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WILLIAM ORTIZ-CARTAGENA, COMMISSIONER

February 8, 2021

Resolution No. 002-2021-SBC

Urging Customer Service Oriented Practices at the Department of Public Works

Resolution

WHEREAS, the Small Business Commission's mandate was established by the voters in 2003 and specifically authorizes the Small Business Commission to set policies for the City regarding small businesses, consistent with any overall objectives established by the Mayor and the Board of Supervisors through the adoption of legislation, in order to promote the economic health of the small business community in San Francisco, its employees, and its customers; and,

WHEREAS, the global pandemic, ignited by COVID-19, has led to an economic crisis of an unprecedented magnitude; and,

WHEREAS, the City of San Francisco and the State of California are under a State of Emergency requiring a shelter in place that has severely impaired small businesses; and,

WHEREAS, San Francisco's small businesses have been hit as hard, if not the hardest, as small businesses of any major US metro area¹; and

¹ <https://www.brookings.edu/interactives/metro-recovery-index/>

WHEREAS, long-term closure orders during the local health emergency have left small businesses more vulnerable to vandalism, burglaries, accumulated litter, and other conditions outside of their immediate control; and,

WHEREAS, burglaries are up 50% compared to one year ago, and close to 600 reports have been made in 2021 alone²; and,

WHEREAS, the Department of Public Works is charged with issuing notices to repair and/or improve certain conditions of a business location to business and property owners within 15 days or be liable for costs incurred to the City, up to \$400, and/or administrative fines up to \$1,000; and,

WHEREAS, the specific notice form utilized by the Department of Public Works emphasizes that fines must be paid within 15 days from the date of the notice; and

WHEREAS, the specific notice form utilized by the Department of Public Works does not include how the recipient may receive translation services if they are a non-native English speaker, thusly leaving non-native English-speaking recipients more vulnerable to receiving a fine; and,

WHEREAS, small businesses in particular, do not have the capital available to abate graffiti tags, broken windows, and other such conditions due to circumstances beyond their control related to the local emergency; and,

WHEREAS, the Department of Public Works had waived certain fees related to graffiti for property owners and small businesses at the beginning of the local emergency but, implemented them again as businesses re-opened and complaints about graffiti tags increased³; and,

WHEREAS, the Economic Recovery Task Force recommended that the City explore policies and investments that encourage economic development and activity in San Francisco; and

WHEREAS, the Economic Recovery Task Force recommended that the City create flexibility for businesses to operate and consider reducing or eliminating regulatory burdens; therefore, so be it

RESOLVED, that the Notice of Violation and Abatement Order form utilized by the Department of Public Works be updated to include more customer friendly language that emphasizes compliance and include information regarding language services; and therefore be it,

² <https://www.sfchronicle.com/bayarea/heatherknight/article/S-F-small-business-owner-barely-hangs-on-with-15903500.php>

³ *Ibid.*

RESOLVED, that the Notice of Violation and Abatement Order form utilized by the Department of Public Works be updated to include resources that may be available to the small business that would assist with compliance; and be it

RESOLVED, that the Department of Public Works be urged to work with the Office of Economic and Workforce Development and the Office of Small Business to collect and better understand what those resources are; and be it,

RESOLVED, that the Notice of Violation and Abatement Order form utilized by the Department of Public Works be updated to include a notice regarding the local emergency and resources to help assist businesses during this time; and be it,

RESOLVED, that for the duration of the local emergency, a moratorium be placed on the issuance of fees and fines related to the abatement of certain conditions outlined in the Notice of Violation and Abatement Order.

I hereby certify that the Small Business Commission ADOPTED the foregoing Resolution on February 8, 2021.



Regina Dick-Endrizzi
Director, Office of Small Business

Ayes – Adams, Dickerson, Dooley, Huie, Laguana, Ortiz-Cartagena, Zouzounis
Nays – None