

File No. 131207

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date February 24, 2014

Board of Supervisors Meeting

Date _____

Cmte Board

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OTHER

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Completed by: Andrea Ausberry Date February 20, 2014

Completed by: _____ Date _____

1 [Environment Code - Bottled Water]

2
3 **Ordinance amending the Environment Code to restrict the sale or distribution on City**
4 **property of drinking water in plastic bottles of 21 ounces or less, set City policy to**
5 **increase the availability of drinking water in public areas, and bar the use of City funds**
6 **to purchase bottled water; and making environmental findings.**

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. Environmental Findings. The Planning Department has determined that the
16 actions contemplated in this ordinance comply with the California Environmental Quality Act
17 (California Public Resources Code Section 21000 et seq.). Said determination is on file with
18 the Clerk of the Board of Supervisors in File No. 131207 and is incorporated herein by
19 reference.

20 Section 2. Findings.

21 (a) The City and County of San Francisco has a duty to protect the natural
22 environment, the economy and the health of its citizens. San Francisco is renowned as an
23 environmental leader as a result of the City's adoption of cutting edge policies and its smart
24 and strategic implementation of those policies. Policies such as Plastic Bag Reduction
25 Ordinance enacted in March 2007, the City's zero waste policy, and the requirement that new

1 buildings install water fountains capable of filling reusable bottles, among others, all
2 demonstrate the City's leading role in reducing waste.

3 (b) Americans currently buy half a billion bottles of water every week, enough to circle
4 the globe twice. We consume more bottles of water than any other nation. An estimated
5 2 million tons of plastic water bottles end up in landfills each year. In San Francisco,
6 Recology collects 10-15 million single-use plastic water bottles a year, and this number does
7 not include bottles that go to redemption centers or landfill. It is likely that tens of millions of
8 single-use plastic water bottles from San Francisco end up in our recycling stream or landfill
9 on an annual basis.

10 (c) A plastic bottle in a landfill takes centuries to decompose. While advances by
11 water bottle producers have reduced the amount of packaging and weight of bottle containers
12 that ultimately reach the City's waste facilities, alternatives to plastic bottles, such as reusable
13 bottles, drinking fountains, and water stations produce an insignificant amount of waste in
14 comparison.

15 (d) Almost all this plastic is made from petroleum, requiring nearly 17 million gallons of
16 crude oil annually. Aside from their manufacture, single-use bottles have significant
17 environmental impacts throughout their lifecycle. The bottles require significant energy to
18 transport and often take a long journey to U.S. markets. In 2006, the equivalent of 2 billion
19 half-liter bottles arrived in U.S. ports, according to the Natural Resources Defense Council.
20 Fiji shipped 18 million gallons of bottled water to California, releasing about 2,500 tons of
21 transportation-related pollution. When incinerated, rather than being left to decompose, a
22 plastic bottle releases chlorine gas and heavy metal ash.

23 (e) Many plastic water bottles contain chemicals called phthalates that it has been
24 shown can leach into the water. Phthalates are known to disrupt testosterone and other
25 hormones, which can lead to infertility, cancer, miscarriages and other health problems.

1 (f) The City has repeatedly demonstrated its commitment to reducing this type of
2 waste. The Mayor's 2007 executive order barring the purchase of bottled water by City
3 Departments with City funds is widely recognized as an example of San Francisco's
4 exemplary policies and demonstrates the City's longstanding commitment to environmental
5 sustainability. And while significant strides have been made by City Departments in carrying
6 out this directive, much more remains to be done in connection with City-sponsored and City-
7 authorized events and activities on City property.

8 (g) The Port Commission recently showed great leadership in adopting the balanced
9 and thoughtful "Policy for Zero Waste Events and Activities," restricting plastic bottles on Port
10 property at events with over 5,000 attendees.

11 (h) Many people drink bottled water because they believe it to be of a higher quality,
12 cleaner and better-tasting, but that perception not necessarily accurate. In the United States,
13 public water is regulated by the Environmental Protection Agency (EPA), which requires
14 multiple daily tests for bacteria and makes results available to the public. The Food and Drug
15 Administration, which regulates bottled water, only requires weekly testing and does not share
16 its findings with the EPA or the public.

