



SMALL BUSINESS COMMISSION
OFFICE OF SMALL BUSINESS



CITY AND COUNTY OF SAN FRANCISCO
EDWIN M. LEE, MAYOR

October 4, 2012

Ms. Angela Calvillo, Clerk of the Board
Board of Supervisors
City Hall room 244
1 Carlton B. Goodlett Place
San Francisco, CA 94102-4694

Re: July 26, 2012, Civil Grand Jury Report: "Where There's Smoke ... The Need to Strengthen the Arts Commission's Stewardship of San Francisco's Cultural Legacy"

Dear Ms. Calvillo:

The Office of Small Business has been asked to respond to recommendations R17 and R20. The Office of Small Business has been asked to respond with an "agree or disagree". The Office of Small Business and its Small Business Commission will not be providing an affirmative to one direction or another, but instead will provide a response that may provide guidance to Mayor, Board of Supervisors and the Arts Commission who may want to action on these two recommendations.

The Small Business Commission mission statement:

By championing "business-friendly" policies, marketing the contributions of the small business sector, and developing appropriate assistance programs, the SBC and Office of Small Business work to support and enhance an environment where small businesses can succeed and flourish. The SBC reviews pertinent small business legislation and policy matters and makes recommendations to the sponsor of the legislation, including the Mayor, Board of Supervisors, or other City Agencies.

Recommendation R17.

Move the Street Artist Program to the Office of Small Business

The Street Artist program is not in the City's Charter, Article V: Executive Branch – Arts and Culture. Regulating Street Artist is under Article 24 of the San Francisco Police Code. [Street Artist: Article 24 Police Code](#)

The Office of Small Business and the Small Business Commission believe it is a policy matter for either the Mayor or the Board of Supervisors on making the determination as to the agency to manage the Street Artist program. The Office of Small Business (OSB) is in agreement that OSB is a logical department for the Street Artist program to reside, as Street Artist are required to have a business registration to obtain a permit to operate and are therefore small businesses.



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The current Street Artist program operates under the Police Code. The Police Code contains both a peddlers permit and street artist permit. Both are very similar to each other in regards to where and how the businesses sell their merchandise, which is selling on the public sidewalk or walkway. The Office of Small Business advises small business on the license and permitting requirements needed to operate their business. The OSB sees clients that are interested in selling their merchandise/art on the public right-of-way that are both legitimate street artist/ crafts people or business that want to sell pre-manufactured merchandise. Nearly all are interested in conducting their business in the locations currently designated for the Street Artist program only. It is OSB staff observation and feedback received from both businesses in the Street Artist program and consumers that there is an increasing number of non-artist businesses operating in this program. The more appropriate license for these businesses is the peddlers permit and therefore need to be conducting business in another location.

There is great value in maintaining the Street Artist program and OSB will explore the possibility in partnering with SFMade, Sharon Arts Studio, and other arts and arts/craft institutions and organizations to maintain the integrity of the program.

There has been a reduction in the number of Street Artist spaces as indicated on page 21 of the report. It is of this offices judgment that demand is exceeding space allocation. To maintain the integrity of the Street Artist program, OSB will look at how the needs of both the Street Artist program and businesses more appropriate for a peddlers permit can be met. OSB will be very diligent and work out a procedure with SFPD to remove unlicensed vendors.

Recommendation R20:

Appoint a current or former Street Artist to whichever Commission oversees them.

Both the Arts Commission and the Small Business Commission are Chartered commissions. To ensure a dedicated seat on either commission would require a specified seat designation and a change to each commission's charter. Any change to the charter requires voter approval.

Small Business Commission:

The Small Business Commission has seven seats, 4 appointed by the Mayor, 3 appointed by the Board of Supervisors. Seat assignments are designated are: *At least five of the individuals appointed to the Commission shall be owners, operators, or officers of San Francisco small businesses. One of the individuals appointed to the Commission may be*



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either a current or former owner, operator, or officer of a San Francisco small business. One member of the Commission may be an officer or representative of a neighborhood economic development organization or an expert in small business finance.

The SBC has clearly demonstrated its commitment and attention to the needs of San Francisco's small businesses. Should the Street Artist program move to the Office of Small Business, it is not necessary to have an absolute designated seat or assigned appointment of a current or former Street Artist to the Small Business Commission. To fulfill its responsibilities to the artists and maintain oversight and management of the program, the Street Artist program will be assigned to one of the Small Business Commission standing committees. Staff will provide the committee at every meeting a regular reports on staffing, budget, management and operations the program. These reports will become a standing monthly item for the committee report to the full commission. If at any time but no earlier than 16 months, the SBC does determine that this is not meeting the needs of the program and the businesses, it will take under consideration formalizing a means to appoint a current or former Street Artist to the Commission.

Arts Commission:

It is not within in the purview of the Office of Small Business and the Small Business Commission for make a formal recommendation as to the appointment of a current or former Street Artist to the Commission. That said, it is known that there is frustration from many of the small businesses in this program, that the program does not receive the recognition due. Therefore the Office of Small Business encourages the Arts Commission to take steps to remedy this frustration.

Sincerely,

A handwritten signature in black ink, which appears to read "Regina Dick-Endrizzi". The signature is written in a cursive, flowing style.

Regina Dick-Endrizzi
Director, Office of Small Business

Cc: Tom DeCaigny, Director Arts Commission
Kate Howard, Mayor Budget Office
Jason Elliott, Mayor's Office