



**SMALL BUSINESS COMMISSION  
MEETING MINUTES**

Monday, August 14, 2017  
5:30 P.M.  
City Hall, Room 400  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

**SMALL BUSINESS COMMISSIONERS**

Mark Dwight, President  
Stephen Adams, Vice President  
Kathleen Dooley, William Ortiz-Cartagena  
Irene Yee Riley, Paul Tour-Sarkissian, Miriam Zouzounis

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

The meeting was called to order at 5:33 PM.

Commissioners Dooley, Dwight, Ortiz-Cartagena (arrived at 5:39 PM), Tour-Sarkissian, Yee Riley (arrived at 5:43 PM), and Zouzounis were present.

Commissioner Adams was absent.

Staff in attendance: Regina Dick-Endrizzi (Executive Director), Menaka Mahajan (Senior Policy Analyst), and Richard Kurylo (Legacy Business Program Manager).

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

Richard Kurylo informed the Commission that due to a scheduling miscommunication, supporters of Legacy Business applicant The Phoenix Arts Association Theatre would use this time to speak about the business.

Linda Ayres-Frederick of spoke in support of the Phoenix.

Arnie Lerner spoke in support of the Phoenix.

Claudia Barr spoke in support of the Phoenix.

Reginald Upshaw spoke about California for a United America, his nonprofit that seeks to reintroduce the Second Bill of Rights, and asked that the Commission do what they can to support the arts.

Lee Brady spoke in support of the Phoenix.

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

a. Cinderella Bakery and Café (Application No.: [LBR-2016-17-053](#))

b. Donaldina Cameron House (Application No.: [LBR-2016-17-059](#))

c. Elite Sport Soccer (Application No.: [LBR-2016-17-088](#))

Richard Kurylo (Program Manager, Legacy Business Program) informed the Commission that the applications met the criteria for the Legacy Business Registry, and all of the applications received positive recommendations from the Historic Preservation Commission. Mr. Kurylo recommended that the Small Business Commission adopt 3 resolutions to include the following 3 applicants in the Legacy Business Registry as Legacy Businesses under Administrative Code Section 2A.242: Cinderella Bakery and Café; Donaldina Cameron House; Elite Sport Soccer.

Public Comment:

Claudia Barr spoke in support of Cinderella Bakery and Café.

Linda Ayres-Frederick spoke in support of Cinderella Bakery and Café.

Jeff Maso spoke in support of Elite Sport Soccer.

William Vigna spoke in support of Donaldina Cameron House.

Commissioner Ortiz-Cartagena spoke in support of Elite Sport Soccer.  
Commissioner Yee Riley spoke in support of Donaldina Cameron House.

Motion: Commissioner Dooley motioned to adopt 3 resolutions to include the following 3 applicants in the Legacy Business Registry as Legacy Businesses under Administrative Code Section 2A.242: Cinderella Bakery and Café; Donaldina Cameron House; Elite Sport Soccer.

2<sup>nd</sup>: Commissioner Yee Riley.

Aye: Commissioners Dooley, Dwight, Ortiz-Cartagena, Tour-Sarkissian, Yee Riley, and Zouzounis.

Nay: None.

Absent: Commissioner Adams.

Motion passed 6-0, 1 absent.

4. **Board of Supervisors File No. 170837 – Building Code - Mandatory Disability Access Improvements - Extension of Time For Compliance and Report to the Board of Supervisors. (Discussion and Possible Action Item)**

Ray Law (Legislative Aide, Office of Supervisor Katy Tang) provided an overview of the legislation. Director Dick-Endrizzzi explained that the primary reason for the extension is the vast number of buildings subject to either a waiver or construction.

Commissioner Zouzounis inquired about the legislation's timeline upon approval and about the estimated 30,000 buildings subject to this law.

Public Comment:

Reginald Upshaw expressed concern for the mandatory compliance.

Arnie Lerner (Certified Access Specialist, Department of Building Inspection - Access Appeals Commission) spoke in support of the legislation.

Commissioner Dooley commended the legislators for their work on the ordinance.

Motion: Commissioner Yee Riley motioned to recommend that the Board of Supervisors approve BOS File No. 170837.

2<sup>nd</sup>: Commissioner Zouzounis.

Aye: Commissioners Dooley, Dwight, Ortiz-Cartagena, Tour-Sarkissian, Yee Riley, and Zouzounis.

Nay: None.

Absent: Commissioner Adams.

Motion passed, 6-0, 1 absent.

