



San Francisco Youth Commission Agenda

Monday, April 15, 2019

5:00 pm-8:00 pm

City Hall, Room 416

1. Dr. Carlton B. Goodlett Pl.

San Francisco, CA 94102

There will be public comment on each item.

Charley Obermeyer, Lily Marshall-Fricker, Maggie Dong, Josephine Cureton, Calvin Quick, Alysha Sadarangani, JoJo Ty, Natalie Ibarra, Bahlam Vigil, Arianna Nassiri, Nora Hylton, Drew Min, Grace Hoogerhyde, Alexander Hirji, Kaye Chin, and Savion Green

1. Call to Order and Roll Call for Attendance (Discussion and Possible Action)

2. Approval of Agenda (Action Item)

3. Approval of Minutes (Action Item)

A. April 1, 2019

[Document A](#)

4. Public Comment on Items not on Agenda (Discussion Only)

5. Legislation Referred (All Items to Follow Discussion and Possible Action)

A. BOS File No. 190311 [Health Code - Restricting Commercial Tobacco Activities on City Property]

Sponsor: Supervisor Walton

Presenter: Natalie Gee, Legislative Aide to District 10

Document B

B. BOS File No. 190312 [Health Code - Restricting the Sale, Manufacture, and Distribution of Tobacco Products, Including Electronic Cigarettes]

Sponsor: Supervisor Walton

Presenter: Natalie Gee, Legislative Aide to District 10

Document C

C. BOS File No. 190373 Hearing to examine food insecurity, particularly among low-income pregnant women and families, as nutritious food is a fundamental human right essential for all people to live healthy, successful lives, but food insecurity, limited or uncertain access to adequate food still occurs in San Francisco; and requesting the Department of Public Health to report.

Sponsor: Supervisor Stefani

Document D



6. Youth Commission Business (All Items to Follow Discussion and Possible Action)

A. [First Reading] Resolution No 1819 – AL – 12 [Urging the Mayor and Board of Supervisors to adopt a city-wide tobacco minimum price law and prohibit the redemption of coupons for tobacco products.]

Presenter: Civic Engagement Committee

Document E

B. Presentation Reviewing the Youth Commission FY19-20 Application Process

Presenter: Caroline Truong, Community Partnership Specialist

Document F

C. Presentation Regarding the Youth Commission Open House

Presenter: JoJo Ty, District 8 Commissioner

Document F

D. [First reading] Budget and Policy Priorities

Presenters: All committee chairs

E. [First Reading] Motion No. 1819 – AL – 13 [Supporting AB 307 Homeless youth: grant program]

Presenter: Calvin Quick, Legislative Affairs Officer

Document G

F. [First Reading] Resolution No. 1819 – AL – 14 [Vote16]

Presenter: Arianna Nassiri, Civic Engagement Committee Chair

Document H

G. [First Reading] Motion No. 1819 – AL – 15 [Letter of support to Youth Guidance Center Closure]

Presenter: Transformative Justice Committee

Document I

7. Committee Reports (Discussion Only)

A. Executive Committee

i. LAO

ii. Communications Team

B. Housing and Land Use Committee

C. Transformative Justice Committee

D. Civic Engagement Committee

8. Staff Report (Discussion Only)

9. Announcements (This Includes Community Events)



10. Adjournment

Any materials distributed to the members of the Youth Commission within 72 hours of the meeting or after the agenda packet has been delivered to the members are available for inspection—along with minutes of previous Youth Commission meetings and all supplementary information—at the Youth Commission office during regular office hours (9am to 6pm, Monday—Friday). The Youth Commission office is at:

City Hall, Room 345
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Phone: (415) 554-6446, Fax: (415) 554-6140
Email: youthcom@sfgov.org
www.sfgov.org/yc

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code) Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, please contact:

Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Phone: (415) 554-7724, Fax: (415) 554-5784
Email: sotf@sfgov.org

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Ordinance Task Force, at the San Francisco Public Library, and on the City's website at <http://www.sfgov.org>.

The nearest accessible BART station is Civic Center (Market/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center for Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

The ringing and use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. The Chair may order the removal from the meeting room of any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic device.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity, or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

To obtain a disability-related modification or accommodation, including auxiliary aids or services to participate in the meeting, please contact Kiely Hosmon, Youth Commission Director [phone: 415-554 6464; email: Kiely.hosmon@sfgov.org] at least 48 hours before the meeting, except for Monday meetings, for which the deadline is 4:00 p.m. the previous Friday. Full Commission Meetings are held in Room 416 at City Hall, 1 Dr. Carlton B. Goodlett Place in San Francisco. City Hall is accessible to persons using wheelchairs and other assistive mobility devices. Ramps are available at the Grove, Van Ness and McAllister entrances.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Peggy Nevin at (415) 554-5184.



AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702.

Paunawa: Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag kay Joy Lamug sa (415) 554-7712.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719



San Francisco Youth Commission

DRAFT Minutes

Monday, April 1, 2019

5:00 pm-8:00 pm

City Hall, Room 416

1. Dr. Carlton B. Goodlett Pl.

San Francisco, CA 94102

There will be public comment on each item.

Charley Obermeyer, Lily Marshall-Fricker, Maggie Dong, Josephine Cureton, Calvin Quick, Alysha Sadarangani, JoJo Ty, Natalie Ibarra, Bahlam Vigil, Arianna Nassiri, Nora Hylton, Drew Min, Grace Hoogerhyde, Alexander Hirji, Kaye Chin, and Savion Green

1. Call to Order and Roll Call for Attendance (Discussion and Possible Action)

Quorum was met at 5:29pm. Chair Vigil called the meeting to order at 5:29PM. Commissioner Marshall-Fricker, Sadarangani, Ibarra, and Green were absent without early notice. No public comment. Commissioner Hoogerhyde, seconded by Commissioner Nassiri, motioned to approve the absences of Commissioner Hirji and Dong. Motion passes by a vote of acclamation.

2. Approval of Agenda (Action Item)

No public comment. Commissioner Quick, seconded by Commissioner Cureton, motioned to approve of the agenda. Motion passes by a vote of acclamation.

3. Approval of Minutes (Action Item)

B. March 18, 2019
Document A

There was no public comment. Commissioner Cureton, seconded by Commissioner Hoogerhyde, motioned to approve of the minutes from March 18th, 2019. Motion passes by a vote of acclamation.

4. Public Comment on Items not on Agenda (Discussion Only)

Public comment from: SOMCAN - Mary Claire Amable, former D6 commissioner. SOMCAN to ask the YC for their support on an appeal we're doing on a project that is going to cast a shadow on the only park in SoMa. When Lisa Yu and I served on the commission we wrote BPP's around the importance of open space in highly dense neighborhoods and upholding what voters passed in the 1984 Prop K measure. The project is called 1052 Folsom and 190 Russ. It's a 7-story luxury housing building proposed to be built across the street from VMD park. In 2015, the Planning Department denied permits because the project would cast a 0.07% shadow on the park. The project came back in front of planning last year and was approved. This time much larger than what was originally proposed--casting a 0.35% on the



park. SOMCAN is appealing this project because the new shadow is 5 times larger than what was originally proposed. VMD park is the one of the two parks we have in SoMa and because it was built after Prop K and 1989 memo (created by Planning and Park and Rec that completely undermines what voters wanted)--Prop K's zero shadow tolerance policy does NOT apply to VMD park. Our appeal is being heard in front of the BOS on April 9th at 3pm and we need all the support we can get. Especially from the youth. To support, give public comment, sign petition, emailing supervisors.

- Can go in as YCer b/c appropriate in hearing (in public comment, history of supporting) more of a general we have supported
- But in petition, sign as individual concerned citizen
- Prop K - zero shadow tolerance voted on by voters in '84. Butchered by rec and park that limits shadow protection for parks built after '89.
- Lisa Yu was vice chair of youth commission

Public comment from: MJ YOHANA

Here to support 1052, 1040, 194 Russ st. which is shadowing our park - vmd park - active used by youth, students, visitors and community. Provides venue for community events. Both park and projects are located in SOMCAN - which was established of youth and family district. Here to support "stop the 1052-1060 Folsom & 190-194 Russ street project)

Public comment from Maliyah YOHANA

VMD - SOMCAN and the community organized to have money to build - d6 has least park and open space. We are not saying housing is not important, but developer can and should go back to drawing board.

Public comment from PJ - Youth Coordinator from YOHANA

D6 has highest pop growth, most development in soma - vmd is important to youth and families. One of the two large parks in the neighborhood - unacceptable a shadow cast in city. In day used by Betsey Carmichael for school - and afterschool programs utilize that space in organization to do the activity. Casting shadow would really impact all the youth that go to the park everyday. It is the center of soma - that youth know because POPO are not accessible to youth and families.

Public comment from Iliana – SFPL Youth Coordinator

Here to outreach about Y.E.L.L (youth engaged in library leadership) - a10 week program for 10th graders. They would really like feedback on outreach and engagement strategies. Program includes helping stem, community project at library, and attending workshops - \$500 in 529 college account. Application and rolling acceptance period. Any feedback is welcome.

Question from Chair Vigil

- Can we do an action regarding SOMCAN's appeal?
 - Timing wise does not work out - 3 days posted, can't have agendized.
- Has the appeal been scheduled and set? Yes.

5. Presentations (All Items to Follow Discussion and Possible Action)

A. Black Employee Alliance

Presenter: Dante King, Human Resources Department
Document B

A. Black Employee Alliance Presenter: Dante King, Human Resources Department Document B



Dante. Not here coming from HR, coming here as concerned employee. Black Employee alliance and coalition - is newly formed employee resource group and brought forth from DPH, MTA, DPW, PUC. Who we are is victims of white supremacy culture - coalesced to address antiblackness that are structural and interpersonal. Organized to name and garner support for self and employees that came on to support the agenda. Mission is to ensure emotional, mental, and physical health across all city departments. Immediate goals: network of black employees, organized, educate black employees about rights to be leverage power against issues, some accountability measures discussed and addressed anti-black score card that would look to hold city leadership accountable to disparities named, 2 hearings in full board, really looking at creating a tool that could give insight to black employees in city and looking to join - because there is specific depts. that we have data that cause harm to black people on an ongoing space. To publicize it. Black employee complaint process to compile complaints and grievances within dept. and divisions to hold what those issues are and begin to paint a picture and frame a image for leadership. Want to track employee lifecycle with onboarding, promotion, and tracking tangible asks to begin in a much targeted recruitment. Can't violate city recruitment and process city has. Lax effort if any at all - at what steps are taken to recruit black folks to leadership management positions. "Focus on clerks, cnas, janitors" – former Board President Malia Cohen had to say that "we can be directors and doctors too." We want to create insights and recommendations on how to address that.

No public comment.

Chair Vigil opened the floor for discussion and questions.

Commissioner Min: what would support from YC entail?

Dante King: at this point endorsement, to sign on, right now looking for sponsorship in name or demonstration of - of what we have seen. In support of framework and would endorse.

