



October 7, 2024

Hon. Dean Preston
Supervisor, District 5
San Francisco City Hall

VIA E-MAIL

RE: SUPPORT for File # 240333: Notice of Supermarket Closure Legislation

Dear Supervisor Preston,

On behalf of the Japantown Community Benefit District (JCBD), I would like to express our strong support for the proposed legislation requiring Notice of Supermarket Closure.

As you know well, the JCBD has been working closely with our Fillmore and Western Addition neighbors, specifically the late Rev. Arnold Townsend, Booker T. Washington, and Ella Hill Hutch, to address the challenges posed by the sudden announcement earlier this year of the sale and closure of the Fillmore Street Safeway. This closure significantly impacted many Japantown residents, small businesses, and workers who sometimes rely on the store daily for groceries, banking, and pharmacy services. It served as an important and vital hub that connected our communities.

We understand that the legislation will apply only to large-scale supermarkets and not smaller grocery stores. This is something that we made sure both Nijiya Market and Super Mira understood.

Thank you for advocating on behalf of the residents and workers in the Fillmore District, Western Addition, and Japantown.

Sincerely,

A handwritten signature in black ink, appearing to read 'Grace Horikiri', is written over a horizontal line.

Grace Horikiri
Executive Director
Japantown Community Benefit District

cc: Nihonmachi Community Coalition, Fillmore Coalition

Hon. Dean Preston
Supervisor, District 5
San Francisco City Hall
VIA E-MAIL

RE: SUPPORT for File# 240333: Notice of Supermarket Closure Legislation

October 7, 2024

Dear Supervisor Preston,

On behalf of the Japantown Task Force, I would like to express our strong support for the proposed legislation requiring Notice of Supermarket Closure. As you know well, JTF has been working closely with our Fillmore and Western Addition neighbors to address the challenges posed by the sudden announcement earlier this year of the sale and closure of the Fillmore Street Safeway which Japantown residents and workers rely on for groceries, banking, and pharmacy services.

Our understanding is that the legislation will apply only to large scale supermarkets and not smaller grocery stores. We very much appreciate your leadership in seeking the feedback from the two existing grocery stores in Japantown. JTF met in-person with and briefed managers at Nijiya Supermarket and Super Mira about the proposed legislation. None of the managers we spoke with expressed any concern about the legislation.

Thank you for advocating on behalf of the residents and workers in Japantown, the Fillmore District, and the Western Addition generally, on this and so many other issues.

Yours sincerely,



Emily M. Murase, PhD
Executive Director

cc: Nihonmachi Community Coalition, Fillmore Coalition.



235 Montgomery St., Ste. 760, San Francisco, CA 94104
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sfchamber.com

August 27, 2024

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102

RE: File #240333: Police Code - Notice of Supermarket Closure

Dear Members of the Board of Supervisors,

We write to you today to share feedback on Supervisor Dean Preston's proposed ordinance on grocery store closures - File #240333. While we understand the intent behind the proposed ordinance, we believe that if it is not amended as described below it will discourage new grocery stores from opening, and could even push existing grocery stores to close. In its current form, the ordinance adds more layers of bureaucracy at a time when small businesses in San Francisco need less. We suggest the following changes to better balance the intended protections with the realities of operating a business.

We request you consider the following changes to the proposed ordinance:

1. Reduce required notice from six to two months in Section 5702: The current requirement of a six-month notice period prior to the closure of a grocery store places an undue burden on businesses, particularly smaller grocery stores.
2. Strike Section 5703, the "Good Faith Efforts" provision: this requirement could lead to expensive legal challenges and uncertainties, hurting businesses that are already struggling.
3. Strike Section 5704(b), the "Private Right of Action" Provision: creating a private right of action invites unnecessary lawsuits from the public and easily leads to litigation abuse.

We believe these amendments will create a more balanced approach to grocery store closure notification and will benefit both the community and business owners. We urge you to consider these changes to ensure that the ordinance supports sustainable business practices while honoring the proposal's original legislative intent. We welcome the opportunity to work with you to support our businesses and residents.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney Fong", written over a faint circular stamp or watermark.

Rodney Fong
President & CEO
The San Francisco Chamber of Commerce



Japanese American Citizens League

Masao Satow Building • 1765 Sutter Street • San Francisco, California 94115
Phone: (415) 921-5225 • Facsimile: (415) 931-4671 • Email: policy@jacl.org

Oct. 11, 2024

Hon. Dean Preston
Supervisor, District 5
San Francisco City Hall
VIA E-MAIL

RE: SUPPORT for File # 240333: Notice of Supermarket Closure Legislation

Dear Supervisor Preston,

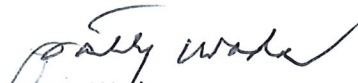
On behalf of the Japanese American Citizens League's NorCal-Western Nevada-Pacific Regional Office (JACL NCWNP), I express our support of the proposed legislation regarding Notice of Supermarket Closure.

