

BOARD of SUPERVISORS



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

May 24, 2019

The Honorable Gavin Newsom  
Governor of California  
1303-10th Street, Suite 1173  
Sacramento, CA 95814

**Re: Board of Supervisors Resolution No. 227-19**

Dear Governor Newsom:

On May 7, 2019, the Board of Supervisors for the City and County of San Francisco adopted Resolution No. 227-19 (Supporting California State Assembly Bill No. 392 (Weber and McCarty) - California Act to Save Lives: Incorporating Police Best Practices), which was enacted on May 17, 2019.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

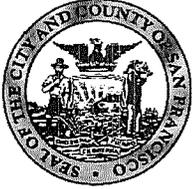
- One certified copy of Resolution No. 227-19 (File No. 190256)

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,

  
Angela Calvillo  
Clerk of the Board

- c. Supervisors Matt Haney, Gordon Mar, Shamann Walton, Hillary Ronen, Sandra Lee Fewer, Vallie Brown, and Norman Yee  
Sophia Kittler, Mayor's Legislative Liaison to the Board of Supervisors  
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs  
Andres Power, Mayor's Policy Director  
Paul Yoder, City Lobbyist - Shaw/Yoder/Antwih Inc.



City and County of San Francisco

City Hall  
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San Francisco, CA 94102-4689

Certified Copy

Resolution

190256

[ Supporting California State Assembly Bill No. 392 (Weber and McCarty) - California Act to Save Lives: Incorporating Police Best Practices ]

**Sponsors:** Haney; Mar, Walton, Ronen, Fewer, Brown and Yee

Resolution supporting California State Assembly Bill No. 392, introduced by Assembly Members Shirley Weber and Kevin McCarty, co-authored by Assembly Members Chris Holden and Mark Stone, and California State Senators Steven Bradford and Holly Mitchell, California Act to Save Lives: incorporating policing best practices that authorizes police officers to use deadly force only when it is necessary to prevent imminent and serious bodily injury or death and to require de-escalation methods whenever possible.

5/7/2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

5/7/2019 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Walton and Yee

Noes: 1 - Stefani

5/17/2019 Mayor - RETURNED UNSIGNED

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 22, 2019

Date



Angela Calvillo  
Clerk of the Board

1 [Supporting California State Assembly Bill No. 392 (Weber and McCarty) - California Act to  
2 Save Lives: Incorporating Police Best Practices]

3 **Resolution supporting California State Assembly Bill No. 392, introduced by Assembly**  
4 **Members Shirley Weber and Kevin McCarty, co-authored by Assembly Members Chris**  
5 **Holden and Mark Stone, and California State Senators Steven Bradford and Holly**  
6 **Mitchell, California Act to Save Lives: incorporating policing best practices that**  
7 **authorizes police officers to use deadly force only when it is necessary to prevent**  
8 **imminent and serious bodily injury or death and to require de-escalation methods**  
9 **whenever possible.**

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11 WHEREAS, Under current California law, police officers are authorized to use deadly  
12 force regardless of whether or not it is necessary to prevent death or serious bodily injury; and

13 WHEREAS, Current California law authorizes police officers to use deadly force  
14 regardless of whether or not there are viable nonlethal alternatives; and

15 WHEREAS, The California law that determines when a homicide by an officer is  
16 "justified" was written in 1872, fails to include current best practices, and authorizes deadly  
17 force in a manner that violates the U.S. constitution; and

18 WHEREAS, California State Assembly Bill No. 392 (California Act to Save Lives)  
19 introduced by Assembly Members Shirley Weber and Kevin McCarty would bring California  
20 law up to date and in line with policing best practices to avoid unnecessary death and ensure  
21 community safety; and

22 WHEREAS, Law enforcement is tasked with keeping the public safe—protecting and  
23 preserving human life should be a central guiding principle of this role; and  
24  
25

1           WHEREAS, Current law results in officers killing civilians far more often than is  
2 necessary, leaving many families and communities devastated and causing them to distrust  
3 those who have taken an oath to protect them; and

4           WHEREAS, The California Act to Save Lives provides a clear definition for when  
5 deadly use of force can be used by police officers; and

6           WHEREAS, Incorporating policing best practices, The California Act to Save Lives  
7 authorizes police officers to use deadly force only when it is necessary to prevent imminent  
8 and serious bodily injury or death – that is, if, given the totality of the circumstances, there was  
9 no reasonable alternative to using deadly force, including warnings, verbal persuasion, or  
10 other nonlethal methods of resolution or de-escalation; and