Commissioner Min: specific tactics that you will tackling and internal biases?

Dante King: There's a document that gives details. Looking at breakdown at recruitment phase at onboarding and performance management cycle. We hope to create a tool to mitigate bias at hiring process. Asks a set of question - from relationship on panel and hiring managers. And question on what is observed between people interview and questions from panelists. Right now when people apply for job, one analyst responsible from review and qualifications for positions and that in itself brings bias. Forwarded candidates - that because 2 - 3 words, passed into interview process and 2 -3 questions that I am aware that this person never should have passed.

Ex: training manager, i trained employers, than a career and skill training for designing professional programs. Based on how certain things have been structured, there's a lot of subjectivity, implementing controls of black people as they come into this city that we can mitigate this and begin how accountability comes in a pronounced way. There is no protection for black people in this city.

Commissioner Obermeyer: thank you for waiting, hope to impart and carry a bit of mindfulness in our own community, whether culturally competent and what advice would you give to interview next class of youth commissioners?

Dante King: What is important is that folks are not only aware, but own antiblackness is a cultural condition of this country, and part of our social construct. We see most black people as



not as good as to most other people and if we can hold that as a truth, can dismantle it and not undo it and confront it on ongoing basis. Get educated, and magnitude of this history, and how we don't understand onset - terror, imprisonment, harm and destruction of culture intentional and cultivated throughout law and policies. Years of research and studies, no reality no predicament, that any black people that caused for itself. Our relationship is much different when we talk about racism, white supremacy and white people. "White people created us" - african american people "brought here" "owned by white people" prevailed through slavery, justice system, and legal system - no chance. Malcolm x - interview at uc berkeley when you are in another man's country, land, flag, gov't, and court system - you have to look at other man for justice.

Commissioner Vigil: As a sociology student, we learn about lack of employment in urban settings, how many black community members have not been given accountability to employers that black folks have the jobs to stay in the city, And I appreciate that this comes back to giving agency to folks and combatting antiblackness.

Commissioner Hoogerhyde motioned to endorse campaign, seconded by Commissioner Chin. Motion passes by a vote of acclamation.

B. Budget Process Presentation

Presenter: Caroline Truong, Community Partnerships Specialist
Document C

Staff Truong leads the youth in a meditative exercise. They then lead the discussion about the budget process timeline and how it relates to the Youth Commission timeline.

6. Youth Commission Business (All Items to Follow Discussion and Possible Action)

A. Motion No. 1819 – AL – 11 [Motion adopting the Youth Commission's recommendation for Seat 6 on the Sugary Drinks Distributors Tax Advisory Committee]

Sponsor: Executive Committee

Presenter: Commissioner Cureton, Commission Vice-Chair and District 4 representative

Commissioner Cureton reports back the two interview process of Aaron kunz & Ellie Lerner SDTAC - applicants - and interviews, well qualified all had trouble deciding. Aaron received the nomination given that he had experiences with California Housing partnerships and knows the impact of sugary drinks & read up on committee. Commissioner Hoogerhyde also noted that he worked with senator Feinstein's office before.

No public comment. Commissioner Nassiri motioned to approve exec nominee Aaron Kunz, seconded by Commissioner Hylton. Motion passes by a vote of acclamation.

7. Committee Reports (Discussion Only)

E. Executive Committee

i. LAO

1. Commissioner Quick reports that the board was on recess. So nothing to report. Follow up on the MOU @ board supervisor walton and safai introduced hearing on sfusd & sfpd on updated



MOU negotiations & police on campus. Just a heads-up no date to be scheduled. Not having it referred cause they already took a stance on supporting. Same to decline file on brick and mortar update - no substantive changes to be reviewed, will go over what changed - amazon go will now be included, broadened scope to accept cash & exemptions to services and certain medical businesses. Removed from list. Technical amendments on who is going to fall from this and make these go through the list.

ii. Communications Team

1. Commissioner Hoogerhyde hoogerhyde - yc profiles finished, social on 6th saturday four people have filled out doodle for times we are meeting at sf botanical gardens, take pictures and be cute and adorable with photoshoot, if you can't fill it out can talk to us after for availability and times.

F. Housing and Land Use Committee

- a. Commissioner Ty reported back on working group of calvin & jojo, watched previous bos meeting, that took place on 17th - issues talked about 2 years ago are still very prevalent, what can we do now with issues of past that impact our future.

G. Transformative Justice Committee

- a. Commissioner Hylton reported back previous meeting that went over roundtable and common themes, started BPP writeup, planned workgroups, and looked at time we have left and what's realistic, planning to LCR envisioning taskforce but got cancelled.

H. Civic Engagement Committee

- a. Commissioner Chin reported back on the presentation from YLI about tobacco products, hope to present it in next fyc meeting, and revising Vote16 resolution.

8. Staff Report (Discussion Only)

Staff Hosmon reported on the follow up on YAD Panels. Restoring justice (josephine), public safety (nora), civic engagement (arianna), drew (education), opening remarks (kaye), sasha – please send bio and photo (highschool), high res for print and contact info & social media handle due by this friday april 5th.

There is a Public safety meeting on the 9th rally.

Commissioner Hylton will be on a panel at commonwealth club for youth in politics contact Nora if you want to go for discounts. Commissioner Vigil notes that students get discounts & youth commissioners go in for free at commonwealth club.

9. Announcements (This Includes Community Events)

Commissioner Ty reported back on the YC Open House for May 2nd, please go to your district supervisors office and ask them to print and outreach too. Lyric's open house is the after after party of YAD.

10. Adjournment

Chair Vigil adjourned the meeting at 6:40pm.

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

MEMORANDUM

TO: Kiely Hosmon, Director, Youth Commission

FROM: John Carroll, Assistant Clerk,
Public Safety and Neighborhood Services Committee

DATE: March 27, 2019

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following ordinance, introduced by Supervisor Walton on March 19, 2019. This item is being referred for comment and recommendation.

File No. 190311

Ordinance amending the Health Code to prohibit the sale, manufacture, and distribution of tobacco products, including electronic cigarettes, on City property.

Please return this cover sheet with the Commission's response to John Carroll, Assistant Clerk, Public Safety and Neighborhood Services Committee.

RESPONSE FROM YOUTH COMMISSION Date: _____

No Comment
 Recommendation Attached

Chairperson, Youth Commission

1 [Health Code - Restricting Commercial Tobacco Activities on City Property]

2
3 **Ordinance amending the Health Code to prohibit the sale, manufacture, and**
4 **distribution of tobacco products, including electronic cigarettes, on City property.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.
7 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
8 **Board amendment additions** are in double-underlined Arial font.
9 **Board amendment deletions** are in ~~strikethrough Arial font~~.
10 **Asterisks (* * * *)** indicate the omission of unchanged Code
11 subsections or parts of tables.

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

13 Section 1. Findings.

14 (a) Despite progress in reducing smoking, tobacco use is still the leading cause of
15 preventable death in the United States. Tobacco kills more than 480,000 people in this
16 country annually – more than AIDS, alcohol, car accidents, illegal drugs, murders, and
17 suicides combined. And beyond this impersonal statistic are countless human beings whose
18 lives are forever devastated by the irreparable loss of a loved one caused by tobacco use,
19 and the inevitable rupture of family that follows such a loss. And that is to say nothing of the
20 huge financial costs tobacco use places on our health care system, and the constraints on
21 productivity it imposes on our economic system.

22 (b) The City and County of San Francisco (“City”) has been a leader in local tobacco
23 control policy. To reduce the burden of tobacco use, the City licenses tobacco retail
24 establishments and prohibits establishments from selling tobacco products to persons under
25 the age of 21. (Health Code Articles 19H, 19P). To reduce exposure to secondhand smoke,
the City has gone above and beyond state law by prohibiting smoking in facilities owned or

1 leased by the City, polling places, entrances to buildings, sports arenas, farmers markets, and
2 at outdoor dining and events. (Health Code Article 19F). To address the appeal of flavored
3 tobacco products to youth, the City enacted Ordinance No. 140-17 prohibiting tobacco retail
4 establishments from selling flavored tobacco products. As a result of the referendum process,
5 the ordinance was placed before the voters, who approved the ordinance in June 2018
6 (Proposition E) by a majority of 68.39%. And since 2008, to signal its refusal to allow City
7 property to be used for activities that contribute to the burden of tobacco use, the City has
8 acted in its proprietary capacity to prohibit the sale of tobacco products on City property.

9 (c) For many years, the City's tobacco control laws addressed only the sale and use
10 of traditional tobacco products made of tobacco leaf, such as cigarettes, cigars, and
11 smokeless tobacco products. But in 2007, electronic cigarettes (or "e-cigarettes") entered the
12 marketplace, and since 2014, they have been the most commonly used tobacco product
13 among youth in the United States. The widespread use of e-cigarettes by youth has
14 significant public health consequences. As stated by the Surgeon General, "Most e-cigarettes
15 contain nicotine – the addictive drug in regular cigarettes, cigars, and other tobacco products.
16 Nicotine exposure during adolescence can harm the developing brain – which continues to
17 develop until about age 25. Nicotine exposure during adolescence can impact learning,
18 memory, and attention. Using nicotine in adolescence can also increase risk for future
19 addiction to other drugs. In addition to nicotine, the aerosol that users inhale and exhale from
20 e-cigarettes can potentially expose both themselves and bystanders to other harmful
21 substances, including heavy metals, volatile organic compounds, and ultrafine particles that
22 can be inhaled deeply into the lungs."

23 (d) In 2014, to address the public health hazards presented by electronic cigarettes,
24 the City enacted Ordinance No. 30-14 prohibiting the sale and use of electronic cigarettes in
25 all places where the sale and use of traditional tobacco products were prohibited. That

1 ordinance failed to expand the prohibition on tobacco sales on City property to include the
2 sale of electronic cigarettes.

3 (e) Since 2014, the problem of youth electronic cigarette use (“vaping”) has become
4 an epidemic. According to the Centers for Disease Control and Prevention (“CDC”), the
5 number of middle and high school students who are current users of tobacco products
6 increased from 3.6 million to 4.9 million between 2017 and 2018. This increase – which was
7 driven by a surge in e-cigarette use—erased past progress in reducing youth tobacco product
8 use.

9 (f) To address the growing health epidemic of youth vaping, and reassert its refusal to
10 allow City property to be used for activities that contribute to the burden of tobacco use, it is
11 essential to prohibit the sale, distribution, and manufacture of all tobacco products – including
12 electronic cigarettes – on City property.

