
**SMALL BUSINESS COMMISSION
MEETING MINUTES**

Monday, April 8, 2019
5:30 P.M.

City Hall, Room 400
1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

SMALL BUSINESS COMMISSIONERS

Stephen Adams, President
Mark Dwight, Vice President
Kathleen Dooley; Sharky Laguana; William Ortiz-Cartagena;
Irene Yee Riley; Miriam Zouzounis

1. **Call to order and roll call.**

The meeting was called to order at 5:30pm.
Commissioners: Adams, Dooley, Dwight, Laguana, Ortiz-Cartagena, and Zouzounis were present.
Commissioner Yee Riley arrived during Item 2.
Staff in attendance: Richard Kurylo (Program Manager), Dominica Donovan (Senior Policy Analyst).

2. **General Public Comment. (Discussion Item)**

No members of the public requested to speak.

3. **Approval of Legacy Business Registry Applications and Resolutions. (Discussion and Action Item)**

- a) Benkyodo Company (Application No.: [LBR-2018-19-028](#))
- b) Board of Trustees of the Glide Foundation (Application No.: [LBR-2018-19-029](#))
- c) Picture Machine Tattoo (Application No.: [LBR-2018-19-032](#))
- d) Uptown (Application No.: [LBR-2018-19-034](#))
- e) Wah Mei School (Application No.: [LBR-2018-19-030](#))
- f) World Gym San Francisco (Application No.: [LBR-2018-19-042](#))

Richard Kurylo (Program Manager, Legacy Business Program) informed the Commission that the above applications met the criteria for the Legacy Business Registry, and received a positive recommendation from the Historic Preservation Commission. Mr. Kurylo recommended that the SBC adopt a resolution to include the businesses listed above on the Legacy Business Registry as a Legacy Business under Administrative Code Section 2A.242.

Public Comment:

Supervisor Fewer of District 2 spoke in support of Picture Machine Tattoo.
Daisy Quan, Legislative Aide to Supervisor Mar of District 4, spoke in support of Wah Mei School.
Ben Nakajo spoke in support of Benkyodo.
Eric Arguello spoke in support of Glide Foundation.
Ben Wong spoke in support of Wah Mei School.
Rose-Marie Ossler spoke in support of World Gym San Francisco.
Robin Talmadge spoke in support of World Gym San Francisco.
A member of the public spoke in support of Uptown Bar.

Commissioners Laguana, Dooley, Yee Riley, and Adams spoke in support of the applicants.

Motion: Commissioner Dwight motioned to approve all six resolutions as Legacy Businesses under Administrative Code Section 2A.242.

2nd: Commissioner Dooley.

Aye: 7

Nay: 0

Motion passed: 7-0.

4. **Board of Supervisors File No. 190248: [Planning Code - Uses in the Upper Market NCT and NCT-3 Zoning Districts] (Discussion and Action Item)**

Mr. Tom Temprano, Legislative Aide to Supervisor Mandelman provided an overview of the legislation. He shared that, compared to similar commercial corridors, the Upper Market and the Castro have been subject to more stringent regulatory hurdles which has contributed to the challenge of filling retail vacancies. This legislation will help reduce a high number of vacancies in the area and contribute to the economic vitality of the neighborhood.

The Commission as a whole commended the Supervisor's office for being proactive in proposing a solution for a nuanced challenge and for their outreach to neighborhood groups.

No members of the public requested to speak.

Motion: Commissioner Dwight motioned to support the legislation as presented.

2nd: Commissioner Laguana.

Aye: 7

Nay: 0

Motion passed: 7-0.

5. **Board of Supervisors File No. 190164: Police Code - Acceptance of Cash by Brick-and-Mortar Businesses. (Discussion and Action Item)**

Mr. Derek Remski, Legislative Aide to Supervisor Brown provided an overview of the legislation and anticipated amendments. He shared that in sum, this ordinance would ensure that all San Franciscans would be able to participate in the local economy, regardless of their banked or unbanked status.

The Commission had a number of questions related to the ordinance and shared two specific concerns. The Commission deliberated on whether requiring businesses to accept cash would put the safety and security of businesses and their employees at risk. They suggested that the legislation should include a cap on the total amount of the cash transaction that the business must accept. They shared that where there are some non-professional service businesses that do have transactions that amount in the thousands of dollars, it seems reasonable that a business would not be required to accept cash for a transaction that would be in a dollar amount that high. Additionally, the Commission expressed concern that the legislation does not account for unforeseen and unintended consequences in requiring that most brick and mortar businesses accept cash tender. In particular, the Commission discussed hypothetical situations where the safety and security of an employee may be at risk if they were to accept cash tender.

Public Comment:

Evan Kidera spoke in opposition to the ordinance.

Stephen Cornell spoke in support of the ordinance and suggested that it be expanded to include City agencies.

Motion: Commissioner Dwight motioned to support the legislation upon the adoption of two amendments: that a cap on how much cash must be accepted be applied and, that the legislation provide for an exception to the cash acceptance requirement.

2nd: Commissioner Laguana.

Aye: 7

Nay: 0
Motion passed: 7-0.