11           WHEREAS, According to the California Department of Justice, in 2017 California police  
12 killed 172 people, half of whom were unarmed; and

13           WHEREAS, Of the unarmed people California police killed in 2017, three out of four  
14 were people of color; and

15           WHEREAS, In 2017, Black people in California were 3.2 times more likely to be killed  
16 by police than white people; and

17           WHEREAS, An analysis by the Washington Post and census data found that  
18 California police kill people at a rate 37% higher than the national average per capita; and

19           WHEREAS, Nationwide, almost half of people killed by police have a disability or  
20 mental illness; and

21           WHEREAS, In a report conducted after the shooting death of Stephon Clark, the  
22 California Department of Justice recommended that the Sacramento Police Department  
23 update its use of force guidelines to clearly define when force is and is not authorized; and  
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1           WHEREAS, The California Act to Save Lives would update police use of force  
2 protocols by establishing adequate and constitutional standards to ensure officers avoid the  
3 use of deadly force at every possible opportunity; and

4           WHEREAS, This bill takes into account officer safety and specifies that officers can  
5 always invoke the self-defense law that applies to the public; and

6           WHEREAS, The California Act to Save Lives reflects policies that policing experts  
7 recognize as effective at better preserving life while also allowing officers the latitude needed  
8 to ensure public safety; and

9           WHEREAS, Under President Obama, the U.S. Department of Justice helped many  
10 cities adopt similar policies, including San Francisco and Seattle; and

11           WHEREAS, Several police agencies and law enforcement organizations outside of  
12 California have recommended or already adopted stricter use-of-force standards similar to  
13 those proposed under this bill; and

14           WHEREAS, Seattle's federal monitor determined that the policy change resulted in a  
15 marked reduction in serious uses of force without compromising the safety of officers; and

16           WHEREAS, Reforming California law is common sense; officers at agencies with  
17 stricter use of force policies kill fewer people and law enforcement in those agencies are also  
18 less likely to be killed or seriously injured themselves; and

19           WHEREAS, Senate Bill 230, introduced by CA Senator Caballero mandates training  
20 standards and requires the Commission on Peace Officer Standards and Training to  
21 implement a course or courses of instruction for the regular and periodic training of law  
22 enforcement officers in the use of force. The bill would require the commission to develop  
23 uniform, minimum guidelines for adoption and promulgation by California law enforcement  
24 agencies for the use of force, as specified in Assembly Bill 392; and  
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1           WHEREAS, San Francisco's crisis intervention and de-escalation training has resulted  
2 in a significant reduction in the use of force incidents citywide and is being recognized as the  
3 statewide model; and

4           WHEREAS, the provisions of SB 230 would only become operative contingent on the  
5 enactment of Assembly Bill 392 of the 2019–20 Regular Session; and

6           WHEREAS, Assembly Bill 392, introduced by Assembly Member Shirley  
7 Weber updates the deadly use-of-force standard from "reasonable" to "necessary" and would  
8 redefine the circumstances under which a homicide by a peace officer is deemed justifiable to  
9 include when the killing is in self-defense or the defense of another, consistent with the  
10 existing legal standard for self-defense, or when the killing is necessary to prevent the escape  
11 of a fleeing felon whose immediate apprehension is necessary to prevent death or serious  
12 injury; and

13           WHEREAS, SB 230 sets forth training requirements which complement the update to  
14 the use-of-force standard in AB 392, the two bills complement one another and represent a  
15 comprehensive solution to police use of deadly force in California; now, therefore, be it

16           RESOLVED, That the City and County of San Francisco Board of Supervisors urges  
17 the California Legislature and Governor Newsom to support and pass California State  
18 Assembly Bill No. 392; and, be it

19           FURTHER RESOLVED, That the City and County of San Francisco Board of  
20 Supervisors directs the Clerk of the Board to transmit this resolution to the California State  
21 Legislature and Governor Gavin Newsom.



City and County of San Francisco

Tails  
Resolution

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

File Number: 190256

Date Passed: May 07, 2019

Resolution supporting California State Assembly Bill No. 392, introduced by Assembly Members Shirley Weber and Kevin McCarty, co-authored by Assembly Members Chris Holden and Mark Stone, and California State Senators Steven Bradford and Holly Mitchell, California Act to Save Lives: incorporating policing best practices that authorizes police officers to use deadly force only when it is necessary to prevent imminent and serious bodily injury or death and to require de-escalation methods whenever possible.