13
14 Section 2. Article 19K of the Health Code is hereby amended by revising Sections
15 19K.1, 19K.2, 19K.3, and 19K.4, to read as follows:

16
17 **SEC. 19K.1. DEFINITIONS.**

18 *For purposes of this Article 19K, the following terms have the following meanings:*

19 *“City” means the City and County of San Francisco.*

20 *“City Property” means real property owned by the City or under the control of the City through*
21 *a lease or otherwise, including, but not limited to, property under the administrative jurisdiction of the*
22 *Port Commission, the Municipal Transportation Agency, or the Public Utilities Commission.*

23 *“Director” means the Director of Health, or the Director’s designee.*
24
25

1 "Distribute" or "Distribution" means the transfer, by any Person other than a common carrier,
2 of a Tobacco Product at any point from the place of Manufacture or thereafter to the Person who sells
3 the Tobacco Product to an individual for personal consumption.

4 "Manufacture" means to make, fabricate, assemble, repair, or process a Tobacco Product.

5 (a) "Person" ~~shall mean~~ any individual ~~person~~, firm, partnership, association,
6 corporation, company, organization, or legal entity of any kind.

7 "Sell," "Sale," and "to Sell" mean any transaction where, for any consideration, ownership of
8 a Tobacco Product is transferred from one Person to another, including but not limited to any transfer
9 of title or possession for consideration, exchange, or barter, in any manner or by any means.

10 (b) "Tobacco Product" ~~shall mean any substance containing tobacco leaf, including but not~~
11 ~~limited to cigarettes, cigars, pipe, tobacco, snuff, chewing tobacco, and dipping tobacco.~~ has the
12 meaning set forth in Section 19H.2 of the Health Code.

13 (c) ~~"Director" shall mean the Director of the Department of Public Health or his or her~~
14 ~~designee.~~

15
16 **SEC. 19K.2. PROHIBITION AGAINST TOBACCO PRODUCT SALES,**
17 **MANUFACTURE, AND DISTRIBUTION ON CITY PROPERTY OWNED BY OR UNDER THE**
18 **CONTROL OF THE CITY.**

19 No ~~p~~Person ~~shall may s~~Sell, ~~Manufacture, or Distribute~~ ~~t~~Tobacco ~~p~~Products on ~~City~~
20 ~~p~~Property ~~owned by or under the control of the City and County of San Francisco~~, except as
21 provided in Section 19K.3. All leases, permits, or agreements awarded by the City ~~and County~~
22 ~~of San Francisco~~ allowing any ~~p~~Person to use City ~~p~~Property ~~for retail purposes~~ shall specifically
23 provide that there shall be no ~~s~~Sale, ~~Manufacture, or Distribution~~ of ~~t~~Tobacco ~~p~~Products on such
24 City ~~p~~Property, and such prohibition must be included in all subleases, or other agreements providing
25 for exclusive use of the property.

1
2 **SEC. 19K.3. EXCEPTIONS.**

3 (a) The prohibition against ~~Tobacco Product s~~Sales, Manufacture, and Distribution on
4 City pProperty owned by or controlled by the City in Section 19K.2 shall not apply where its
5 application would impair a lease, permit, or use agreement to which the City is a party and is in
6 effect on the effective date of this ordinance in Board File No. _____ amending this
7 Article 19K. On or after the effective date of that ordinance, ~~The City shall~~ may not enter into,
8 renew, extend, or materially amend a lease, permit, or use agreement for the use of City
9 pProperty after the effective date of this ordinance that does not incorporate the prohibition set
10 forth in Section 19K.2.

11 (b) The prohibition against ~~Tobacco Products~~Sales, Manufacture, and Distribution on
12 property owned by or controlled by the CityCity Property in Section 19K.2 shall not apply to the
13 passenger terminal complex at San Francisco International Airport.

14 (c) The prohibition against Tobacco Product Sales, Manufacture, and Distribution on City
15 Property in Section 19K.2 shall not apply to Persons who are affiliated with an accredited academic
16 institution where the Sale, Manufacture, and/or Distribution of Tobacco Products is conducted as part
17 of academic research.

18
19 **SEC. 19K.4. PENALTIES AND ENFORCEMENT.**

20 (a) Administrative penalties for violation of the prohibition set forth in Section 19K.2
21 shall be assessed and collected by the Director in accordance with Administrative Code
22 Chapter 100, which is hereby incorporated by reference.

23 (b) The City Attorney may at any time institute civil proceedings for injunctive and monetary
24 relief including civil penalties, against any Person for violations of this Article 19K, without regard to
25 whether the Director has assessed or collected administrative penalties.

1 (c) At any time, the Director may refer a case to the City Attorney's Office for civil
2 enforcement, but a referral is not required for the City Attorney to bring a civil action under subsection
3 (b).

4 (d) Any Person who violates any provision of this Article 19K shall be subject to injunctive
5 relief and a civil penalty in an amount not to exceed \$1,000 for each violation, which penalty shall be
6 assessed and recovered in a civil action brought in the name of the people of the City and County of
7 San Francisco by the City Attorney in any court of competent jurisdiction. In assessing the amount of
8 the civil penalty, the court shall consider any one or more of the relevant circumstances presented by
9 any of the parties to the case, including but not limited to, the following: the nature and seriousness of
10 the misconduct giving rise to the violation, the number of violations, the persistence of the misconduct,
11 the length of time over which the misconduct occurred, the willfulness of the defendant's misconduct,
12 and the defendant's assets, liabilities, and net worth.

13 (e) The City may recover reasonable attorneys' fees and costs for civil actions brought under
14 this Section 19K.4.

15 (f) Remedies under this Section 19K.4 are non-exclusive and cumulative to all other remedies
16 available at law or equity.

17
18 Section 3. Effective Date. This ordinance shall become effective 30 days after
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
21 of Supervisors overrides the Mayor's veto of the ordinance.

22
23 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

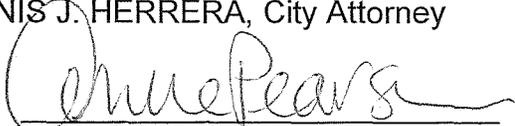
1 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
2 additions, and Board amendment deletions in accordance with the "Note" that appears under
3 the official title of the ordinance.
4

5 Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word
6 of this ordinance, or any application thereof to any person or circumstance, is held to be
7 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
8 shall not affect the validity of the remaining portions or applications of the ordinance. The
9 Board of Supervisors declares that it would have passed this ordinance and each and every
10 section, subsection, sentence, clause, phrase, and word not declared invalid or
11 unconstitutional without regard to whether any other portion of this ordinance or application
12 thereof would be subsequently declared invalid or unconstitutional.
13

14 Section 6. Undertaking for the General Welfare. In enacting and implementing this
15 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
16 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
17 is liable in money damages to any person who claims that such breach proximately caused
18 injury.
19

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

22 By:


23 ANNE PEARSON
24 Deputy City Attorney

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LEGISLATIVE DIGEST

[Health Code - Restricting Commercial Tobacco Activities on City Property]

Ordinance amending the Health Code to prohibit the sale, manufacture, and distribution of tobacco products, including electronic cigarettes, on City property.

Existing Law

Currently, Article 19K of the Health Code prohibits the sale and advertising of tobacco products that contain tobacco leaf (such as cigarettes, cigars, and pipe tobacco) on property owned by or under the control of the City and County of San Francisco (the "City"). Article 19K also requires that the prohibition on selling and advertising tobacco products on City property be included in all leases, permits, or agreements awarded by the City that allow any person to use City property for retail purposes. Article 19K includes an exception for the passenger terminal complex at San Francisco International Airport, where tobacco products may be sold.

Amendments to Current Law

The proposed ordinance would amend Article 19K to prohibit not only the sale, but also the distribution and manufacture of tobacco products on City property. It would also update the definition of "tobacco products" to conform to other local laws, which define tobacco products to include products made or derived from tobacco or nicotine, including electronic cigarettes. The proposed ordinance would require that the prohibition on commercial tobacco activities be incorporated into all City leases, subleases, and agreements authorizing the use of City property, and not just those agreements that are for retail activities. It would also authorize the City Attorney to institute civil proceedings for injunctive and monetary relief to address violations of Article 19K.

Background Information

Despite progress in reducing smoking, tobacco use is still the leading cause of preventable death in the United States. Tobacco kills more than 480,000 people in this country annually – more than AIDS, alcohol, car accidents, illegal drugs, murders, and suicides combined.

The City and County of San Francisco ("City") has been a leader in local tobacco control policy. To reduce the burden of tobacco use, the City licenses tobacco retail establishments and prohibits establishments from selling tobacco products to persons under the age of 21. (Health Code Articles 19H, 19P). To reduce exposure to secondhand smoke, the City has gone above and beyond state law by prohibiting smoking in facilities owned or leased by the City, polling places, entrances to buildings, sports arenas, farmers markets, and at outdoor dining and events. (Health Code Article 19F). To address the appeal of flavored tobacco

products to youth, the City enacted Ordinance No. 140-17 prohibiting tobacco retail establishments from selling flavored tobacco products. As a result of the referendum process, the ordinance was placed before the voters, who approved the ordinance in June 2018 (Proposition E) by a majority of 68.39%. And since 2008, to signal its refusal to allow City property to be used for activities that contribute to the burden of tobacco use, the City has acted in its proprietary capacity to prohibit the sale of tobacco products on City property.

For many years, the City's tobacco control laws addressed only the sale and use of traditional tobacco products made of tobacco leaf, such as cigarettes, cigars, and smokeless tobacco products. But in 2007, electronic cigarettes (or "e-cigarettes") entered the marketplace, and since 2014, they have been the most commonly used tobacco product among youth in the United States. The widespread use of e-cigarettes by youth has significant public health consequences. As stated by the Surgeon General, "Most e-cigarettes contain nicotine – the addictive drug in regular cigarettes, cigars, and other tobacco products. Nicotine exposure during adolescence can harm the developing brain – which continues to develop until about age 25. Nicotine exposure during adolescence can impact learning, memory, and attention. Using nicotine in adolescence can also increase risk for future addiction to other drugs.

In 2014, to address the public health hazards presented by electronic cigarettes, the City enacted Ordinance No. 30-14 prohibiting the sale and use of electronic cigarettes in all places where the sale and use of traditional tobacco products were prohibited. That ordinance failed to expand Article 19K's prohibition on tobacco sales on City property to include the sale of electronic cigarettes.

Since 2014, the problem of youth electronic cigarette use ("vaping") has become an epidemic. According to the Centers for Disease Control and Prevention ("CDC"), the number of middle and high school students who are current users of tobacco products increased from 3.6 million to 4.9 million between 2017 and 2018. This increase – which was driven by a surge in e-cigarette use – erased past progress in reducing youth tobacco product use.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 MAR 19 11:23
Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Walton

Subject:

Health Code-Restricting Commercial Tobacco Activities on City Property

The text is listed:

Ordinance amending the Health Code to prohibit the sale, manufacture, and distribution of tobacco products, including electronic cigarettes, on City property.

Signature of Sponsoring Supervisor: [Signature]

For Clerk's Use Only

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

MEMORANDUM

TO: Kiely Hosmon, Director, Youth Commission

FROM: John Carroll, Assistant Clerk,
Public Safety and Neighborhood Services Committee

DATE: March 27, 2019

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following ordinance, introduced by Supervisor Walton on March 19, 2019. This item is being referred for comment and recommendation.