17 (i) The City's own supply of tap water is one of the cleanest and best tasting in the
18 country. The San Francisco Public Utilities Commission delivers pristine drinking water
19 through the Hetch Hetchy Reservoir in Yosemite National Park and Hetch Hetchy Regional
20 Water System, which meets or exceeds all federal and state criteria for drinking water quality
21 and is tested over 100,000 times per year. The system also uses gravity to transport water to
22 the municipality, while bottled water uses less environmentally-friendly means for
23 transportation.

24 (j) Bottled water is more expensive than tap water for the average consumer. Bottled
25 water cost consumers an average of \$1.30 per gallon (\$11.8. billion/9.1 billion gallons); San

Francisco's municipal water from Hetch Hetchy costs about \$0.03 per gallon. Yet bottled water is often filled right from the tap. It is estimated that one third of all bottled water sold in the United States is repackaged tap water. Some companies that are filling their bottles from underwater sources are taking so much that there are nearby communities worried that their own wells will run dry.

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1 Section 3. The San Francisco Environment Code is hereby amended by adding
2 Chapter 24, Sections 2401 through 2409, to read as follows:

3 **Chapter 24: Bottled Drinking Water**

4 Sec. 2401. Title.

5 Sec. 2402. Definitions.

6 Sec. 2403. Sale Or Distribution Of Bottled Water on City Property Restricted.

7 Sec. 2404. New Leases, Permits, And Agreements; Mobile Food Facilities.

8 Sec. 2405. Barring Use Of City Funds For Purchase Of Bottled Water.

9 Sec. 2406. Waivers and Exclusions.

10 Sec. 2407. Implementation.

11 Sec. 2408. Enforcement And Penalties.

12 Sec. 2409. Increasing the City's Commitment to Providing Public Water.

13
14 **SEC. 2401. TITLE.**

15 The title of this Chapter shall be the San Francisco Bottled Water Ordinance.

16
17 **SEC. 2402. DEFINITIONS.**

18 For purposes of this Chapter,

19 "Bottled Water" means drinking water in a sealed Rigid Plastic Bottle having a capacity of
20 21 fluid ounces or less.

21 "City Property" means real property, including any buildings thereon, owned or leased by the
22 City and County of San Francisco ("City"), and in the City's possession or in the possession of a
23 public or private entity under contract with the City to perform a public purpose, including but not
24 limited to the following property: recreational and park property including but not limited to Golden
25 Gate Park, the San Francisco Zoo, and San Francisco's parks and playgrounds, plazas including but

1 not limited to United Nations Plaza and Hallidie Plaza, community centers such as Ella Hill Hutch
2 Community Center, and property of the Department of Recreation and Parks, the Port, and the Public
3 Utilities Commission. "City Property" includes a "City Street."

4 "City Funds" means all monies or other assets received and managed by, or which are
5 otherwise under the control of, the Treasurer, and any notes, bonds, securities, certificates of
6 indebtedness or other fiscal obligations issued by the City and County.

7 "City Street" means the public right-of-way owned by the City, including any area across,
8 along, on, over, upon, and within the dedicated public alleys, boulevards, courts, lanes, roads,
9 sidewalks, streets, and ways within the City.

10 "Event" means any gathering held on City Property, including a City Street, and subject to a
11 City permit, where more than 100 people attend or participate.

12 "Mineral water" means drinking water containing more than 500 milligrams per liter of total
13 dissolved solids and/or one or more chemical constituents in excess of the concentrations listed in the
14 Federal Bottled Water Quality Standards (Title 21, Code of Federal Regs., Sec. 165.110).

15 "Participant Athletic Event" means an athletic event in which a group of people collectively
16 walk, jog, run, or bicycle or otherwise participate in a sport on City Property, including a City Street.

17 "Rigid Plastic Bottle" means any formed or molded container comprised predominantly of
18 plastic resin, having a relatively inflexible fixed shape or form, having a neck that is smaller than the
19 container body, and intended primarily as a single service container. "Rigid Plastic Bottle" includes a
20 compostable plastic bottle meeting these criteria.

21 "Water" includes: natural spring or well water; water taken from municipal or private utility
22 systems or other sources; distilled, deionized, filtered, or other purified water; or any of the foregoing
23 to which chemicals may be added. "Water" does not include: mineral water; carbonated or sparkling
24 water; soda, seltzer, or tonic water; or flavored water, also marketed as fitness water, vitamin water,
25 enhanced water, energy water, or other similar products. "Water" does not include those food

1 ingredients that are listed in ingredient labeling as "water," "carbonated water," "disinfected water,"
2 or "filtered water."