5. **Board of Supervisors File No. 170599 – Public Works, Police Codes - Prohibiting Autonomous Delivery Devices on Sidewalks and Right-of-Ways. (Discussion and Possible Action Item)**

Erica Maybaum (Legislative Aide, Office of Supervisor Norman Yee) was present to answer questions. Ms. Maybaum told the Commission that the law would ban automated delivery devices (ADDs) from public right-of-ways, but not from private institutions such as universities and hospitals. She emphasized the safety and accessibility concerns for pedestrians and disabled persons, citing two examples of wheeled devices that are banned from sidewalks, bicycles and Segways. Additionally, Ms. Maybaum described noncompliant behavior and enforcement challenges. She said the goal of the legislation is not to ban the technology as a whole, but to ban it from being used for delivery purposes specifically. In a discussion about other cities, she mentioned that disability groups in Washington, D.C. were not consulted during legislative drafting, reinforcing safety concerns of proponents of the ban. She showed the Commission an image of an ADD on a busy sidewalk operating outside of the timeframe and geographic boundaries the company's permit allowed. Ms. Maybaum said the current pilot program is scheduled to be in place until the end of the year.

Commissioner Dooley asked about human escorts and if neighborhoods with narrow sidewalks would be excluded from the pilot program.

Commissioner Tour-Sarkissian inquired about police or incident reports that would support the claim that ADDs are dangerous. He mentioned that other cities and states have implemented ADD pilot programs with weight and speed regulations.

Commissioners Zouzounis and Tour-Sarkissian recommended solidifying parameters to the pilot program rather than establishing an outright ban.

Commissioner Dooley agreed with the sponsor that San Francisco is not prepared to have such a program yet and suggested a 2-year moratorium on ADDs until data from other cities' pilot programs are available.

Public Comment:

Meg Panlaqui spoke in opposition to the legislation.

Davi Lang spoke in opposition to the legislation.

Harrison Shih spoke in opposition to the legislation.

Reginald Upshaw spoke in support of the legislation.

Erica Maybaum requested that the Commission's resolution be amended to discontinue the Department of Public Work's (DPW) pilot program until concrete regulations are established.

Commissioner Tour-Sarkissian made a recommendation that the pilot program continue but be properly enforced.

Commissioner Zouzounis proposed an amendment to add the Teamsters to the resolution.

Commissioner Dooley again suggested a temporary ban or moratorium until more information is available.

She also referenced the entry-level jobs that could possibly be taken away from workers.

Commissioners Ortiz-Cartagena and Dwight expressed opposition to bans as a whole. Commissioner Ortiz-Cartagena agreed that technology provides new opportunities for small businesses, and a ban plays in the favor of big companies.

Motion: Commissioner Tour-Sarkissian motioned to recommend that the Board of Supervisors not approve BOS File No. 170599.

2<sup>nd</sup>: Commissioner Ortiz-Cartagena.

Aye: Commissioners Dwight, Ortiz-Cartagena, Tour-Sarkissian, Yee Riley, and Zouzounis.

Nay: Commissioner Dooley.

Absent: Commissioner Adams.

Motion passed, 5-1, 1 absent.

Motion: Commissioner Dooley motioned to amend the resolution to recommend a 2-year moratorium on ADDs until more information is available.

2<sup>nd</sup>: None. (Note: a second is required for consideration of the motion.)

Motion: Commissioner Zouzounis motioned to adopt the 4 amendments to the resolution:

1) Add a clause stating that "DPW's pilot program be continued, conditional upon enforcement."

2) Add "labor representatives (including, but not limited to, the Teamsters)" to the list of stakeholders in the community.

3) Note that the working group should be "convened as soon as practical."

4) Revise a portion of the fourth "Whereas" statement from "residents and businesses" to "residents, workers, and businesses."

2<sup>nd</sup>: Commissioner Yee Riley.

Aye: Commissioners Dooley, Dwight, Ortiz-Cartagena, Tour-Sarkissian, Yee Riley, and Zouzounis.

Nay: None.

Absent: Commissioner Adams.

Motion passed, 6-0, 1 absent.

Motion: Commissioner Tour-Sarkissian motioned to accept the resolution with the 4 amendments.

2<sup>nd</sup>: Commissioner Zouzounis.

Aye: Commissioners Dooley, Dwight, Ortiz-Cartagena, Tour-Sarkissian, Yee Riley, and Zouzounis.

Nay: None.

Absent: Commissioner Adams.

Motion passed, 6-0, 1 absent.

6. **Board of Supervisors File No. 170865 – Zoning - Interim Moratorium on Medical Cannabis Dispensaries. (Discussion and Possible Action Item)**

Aaron Starr (Manager of Legislative Affairs, Planning Department) was present to answer questions about the legislation. He explained that once the moratorium is in place, applications in the pipeline would be put on hold.

Commissioner Dwight asked how medical cannabis dispensaries will be treated once the adult use cannabis law is implemented.