File No. 190312

Ordinance amending the Health Code to prohibit the sale by tobacco retail establishments of electronic cigarettes that require, but have not received, an order from the Food and Drug Administration (FDA) approving their marketing; and prohibiting the sale and distribution to any person in San Francisco of flavored tobacco products and electronic cigarettes that require, but have not received, an FDA order approving their marketing.

Please return this cover sheet with the Commission's response to John Carroll, Assistant Clerk, Public Safety and Neighborhood Services Committee.

RESPONSE FROM YOUTH COMMISSION Date: _____

- No Comment
- Recommendation Attached

Chairperson, Youth Commission

1 [Health Code - Restricting the Sale, Manufacture, and Distribution of Tobacco Products,
2 Including Electronic Cigarettes]

3 **Ordinance amending the Health Code to prohibit the sale by tobacco retail**
4 **establishments of electronic cigarettes that require, but have not received, an order**
5 **from the Food and Drug Administration (FDA) approving their marketing; and**
6 **prohibiting the sale and distribution to any person in San Francisco of flavored**
7 **tobacco products and electronic cigarettes that require, but have not received, an FDA**
8 **order approving their marketing.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

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

17 Section 1. Findings.

18 (a) Despite progress in reducing smoking, tobacco use is still the leading cause of
19 preventable death in the United States. Tobacco kills more than 480,000 people in this
20 country annually – more than AIDS, alcohol, car accidents, illegal drugs, murders, and
21 suicides combined. And beyond this large, impersonal statistic, are countless human beings,
22 whose lives are forever devastated by the irreparable loss of a loved one caused by tobacco
23 use, and the inevitable rupture of family that follows such a loss. And that is to say nothing of
24 the huge financial costs tobacco use places on our health care system, and the constraints on
25 productivity it imposes on our economic system.

1 (b) Electronic cigarettes (or “e-cigarettes”) entered the marketplace around 2007, and
2 since 2014, they have been the most commonly used tobacco product among youth in the
3 United States. The dramatic surge in youth e-cigarette use (“vaping”) is no accident. E-
4 cigarettes are frequently marketed in a variety of flavors with obvious appeal to youth, such as
5 gummy bear, cotton candy, and fruit punch. As of 2017, researchers had identified more than
6 15,500 unique e-cigarette flavors available online. In addition, e-cigarette companies have
7 effectively used marketing strategies, including celebrity endorsements, slick magazine
8 advertisements, social media campaigns, paid influencers, and music sponsorships, to reach
9 youth and young adults. A 2016 study found that 78.2% of middle and high school students—
10 20.5 million youth—had been exposed to e-cigarette advertisements from at least one source,
11 an increase from 68.9% only two years before, in 2014.

12 (c) According to the Centers for Disease Control and Prevention (“CDC”), the number
13 of middle and high school students who reported being current users of tobacco products
14 increased 36%—from 3.6 million to 4.9 million students—between 2017 and 2018. This
15 dramatic increase, which has erased past progress in reducing youth tobacco use, is directly
16 attributable to a nationwide surge in e-cigarette use by adolescents. There were 1.5 million
17 more youth e-cigarette users in 2018 than 2017, and those who were using e-cigarettes were
18 using them more often. Frequent use of e-cigarettes increased from 20 percent in 2017 to 28
19 percent in 2018 among current high school e-cigarette users.

20 (d) The widespread use of e-cigarettes by youth has significant public health
21 consequences. As stated by the Surgeon General, “Most e-cigarettes contain nicotine – the
22 addictive drug in regular cigarettes, cigars, and other tobacco products. Nicotine exposure
23 during adolescence can harm the developing brain – which continues to develop until about
24 age 25. Nicotine exposure during adolescence can impact learning, memory, and attention.
25 Using nicotine in adolescence can also increase risk for future addiction to other drugs. In

1 addition to nicotine, the aerosol that users inhale and exhale from e-cigarettes can potentially
2 expose both themselves and bystanders to other harmful substances, including heavy metals,
3 volatile organic compounds, and ultrafine particles that can be inhaled deeply into the lungs.”

4 (e) And while there is some evidence that the use of e-cigarettes by adults may
5 support smoking cessation under certain circumstances, a 2018 National Academy of
6 Sciences, Engineering, and Medicine report concluded that there was moderate evidence that
7 e-cigarette use in fact *increases* the frequency and intensity of cigarette smoking in the future.

8 (f) In addition, there is a growing body of research concluding that there are significant
9 health risks associated with electronic cigarette use. For example, daily e-cigarette use is
10 associated with increased odds of a heart attack. And the American Lung Association has
11 warned that the inhalation of harmful chemicals through vaping may cause irreversible lung
12 damage and lung disease.

13 (g) To reduce the burden of tobacco use, the City and County of San Francisco (the
14 “City”) licenses tobacco retail establishments. (Health Code Article 19H). In 2017, to address
15 the appeal of flavored tobacco products to youth, the City enacted Ordinance No. 140-17,
16 prohibiting tobacco retail establishments from selling flavored tobacco products. As a result of
17 the referendum process, the ordinance was placed before the voters, who approved the
18 ordinance in June 2018 (Proposition E) by a majority of 68.39%.

19 (h) Notwithstanding these efforts, San Francisco’s youth still access and use tobacco
20 products. According to the most recent Youth Risk Behavior Survey for which local data are
21 available, in 2017, 16.7% of San Francisco’s high school students had tried smoking, 25%
22 had used an electronic cigarette (or “vaped”), and 7.1% reported current e-cigarette use,
23 which is defined as use on at least one day in the past 30 days.

24 (i) Among San Francisco high school students who reported currently using electronic
25 cigarettes, 13.6% reported that they usually purchased their electronic cigarette products in a

1 store. The remaining 86.4% reported that they obtained them from places other than the
2 City's licensed tobacco retail establishments, including friends, other social sources, and
3 internet e-cigarette vendors.

4 (j) To protect the public, especially youth, against the health risks created by tobacco
5 products, Congress enacted the Family Smoking Prevention and Tobacco Control Act
6 ("Tobacco Control Act") in 2009. Among other things, the Tobacco Control Act authorized the
7 U.S. Food and Drug Administration ("FDA") to set national standards governing the
8 manufacture of tobacco products, to limit levels of harmful components in tobacco products
9 and to require manufacturers to disclose information and research relating to the products'
10 health effects.

11 (k) A central requirement of the Tobacco Control Act is premarket review of all new
12 tobacco products. Specifically, every "new tobacco product"—defined to include any tobacco
13 product not on the market in the United States as of February 15, 2007—must be authorized
14 by the FDA for sale in the United States before it may enter the marketplace. A new tobacco
15 product may not be marketed until the FDA has found that the product is: (1) appropriate for
16 the protection of the public health upon review of a premarket tobacco application; (2)
17 substantially equivalent to a grandfathered product; or (3) exempt from substantial
18 equivalence requirements.

19 (l) In determining whether the marketing of a tobacco product is appropriate for the
20 protection of the public health, the FDA must consider the risks and benefits of the product to
21 the population as a whole, including users and nonusers of the product, and taking into
22 account the increased or decreased likelihood that existing users of tobacco products will stop
23 using tobacco products and the increased or decreased likelihood that those who do not use
24 tobacco products will start using them. Where there is a lack of showing that permitting the
25

1 sale of a tobacco product would be appropriate for the protection of the public health, the
2 Tobacco Control Act requires that the FDA deny an application for premarket review.

3 (m) Virtually all electronic cigarettes that are sold today entered the market after 2007,
4 but have not been reviewed by the FDA to determine if they are appropriate for the public
5 health. In 2017, the FDA issued Guidance that purports to give electronic cigarette
6 manufacturers until August 8, 2022 to submit their application for premarket review. The
7 Guidance further purports to allow unapproved products to stay on the market indefinitely,
8 until such time as the FDA complies with its statutory duty to conduct a premarket review to
9 determine whether a new tobacco product poses a risk to public health. In March 2019, the
10 FDA issued draft guidance in which it considered moving the premarket application deadline
11 up by one year for certain flavored e-cigarette products. It is not known when, if ever, this
12 narrow adjustment will become final or will take effect.

13 (n) By the time e-cigarette manufacturers will be required to submit their premarket
14 review applications, e-cigarettes will have been on the market for fifteen years without any
15 FDA analysis of their safety and alleged benefit. If current trends continue, six million more
16 youth in the United States will begin using e-cigarettes between now and then. Until such
17 time as the FDA fulfills its statutory duty to conduct premarket reviews of new tobacco
18 products, a generation of young people will become addicted to tobacco, resulting in an
19 entirely preventable increase in the burdens and tragedies associated with tobacco use. San
20 Francisco is not content to wait until then before addressing, for its residents, what appears
21 from the evidence to be a major public health crisis that is going unattended.

22
23 Section 2. The Health Code is amended by adding new Article 19R, consisting of
24 Sections 19R.1 through 19R.5, to read as follows:
25

1 ARTICLE 19R: PROHIBITING THE SALE OF ELECTRONIC CIGARETTES LACKING FOOD
2 AND DRUG ADMINISTRATION PREMARKET APPROVAL

3 SEC. 19R.1. DEFINITIONS.

4 For purposes of this Article 19R, the following terms have the following meanings:

5 "Director" has the meaning set forth in Health Code Section 19H.2.

6 "Electronic Cigarette" has the meaning set forth in Section 30121 of the California Revenue
7 and Taxation Code, as may be amended from time to time.

8 "Establishment" has the meaning set forth in Health Code Section 19H.2.

9 "New Tobacco Product" has the meaning set forth in 21 U.S.C. § 387j(a)(1), as may be
10 amended from time to time.

11
12 SEC. 19R.2. SALE OR DISTRIBUTION OF ELECTRONIC CIGARETTES LACKING
13 FOOD AND DRUG ADMINISTRATION PREMARKET ORDER OF APPROVAL PROHIBITED.

14 The sale or distribution by an Establishment of an Electronic Cigarette is prohibited where the
15 Electronic Cigarette:

16 (a) Is a New Tobacco Product;

17 (b) Requires premarket review under 21 U.S.C. § 387j, as may be amended from time to time;

18 and

19 (c) Does not have a premarket review order under 21 U.S.C. § 387j(c)(1)(A)(i), as may be
20 amended from time to time.

21
22 SEC. 19R.3. ADMINISTRATIVE REGULATIONS.

23 The Director may adopt rules, regulations, or guidelines for the implementation and
24 enforcement of this Article 19R.

1 **SEC. 19R.4. ENFORCEMENT.**

2 The Director may enforce Section 19R.2 under Articles 19 et seq. of the Health Code, including
3 but not limited to Article 19H.

4
5 **SEC. 19R.5. NO CONFLICT WITH FEDERAL OR STATE LAW.**

6 Nothing in this Article 19R shall be interpreted or applied so as to create any requirement,
7 power, or duty that is preempted by federal or state law.

