

1 [Establishing the powers and duties of the Small Business Commission, including  
2 administration of the Small Business Commission Revolving Loan Fund.]

3 **Ordinance amending the San Francisco Administrative Code by adding Section 2A.240,**  
4 **to list the powers and duties of the Small Business Commission, and by repealing**  
5 **Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission,**  
6 **and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the**  
7 **ordinance shall only take effect if a charter amendment creating a Small Business**  
8 **Commission in the Charter is adopted at the November 2003 election.**

9 Note: Additions are single-underline italics Times New Roman;  
10 deletions are ~~strikethrough italics Times New Roman~~.  
11 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

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

13  
14 Section 1. The San Francisco Administrative Code is hereby amended by adding  
15 Section 2A.240, to read as follows:

16 **Article XVI: Small Business Commission**

17 **SEC. 2A.240. SMALL BUSINESS COMMISSION; POWERS AND DUTIES.**

18 (a) The Small Business Commission shall:

19 1. Formulate and evaluate goals, objectives, plans, and programs and set policies for the  
20 City regarding small businesses, consistent with any overall objectives established by the Mayor and  
21 the Board of Supervisors through the adoption of legislation, in order to promote the economic health  
22 of the small business community in San Francisco, its employees, and its customers;

23 2. Develop and keep current an annual statement of purpose outlining its areas of  
24 jurisdiction, authorities, purpose and goals, subject to review and approval by the Mayor and the  
25 Board of Supervisors;

1           3.       Recommend to the Mayor for submission to the Board of Supervisors rates, fees and  
2 similar charges with respect to appropriate items coming within its jurisdiction;  
3           4.       Appoint a commission secretary who shall serve at the pleasure of the Commission;  
4           5.       Prepare and recommend to the Mayor an annual budget for the Commission's activities;  
5           6.       Administer grants and programs concerning and benefiting small businesses and  
6 neighborhood business districts;  
7           7.       Review all legislation affecting small businesses and make recommendations to the  
8 Board of Supervisors;  
9           8.       Review rules and regulations adopted by City departments that affect small businesses  
10 and recommend modifications that would promote the health of small businesses;  
11           9.       Collect and analyze information about the small business economy in San Francisco, as  
12 well as conduct investigations under its power of inquiry into any aspect of governmental operations  
13 affecting small businesses, including holding hearings and taking testimony, and make  
14 recommendations to the Mayor or the Board of Supervisors; and  
15           10.      Exercise such other powers and duties as shall be prescribed by the Board of  
16 Supervisors.  
17           (b)      The Commission may adopt such rules and regulations consistent with the provisions of  
18 this Section as are necessary for the conduct of its business. Such rules and regulations shall be  
19 available for public review and comment for 10 days before they are finally adopted by the  
20 Commission.

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22           Section 2. The San Francisco Administrative Code is hereby amended by repealing  
23 Sections 5.120, 5.121, and 5.122, in their entirety.

24 ~~**SEC. 5.120. SMALL BUSINESS COMMISSION.**~~  
25

1           ~~There shall be a Small Business Commission in the Department of Business and Economic~~  
2     ~~Development. The Commission shall consist of seven members, who shall serve at the pleasure of the~~  
3     ~~Mayor. The Mayor shall designate three of his or her initial appointments to serve for two-year terms.~~  
4     ~~Thereafter, all commissioners shall serve for four-year terms.~~

5           ~~The Commission shall not have a separate budget, but shall be included in the budget for the~~  
6     ~~Department of Business and Economic Development.~~

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8     **~~SEC. 5.121. POWERS AND DUTIES.~~**

9           ~~(a) — The Small Business Commission shall:~~

10          ~~1. — Formulate and evaluate goals, objectives, plans, and programs and set policies for the~~  
11     ~~City regarding small businesses, consistent with any overall objectives established by the Mayor and~~  
12     ~~the Board of Supervisors through the adoption of legislation;~~

13          ~~2. — Develop and keep current an annual statement of purpose outlining its areas of~~  
14     ~~jurisdiction, authorities, purpose and goals, subject to review and approval by the Mayor and the~~  
15     ~~Board of Supervisors;~~

16          ~~3. — Recommend to the Mayor for submission to the Board of Supervisors rates, fees and~~  
17     ~~similar charges with respect to appropriate items coming within its jurisdiction;~~

18          ~~4. — Advise the Mayor regarding the appointment and removal of a director and a secretary~~  
19     ~~of the Commission;~~

20          ~~5. — Make recommendations to the Mayor regarding that portion of the budget for the~~  
21     ~~Department of Business and Economic Development to be allocated to the Commission and the Office~~  
22     ~~of Small Business Affairs;~~

23          ~~6. — Conduct investigations under its power of inquiry into any aspect of governmental~~  
24     ~~operations affecting small businesses, including holding hearings and taking testimony, and make~~  
25     ~~recommendations to the Mayor or the Board of Supervisors; and~~

1           ~~7. Exercise such other powers and duties as shall be prescribed by the Board of~~  
2     ~~Supervisors.~~

3           ~~(b) The Commission may adopt such rules and regulations consistent with the provisions of~~  
4     ~~this Article as are necessary for the conduct of its business. Such rules and regulations shall be~~  
5     ~~available for public review and comment for 10 days before they are finally adopted by the Commission~~

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7     ~~**SEC. 5.122. DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT'S OFFICE OF**~~  
8     ~~**SMALL BUSINESS AFFAIRS.**~~

9           ~~There shall be an Office of Small Business Affairs in the Department of Business and Economic~~  
10     ~~Development. The director of the Small Business Commission shall also be the administrative head of~~  
11     ~~the Office of Small Business Affairs.~~

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13           Section 3. This ordinance shall only take effect if a charter amendment creating a  
14     Small Business Commission in the San Francisco Charter is adopted at the November 4,  
15     2003 election. This ordinance shall take effect on the same date that such charter  
16     amendment takes effect.

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19     APPROVED AS TO FORM:  
20     DENNIS J. HERRERA, City Attorney

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22     By:     \_\_\_\_\_  
23             THOMAS J. OWEN  
24             Deputy City Attorney