3
4 **SEC. 2403. SALE OR DISTRIBUTION OF BOTTLED WATER ON CITY PROPERTY**
5 **RESTRICTED.**

6 (a) Starting October 1, 2014, no person may sell or distribute Bottled Water at an Event held
7 indoors on City Property.

8 (b) Starting October 1, 2014, no person may sell or distribute Bottled Water at an Event held
9 outdoors on City Property, including a City Street, where the permitting officer, department, or agency
10 (collectively, "department") allows the Event sponsor access to reliable on-site potable water
11 connections adequate to meet the hydration needs of the Event participants or attendees. By July 1,
12 2014, departments that issue permits for Events on their properties and in their facilities shall, in
13 consultation with the San Francisco Public Utilities Commission ("SFPUC"), determine which
14 properties that are frequently used for Events have a reliable on-site supply of drinking water that
15 could be used by Event sponsors.

16 (c) Starting October 1, 2016, no person may sell or distribute Bottled Water at an Event held
17 outdoors on City Property, including a City Street.

18 (d) The provisions of this Section 2403 shall not apply to the sale or distribution of Bottled
19 Water to participants in a Participant Athletic Event. The provisions of this Section 2403 shall not
20 apply where the City grants the general public access to enter or use City Property in question,
21 including a City Street, without requiring issuance of a permit.

22 (e) This Section 2403 shall not apply to an event held prior to January 1, 2018 by a
23 not-for-profit entity.

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25 / / /

1 **SEC. 2404. NEW LEASES, PERMITS, AND AGREEMENTS; MOBILE FOOD FACILITIES.**

2 (a) Starting October 1, 2014, all new leases, permits, management agreements or other
3 agreements awarded by the City allowing any person to use City Property, including a City Street, for
4 purposes that contemplate or would allow the sale or distribution of beverages (collectively,
5 "permits") shall specifically require that the permittee comply with this Chapter. This requirement
6 shall also apply to any such permit renewed, extended, or materially amended after October 1, 2014

7 (b) Starting October 1, 2014, no City officer or department shall issue a bid proposal or
8 solicitation, request for bid or proposal, or contract for vendors or concessions to be operated on City
9 Property that would require or permit the sale or distribution of Bottled Water on such property.

10 (c) This Section 2404 does not apply to concessions/vendors at San Francisco Airport facilities.
11 This Section 2404 does not apply to permits for the use of City Property, including a City Street, for a
12 Participant Athletic Event, if the permit provides that the Event sponsor may only sell or distribute
13 Bottled Water, or allow the sale or distribution of Bottled Water, to participants in the Participant
14 Athletic Event and not to any other persons. This Section 2404 will not apply to concessions/vendors at
15 the Moscone Center facility until (1) the City Administrator certifies to the Board of Supervisors that
16 the first phase of the expansion of the facility, the plans for which include installation of bottle filling
17 stations, has been completed, or (2) January 1, 2018, whichever is sooner.

18 (d) Starting October 1, 2016, all Mobile Food Facility permits issued or renewed under
19 Article 5.8 of the Public Works Code shall specifically provide that the permittee shall not sell or
20 distribute or allow the sale or distribution of Bottled Water as part of the operation of the Facility.

21
22 **SEC. 2405. BARRING USE OF CITY FUNDS FOR PURCHASE OF BOTTLED WATER.**

23 (a) No City officer, department, or agency (collectively, "department") shall use City Funds to
24 purchase Bottled Water for its own general use. A department may use City Funds to purchase Bottled
25 Water for uses specifically exempted from or allowed under this Chapter.

1 (b) It shall be City policy not to have drinking water systems in City offices or facilities that use
2 plastic water bottles of any size where satisfactory alternatives exist and are feasible at the location
3 under consideration. It shall further be City policy to conform drinking water systems in City offices or
4 facilities to this goal where reasonable by the end of 2016.

5
6 **SEC. 2406. WAIVERS AND EXCLUSIONS.**

7 (a) A City officer, department, or agency (collectively, "department") responsible for
8 permitting an Event on or issuing a lease for City Property may waive the requirements of
9 Sections 2403 and 2404 in full or in part if the Event sponsor or lessee demonstrates to the satisfaction
10 of the department that strict application of the requirement would not be feasible, would create an
11 undue hardship or practical difficulty, or that circumstances otherwise warrant granting of the waiver.
12 The department's decision to grant a waiver shall be in writing and shall be final.