8
9 Section 3. Article 19H of the Health Code is amended by adding new Section 19H.14-
10 3, to read as follows:

11
12 **SEC. 19H.14-3. CONDUCT VIOLATING HEALTH CODE ARTICLE 19R**
13 **(PROHIBITING THE SALE OR DISTRIBUTION OF ELECTRONIC CIGARETTES LACKING**
14 **FOOD AND DRUG ADMINISTRATION PREMARKET ORDER OF APPROVAL).**

15 (a) Upon a decision by the Director that the Permittee or the Permittee's agent or employee
16 has engaged in any conduct that violates Health Code Section 19R.2 (Sale or Distribution of Electronic
17 Cigarettes Lacking Food and Drug Administration Premarket Order of Approval Prohibited), the
18 Director may suspend a Tobacco Sales permit as set forth in Section 19H.19.

19 (b) The Director shall commence enforcement under this Section 19H.14-3 by serving either a
20 notice of correction under Section 19H.21 or a notice of initial determination under Section 19H.22.

21
22 Section 4. The Health Code is hereby amended by adding new Article 19S, consisting
23 of Sections 19S.1 through 19S.6, to read as follows:

1 ARTICLE 19S. PROHIBITING THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS

2 IN SAN FRANCISCO

3 SEC. 19S.1. DEFINITIONS.

4 For purposes of this Article 19S, the following terms have the following meanings:

5 “Characterizing Flavor” has the meaning set forth in Health Code Section 19Q.2.

6 “Cigarette” has the meaning set forth in Health Code Section 19Q.2.

7 “City” means the City and County of San Francisco.

8 “Constituent” has the meaning set forth in Health Code Section 19Q.2.

9 “Director” means the Director of Health, or the Director’s designee.

10 “Distinguishable” has the meaning set forth in Health Code Section 19Q.2.

11 “Distribute” or “Distribution” means the transfer, by any Person other than a common carrier,
12 of a Tobacco Product at any point from the place of Manufacture or thereafter to the Person who sells
13 the Tobacco Product to an individual for personal consumption.

14 “Electronic Cigarette” has the meaning set forth in Section 30121 of the California Revenue
15 and Taxation Code, as may be amended from time to time.

16 “Flavored Tobacco Product” has the meaning set forth in Health Code Section 19Q.2.

17 “Labeling” has the meaning set forth in Health Code Section 19Q.2.

18 “New Tobacco Product” has the meaning set forth in 21 U.S.C. § 387j(a)(1), as may be
19 amended from time to time.

20 “Packaging” has the meaning set forth in Health Code Section 19Q.2.

21 “Person” has the meaning set forth in Health Code Section 19H.2.

22 “Sell,” “Sale,” and “to Sell” mean any transaction where, for any consideration, ownership of
23 a Tobacco Product is transferred from one Person to another, including but not limited to any transfer
24 of title or possession for consideration, exchange, or barter, in any manner or by any means.

25 “Tobacco Product” has the meaning set forth in Health Code Section 19H.2.

1
2 **SEC. 19S.2. PROHIBITION ON SALE OR DISTRIBUTION OF TOBACCO PRODUCTS.**

3 (a) No Person shall Sell or Distribute any Flavored Tobacco Product to a Person in San
4 Francisco. There shall be a rebuttable presumption that a Tobacco Product, other than a Cigarette, is
5 a Flavored Tobacco Product if a manufacturer or any of the manufacturer's agents or employees, in
6 the course of their agency or employment, has made a statement or claim directed to consumers or to
7 the public that the Tobacco Product has or produces a Characterizing Flavor, including, but not
8 limited to, text, color, and/or images on the product's Labeling or Packaging that are used to explicitly
9 or implicitly communicate that the Tobacco Product has a Characterizing Flavor.

10 (b) No Person shall Sell or Distribute an Electronic Cigarette to a Person in San Francisco
11 where the Electronic Cigarette:

12 (1) Is a New Tobacco Product;

13 (2) Requires premarket review under 21 U.S.C. § 387j, as may be amended from time
14 to time; and

15 (3) Does not have a premarket review order under 21 U.S.C. § 387j(c)(1)(A)(i), as may
16 be amended from time to time.

17
18 **SEC. 19S.3. ADMINISTRATIVE REGULATIONS.**

19 The Director may adopt rules, regulations, or guidelines for the implementation of this Article
20 19S.

21
22 **SEC. 19S.4. ENFORCEMENT.**

23 (a) Violations of this Article 19S or of any rule or regulation issued under this Article shall be
24 punishable by administrative fines imposed pursuant to administrative citations. Administrative Code
25 Chapter 100 "Procedures Governing the Imposition of Administrative Fines," as amended from time to

1 time, shall govern the issuance and enforcement of administrative citations, and collection and review
2 of administrative fines, to enforce this Article and any rule or regulation adopted pursuant to this
3 Article.

4 (b) The City Attorney may at any time institute civil proceedings for injunctive and monetary
5 relief including civil penalties, against any Person for violations of this Article 19S, without regard to
6 whether the Director has assessed or collected administrative penalties.

7 (c) At any time, the Director may refer a case to the City Attorney's Office for civil
8 enforcement, but a referral is not required for the City Attorney to bring a civil action under subsection
9 (b).

10 (d) Any Person that violates any provision of this Article 19S shall be subject to injunctive
11 relief and a civil penalty in an amount not to exceed \$1,000 for each violation, which penalty shall be
12 assessed and recovered in a civil action brought in the name of the people of the City and County of
13 San Francisco by the City Attorney in any court of competent jurisdiction. In assessing the amount of
14 the civil penalty, the court shall consider any one or more of the relevant circumstances presented by
15 any of the parties to the case, including but not limited to, the following: the nature and seriousness of
16 the misconduct giving rise to the violation, the number of violations, the persistence of the misconduct,
17 the length of time over which the misconduct occurred, the willfulness of the misconduct, and the
18 defendant's assets, liabilities, and net worth.

19 (e) The City may recover reasonable attorneys' fees and costs for civil actions brought
20 pursuant to this Section 19S.4.

21 (f) Remedies under this Section 19S.4 are non-exclusive and cumulative to all other remedies
22 available at law or equity.

23
24 **SEC. 19S.5. NO CONFLICT WITH FEDERAL OR STATE LAW.**
25

1 Nothing in this Article 19S shall be interpreted or applied so as to create any requirement,
2 power, or duty that is preempted by federal or state law.

3
4 **SEC. 19S.6. SEVERABILITY.**

5 If any section, subsection, sentence, clause, phrase, or word of this Article 19S, or any
6 application thereof to any person or circumstance, is held to be invalid or unconstitutional by a
7 decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining
8 portions or applications of the Article. The Board of Supervisors hereby declares that it would have
9 passed this ordinance and each and every section, subsection, sentence, clause, phrase, and word not
10 declared invalid or unconstitutional without regard to whether any other portion of this Article or
11 application thereof would be subsequently declared invalid or unconstitutional.

12
13 Section 5. Effective and Operative Dates.

14 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
15 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
16 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
17 Mayor's veto of the ordinance.

18 (b) This ordinance shall become operative six months after the effective date.

19
20 Section 6. Severability. If any section, subsection, sentence, clause, phrase, or word of
21 this ordinance, or any application thereof to any person or circumstance, is held to be invalid
22 or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not
23 affect the validity of the remaining portions or applications of the ordinance. The Board of
24 Supervisors declares that it would have passed this ordinance and each and every section,
25 subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional

1 without regard to whether any other portion of this ordinance or application thereof would be
2 subsequently declared invalid or unconstitutional.

3
4 Section 7. Undertaking for the General Welfare. In enacting and implementing this
5 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
6 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
7 is liable in money damages to any person who claims that such breach proximately caused
8 injury.

9
10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By: 
13 ANNE PEARSON
Deputy City Attorney

14 n:\legana\as2019\1900441\01345951.docx

LEGISLATIVE DIGEST

[Health Code - Restricting the Sale, Manufacture, and Distribution of Tobacco Products, Including Electronic Cigarettes]

Ordinance amending the Health Code to prohibit the sale by tobacco retail establishments of electronic cigarettes that require, but have not received, an order from the Food and Drug Administration (FDA) approving their marketing; and prohibiting the sale and distribution to any person in San Francisco of flavored tobacco products and electronic cigarettes that require, but have not received, an FDA order approving their marketing.

Existing Law

Local law requires that all retail establishments in San Francisco that sell tobacco products, including electronic cigarettes, obtain a permit from the Department of Public Health to do so. (Health Code Article 19H). Local law also prohibits permitted tobacco retail establishments from selling flavored tobacco products, including electronic cigarettes, to any person. (Health Code Article 19Q).

At the federal level, the Family Smoking Prevention and Tobacco Control Act (“Tobacco Control Act”) authorizes the U.S. Food and Drug Administration (“FDA”) to set national standards governing the manufacture of tobacco products, to limit levels of harmful components in tobacco products and to require manufacturers to disclose information and research relating to the products’ health effects.

A central requirement of the Tobacco Control Act is premarket review of all new tobacco products. Specifically, every “new tobacco product”—defined to include any tobacco product not on the market in the United States as of February 15, 2007—must be authorized by the FDA for sale in the United States before it may enter the marketplace. A new tobacco product may not be marketed until the FDA has found that the product is: (1) appropriate for the protection of the public health upon review of a premarket tobacco application; (2) substantially equivalent to a grandfathered product; or (3) exempt from substantial equivalence requirements.

In determining whether the marketing of a tobacco product is appropriate for the protection of the public health, federal law requires that the FDA consider the risks and benefits of the product to the population as a whole, including users and nonusers of the product, and taking into account the increased or decreased likelihood that existing users of tobacco products will stop using tobacco products and the increased or decreased likelihood that those who do not use tobacco products will start using them. Where there is a lack of showing that permitting the sale of a tobacco product would be appropriate for the protection of the public health, the Tobacco Control Act requires that the FDA deny an application for premarket review.

Amendments to Current Law

The proposed ordinance would amend the Health Code to prohibit permitted tobacco retail establishments located in San Francisco from selling electronic cigarettes that require premarket review by the FDA, but have not undergone such review. It would also prohibit the sale to any person in San Francisco, including via mail or internet, of: 1) flavored tobacco products, including electronic cigarettes; and 2) electronic cigarettes that require FDA premarket review, but have not undergone such review.

Background Information

Despite progress in reducing smoking, tobacco use is still the leading cause of preventable death in the United States. Tobacco kills more than 480,000 people in this country annually – more than AIDS, alcohol, car accidents, illegal drugs, murders, and suicides combined.