Commissioner Dooley recommended that applicants already scheduled for the Planning Commission be allowed to go forward with the application process.

Commissioner Zouzounis voiced concern that the City might not be prepared when adult-use cannabis is legalized at the state level.

Director Dick-Endrizzi recommended continuation of this item until later in the meeting, following the upcoming cannabis presentations.

Public Comment:

Chris Schulman spoke in opposition to the legislation.

Motion: Commissioner Ortiz-Cartagena motioned to continue item 6 to later in the meeting.

2<sup>nd</sup>: Commissioner Dooley.

Aye: All in favor.

Nay: None.

Absent: Commissioner Adams.

Motion passed, 6-0, 1 absent.

7. **Presentation Regarding the Current Medical Cannabis Dispensary (MCD) Program. (Discussion Item)**

Doug Obana (Senior Environmental Health Inspector, Department of Public Health) gave the Commission an overview of the MCD application process, the safety inspection process, and the closed-loop collective/cooperative model. Aaron Starr discussed MCD regulations pertaining to land use.

Commissioner Tour-Sarkissian asked about pesticide use on cannabis, inspection visit duration, smoking on-site, and mandatory discretionary review.

Commissioner Zouzounis thanked the presenters for the valuable information.

Motion: Commissioner Dooley motioned to take a brief break.

2<sup>nd</sup>: Commissioner Yee Riley.

Aye: All in favor.

Nay: None.

Absent: Commissioner Adams.

Motion passed, 6-0, 1 absent.

*RECESS: 8:24 - 8:32 PM.*

8. **Cannabis Policy Presentation. (Discussion Item)**

Menaka Mahajan (Senior Policy Analyst, Office of Small Business) prepared the Commissioners for the referral of draft local ordinances regulating the commercial sale of cannabis. She covered the following topics: the roles of the Small Business Commission and Office of Small Business; overview of state law (MAUCRSA); state rulemaking status; San Francisco small business challenges and Cannabis Task Force; federal laws affecting the rollout in San Francisco and California; and upcoming presentation topics.

Public Comment: No members of the public requested to speak.

**Note: The Commission returned to Item 6 at 9:48 PM.**

Public Comment: No members of the public requested to speak.

Motion: Commissioner Dooley motioned to recommend that the Board of Supervisors approve BOS File No. 170865 with the provision that applicants calendared at the Planning Commission prior to the effective date of the moratorium be allowed to complete the application process.

2<sup>nd</sup>: Commissioner Tour-Sarkissian.

Aye: Commissioners Dooley, Dwight, Ortiz-Cartagena, Tour-Sarkissian, Yee Riley, and Zouzounis.

Nay: None.

Absent: Commissioner Adams.

Motion passed, 6-0, 1 absent.

9. **Legacy Business Historic Preservation Fund Rules and Regulations for Business Assistance Grants. (Action Item)**

Richard Kurylo proposed revisions to the rules and regulations for the Business Assistance Grant, including average weekly hours, definition of “employee”, and Consumer Price Index increase.

Public Comment: No members of the public requested to speak.

Motion: Commissioner Tour-Sarkissian motioned to adopt the amendments as written.

2<sup>nd</sup>: Commissioner Dooley.

Aye: All in favor.

Nay: None.

Absent: Commissioner Adams.

Motion passed, 6-0, 1 absent.

10. **Approval of meeting minutes. (Action Item)**

Public Comment: No members of the public requested to speak.

Motion: Commissioner Yee Riley motioned to approve the July 24, 2017 draft meeting minutes.

2<sup>nd</sup>: Commissioner Dooley.

Aye: All in favor.

Nay: None.

Absent: Commissioner Adams.

Motion passed, 6-0, 1 absent.

11. **Director’s Report. (Discussion Item)**

Director Dick-Endrizzi informed the Commission about the status of the referendum on the flavored tobacco products ban. She also honored local small business owner Penelope Zouzounis who recently passed away.

12. **Commissioners’ Reports. (Discussion Item)**

Commissioner Zouzounis attended San Francisco County Transportation Authority and Municipal Transportation Agency meetings on emerging transportation technologies. She also met with the Office of Economic and Workforce Development regarding construction mitigation funds for public projects in South of Market. Commissioner Yee Riley attended the Small Business Roundtable (which meets regularly with Mayor Lee).

Public Comment: No members of the public requested to speak.

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

None.

Public Comment: No members of the public requested to speak.

14. **Adjournment. (Action Item)**

Motion: Commissioner Ortiz-Cartagena.

2<sup>nd</sup>: Commissioner Dooley.

Aye: All in favor.

Nay: None.

Absent: Commissioner Adams.

Motion passed, 6-0, 1 absent.

The meeting was adjourned at 10:16 PM.