13 (b) The provisions of Sections 2403 and 2404 shall not apply where the department finds that
14 the inclusion or application of such provisions would violate or be inconsistent with the terms or
15 conditions of a grant, subvention or contract with an agency of the State of California or the United
16 States or the instructions of an authorized representative of any such agency with respect to any such
17 grant, subvention or contract.

18 (c) The provisions of Sections 2403, 2404, and 2405(a) shall not apply where the department
19 finds that relying on Bottled Water is necessary in a given situation to protect the public health, safety
20 and welfare, and no reasonable alternative to Bottled Water will serve the same purpose.

21 (d) Departments shall annually report all waivers granted under subsection (a) and
22 determinations of non-applicability made under subsections (b) and (c) to the Director of the
23 Department of the Environment, and include the reason for each waiver.

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1 **SEC. 2407. IMPLEMENTATION.**

2 (a) This Chapter shall not apply to an Event held on City Property, including a City Street,
3 where the sponsor applied for or received the permit prior to July 1, 2014. Nothing in this Chapter
4 shall be construed to impair a contract, lease, management agreement or other legally-binding
5 agreement to which the City is a party on the effective date of this Chapter.

6 (b) The Department of the Environment and the Public Utilities Commission shall take
7 appropriate steps to educate and inform City departments about the requirements of this Chapter.

8 (c) The Director of the Department of the Environment shall submit an annual report to the
9 Mayor and the Board of Supervisors on the implementation of this Chapter. The report shall include
10 the number of waivers granted by City officers or departments under Section 2406(a) and
11 determinations of non-applicability made under Section 2406(b) and (c), and a brief explanation of the
12 justifications for the same.

13
14 **SEC. 2408. ENFORCEMENT AND PENALTIES.**

15 (a) Any person who violates any provision of Section 2403 or of an administrative regulation
16 adopted under this Article to implement that Section may be punished by administrative fines imposed
17 by the Director of the Department of the Environment in the amount of:

18 (1) Up to \$500 for the first violation;

19 (2) Up to \$750 for a second violation within a twelve-month period; and,

20 (3) Up to \$1,000 for a third and subsequent violations within a twelve-month period.

21 (b) Except as provided in subsection (a), setting forth the amount of administrative fines,
22 Administrative Code Chapter 100, "Procedures Governing the Imposition of Administrative Fines," as
23 may be amended from time to time, is hereby incorporated in its entirety and shall govern the
24 imposition, enforcement, collection, and review of administrative citations issued by the Director to
25 enforce this Article or any administrative regulation adopted under this Article.

1 **SEC. 2409. INCREASING THE CITY'S COMMITMENT TO PROVIDING PUBLIC WATER.**

2 (a) It shall be City policy to increase the availability of clean, free drinking water in public
3 areas. City departments shall take all reasonable and appropriate steps to promote and facilitate
4 achievement of the goals and policies of this Chapter, including helping Event sponsors and other City
5 departments to meet the requirements of this Chapter.

6 (b) The SFPUC, in consultation with the Department of Public Health and other appropriate
7 City departments, shall investigate standards and procedures for allowing Event sponsors to access
8 additional City-controlled or -operated water supplies. The SFPUC shall report its findings and
9 recommendations to the Board of Supervisors by July 1, 2014.

10 (c) The SFPUC, in consultation with appropriate City departments, shall investigate installing
11 backflow preventers and related plumbing equipment on existing potable water systems, to facilitate
12 public access to such potable water in the park sites most frequently used for special events. The
13 SFPUC shall report its findings and recommendations to the Board of Supervisors by July 1, 2014.

14 (d) It shall be City policy that any City department undertaking a capital improvement in a
15 park, plaza, playground, or other public space shall install bottle-filling stations, drinking fountains,
16 and or potable water hook-ups for public use, if the department finds that the installation is proximate
17 and feasible with the scale and scope of the capital improvement.

18 (e) It shall be City policy to encourage the inclusion of bottle-filling stations or drinking
19 fountains for public use in Privately-Owned Public Open Spaces as defined in Planning Code
20 Section 135(a), as amended.

21
22 Section 4. Effective Date. This ordinance shall become effective 30 days after
23 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
24 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
25 of Supervisors overrides the Mayor's veto of the ordinance.