Electronic cigarettes (or “e-cigarettes”) entered the marketplace around 2007, and since 2014, they have been the most commonly used tobacco product among youth in the United States. According to the Centers for Disease Control and Prevention (“CDC”), the number of middle and high school students who reported being current users of tobacco products increased 36%—from 3.6 million to 4.9 million students—between 2017 and 2018. This dramatic increase, which has erased past progress in reducing youth tobacco use, is directly attributable to a nationwide surge in e-cigarette use by adolescents. There were 1.5 million more youth e-cigarette users in 2018 than 2017, and those who were using e-cigarettes were using them more often. Frequent use of e-cigarettes increased from 20 percent in 2017 to 28 percent in 2018 among current high school e-cigarette users.

The widespread use of e-cigarettes by youth has significant public health consequences. As stated by the Surgeon General, “Most e-cigarettes contain nicotine – the addictive drug in regular cigarettes, cigars, and other tobacco products. Nicotine exposure during adolescence can harm the developing brain – which continues to develop until about age 25. Nicotine exposure during adolescence can impact learning, memory, and attention. Using nicotine in adolescence can also increase risk for future addiction to other drugs. In addition to nicotine, the aerosol that users inhale and exhale from e-cigarettes can potentially expose both themselves and bystanders to other harmful substances, including heavy metals, volatile organic compounds, and ultrafine particles that can be inhaled deeply into the lungs.”

And while there is some evidence that the use of e-cigarettes by adults may support smoking cessation under certain circumstances, a 2018 National Academy of Sciences, Engineering, and Medicine report concluded that there was moderate evidence that e-cigarette use in fact increases the frequency and intensity of cigarette smoking in the future.

In addition, there is a growing body of research concluding that there are significant health risks associated with electronic cigarette use. For example, daily e-cigarette use is associated with increased odds of a heart attack. And the American Lung Association has

warned that the inhalation of harmful chemicals through vaping may cause irreversible lung damage and lung disease.

Notwithstanding the City's efforts to reduce youth tobacco use, San Francisco's youth still access and use tobacco products. According to the most recent Youth Risk Behavior Survey for which local data are available, in 2017, 16.7% of San Francisco's high school students had tried smoking, 25% had used an electronic cigarette (or "vaped"), and 7.1% reported current e-cigarette use, which is defined as use on at least one day in the past 30 days.

Among San Francisco high school students who reported currently using electronic cigarettes, 13.6% reported that they usually purchased their electronic cigarette products in a store. The remaining 86.4% reported that they obtained them from places other than the City's licensed tobacco retail establishments, including friends, other social sources, and internet e-cigarette vendors.

Virtually all electronic cigarettes that are sold today entered the market after 2007, but have not been reviewed by the FDA to determine if they are appropriate for the public health. In 2017, the FDA issued Guidance that purports to give electronic cigarette manufacturers until August 8, 2022 to submit their application for premarket review. The Guidance further purports to allow unapproved products to stay on the market indefinitely, until such time as the FDA complies with its statutory duty to conduct a premarket review to determine whether a new tobacco product poses a risk to public health.

By the time e-cigarette manufacturers will be required to submit their premarket review applications, e-cigarettes will have been on the market for as much as fifteen years without any FDA analysis of their safety and alleged benefit. If current trends continue, six million more youth in the United States will begin using e-cigarettes between now and then.

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Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date
SUPERVISORS
SAN FRANCISCO

2019 MAR 19 PM 4:24

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Walton

Subject:

Health Code-Restricting the Sale, Manufacture, and Distribution of Tobacco Products, Including Electronic Cigarettes

The text is listed:

Ordinance amending the Health Code to prohibit the sale by tobacco retain establishments of electronic cigarettes that require, but have not received, an order from the Food and Drug Administration (FDA) approving their marketing; and prohibiting the sale and distribution to any person in San Francisco of flavored tobacco products and electronic cigarettes that require, but have not received, an FDA order approving their marketing.

Signature of Sponsoring Supervisor: [Signature]

For Clerk's Use Only

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

MEMORANDUM

TO: Kiely Hosmon, Director, Youth Commission

FROM: John Carroll, Assistant Clerk,
Public Safety and Neighborhood Services Committee

DATE: MApril 10, 2019

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following hearing, introduced by Supervisor Stefani on April 2, 2019. This item is being referred for comment and recommendation.

File No. 190373

Hearing to examine food insecurity, particularly among low-income pregnant women and families, as nutritious food is a fundamental human right essential for all people to live healthy, successful lives, but food insecurity, limited or uncertain access to adequate food still occurs in San Francisco; and requesting the Department of Public Health to report.

Please return this cover sheet with the Commission's response to John Carroll, Assistant Clerk, Public Safety and Neighborhood Services Committee.

RESPONSE FROM YOUTH COMMISSION Date: _____

- No Comment
- Recommendation Attached

Chairperson, Youth Commission

5:11 P.M.

Introduction Form

By a Member of the Board of Supervisors or Mayor

REC'D W BOARD

Time stamp or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
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Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Stefani

Subject:

Food insecurity among low-income pregnant women and families

The text is listed:

Hearing to examine food insecurity, particularly among low-income pregnant women and families; nutritious food is a fundamental human right essential for all people to live healthy, successful lives, but food insecurity, limited or uncertain access to adequate food, still occurs in San Francisco; requesting the Department of Public Health.

Signature of Sponsoring Supervisor:

For Clerk's Use Only

Resolution urging the Mayor and Board of Supervisors to adopt a city-wide tobacco minimum price law and prohibit the redemption of coupons for tobacco products.

WHEREAS, that 480,000 people die from tobacco-related diseases every year in the United States, making tobacco the leading cause of preventable death in the nation;¹ and

WHEREAS, that between 2005 and 2009, the average annual smoking-related health care costs were \$132.5 to \$175.9 billion per year, with another \$151 billion in lost productivity, making the total economic burden of smoking between \$289 and \$322.5 billion per year in the U.S.;² and

WHEREAS, that nearly 90 percent of adult smokers begin smoking by the age of 18;³ and

WHEREAS, that smoking rates in low-income communities of color are higher than in other income groups,⁴ however, studies have shown that smoking rates can decrease when culturally appropriate or community-based strategies are intentionally implemented in low-income communities and communities of color;⁵ and

¹ U.S. Department of Health and Human Services. (2014). *The Health Consequences of Smoking — 50 Years of Progress. A Report of the Surgeon General* Available at: www.surgeongeneral.gov/library/reports/50-years-of-progress/full-report.pdf

² U.S. Department of Health and Human Services. (2014). *The Health Consequences of Smoking — 50 Years of Progress. A Report of the Surgeon General* Available at: www.surgeongeneral.gov/library/reports/50-years-of-progress/full-report.pdf

³ Centers for Disease Control and Prevention. (2012). "Current Tobacco Use Among Middle and High School Students – United States, 2011." *Morbidity and Mortality Weekly Report* 61: 581–604. www.cdc.gov/mmwr/pdf/wk/mm6131.pdf

⁴ Campaign for Tobacco Free Kids. 2013. *Tobacco and Socioeconomic Status*. Available at: www.tobaccofreekids.org/research/factsheets/pdf/0260.pdf.

⁵ U.S. Department of Health and Human Services. (2000). *Reducing Tobacco Use: A Report of the Surgeon General*. Atlanta, Georgia: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, p. 398–400. Available at: www.cdc.gov/tobacco/data_statistics/sgr/2000/complete_report/pdfs/fullreport.pdf

WHEREAS, that in 2011, tobacco companies spent the majority of their marketing budget on price discounting strategies, accounting for over 83 percent of their \$8.4 billion advertising and promotional marketing budget; and

WHEREAS, that tobacco companies give retailers and wholesalers promotional allowances such as: off-invoice discounts, buy downs, and voluntary price reductions⁶ to reduce the cost of tobacco products at the point of sale; and

WHEREAS, that tobacco companies spent nearly \$758 million on promotional allowance for retailers and wholesalers in 2011; and

WHEREAS, that FEAR CAM's youth-led public opinion survey that collected over 300 responses, 95 percent of participants have seen some form of the following price minimizing strategies -- price coupons, buy-one-get-one free deals, discounted prices, and multi-pack discounts -- used to sell tobacco and tobacco-related products in San Francisco; and

WHEREAS, tobacco companies incentivize customers to purchase more tobacco products by reducing the retail price. 55.4 percent of adults who are exposed to price minimizing strategies reduce the price by an average of \$1.27 per pack of a tobacco product;⁷ and

WHEREAS, 19.8 percent of adults who smoke cigarettes use coupons to purchase cigarettes; and that 24.3 percent who purchase cigarettes in bulk amounts, save an average of \$0.75 per pack;⁸ and

⁶ Federal Trade Commission. (2013). *Federal Trade Commission Cigarette Report for 2011*. Available at: www.ftc.gov/os/2013/05/130521cigarettereport.pdf

⁷ Xu X., Pesko, M.F., Tynan, M.A., et al. 2013. "Cigarette Price-Minimization Strategies by U.S. Smokers." *American Journal of Preventive Medicine*,44: 472–476.

⁸ Xu X., Pesko, M.F., Tynan, M.A., et al. 2013. "Cigarette Price-Minimization Strategies by U.S. Smokers." *American Journal of Preventive Medicine*,44: 472–476.

WHEREAS, 3 out of 4 participants who took FEAR CAM's survey do not think that San Francisco residents should be able to purchase tobacco or tobacco related products because they have a negative impact on youth and other marginalized communities; and

WHEREAS, that 25 states plus the District of Columbia and New York City have adopted minimum price laws for cigarettes;^{9,10} and

WHEREAS, that research proves that increasing the price of tobacco products would decrease tobacco use, particularly among minors and young adults;¹¹ and

WHEREAS, that a 20 percent price increase on a pack of cigarettes would reduce tobacco consumption by 10.4 percent; adult tobacco use by 3.6 percent; and initiation of tobacco use by young people by 8.6 percent;¹² now, therefore, be it

RESOLVED, that The Youth Commission and Youth Leadership Institute's Fearless Educators And Resisters (FEAR):

1. recommends the City and County of San Francisco adopt a minimum retail price between \$13 to \$15 to purchase tobacco or tobacco related products; and be it finally

⁹ Centers for Disease Control and Prevention. (2010). State Cigarette Minimum Price Laws—United States, 2009." *Morbidity and Mortality Weekly Report* 59: 389–392. Available at: www.cdc.gov/mmwr/preview/mmwrhtml/mm5913a2.htm

¹⁰ New York, N.Y., Ordinance No. 1021-2013 (2013) (signed into law on November 19, 2013.)

¹¹ U.S. Department of Health and Human Services. (2000). *Reducing Tobacco Use: A Report of the Surgeon General*. Atlanta, Georgia: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, p. 20. Available at: www.cdc.gov/tobacco/data_statistics/sgr/2000/complete_report/pdfs/fullreport.pdf

¹² Community Preventive Services Task Force. (2012). *Reducing Tobacco Use and Secondhand Smoke Exposure: Increasing the Unit Price of Tobacco Products*. Available at: www.thecommunityguide.org/tobacco/RRincreasingunitprice.html

2. suggests the City and County of San Francisco through the Mayor and Board of Supervisors to adopt legislation to ban the use of price promotions to purchase tobacco or tobacco related products.

