
**SMALL BUSINESS COMMISSION
MEETING AGENDA**

Monday, February 14, 2022
4:30 P.M.

SMALL BUSINESS COMMISSIONERS

Sharky Laguana, President
Miriam Zouzounis, Vice-President;
Lawanda Dickerson; Cynthia Huie; William Ortiz-Cartagena

1. Call to order and roll call

Meeting was called to order at 4:30pm. Commissioners present: Laguana, Zouzounis, Dickerson, Huie, Ortiz-Cartagena. Staff present: Director Katy Tang, Kerry Birnbach. Commissioner Huie read the Ohlone Land Acknowledgment.

Agenda was reordered to accommodate speaker's schedule – Deputy Chief Lazar presented item 5, then all other agenda items followed in the original order.

5. Update on Crime/Safety in Commercial Corridors

Presenter: Deputy Chief David Lazar, SF Police Department

Deputy Chief Lazar gave an update on crime trends in 2022 so far – robbery rates declined, assaults declined, burglary declined. Theft rose 15%. Lazar is in charge of the Report Writing Unit and emphasized that now there is a SFPD Retail Theft Coordinator, Sgt. Mark Mulligan that the Commission might also be interested in connecting with. He reviewed the SFPD Community Ambassador Program – there are 26 formerly retired policemen who aim to have a large staffing presence in the main tourism areas of the City. He also noted that he participates in the small business advisory forum with 20 small business owners.

He had 4 suggestions for all business owners:

- Connect with their SFPD district captains
- Ask for a meet and greet with other merchants to build community
- Work with SF SAFE and pay for a property assessment to identify gates/camera/alarm needs
- Report all crime

Commissioner comments: President Laguana wanted to clarify that SFPD is 500 officers short of its ideal staffing level. Deputy Lazar confirmed. President Laguana wanted to know how to deal with social media/flashmob thefts- Lazar responded that it's a new trend and they are still trying to address it. VP

Zouzounis asked if other City Departments help businesses strategize on how to be more secure- through planning, other marketing materials, etc.

2. **Status of the Reopening of the San Francisco Economy– January 2022 Update (Discussion Item)**

Presenter: Ted Egan, Chief Economist, Office of the Controller

Ted reviewed several stats, noting:

- Locally and nationally we're seeing fairly strong hiring
- Unemployment has dropped to 3% (down from 13% in pandemic) but overall 20k fewer people are employed that pre-pandemic.
- Office market and hospitality sector are concerning
- 8 consecutive quarters of increased office vacancies
- The only sector that's fully recovered from pandemic is tech
- There are fewer new businesses opening
- Hotel occupancy is very low

Commissioner comments: Commissioner Ortiz-Cartagena thanked the presenter for all this data.

President Laguana inquired about why fewer businesses are opening. Ted explained that the main economic drivers in SF are office employment and tourism and both are down. The supply chain that feeds into those sectors is also impacted. City population declined and there is wage pressure – hard to get employees. He emphasized that the rules of work are still fluid and being figured out post-pandemic. Commissioner Huie asked to see info about business openings by geography. Ted noted that sales tax is down most in the downtown area and he would look for geographic data.

Public comment: Stephen Cornell, CDMA, wanted to know how much sales tax was being collected w/ and without Amazon/online retailers.

3. **Accessible Business Entrance Program – Program Update (Discussion Item)**

Presenter: Jeff Buckley, Department of Building Inspection

Jeff reviewed the upcoming mailers going to 10k property owners to notify them of the upcoming deadlines for completing CASP inspections. Commissioner Dickerson noted how important this was to let both property owners and businesses know. President Laguana asked how many people had utilized hardship waivers and Jeff was not sure.

Public comment: Stephen Cornerll, CDMA, explained that the City used to offer free inspections but businesses were nervous to get inspected.

4. **BOS File #2112926 – Administrative Code – Amending the Family Friendly Workplace Ordinance (Discussion and Action Item)**

Presenter: Frances Hsieh, Legislative Aide to Supervisor Chan

Frances reviewed the proposed legislation which strengthens a workers right to access a flexible working schedule for caregiving needs. President Laguana identified the need to balance the importance of supporting employees and their caregiving needs with the current challenges that small businesses face. At a time when fewer small businesses are opening and employers are struggling to find adequate staffing, he expressed concern that this proposal would add another layer of complexity to small business operations. He identified businesses with 20-50 employees who likely do not have designated human resources staff as particularly vulnerable to this proposal, especially if they were to receive multiple employee requests simultaneously. Would the sponsor be willing to raise the threshold to businesses with over 100 employees?

