

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Rm 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

May 18, 2018

Sharon Page Ritchie  
Commission Secretary, Arts Commission  
401 Van Ness Avenue, Suite 325  
San Francisco, CA 94102

**Re: Board of Supervisors Resolution No. 135-18**

Dear Ms. Ritchie,

On May 1, 2018 the Board of Supervisors for the City and County of San Francisco adopted Resolution No. 135-18 (Supporting the Removal of the Pioneer Monument's "Early Days" Sculpture - Urging the Board of Appeals to Rehear the Appeal Regarding the Pioneer Monument), which was enacted on May 9, 2018.

The Board of Supervisors directs the Clerk of the Board to forward the following document to the Arts Commission's attention:

- One certified copy of Resolution No. 135-18 (File No.180431)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

Sincerely,

  
for Angela Calvillo  
Clerk of the Board

- c. Supervisors Aaron Peskin, Jane Kim, Sandra Lee Fewer, and Hillary Ronen  
Tom DeCaigny, Arts Commission  
Susan Pontious, Arts Commission  
Rebekah Krell, Arts Commission



City and County of San Francisco

Certified Copy

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

180431 [ Supporting the Removal of the Pioneer Monument's "Early Days" Sculpture - Urging the Board of Appeals to Rehear the Appeal Regarding the Pioneer Monument ]

Sponsors: Peskin; Kim, Fewer and Ronen

Resolution supporting the San Francisco Arts Commission's (SFAC) determination to remove the "Early Days" sculptural group of the Pioneer Monument and the Historic Preservation Commission's (HPC) approval of a Certificate of Appropriateness under Article 10 of the Planning Code for such removal; urging the Board of Appeals to hear the rehearing requests of the SFAC and HPC; and directing the Clerk of the Board to transmit this Resolution to the Board of Appeals, Arts Commission and Historic Preservation Commission upon final passage.

5/1/2018 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

5/9/2018 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

May 18, 2018

Date

Signature of Angela Caivillo
for Angela Caivillo
Clerk of the Board
Official Seal of the City and County of San Francisco

1 [Supporting the Removal of the Pioneer Monument's "Early Days" Sculpture - Urging the  
2 Board of Appeals to Rehear the Appeal Regarding the Pioneer Monument]

3 **Resolution supporting the San Francisco Arts Commission's (SFAC) determination to**  
4 **remove the "Early Days" sculptural group of the Pioneer Monument and the Historic**  
5 **Preservation Commission's (HPC) approval of a Certificate of Appropriateness under**  
6 **Article 10 of the Planning Code for such removal; urging the Board of Appeals to hear**  
7 **the rehearing requests of the SFAC and HPC; and directing the Clerk of the Board to**  
8 **transmit this Resolution to the Board of Appeals, Arts Commission and Historic**  
9 **Preservation Commission upon final passage.**

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11 WHEREAS, On October 2, 2017, at a meeting of the full San Francisco Arts  
12 Commission (SFAC), Commissioners voted unanimously to pass Resolution No. 1002-17-  
13 251, which initiated the review process to remove the "Early Days" sculptural group from the  
14 Pioneer Monument, and which is hereby declared to be a part of this resolution as if set forth  
15 fully herein; and

16 WHEREAS, At a hearing of the Historic Preservation Commission (HPC) on  
17 February 21, 2018, Commissioners voted unanimously to pass Case No. 2017-015491COA,  
18 approving the Certificate of Appropriateness for the removal of the "Early Days" sculptural  
19 group from the Pioneer Monument, finding it consistent with Article 10 of the Planning Code,  
20 the Secretary of the Interior's Standards for Rehabilitation, and the General Plan, contingent  
21 on placement of a plaque explaining the removal at the site, and which is hereby declared to  
22 be a part of this resolution as if set forth fully herein; and

23 WHEREAS, On March 5, 2018, at a meeting of the full SFAC, Commissioners voted  
24 unanimously (12-0) to pass Resolution No. 035-18-057, authorizing the removal and  
25 placement in storage of the "Early Days" sculptural group upon determination that removal of

1 the artwork is appropriate under the Guidelines based on the criteria of “significant adverse  
2 public reaction over a consistent and extended period of time”; and

3 WHEREAS, The SFAC Guidelines define “consistent” as “five years or more”, and calls  
4 for the removal of the “Early Days” sculpture date back to at least 2007 at the Human Rights  
5 Commission, among other formal public policy conversations; and

6 WHEREAS, The SFAC heard extensive public comment demanding the removal of the  
7 “Early Days” sculpture over the course of its public hearings, and is in receipt of a petition to  
8 remove signed by over 1,000 San Francisco residents; and

9 WHEREAS, The “Early Days” sculptural grouping has been a decades’ long point of  
10 concern for the community, including extensive debates at the Arts Commission, the Planning  
11 Commission, and the Library Commission back in 1990-1996 when the Pioneer Monument  
12 was relocated to its current site in order to make way for the construction of the new Main  
13 Library; and

14 WHEREAS, Mayor Edwin M. Lee supported the removal the “Early Days” sculptural  
15 group in a 2017 KQED interview before his passing, saying, “Certainly on the streets of San  
16 Francisco, there ought to be symbols that don’t oppress people or remind them of oppression.  
17 That symbol continues to be a symbol that bothers [Native Americans], and it bothers all of us  
18 if it bothers them”; and

19 WHEREAS, Frear Stephen Schmid, a Petaluma-based attorney, appealed the Historic  
20 Preservation Commission’s decision, on the grounds that the decision was inconsistent with  
21 the city’s standards for removing or altering historic artifacts; and