Draft Feedback/Next Steps:

- Adding proper footnotes
- Group into themes the data/statistics that you all are including, if that makes sense. Having statistics related advertising grouped together, statistics about initiation of use grouped together, etc.
- Include some type of statistic or narrative about how this is specifically targeting youth/low-income communities, AND about how early most smokers start.

Notes from CEC:

- all Whereas clauses end in ; or and
- add “that”
- Citations - full citations - including MLA -
 - making them smaller
 - and using full citation
- Formatting
 - include \$
 - include percent or %
- Who is your intended audience
 - making it more clear and accessible language
- 3rd WhereAS
- All where as -
 - health precautions

- coupon/discount
- personal narratives
 - if powerful enough
 - must be relevant
 - public comment (at BOS level)
- Finding out from NYC how its worked out for them

MORE REVISIONS

- order of each statement
- Who is our audience? Who do we want to read this? Will they be able to understand it?

San Francisco Youth Commission Application 2019 - 2020 term

The Youth Commission is a diverse group of 17 young people between the ages of 12 and 23. We come from all across San Francisco to serve as the official youth voice in City Hall. We are appointed by the Board of Supervisors and the Mayor to ensure that young people have a role and a voice in the policy and budget decisions that impact our lives.

We welcome you to City Hall – the people's building...YOUR building. Please join us as we use our voices and find our power!

* Required

BEFORE YOU GET STARTED

You will be asked to send in an OPTIONAL LETTER OF RECOMMENDATION after you submit your application. If you can't get or decide not to submit a letter of recommendation, please note that in submission. While filling out this application, you will be asked to respond to some ESSAY QUESTIONS. You may want to think about and prepare your essay responses before continuing this application.

The questions you will be asked to answer are:

1. Why do you want to be a Youth Commissioner? What impact do you hope to have? What do you hope to learn?
2. What is the most important issue that affects you or your community? If you had a meeting with the Mayor or a member of the Board of Supervisors tomorrow, how would you advise them?
3. Describe an experience where you have worked with a particular community to meet a shared goal or meet their unmet needs? Name the skills or practices you utilized to achieve the goal?
4. Is there any additional information you would like to share with us about yourself?

Personal Information

1. Name *

2. Pronouns (she, he, they, xe, etc.) *

3. Address *

5. Supervisorial District (look up here: <http://propertymap.sfplanning.org/>) *

Mark only one oval.

- District 1 - Supervisor Sandra Lew-Fewer
- District 2 - Supervisor Catherine Stefani
- District 3 - Supervisor Aaron Peskin
- District 4 - Supervisor Gordon Mar
- District 5 - Supervisor Vallie Brown
- District 6 - Supervisor Matt Haney
- District 7 - Supervisor Norman Yee
- District 8 - Supervisor Rafael Mandelman
- District 9 - Supervisor Hillary Ronen
- District 10 - Supervisor Shamann Walton
- District 11 - Supervisor Ahsha Safai

6. Email *

7. Cell Phone *

8. Birthday (MM / DD / YY) *

9. Age *

Additional Information (optional)

10. Ethnicity and / or Race *

11. Languages Spoken *

12. Sexual Orientation *

13. Gender *

14. If you are or will be in school, what school will you be attending in the fall of 2019? *

15. Please list other schools you have attended: *

16. The Youth Commission requires a commitment of at least 15 - 20 hours a month. In order to truly make an impact, it is often necessary to go beyond that minimum commitment. Are you willing to make this a top priority? *

Mark only one oval.

Yes

No

17. PLEASE NOTE: In addition to the 15-20 hour time commitment, you are required to: 1. attend a 2.5 day orientation training retreat Friday Evening, August 30th, 2019 and All Day Saturday and Sunday August 31st & September 1st, 2019 (Labor Day Weekend), 2. attend the swearing-in ceremony to be taken place September 4th, and 3. attend all of the full two-day "Mid-Year" Training Retreat Saturday and Sunday, January 18th & 19th, 2020 (Before MLK JR. Holiday)

Mark only one oval.

Yes, I can hold those dates.

No, I cannot hold those dates.

18. How did you learn about the Youth Commission? *

Check all that apply.

Friend

Supervisor

Mayor

Parent/ Adult

School

Social Media

Community Event

Open House

Other: _____

Essay Questions

300 - 500 word limit for each question.

19. Why do you want to be a Youth Commissioner? What impact do you hope to have? What do you hope to learn? *

.....

.....

.....

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.....

20. What is the most important issue that affects you or your community? If you had a meeting with the Mayor or a member of the Board of Supervisors tomorrow, how would you advise them? *

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21. Describe an experience where you have worked with a particular community to meet a shared goal or meet their unmet needs. Name the skills or practices you utilized to achieve the goal. *

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22. Is there any additional information you would like to share with us about yourself?

.....

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Returning Commissioners Only

Please answer all the questions 350 - 600 words each as a returning commissioner.

23. Why are you seeking reappointment to the Youth Commission?

.....

.....

.....

.....

.....

24. How have you demonstrated your leadership capacity this year? What goals did you set for yourself and your committee? What did you do to meet those goals?

25. What challenges did you encounter this year, and what did you do to overcome them?

26. What goals do you have for yourself as a returning Commissioner? What work would you like to continue in the next year, and what are concrete steps you would take to get there?

Letter of Recommendation

Please provide a letter of recommendation--a few paragraphs are sufficient--from someone not in your family (for example a teacher, counselor, probation officer, etc.) regarding your work. This is optional and letters should be submitted separately from this application.

Those submitting a letter of recommendation can email the Youth Commission directly at; Youthcom@sfgov.org; PDF format is preferred.

Please make submissions by Sunday, May 12th 11:59 PM.

27. If you can't get or decide not to submit a letter of recommendation, please explain why. *

Questions or Concerns?

Contact us at:

San Francisco Youth Commission
City Hall, room 345

1 Dr. Carlton B. Goodlett Place
San Francisco, Ca 94102
Phone: (415) 554.6446
Fax: (415) 554.6140
Email: youthcom@sfgov.org

Thank you!

Depending on your written responses, you may or may not be invited for an interview with Youth Commission staff and youth commissioners. Exact dates and times will be announced after you turn in your application.

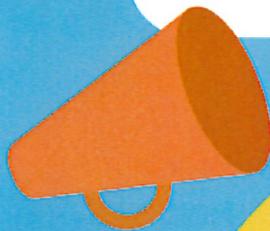
The Youth Commission makes recommendations of who to appoint to the commission to the Board of Supervisors and the Mayor's Office. Ultimately, the members of the Board of Supervisors and the Mayor choose who to appoint to the Youth Commission.

You're Invited! San Francisco Youth Commission: Open House

SAN FRANCISCO YOUTH COMMISSION: OPEN HOUSE!



Are you between the ages of
12-23, and want to learn more on how to make
an impact in local government? Come celebrate
with the Youth Commission!
Free Art Show & Food!



Thursday, May 2nd
4:30 - 6:30 pm
1 Dr. Carlton B. Goodlett Pl
City Hall, Room 345

Accessibility
Questions/For More Info -
email j.ty415@gmail.com



FILE NO.

RESOLUTION NO.

1 [State Grant Program - Homeless Youth - Assembly Bill 307]

2 **Resolution declaring support for Assembly Bill 307 by Assembly Member Reyes in the**
3 **2019-2020 session of the California State Legislature to establish a grant program to**
4 **support youth experiencing homelessness and to prevent and end homelessness, and**
5 **urging the Board of Supervisors to support the aforesaid legislation.**

6
7 WHEREAS, Approximately 1,300 Transitional Age Youth (“TAY”), defined as youth
8 between the ages of 18 and 24, currently experience homelessness in San Francisco; and

9 WHEREAS, An estimated 49% of TAY experiencing homelessness in San Francisco
10 identify as LGBTQ+; and

11 WHEREAS, The federal government has found that California accounts for one third of
12 the nation’s population of youth under the age of 25 experiencing homelessness; and

13 WHEREAS, Existing available supportive services and infrastructure are not sufficient
14 to serve and house the population experiencing homelessness in San Francisco and
15 California; and

16 WHEREAS, Assembly Bill 307 by Assembly Member Reyes in the 2019-2020 session
17 of the California State Legislature (“AB 307”), would, if passed, require the state Homeless
18 Coordinating and Financing Council to develop and administer a three-year recurring grant
19 program to support youth experiencing homelessness and at-risk youth; and

20 WHEREAS, The aggregate annual amount dedicated to the AB 307 grant program
21 would total \$100,000,000; and

22 WHEREAS, Both private nonprofit agencies with demonstrated records of success and
23 experience delivering services to youth experiencing homelessness or at-risk youth and
24 continuum of care entities with demonstrated records of success would be eligible to apply for
25 AB 307 grants; and

1 WHEREAS, Grant applicants would be required to demonstrate that services would be
2 provided within a framework of positive, culturally competent youth development, and would
3 provide substance abuse treatment, education, prevention, and early-intervention services;
4 and

5 WHEREAS, Grant funds would be required to supplement existing services, and would
6 be prohibited from being used to replace existing local, state, or federal funding; and

7 WHEREAS, Numerous private nonprofit agencies currently offer services to youth
8 experiencing homelessness in San Francisco; and

9 WHEREAS, However these existing private nonprofit agencies, as well as San
10 Francisco's continuum of care entities, such as the Department of Homelessness and
11 Supportive Housing, lack adequate funding and direction towards serving the full population of
12 youth experiencing homelessness in San Francisco; and

13 WHEREAS, AB 307, if passed, would provide an additional source of state funding for
14 expanded services for youth and TAY experiencing homelessness and at-risk youth and TAY
15 in San Francisco; now, therefore, be it

16 RESOLVED, That the Youth Commission of the City and County of San Francisco
17 declares support for AB 307; and, be it

18 FURTHER RESOLVED, That the Youth Commission urges the Board of Supervisors to
19 support AB 307 for the aforementioned reasons, and with the intent to encourage local private
20 nonprofit agencies delivering services to youth experiencing homelessness or at-risk youth
21 and continuum of care entities to apply for an AB 307 grant if the bill is enacted; and, be it

22 FURTHER RESOLVED, That the Youth Commission directs Youth Commission staff to
23 transmit copies of this resolution to the California State Assembly Committee on Human
24 Services, the California State Assembly Committee on Appropriations, and further committees
25 to which AB 307 is assigned as the legislative session progresses.

