

1 [Back Streets Business Advisory Board]

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3 **Ordinance adding Sections 5.260 through 5.264 of the Administrative Code, to create a**
 4 **Back Streets Business Advisory Board, comprised of seven voting members appointed**
 5 **by the Board of Supervisors, and non-voting members representing various organs of**
 6 **government; to require the advisory board within nine months of its initial meeting to**
 7 **submit a report to the Board of Supervisors on matters pertaining to Back Streets**
 8 **businesses; to require the Board of Supervisors or a Board committee to hold a**
 9 **hearing on the report; and to authorize the advisory board to submit other reports to**
 10 **the Board of Supervisors and to communicate with the Board of Supervisors, other**
 11 **governmental entities, the business community, and the public on matters pertaining**
 12 **to Back Streets businesses.**

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14 Note: These sections are entirely new.

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16 Be it ordained by the People of the City and County of San Francisco:

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18 Section 1. The San Francisco Administrative Code is hereby amended by adding
 19 Article XXVI, Section 5.260 through Section 5.264, to read as follows:

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21 ARTICLE XXVI: BACK STREETS BUSINESS ADVISORY BOARD

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23 Sec. 5.260. FINDINGS AND PURPOSE.

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25 (a) It is in the public interest to recognize Back Streets businesses as an important component
of San Francisco's economic base. Accordingly, the City seeks to develop and implement focused
policies and programs that encourage the retention and expansion of Back Streets businesses. This
effort is consistent with and furthers the Commerce and Industry Element of the General Plan, which
calls for a balanced local economy where good paying jobs are available to the widest breadth of the
San Francisco labor force.

1 (b) Back Streets businesses such as printing services, restaurant supply, and janitorial services
2 provide vital support services to San Francisco's leading industries. Moreover, because they are
3 strategically located near the City's major areas of business and commerce and to major freeway
4 corridors, Back Streets businesses provide support services to leading downtown and regional
5 businesses and industries in a timely and cost-efficient manner.

6 (c) Back Streets businesses are a key element in ensuring employment opportunities to all San
7 Franciscans. Back Streets businesses pay higher wages and offer entry-level workers more opportunity
8 for advancement than service sector employment, and are an important source of employment for
9 people of all skill and educational levels. Back Streets businesses provide important employment
10 opportunities for new immigrants, including those for whom English is a second language. Studies
11 have shown that the loss of Back Streets jobs has a disproportionate impact on minorities and
12 immigrants.

13 (d) Back Streets businesses generate substantial tax revenue each year that helps to fund vital
14 City services.

15 (e) Back Streets businesses are a stable sector of the City's economic base and support the
16 economy when other sectors experience slowed growth or decline. A sustainable San Francisco
17 economy depends on a diverse economic base.

18 (f) The economic importance of Back Street businesses to cities like San Francisco is
19 demonstrated by an independent analysis of Boston's Back Street businesses, which found that such
20 businesses provided one-fifth of the city's jobs, were mostly held by city residents, and generated
21 approximately \$30 million annually in city tax revenue.

22 (g) The continuing importance of Back Streets businesses to San Francisco is highlighted by
23 the projection of the Association of Bay Area Governments (ABAG) that there will be approximately
24 18,000 new Back Streets jobs created in San Francisco from 2000 to 2025.

25 (h) Back Streets businesses have needs distinct from other businesses, including building sizes

1 and types, transportation access, financing, and workforce training, and require economic development
2 programs specific to those needs. Back Streets businesses in San Francisco have heretofore lacked an
3 institutional advocate in City government that is focused on their distinct needs and that is designed to
4 assist them in accessing economic development support channels in City government and remaining
5 competitive in San Francisco.

6 Sec. 5.261. DEFINITIONS. For purposes of Section 5.260 through Section 5.264, the following
7 definitions apply.

8 (a) "Advisory Board" is the Back Streets Business Advisory Board.

9 (b) "Back Streets business" is a "light PDR," "medium PDR," or "core PDR" business, as
10 defined and described in Appendix D of Planning Commission Resolution No. 16727 (adopted
11 February 12, 2004). Appendix D of said Resolution is on file with the Board of Supervisors in File No.
12 _____ and is incorporated herein by reference.

13 (c) "City" is the City and County of San Francisco.

14 (d) "PDR" is production/distribution/repair.