22 WHEREAS, On April 18, 2018, at a meeting of the Board of Appeals, the Board  
23 Members voted unanimously to uphold Mr. Schmid’s appeal, in contravention of the Board’s  
24 mandate to reverse acts of manifest injustice and uphold just decisions; and

1           WHEREAS, The SFAC and HPC have filed a request to have the Board of Appeals re-  
2 hear the appeal of the HPC determination; now, therefore, be it

3           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
4 supports the SFAC's determination to remove the "Early Days" sculptural group of the Pioneer  
5 Monument, as well as the HPC's approval of a Certificate of Appropriateness for such removal  
6 under Article 10 of the Planning Code, based on the facts that the removal of the sculpture will  
7 not change the Pioneer Monument's historic character and that the general public have  
8 demonstrated significant and extended opposition to the offensive nature of the sculpture's  
9 representation of Native Americans; and, be it

10          FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
11 Francisco urges the Board of Appeals to hear the re-hearing requests of the Arts Commission  
12 and Historic Preservation Commission; and, be it

13          FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board  
14 to transmit this Resolution to the Board of Appeals, Arts Commission and Historic  
15 Preservation Commission upon final passage.



**City and County of San Francisco**  
**Tails**  
**Resolution**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 180431

**Date Passed:** May 01, 2018

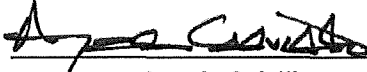
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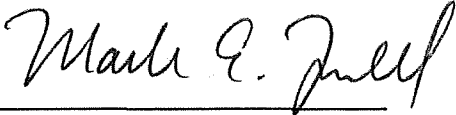
May 01, 2018 Board of Supervisors - ADOPTED

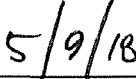
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 180431

I hereby certify that the foregoing Resolution was ADOPTED on 5/1/2018 by the Board of Supervisors of the City and County of San Francisco.

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
\_\_\_\_\_  
Mark E. Farrell  
Mayor

  
\_\_\_\_\_  
Date Approved

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May 18, 2018

Cynthia Goldstein  
Executive Director, Board of Appeals  
1650 Mission Street, Suite 304  
San Francisco, CA 94103

**Re: Board of Supervisors Resolution No. 135-18**

Dear Ms. Goldstein,

On May 1, 2018 the Board of Supervisors for the City and County of San Francisco adopted Resolution No. 135-18 (Supporting the Removal of the Pioneer Monument's "Early Days" Sculpture - Urging the Board of Appeals to Rehear the Appeal Regarding the Pioneer Monument), which was enacted on May 9, 2018.

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Sincerely,

A handwritten signature in blue ink that reads "Angela Calvillo".

*for* Angela Calvillo  
Clerk of the Board

- c. Supervisors Aaron Peskin, Jane Kim, Sandra Lee Fewer, and Hillary Ronen  
Gary Cantara, Board of Appeals



City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Certified Copy

Resolution

180431 [ Supporting the Removal of the Pioneer Monument's "Early Days" Sculpture - Urging the Board of Appeals to Rehear the Appeal Regarding the Pioneer Monument ]

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May 18, 2018

Date

  
for Angela Caivillo  
Clerk of the Board  




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**City and County of San Francisco**  
**Tails**  
**Resolution**

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**File Number:** 180431

**Date Passed:** May 01, 2018

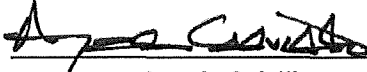
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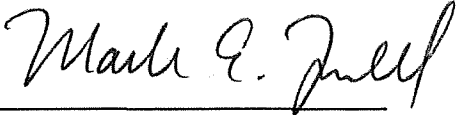
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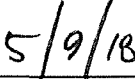
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 180431

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Angela Calvillo  
Clerk of the Board

  
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Mark E. Farrell  
Mayor

  
\_\_\_\_\_  
Date Approved

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May 18, 2018

Jonas Ionin  
Commission Secretary, Historic Preservation Commission  
401 Van Ness Avenue, Suite 325  
San Francisco, CA 94102

**Re: Board of Supervisors Resolution No. 135-18**

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Sincerely,

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 Angela Calvillo  
Clerk of the Board

- c. Supervisors Aaron Peskin, Jane Kim, Sandra Lee Fewer, and Hillary Ronen  
John Rahaim, Planning Department  
Scott Sanchez, Planning Department  
Lisa Gibson, Planning Department  
AnMarie Rodgers, Planning Department  
Tim Frye, Planning Department  
Andrea Ruiz-Esquide, City Attorney's Office  
Joy Navarrete, Planning Department  
Georgia Powell, Planning Department



City and County of San Francisco

Certified Copy

Resolution

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180431 [ Supporting the Removal of the Pioneer Monument's "Early Days" Sculpture - Urging the Board of Appeals to Rehear the Appeal Regarding the Pioneer Monument ]

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for Angela Caivillo
Clerk of the Board
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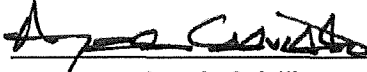
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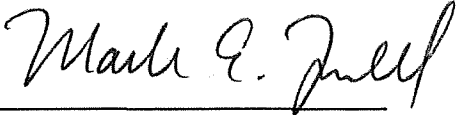
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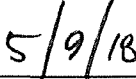
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 180431

I hereby certify that the foregoing Resolution was ADOPTED on 5/1/2018 by the Board of Supervisors of the City and County of San Francisco.

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
\_\_\_\_\_  
Mark E. Farrell  
Mayor

  
\_\_\_\_\_  
Date Approved