1 Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word
2 of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any
3 court of competent jurisdiction, such decision shall not affect the validity of the remaining
4 portions of the ordinance. The Board of Supervisors hereby declares that it would have
5 passed this ordinance and each and every section, subsection, sentence, clause, phrase, and
6 word not declared invalid or unconstitutional without regard to whether any other portion of
7 this ordinance would be subsequently declared invalid or unconstitutional.

8
9 Section 6. Undertaking for the General Welfare. In enacting and implementing this
10 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
11 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
12 is liable in money damages to any person who claims that such breach proximately caused
13 injury.

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1 Section 7. No Conflict with Federal or State Law. Nothing in this ordinance shall be
2 interpreted or applied so as to create any requirement, power, or duty in conflict with any
3 federal or state law.
4

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

7
8 By:


9 THOMAS J. OWEN
Deputy City Attorney

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LEGISLATIVE DIGEST
(Substitute Legislation, dated 2/11/2014)

[Environment Code - Bottled Water]

Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water, and making environmental findings.

Existing Law

The City has no laws specifically regulating the sale or distribution of bottled water at events held on City property.

Amendments to Current Law

The proposal is an ordinance that would amend the Environment Code to add a new Chapter 24, the "San Francisco Bottled Water Ordinance." "Bottled Water" would mean drinking water in a sealed rigid plastic bottle having a capacity of 21 fluid ounces or less.

Events on City Property

Starting October 1, 2014, no person would be allowed sell or distribute Bottled Water at an indoor event held on City property, or an outdoor event held City property, including a City street, where the City allowed the sponsor to use an on-site water supply. Starting October 1, 2016, no person would be allowed to sell or distribute Bottled Water at an outdoor event held on City property.

These restrictions would only apply to events where more than 100 people attended or participated. These restrictions would not apply to public athletic events held on City property, to events where the City grants the general public access to enter or use the property without a permit, or to events held on City property where the sponsor applied for or received the permit prior to July 1, 2014. And the restrictions would not apply to an event held by a not-for-profit sponsor before January 1, 2018.

A City officer or department responsible for an event or the property to be used for an event could waive these requirements in full or in part if the event sponsor demonstrated that strict application of the requirement would be not feasible, would create an undue hardship or practical difficulty, or that circumstances otherwise warranted granting of the waiver. The restrictions would not apply where the officer or department found that using Bottled Water was necessary in a particular situation to protect the public health safety and welfare, and that no reasonable alternative to Bottled Water would serve the same purpose.

Permits and Leases; Food Trucks

Starting October 1, 2104, all new permits or leases allowing any person to use City property for purposes that included the sale or distribution of beverages would have to specifically require that the permittee comply with the Chapter. This requirement would also apply to any such permit or lease renewed, extended, or materially amended after that date. Starting October 1, 2014, no City officer or department would be allowed to issue a bid proposal or solicitation, request for bid or proposal, or contract for vendors or concessions to be operated on City property that would require or permit the sale or distribution of Bottled Water on such property. These restrictions would not apply to concessions/vendors at San Francisco Airport facilities. These restrictions also would not apply to the Moscone Center until January 1, 2018, or completion of the first phase of the current expansion of the facility, whichever occurs sooner.

Starting October 1, 2016, all Mobile Food Facility (food truck) permits issued or renewed under Article 5.8 of the Public Works Code would have to specifically provide that the permittee shall not sell or distribute Bottled Water as part of the operation of the Facility.

Policy to Increase the Availability of Clean, Free Drinking Water in Public Areas

The proposal would make it City policy to increase the availability of clean, free drinking water in public areas. In particular, it would be City policy that any City department undertaking a capital improvement in a park, plaza, playground, or other public space ensure that the space includes bottle-filling stations or drinking fountains for public use, if reasonable and appropriate. And it would be City policy to encourage the inclusion of bottle-filling stations or drinking fountains for public use in Privately-Owned Public Open Spaces.

Use of City Funds to Purchase Bottled Water

The ordinance would prohibit City officers and departments from using City funds to purchase Bottled Water for their own general use. It would be City policy not to have drinking water systems in City offices or facilities that use plastic water bottles of any size where satisfactory alternatives exist and are feasible at the location under consideration. And it would further be City policy to conform drinking water systems in City offices or facilities to this goal where reasonable by the end of 2016.