15 Sec. 5.262. ESTABLISHMENT AND COMPOSITION OF ADVISORY BOARD.

16 (a). Voting members. There shall be established a Back Streets Business Advisory Board
17 consisting of seven voting members nominated by the Rules Committee of the Board of Supervisors and
18 appointed by the Board of Supervisors, filling the following seats: (i) a current or former owner,
19 operator, or officer of a light PDR Back Streets business located in San Francisco; (ii) a current or
20 former owner, operator, or officer of a medium PDR Back Streets business located in San Francisco;
21 (iii) a current or former owner, operator, or officer of a core PDR Back Streets business located in San
22 Francisco; (iv) an officer or representative of a labor union or other labor organization; (v) an officer
23 or representative of an economic development or planning organization or association, or of an
24 academic institution; (vi) a person who has a demonstrated interest in and knowledge pertaining to
25 Back Street businesses; and (vii) a person who has a demonstrated interest in and knowledge

1 pertaining to Back Streets businesses.

2 (b) Nonvoting members. There shall be four nonvoting members on the Advisory Board: (i) a
3 representative of the Mayor's Office of Economic and Workforce Development; (ii) a representative of
4 the Mayor's Office of Community Development; (iii) a representative of the Planning Department; and
5 (iv) a representative of the Port of San Francisco. In addition, the San Francisco Redevelopment
6 Agency shall be invited to provide a representative as a fifth nonvoting member of the Advisory Board.

7 (c) Initial appointment of voting members. Following nomination by the Rules Committee of
8 the Board of Supervisors, each voting member on the Advisory Board shall be appointed by the Board
9 of Supervisors no later than thirty days after the effective date of this Ordinance.

10 (d) Terms of voting members. Voting members on the Advisory Board shall serve at the
11 pleasure of the Board of Supervisors; provided, however, that a voting member's term shall expire by
12 operation of law upon the Advisory Board's determination that the member in question has three
13 consecutive unexcused absences from Advisory Board meetings. Upon such a determination, the
14 Advisory Board shall notify the Board of Supervisors in writing that the term of the member in question
15 has expired.

16 Sec. 5.263. OPERATIONS OF ADVISORY BOARD.

17 (a) Initial meeting. The Advisory Board shall hold its initial meeting after all voting members
18 have been appointed; provided, however, that if all seats have not been filled within thirty days of the
19 effective date of this Ordinance, a quorum may at any time thereafter hold the initial meeting and
20 transact Advisory Board business.

21 (b) Officers. At the initial meeting of the Advisory Board, the Advisory Board shall select a
22 Chair and may select other officers.

23 (c) Internal rules. The Advisory Board shall establish bylaws, rules, and/or regulations for the
24 conduct of its meetings and business.

25 (d) Advisory Board support. Research assistance for the Advisory Board shall be provided by

1 the Office of Legislative Analyst of the Board of Supervisors. Administrative assistance and staffing for
2 the Advisory Board shall be provided by the Department of Administrative Services.

3 (e) Cooperation of City departments and other governmental entities. All City departments,
4 boards, commissions, and agencies, including but not limited to the Municipal Transportation Agency,
5 shall cooperate with the Advisory Board and assist the Advisory Board as appropriate in the conduct of
6 its business. In addition, the Board of Supervisors requests that other governmental entities, including
7 but not limited to the San Francisco County Transportation Authority, cooperate with the Advisory
8 Board and assist the Advisory Board as appropriate in the conduct of its business.

9 Sec. 5.264. DUTIES OF ADVISORY BOARD.

10 (a) Initial report. The Advisory Board shall submit its initial report to the Board of Supervisors
11 no later than nine months following the Advisory Board's initial meeting. The initial report shall
12 include but need not be limited to the following matters: (i) an analysis of the needs of Back Street
13 businesses, including but not limited to issues of land availability, financing, and workforce skills; (ii)
14 an analysis of policies and programs of the City and other jurisdictions designed to assist Back Street
15 businesses; and (iii) recommendations as to policies and programs the City may adopt to assist in the
16 retention and expansion of Back Street businesses in San Francisco. The Board of Supervisors or a
17 committee thereof shall schedule a hearing on the initial report no later than sixty days following its
18 submission to the Board of Supervisors.

19 (b) Other reports and activities. In its activities, the Advisory Board shall make use of existing
20 studies and analyses conducted by City agencies, including the Planning Department and the Port of
21 San Francisco, and other research organizations. The Advisory Board may submit other reports to the
22 Board of Supervisors covering the matters described in subsection 5.264(a) or such other matters
23 pertaining to Back Street businesses as the Advisory Board deems appropriate. In its discretion, the
24 Advisory Board may at any time communicate its views on matters pertaining to Back Street businesses
25 to the Board of Supervisors, to other City departments, boards, commissions, committees, or agencies,

1 to the business community or any sector thereof, and to the public.

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3 APPROVED AS TO FORM:
4 DENNIS J. HERRERA, City Attorney

5 By: _____
6 PAUL ZAREFSKY
7 Deputy City Attorney

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