April 25, 2019 Public Safety and Neighborhood Services Committee - RECOMMENDED

May 07, 2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

May 07, 2019 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Walton and Yee

Noes: 1 - Stefani

File No. 190256

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 5/7/2019 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

Unsigned

London N. Breed  
Mayor

5/17/2019

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



---

Angela Calvillo  
Clerk of the Board

5/17/2019

---

Date

BOARD of SUPERVISORS



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San Francisco 94102-4689  
Tel. No. 554-5184  
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TDD/TTY No. 554-5227

May 24, 2019

The Honorable E. Dotson Wilson  
Chief Clerk of the Assembly  
California State Assembly  
California State Capitol, Room 3196  
Sacramento, CA 95814

**Re: Board of Supervisors Resolution No. 227-19**

Dear Chief Clerk Wilson:

On May 7, 2019, the Board of Supervisors for the City and County of San Francisco adopted Resolution No. 227-19 (Supporting California State Assembly Bill No. 392 (Weber and McCarty) - California Act to Save Lives: Incorporating Police Best Practices), which was enacted on May 17, 2019.

The Board of Supervisors directs the Clerk of the Board to forward the following document to the attention of the California State Assembly:

- One certified copy of Resolution No. 227-19 (File No. 190256)

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,

  
f Angela Calvillo  
Clerk of the Board

- c. Supervisors Matt Haney, Gordon Mar, Shamann Walton, Hillary Ronen, Sandra Lee Fewer, Vallie Brown, and Norman Yee  
Sophia Kittler, Mayor's Legislative Liaison to the Board of Supervisors  
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs  
Andres Power, Mayor's Policy Director  
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City and County of San Francisco

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Certified Copy
Resolution

190256

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Sponsors: Haney; Mar, Walton, Ronen, Fewer, Brown and Yee

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5/7/2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

5/7/2019 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Walton and Yee

Noes: 1 - Stefani

5/17/2019 Mayor - RETURNED UNSIGNED

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 22, 2019

Date

Handwritten signature of Angela Calvillo and official seal of the City and County of San Francisco. Printed name: Angela Calvillo, Clerk of the Board.

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13           WHEREAS, Of the unarmed people California police killed in 2017, three out of four  
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17           WHEREAS, An analysis by the Washington Post and census data found that  
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9           WHEREAS, Under President Obama, the U.S. Department of Justice helped many  
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1           WHEREAS, San Francisco's crisis intervention and de-escalation training has resulted  
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16           RESOLVED, That the City and County of San Francisco Board of Supervisors urges  
17 the California Legislature and Governor Newsom to support and pass California State  
18 Assembly Bill No. 392; and, be it

19           FURTHER RESOLVED, That the City and County of San Francisco Board of  
20 Supervisors directs the Clerk of the Board to transmit this resolution to the California State  
21 Legislature and Governor Gavin Newsom.



City and County of San Francisco

Tails  
Resolution

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

File Number: 190256

Date Passed: May 07, 2019

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April 25, 2019 Public Safety and Neighborhood Services Committee - RECOMMENDED

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Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

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Noes: 1 - Stefani

File No. 190256

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 5/7/2019 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned

London N. Breed  
Mayor

\_\_\_\_\_  
5/17/2019

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo  
Clerk of the Board

5/17/2019

Date

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May 24, 2019

The Honorable Erika Contreras  
Secretary of the Senate  
California State Senate  
California State Capitol, Room 3044  
Sacramento, CA 95814

**Re: Board of Supervisors Resolution No. 227-19**

Dear Secretary Contreras:

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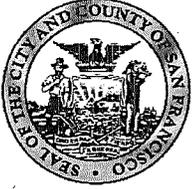
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Sincerely,

  
fr Angela Calvillo  
Clerk of the Board

- c. Supervisors Matt Haney, Gordon Mar, Shamann Walton, Hillary Ronen, Sandra Lee Fewer, Vallie Brown, and Norman Yee  
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City and County of San Francisco

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Certified Copy

Resolution

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Noes: 1 - Stefani

5/17/2019 Mayor - RETURNED UNSIGNED

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 22, 2019

Date

Official seal and signature of Angela Calvillo, Clerk of the Board

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2 Save Lives: Incorporating Police Best Practices]

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17           WHEREAS, An analysis by the Washington Post and census data found that  
18 California police kill people at a rate 37% higher than the national average per capita; and