Both Commissioner Huie and Commissioner Ortiz-Cartagena agreed with this suggestions. Frances indicated that the 20 employee threshold is what's currently in the ordinance. In discussion of

compliance with the current Family Friendly Workplace Ordinance, the sponsor's office indicated that most complaints have come from employees in larger businesses.

Commissioner Zouzounis noted that technical assistance to employers would be critical to help them navigate this process. Unfortunately, OLSE is not a go-to for technical assistance – who would do it? Frances clarified that is part of program implementation, not legislation.

President Laguana noted that the proposal includes financial penalties for violations of “up to \$50 for each day or portion thereof that the violation occurred or continued, or up to the cost of care...” and wanted more clarity regarding what constitutes the cost of care, and suggested a reasonable financial cap be identified so employers have a better understanding of their liability should a violation occur.

Lastly, to ensure that workers in small businesses with 20-100 employees can still access flexible working arrangements and schedules, the Commission recommends extensive technical assistance in multiple languages to help small businesses understand and fulfill their obligations.

Public comment: Stephen Cornell, CDMA, supported President Laguana's concerns and proposed amendments. Wanted the sponsor to get more feedback from the business community.

Motion by President Laguana to support contingent upon

- raising the threshold for this ordinance to businesses with over 100 employees
- establishing a reasonable financial cap for program violations so businesses had more certainty about their financial liability
- providing technical support in multiple languages

Commissioner Zouzounis noted that she didn't want workers in small businesses to be excluded from taking advantage of this ordinance. President Laguana amended his motion:

- Raise the threshold for financial penalties to only apply to businesses with over 100 employees.
- Provide technical support with materials in multiple languages to ensure businesses understand rules of compliance.
- Establish a reasonable cap on the financial penalties a business could incur per case (For example: no more than \$2500 or the equivalent to 100 hours of the requesting employees pay).

Seconded by Commissioner Ortiz-Cartagena.

Ayes: Laguana, Zouzounis, Huie, Dickerson, Ortiz-Cartagena

Nays: none

Motion passes unanimously.

5. ~~**Update on Crime/Safety in Commercial Corridors**~~

~~Presenter: Deputy Chief David Lazar, SF Police Department~~

~~The Commission will hear a presentation and receive updates regarding trends in criminal activity that impacts small businesses.~~

6. **Resolution Making Findings To Allow Teleconferenced Meetings Under California Government Code Section 54953(E) (Discussion and Action Item)**

Motion: Laguana

Seconded by Commissioner Huie

Ayes: Laguana, Zouzounis, Huie, Dickerson, Ortiz-Cartagena

Nays: none

Motion passes unanimously.

7. **Racial Equity Committee Update (Discussion Item)**
Presenter: Vice President Zouzounis, Committee Chair
The Commission discussed the set of evaluative questions (as a racial equity tool) and potential ways to incorporate it into future policy analysis.

No members of the public requested to speak.
8. **Approval of Draft Meeting Minutes (Action Item)**
Motion to approve 1.24.2022 draft meeting minutes: Laguana
2nd: Dickerson
Ayes: Laguana, Zouzounis, Huie, Dickerson, Ortiz-Cartagena
Nays: none
Motion passes unanimously.
9. **General Public Comment (Discussion Item)**
No members of the public requested to speak.
10. **Director's Report (Discussion Item)**
Director Tang provided updates on the new OSB website on sfgov.org, conducting a follow-up COVID-19 impact survey in partnership with SF State University, and an update that the Commission will resume in-person meetings on March 14.

No members of the public requested to speak.
11. **Commissioner Discussion and New Business (Discussion Item)**
Commissioner Huie provided details on the follow-up COVID-19 impact survey.
No members of the public requested to speak.
12. **Adjournment (Action Item)**
Motion: Commissioner Ortiz-Cartagena
2nd: Commissioner Dickerson
Ayes: Laguana, Zouzounis, Huie, Dickerson, Ortiz-Cartagena
Nays: none
Motion passes unanimously. Meeting is adjourned at 8:15pm.