6. **Input from Businesses with Tobacco Permits and Presentation on Tobacco Statistics Pertaining to Board of Supervisors File No. 190312 [Health Code - Restricting the Sale, Manufacture, and Distribution of Tobacco Products, Including Electronic Cigarettes] (Discussion and Possible Action Item)**

Dominica Donovan, Senior Policy Analyst with the Office of Small Business, presented the Office's findings relative to existing and proposed local tobacco control laws and small business compliance.

The Commission had a number of questions related to tobacco licensing requirements and how much the license itself is worth. Ms. Donovan shared that its difficult to place a value on the license due to the density cap restrictions. But, that the license itself holds it value in what it allows the business to sell. The Commission asked for the source of the data. Ms. Donovan shared that the information shared was sourced from the Centers for Disease Control, and the Department of Public Health. The Commission also deliberated on how youth populations are accessing tobacco products, and youth use in San Francisco as compared to national rates. Commissioner Dooley shared the strategies used and rules applied to the sales of cannabis and that perhaps they could be applied to tobacco sales. Commissioner Ortiz-Cartagena also highlighted the black market risks associated with implementing another ban. The Commission, as a whole, concurred that there is a significant lack of economic data available to determine what possible losses for the small business community may be.

Public Comment:

A member of the public (name inaudible) spoke in opposition to a ban on e-cigarette products.

A member of the public spoke to the importance of having e-cigarette projects available to him in his effort to stop smoking.

Christopher Chin, owner of vape shop in San Francisco, spoke to the economic impact that he will feel should the ban pass.

A member of the public spoke in opposition to a ban on e-cigarette products.

Stephen Cornell commended the report on the potential impacts to the small businesses community.

Motion: Commissioner Zouzounis motioned to direct staff to share the report and findings with the Board of Supervisors and other agency stakeholders.

2nd: Commissioner Dooley.

Aye: 7

Nay: 0

Motion passed: 7-0.

7. **Determination Regarding Eligibility of Original Joe's for Legacy Business Registry. (Discussion and Action Item)**

Richard Kurylo (Program Manager, Legacy Business Program) provided a brief history of Original Joe's North Beach location.

Commissioners Dwight, Ortiz-Cartagena, and Dooley all shared their support for making an exception to allow Original Joe's to apply for Legacy Business Status.

Public Comment:

John Duggan spoke in support of the exception.

Motion: Commissioner Dwight motioned to approve the exception.

2nd: Commissioner Laguana.

Aye: 7

Nay: 0

Motion passed: 7-0.

8. **Board of Supervisors File No. 190310 [Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Small Business Week Sidewalk Sales] (Discussion and Action Item)**
Director Dick-Endrizzi provided the Commission with an overview of the legislation. This ordinance has historically been passed by the Board of Supervisors in order to support Small Business Week. She also shared that Supervisor Brown is this year's sponsor.

No members of the public requested to speak.

Motion: Commissioner Dwight motioned to support the legislation.

2nd: Commissioner Yee Riley.

Aye: 7

Nay: 0

Motion passed: 7-0.

9. **Resolution urging the Mayor and San Francisco Board of Supervisor to adopt the Small Business Commission's Recommendation of Economic Transition Assistance for Small Businesses Impacted by the Ban on Sales of Tobacco Products. (Discussion and Action Item)**

Commissioner Dwight suggest that the Commission hold on moving forward with the Resolution in light of the Board of Supervisors not yet voting on the e-cigarette ban.

Commissioner Zouzounis shared that this resolution would also consider previously enacted tobacco control laws.

Commissioner Dwight also shared that the economic impact should first be studied before the Commission asks for monetary remediation.

Commissioner Laguana concurred.

No members of the public requested to speak.

Motion: Commissioner Zouzounis motioned to continue this to the call of the Chair.

2nd: Commissioner Dwight.

Aye: 7

Nay: 0

Motion passed: 7-0.

10. **Director's Report. (Discussion Item)**

Director Dick-Endrizzi highlighted that the Accessible Business Entrance grant program had officially begun.

No members of the public requested to speak.

11. **Commissioners' Reports. (Discussion Item)**

Commissioner Adams noted that Small Business Week activities would be beginning May 6-11 and that the Board of Supervisors' honoree ceremony would be the Tuesday before.

Commissioner Yee Riley attended the grand opening of Graham Café and Pancakes on April 4.

Commissioner Ortiz-Cartagena attended an Opportunity for All event and lauded it. He also noted the change in the LBE process and the excellent services that he received from the City contracting office. He

also attended an open house at the Bayview Health and Wellness Center. He commended Supervisor Walton for his integration with small businesses in the Bayview.

Commissioner Zouzounis shared that she attended the Global SF event. She also attended a vigil for the victims of the recent massacre in New Zealand.

No members of the public requested to speak.

12. **New Business. (Discussion Item)**

Commissioner Dwight suggested that staff look at the economic impact of navigation centers relative to small businesses.

Commissioner Ortiz-Cartagena suggested, again, that he'd like staff to look into obtaining tablets for the Commission.

Commissioner Laguana concurred with both suggestions.

No members of the public requested to speak.

13. **Adjournment. (Action Item)**

Motion: Commissioner Dwight motioned to adjourn the meeting.

2nd: Commissioner Ortiz-Cartagena.

Aye: 7

Nay: 0

Motion passed: 7-0.

Meeting was adjourned at 8:43pm.