We were taken aback with the abrupt announcement that Safeway would be closing its store in the Western Addition. JACL NCWNP staff stood in solidarity with & support of residents at a neighborhood rally to protest the sale and closure of the Fillmore Street Safeway. JACL National Headquarters is located in the Western Addition, and our staff – like others who live and work in the area -- rely on that Safeway for groceries, banking and pharmacy services.

Our understanding is that the legislation you have proposed will apply to large scale supermarkets and not smaller grocery stores.

Thank you for advocating on behalf of the families, seniors, residents and workers of the Fillmore, Japantown and the Western Addition area on this and other issues.

Sincerely,


Patty Wada
Regional Director
JACL NCWNP

cc: Nihonmachi Community Coalition

October 16, 20204



The Honorable Dean Preston
Chair, Government Audit and
Oversight Committee
City and County of San Francisco
1Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Grocery Store Closures

Dear Supervisor Preston,

On behalf of San Francisco grocers, we appreciate your interest in the success of our industry. Specific to the proposed ordinance regarding store closures, we also appreciate the conversations with your office regarding the impacts on current and future grocers.

While we both agree adjustments would improve the policy, we further believe any changes should be made and posted before moving the ordinance forward. With the committee process being the primary point for public input full awareness of language changes serves all sides. Our preference is the item not be moved to the full Board of Supervisors until that time.

As we have shared in discussions, we believe the length of the notice, process for community engagement, enforcement mechanism, and scope of retailers must be adjusted. The unique nature of food retailing and importance of grocery to thriving neighborhoods requires a policy with no unintended consequences and no disincentive to locate or further invest in San Francisco.

The current notice period of six months creates its own challenges for the viability of stores. In our experience shortly after a closure notice is consumers begin to shop alternatives. In addition, retention and recruitment of employees to maintain store operation becomes difficult.

While in nearly all cases of a store closure employees are offered continued employment in other locations, some choose to leave sooner and hiring replacements for a location slated for closure would be difficult at best. The length of notice, which is not seen in any other industry, hastens the deterioration of store viability making it less likely for the store to reverse course and become sustainable or for a new grocer to be adopted by previous customers. It is worth noting that recently passed state law only requires a 45-day notice.

We have no doubt that grocers will fully comply if passed, but the lack of definition to the process for community engagement leaves hitting the mark to comply with the ordinance fuzzy. Clarity, definition and limits would help compliance as well as giving the public a clear roadmap for engagement. Lack of definition could also lead to grocers being susceptible to vague private action enforcement.

The Honorable Dean Preston
October 16, 20024
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As proposed the city or any third party can bring enforcement action for non-compliance. While empowering enforcement on bad actors is important, an open ended ability to bring enforce cases coupled with lack of clarity in the engagement process could lead to numerous and duplicative legal action. An openly litigious environment does not serve the intended goal of retaining grocers serving San Francisco.

The current proposal is focused solely on traditional grocery stores, but in a dynamic city like San Francisco consumers rely on numerous other types of retailers for their primary food shopping. This dependence on non-traditional food retailers means a similar neighborhood impact with a store closure. Other primary food retailers should be included to maintain the intended protection for the public.

Thank you for your consideration and we appreciate the engagement. We do believe it is important the committee hearing process include a full discussion of any ordinance adjustments before being considered by the full Board of Supervisors. We look forward to continuing our partnership to support grocers in San Francisco.

Sincerely,



Tim James
Director, Local Government Relations
California Grocers Association

cc: Members, San Francisco Board of Supervisors
Mayor London Breed, City and County of San Francisco

October 29, 2024



The Honorable Aaron Peskin
President, Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Store Closure Ordinance

Dear President Peskin,

On behalf of San Francisco grocers, we appreciate your interest in the success of grocers in San Francisco. We understand it is a priority for the Board to bring new grocery stores into San Francisco and to keep existing grocery stores open. In that spirit, the California Grocers Association has been working with Supervisor Preston to suggest changes to File Number 240333 Notice of Supermarket Closure, to ensure the Board does not adopt policies that might inadvertently create disincentive for new grocery stores from opening, or cause existing stores to close sooner than they might otherwise.

CGA appreciates Supervisor Preston's willingness to engage in dialogue prior to the Government Audit and Oversight committee hearing on this item on October 17th, However, CGA was disappointed that several of the suggested changes were not made in committee, and that the amendments were not made public to stakeholders until the committee hearing. We believe an impactful ordinance without unintended negative consequences is possible with additional effort.

CGA respectfully requests that the Board of Supervisors duplicate File 24033 and send the duplicated file back to GAO for a subsequent hearing to consider further amendments that would increase administrability of the measure and decrease the likelihood of confusion once it is put in place.

Thank you for your consideration and we look forward to continuing to discuss in partnership ways to support San Francisco grocers and the neighborhoods they serve.

Sincerely,

Tim James
Director, Local Government Relations
California Grocers Association

cc: Members, San Francisco Board of Supervisors
Mayor London Breed, City and County of San Francisco