19           WHEREAS, Nationwide, almost half of people killed by police have a disability or  
20 mental illness; and

21           WHEREAS, In a report conducted after the shooting death of Stephon Clark, the  
22 California Department of Justice recommended that the Sacramento Police Department  
23 update its use of force guidelines to clearly define when force is and is not authorized; and  
24  
25

1           WHEREAS, The California Act to Save Lives would update police use of force  
2 protocols by establishing adequate and constitutional standards to ensure officers avoid the  
3 use of deadly force at every possible opportunity; and

4           WHEREAS, This bill takes into account officer safety and specifies that officers can  
5 always invoke the self-defense law that applies to the public; and

6           WHEREAS, The California Act to Save Lives reflects policies that policing experts  
7 recognize as effective at better preserving life while also allowing officers the latitude needed  
8 to ensure public safety; and

9           WHEREAS, Under President Obama, the U.S. Department of Justice helped many  
10 cities adopt similar policies, including San Francisco and Seattle; and

11           WHEREAS, Several police agencies and law enforcement organizations outside of  
12 California have recommended or already adopted stricter use-of-force standards similar to  
13 those proposed under this bill; and

14           WHEREAS, Seattle's federal monitor determined that the policy change resulted in a  
15 marked reduction in serious uses of force without compromising the safety of officers; and

16           WHEREAS, Reforming California law is common sense; officers at agencies with  
17 stricter use of force policies kill fewer people and law enforcement in those agencies are also  
18 less likely to be killed or seriously injured themselves; and

19           WHEREAS, Senate Bill 230, introduced by CA Senator Caballero mandates training  
20 standards and requires the Commission on Peace Officer Standards and Training to  
21 implement a course or courses of instruction for the regular and periodic training of law  
22 enforcement officers in the use of force. The bill would require the commission to develop  
23 uniform, minimum guidelines for adoption and promulgation by California law enforcement  
24 agencies for the use of force, as specified in Assembly Bill 392; and  
25

1           WHEREAS, San Francisco's crisis intervention and de-escalation training has resulted  
2 in a significant reduction in the use of force incidents citywide and is being recognized as the  
3 statewide model; and

4           WHEREAS, the provisions of SB 230 would only become operative contingent on the  
5 enactment of Assembly Bill 392 of the 2019–20 Regular Session; and

6           WHEREAS, Assembly Bill 392, introduced by Assembly Member Shirley  
7 Weber updates the deadly use-of-force standard from "reasonable" to "necessary" and would  
8 redefine the circumstances under which a homicide by a peace officer is deemed justifiable to  
9 include when the killing is in self-defense or the defense of another, consistent with the  
10 existing legal standard for self-defense, or when the killing is necessary to prevent the escape  
11 of a fleeing felon whose immediate apprehension is necessary to prevent death or serious  
12 injury; and

13           WHEREAS, SB 230 sets forth training requirements which complement the update to  
14 the use-of-force standard in AB 392, the two bills complement one another and represent a  
15 comprehensive solution to police use of deadly force in California; now, therefore, be it

16           RESOLVED, That the City and County of San Francisco Board of Supervisors urges  
17 the California Legislature and Governor Newsom to support and pass California State  
18 Assembly Bill No. 392; and, be it

19           FURTHER RESOLVED, That the City and County of San Francisco Board of  
20 Supervisors directs the Clerk of the Board to transmit this resolution to the California State  
21 Legislature and Governor Gavin Newsom.



City and County of San Francisco

Tails  
Resolution

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

File Number: 190256

Date Passed: May 07, 2019

Resolution supporting California State Assembly Bill No. 392, introduced by Assembly Members Shirley Weber and Kevin McCarty, co-authored by Assembly Members Chris Holden and Mark Stone, and California State Senators Steven Bradford and Holly Mitchell, California Act to Save Lives: incorporating policing best practices that authorizes police officers to use deadly force only when it is necessary to prevent imminent and serious bodily injury or death and to require de-escalation methods whenever possible.

April 25, 2019 Public Safety and Neighborhood Services Committee - RECOMMENDED

May 07, 2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

May 07, 2019 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Walton and Yee

Noes: 1 - Stefani

File No. 190256

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 5/7/2019 by the Board of Supervisors of the City and County of San Francisco.

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

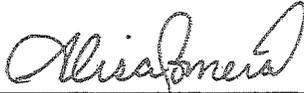
Unsigned

\_\_\_\_\_  
London N. Breed  
Mayor

5/17/2019

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

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



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Angela Calvillo  
Clerk of the Board

5/17/2019

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Date