Penalties

Any person who violated the Chapter could be punished by administrative fines imposed by the Director of the Department of the Environment in the amount of up to \$500 for a first violation, up to \$750 for a second violation within a year, and up to \$1,000 for a third and subsequent violations within a year.

CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA
City Attorney

OFFICE OF THE CITY ATTORNEY

THOMAS J. OWEN
Deputy City Attorney

Direct Dial: (415) 554-4679
Email: thomas.owen@sfgov.org

MEMORANDUM

TO: Hon. David Chiu
President, Board of Supervisors

FROM: Thomas J. Owen
Deputy City Attorney

DATE: December 17, 2013

RE: Sale or Distribution of Bottled Water at Events held on City Property
(Our File No. 1300366)

Enclosed are a signed original and two copies, dated December 17, 2013, of the proposed legislation, as well as a legislative digest.

I will also send you electronic copies of the documents.

Encl.

cc (by e-mail): Sup. Eric Mar
Jon Givner
Catherine Rauschuber
Paul Zarefsky
Melissa Millsaps

BOARD of SUPERVISORS



City Hall
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
Christian Murdock, Commission Secretary
Small Business Commission, City Hall, Room 448

FROM: Andrea Ausberry, Clerk, Land Use and Economic Development
Committee Board of Supervisors

DATE: January 6, 2014

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use & Economic Development Committee

The Board of Supervisors' Land Use and Economic Development 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. 131207

Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings.

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

BOARD of SUPERVISORS



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

January 6, 2014

File No. 131207

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On December 17, 2013, Supervisor Chiu introduced the following legislation:

File No. 131207

Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "A. Ausberry".

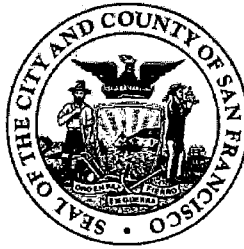
By: Andrea Ausberry, Assistant Clerk
Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning
Nannie Turrell, Environmental Planning

*Not a project per CEQA
Guidelines Section
15060(c)(2).
Nannie R. Turrell
January 9, 2014*

BOARD of SUPERVISORS



City Hall
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, Department of Public Works
Melanie Nutter, Director, Department of the Environment
Joyce Kane, Director, Entertainment Commission
Monique Moyer, Director, Port
Harlan Kelly, General Manager, Public Utilities Commission
Barbara Garcia, Director, Department of Public Health
Phil Ginsburg, Director, Recreation and Parks Department

FROM: Andrea Ausberry, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: January 6, 2014

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed legislation, introduced by Supervisor Chiu on December 17, 2013:

File No. 131207

Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings.

If you have any additional 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:

Frank Lee, Department of Public Works
Monica Fish, Department of the Environment
Crystal Stewart, Entertainment Commission
Colleen Chawla, Department of Public Health
Juliet Ellis, Public Utilities Commission
Donna Hood, Public Utilities Commission
Sarah Ballard, Recreation and Parks Department

Nature of Request: * **Request for Service****ADDITIONAL REQUEST DETAILS:**Additional Request
Details: *

File 151207
c: BOS-11, cpage
wrong LU clerk

I just want to make a comment to the BOS. The BOS is trying to ban SF from buying water in plastic bottles. We live in earthquake area. During emergencies, if this is going to happen, because of political correctness ...there will be busted pipes. For emergency purposes the City should keep buying water in plastic bottles. If we have a big earthquake there will be no water at all. If they do pass the ordinance they should take that into consideration.

BACK**OFFICE USE *********Source****Agency****Request****Number:****Responsible****Agency****Request****Number:****Service****Request****Work****Status:****Work****Status****Updated:****Media URL:**

Submit Cancel

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. Request for Closed Session (attach written motion).
- ☐ 10. Board to Sit as A Committee of the Whole.
- ☐ 11. 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 different form.


Sponsor(s):

Supervisors Chiu, Mar

Subject:

Environment Code - Bottled Water

The text is listed below or attached:

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

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.
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- ☐ 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. Request for Closed Session (attach written motion).
- ☐ 10. Board to Sit as A Committee of the Whole.
- ☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on []

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☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

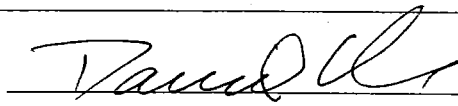
Supervisors Chiu, Mar

Subject:

Ordinance amending the Environment Code to restrict the sale or distribution on City property of bottled water, increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water.

The text is listed below or attached:

See attached.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

131207

