the Youth Commission for comment and recommendation. Please forward your response to me as soon as it is available.

Best,

Erica Major

Assistant Committee Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163 Erica.Major@sfgov.org | www.sfbos.org



• Click <u>here</u> to complete a Board of Supervisors Customer Service Satisfaction form.

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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:

Erica Major, Assistant Committee Clerk, Board of Supervisors

DATE:

November 3, 2015

SUBJECT:

REFERRAL FROM BOARD OF SUPERVISORS

Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following substitute 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. 151077

Ordinance amending the Administrative Code to remove prohibition on the advertising of sugar-sweetened beverages on City property.

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 BUSINES	SS COMMISSION - Date:
No Comment	
Recommendation Attached	
	Chairnerson Small Rusiness Commission

Major, Erica (BOS)

:om:

Major, Erica (BOS)

Sent:

Tuesday, November 03, 2015 4:44 PM

To:

Dick-Endrizzi, Regina (ECN)

Cc:

Somera, Alisa (BOS)

Subject:

REFERRAL SBC (151077) Administrative Code - Advertising Sugar-Sweetened Beverages on

City Property

Attachments:

151077 SBC.pdf

Greetings:

This matter is being referred to the Small Business Commission for comment and recommendation. Please forward the Commission's response as soon as it is available.

Best,

Erica Major

Assistant Committee Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163 Erica.Major@sfgov.org | www.sfbos.org



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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:

Mohammed Nuru, Director, Public Works

Nicole Elliott, Mayor's Office

FROM:

Erica Major, Assistant Committee Clerk, Government Audit and Oversight

Committee, Board of Supervisors

DATE:

November 3, 2015

SUBJECT:

LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Cohen on October 20, 2015:

File No. 151077

Ordinance amending the Administrative Code to remove prohibition on the advertising of sugar-sweetened beverages on City property.

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:

Todd Rydstrom, Office of the Controller Crezia Tano, Office of Economic and Workforce Development

Major, Erica (BOS)

om:

Major, Erica (BOS)

Sent:

Tuesday, November 03, 2015 4:44 PM

To:

Nuru, Mohammed (DPW); Elliott, Nicole (MYR)

Cc: Subject: Rydstrom, Todd (CON); Tano, Crezia (ECN) REFERRAL FYI (151077) Administrative Code - Advertising Sugar-Sweetened Beverages on

City Property

Attachments:

151077 FYI.pdf

Greetings:

This matter is being forwarded to your department for informational purposes. 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.

Thank you.

Erica Major

Assistant Committee Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org



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Bos-11 Cors Leg. Dep ong. File

President, District 5 BOARD of SUPERVISORS



City Hall 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco 94102-4689 Tel. No. 554-7630 Fax No. 554-7634 TDD/TTY No. 544-5227

London Breed

	PRESIDEN	TIAL ACTION		
Date:	11/12/2015			
To:	Angela Calvillo, Clerk of the	e Board of Supervisors		
Madam C Pursuant	lerk, to Board Rules, I am hereby:			
\boxtimes	Waiving 30-Day Rule (Board I	Rule No. 3.23)		
	File No. <u>151077</u>	Cohen (Primary Sponsor)		
	Title. Ordinance amendi	ing the Administrative Code	.	
. 🗆	Transferring (Board Rule No. 3.3)			
	File No.	(Primary Sponsor)		
	Title.		_	
1	From:		_ Committee	
	To:		_Committee	
	Assigning Temporary Comr	mittee Appointment (Board Ri	ale No. 3.1)	
	Supervisor			•
	Replacing Supervisor			
	For:	- (Committee)		_Meeting

London Breed, President Board of Supervisors President, District 5
BOARD of SUPERVISORS



BOS-11, PSNS, LM

Dep cty atty, (OB)

City Hall Leg Dup, Mayor

1 Dr. Carlton B. Goodlett Place, Room 244 of flu

San Francisco 94102-4689

Tel. No. 554-7630 Ful 151077

TDD/TTY No. 544-5227

London Breed

PRESIDENTIAL ACTION			
Date:	11/2/2015		
То:	Angela Calvillo, Clerk of the Board of Supervisors		
Madam Cle	erk,		
Pursuant to	Board Rules, I am hereby:		
	Waiving 30-Day Rule (Board Rule No. 3.23)		
	File No.		
	(Primary Sponsor)		
	Title.		
X	Transferring (Board Rule No. 3.3)		
	File No. 151077 Cohen		
	(Primary Sponsor) Title. Ordinance amending the Administrative Code	•	
	From: Public Safety & Neighborhood Services	Committee	
	To: Land Use & Transportation C	ommittee	
. 🗆	Assigning Temporary Committee Appointment (Board Rule N	Jo. 3.1)	
	Supervisor	•	
	Replacing Supervisor		
	For: (Committee)	Meeting	

London Breed, President Board of Supervisors



For Clerk's Use Only:

Introduction Form

By a Member of the Board of Supervisors or the Mayor

F he	reby submit the following item for introduction (select only one): Time stamp or meeting date	
	1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)	
	2. Request for next printed agenda Without Reference to Committee.	٠
	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	
Plea	se 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.	
Spons	sor(s):	
Cohe	n	
Subj	ect:	
Adm	inistrative Code - Advertising Sugar-Sweetened Beverages on City Property	
Г	ext is listed below or attached:	
Attac	shed	
,	Signature of Sponsoring Supervisor:	