1 [Urging to Lower San Francisco's Legal Voting Age to 16 years of age]

2 **Resolution urging the Mayor and Board of Supervisors to lower San Francisco's legal**
3 **voting age to sixteen in municipal and school district elections**

4 WHEREAS, Upon turning 16, young people can drive, work without limitations on hours, pay
5 taxes, take classes on government in school, are subject to adult criminal charges, and yet are denied
6 the right to vote; and

7 WHEREAS, Young people often feel excluded from being engaged in their government and are
8 underrepresented in local government; and

9 WHEREAS, on September 15, 2014, the United Nations declared 2014's International Day of
10 Democracy theme to be "Engaging Young People on Democracy," calling for countries around the
11 world to increase their efforts to engage young people in their democratic processes¹; and

12 WHEREAS, Extending voting rights to youth of 16 years of age would empower young people
13 to become engaged in our local government; and

14 WHEREAS, With the right to vote, young people would increase their knowledge and interest
15 in politics and the issues directly affecting them; and

16 WHEREAS, 16 year olds possess roughly the same political knowledge as 21 year olds and
17 come close to the average for all adults²; and

18 WHEREAS, Young people who vote will make voting habitual, as voting is a life-long practice
19 begun once one casts their first vote;³

20 WHEREAS, Young voters will be more likely to continue civic engagement throughout their
21 lives than are those who begin voting later in life;⁴ and

22 WHEREAS, Having young people voting at earlier ages would increase voter turnout in future
23 elections and further stimulate interest in getting more involved in local government affairs; and
24

25 ¹ The United Nations, "2014 Theme: Engaging Young People on Democracy," September 15, 2014. Accessed December 6,
2014 at: <http://www.un.org/en/events/democracyday/>

² Hart, Daniel and Atkins, Robert, "American Sixteen- and Seventeen-Year-Olds Are Ready to Vote." *The Annals of the
23 American Academy of Social Science*. Accessed December 1, 2014. Accessed at: <http://ann.sagepub.com/content/633/1/201>

³ Elias, Dinas. "The Formation of Voting Habits." *Journal of Elections, Public Opinion and Parties*. Accessed December 6,
2014 at: <http://www.tandfonline.com/doi/abs/10.1080/17457289.2012.718280?tab=permissions#tabModule>

⁴ Bhatti, Yosef, and Kasper Hansen. "Leaving the Nest and the Social Act of Voting: Turnout among First-Time Voters."
Journal of Elections, Public Opinion and Parties 22, no. 4 (2012). Accessed December 29, 2014 at:
http://www.kaspermhansen.eu/Work/JEPOP_Bhatti&Hansen_2012_young.pdf.

1 WHEREAS, Studies have proven 16 year old voters are competent and mature enough to make
2 well-informed decisions that will influence their lives and the broader electorate;¹ and

Commented [1]: add findings?

3 WHEREAS, The median age of a San Francisco resident as of 2016 is 38, but the average age
4 of the electorate has risen from 44.2 in 1980 to 45.8 and is projected to be 47.6 by 2025; and

Commented [2]: citation/update

5 WHEREAS, Young people have interests and priorities that differ from those of older voters
6 and an aging electorate may neglect the interests of more diverse younger generations; and

7 WHEREAS, Between 2000 and 2013, San Francisco lost about 8,000² school age youth and
8 now has the lowest percentage³ of kids of any major U.S. city; and

9 WHEREAS, The young people impacted by these trends are best positioned to identify
10 solutions, and their political enfranchisement is a vital step toward combating family flight; and

11 WHEREAS, The city has seen fit to make investments in the leadership and civic engagement
12 of young people that DYCF's Youth Leadership and Organizing programs, Youth Empowerment Fund,
13 and annual Youth Advocacy Day, among other initiatives; and

14 WHEREAS, thousands of SFUSD high school students have cast votes in mock elections and
15 ballot measures through the Youth Vote program, gaining exposure to the electoral process and civic
16 norms and practices; and

17 WHEREAS, the current political moment has galvanized civic involvement among young
18 people in SF in resistance to the current administration, with hundreds of students walking out on
19 Inauguration Day and thousands participating in the March For Our Lives protests to make their voices
20 heard; and

21 WHEREAS, frustrated with the inaction of the U.S. Government to address the crisis of human-
22 made climate change, young people in SF and around the country are increasingly organizing to make
23 their support for green policy and environmental justice known; and

24 ¹ Hart and Atkins, see supra note 2

25 ² Heather Knight, "Families' exodus leaves S.F. whiter, less diverse," *The San Francisco Chronicle*, June 10, 2013.
Accessed December 12, 2014: <http://www.sfgate.com/bayarea/article/Families-exodus-leaves-S-F-whiter-less-diverse-3393637.php>

³ Aaron Sankin, "Families Flee San Francisco: City Has Lowest Percentage Of Kids Of Any Major U.S. City," *The Huffington Post; San Francisco*, March 11, 2012: Accessed December 12, 2014.
http://www.huffingtonpost.com/2012/03/09/families-flee-san-francisco_n_1335639.html

1 WHEREAS, San Francisco hosts a vibrant community of youth advocates, youth organizers,
2 and youth philanthropists who play critical roles in advising local nonprofits and city departments on
3 matters pertaining to the youth of San Francisco and policy affecting them; and

4 WHEREAS, these youth leaders play a key role in the formation and revision of the city's youth
5 policy but remain disenfranchised despite being recognized by the city and local nonprofits as
6 community leaders; and

7 WHEREAS, Staff from the San Francisco Department of Elections was on hand at the Young
8 Voters Forum to register new voters and recruit young people to work the polls on Election Day, these
9 youth poll worker make up 1/3 of the total amount of poll workers each election in San Francisco; and

10 WHEREAS, These and many other efforts by engaged local youth leaders have been very
11 fruitful, with the city benefiting from several policy and legislative campaigns initiated and led by
12 young people all around the city, including most recently an ordinance amending the health code and
13 establishing limitations for the granting of new tobacco sales permits (File No. 141098¹), which was
14 finally passed by the Board of Supervisors on December 9, 2014; and

15 WHEREAS, Numerous countries—Austria, Argentina, Brazil, Germany, Norway and the
16 United Kingdom—have extended the right to vote to 16 year olds in national, state, and local elections
17 or are considering doing so, and these efforts have resulted in higher turnout among voters ages 16-17
18 than among voters age 18 and older; and

19 WHEREAS, In December 2010, the Lowell, Massachusetts City Council passed a resolution
20 petitioning the Massachusetts State Legislature to lower the city's voting age to 17² and

21 WHEREAS, on March 6th, 2019, Rep. Ayanna Pressley (D-MA 7) introduced an
22 amendment to H.R. 1, or the *For the People Act* which would lower the national voting age to 16, and
23 135 Democratic Representatives voted to support it; and

24 ¹ "Ordinance amending the Health Code by adding density, proximity, and sales establishment limitations on the granting of
25 new tobacco sales permits, and renumbering all sections in Article 19H; amending the Business and Tax Regulations Code
by increasing the annual license and application fees; and making environmental findings," adopted by the Board of
Supervisors on December 9, 2014. Accessed December 12, 2014:
<https://sfgov.legistar.com/View.ashx?M=F&ID=3413121&GUID=9590AFB0-D62E-4BC6-944C-3375C6D90322>

² United Teen Equity Equality Center (Lowell, Massachusetts), "Vote 17." Accessed December 1, 2014: <https://www.utec-lowell.org/actnow/vote17>

Commented [3]: updating

1 WHEREAS, On March 14th, 2019, Speaker of the House Nancy Pelosi (D-CA 12) publicly
2 supported lowering the national voting age to 16, mainstreaming the lowering of the voting age; and

3 WHEREAS, In May 2013, Takoma Park, Maryland became the first municipality in the United
4 States to reduce its legal voting age to 16 years of age;¹ and

5 WHEREAS, Voter turnout among these newly enfranchised voters in Takoma Park was 44
6 percent, as compared to the overall voter turnout which was 11 percent;² and

7 WHEREAS, in 2016, Berkeley voters passed Measure Y1, which lowered the voting age to 16
8 for Berkeley Unified School District elections; and

9 WHEREAS, The Scottish government allowed 16 and 17 year olds to vote in its referendum on
10 declaring independence from the United Kingdom;³ and

11 WHEREAS, These 16 and 17 year old voters used this opportunity to exercise their newfound
12 right to vote en masse, with over 90 percent of 16 and 17 year old voters registering to vote in the
13 Scottish independence referendum;⁴ and

14 WHEREAS, On May 3, 2016, for the first time ever, the San Francisco Board of Supervisors
15 and San Francisco Youth Commission held a joint Committee of the Whole meeting to hear from youth
16 in public comment on putting Vote16 on the ballot; and

17 WHEREAS, 9 out of 11 San Francisco Supervisors voted to put Vote16, which became
18 Proposition F, onto the ballot in November 2016, losing by the close margin of 2.1%; and

19 WHEREAS, Proposition F was endorsed by Former Board of Education Commissioners Sandra
20 Lee Fewer, Shaman Walton, and Matt Haney, all of whom are now San Francisco Supervisors; and

21 ¹ Lindsay A. Powers, "Takoma Part grants 16-year-olds right to vote," *The Washington Post*, May 14, 2013. Accessed
22 December 6, 2014: http://www.washingtonpost.com/local/takoma-park-grants-16-year-olds-right-to-vote/2013/05/14/b27c52c4-bccd-11e2-89c9-3be8095fe767_story.html

23 ² J.B. Wogan, "Takoma Park Sees High Turnout Among Teens After Election Reform," *Governing*, November 7, 2013.
24 Accessed December 6, 2014: <http://www.governing.com/news/headlines/gov-maryland-city-sees-high-turnout-among-teens-after-election-reform.html>

25 ³ The Electoral Commission Lothian Chambers, 59--63 George IV Bridge, Edinburgh EH1 1RN. (2014). *The 2014 Scottish Independence Voting Guide*. Accessed December 6, 2014: http://www.electoralcommission.org.uk/data/assets/pdf_file/0012/170400/The-2014-Scottish-Independence-Referendum-Voting-Guide.pdf

⁴ Eichhorn, Jan, "Will 17 and 17 year olds make a difference in the referendum?" Edinburgh: Scot Cen for Social Research (2014). Accessed December 29, 2014. http://www.scotcen.org.uk/media/205540/131129_will-16-and-17-years-olds-make-a-difference.pdf

1 WHEREAS, Proposition F was also endorsed by State Assembly Members David Chiu and Phil
2 Ting in 2016, as well as by Former Supervisor and now State Assembly Member Scott Wiener; and

3 WHEREAS, the San Francisco Democratic Central Committee, along with 17 San Francisco
4 Democratic clubs [endorsed Proposition F in 2016](#)¹; and

5 WHEREAS, Research consistently indicates 16-17 year-olds make voting decisions based on
6 reasoned consideration of their own and larger interests in a fashion similar to older voters;² and

7 WHEREAS, Resolutions adopted by both the San Francisco Youth Commission (Resolution
8 0405-013)³ and the San Francisco Board of Supervisors (File No. 051215)⁴ in 2005 supported
9 expanding suffrage to citizens of 16 years and older in city and county elections; and

10 WHEREAS, In 2014 the San Francisco Youth Commission adopted Resolution No. 1314—02⁵
11 that called on the Board of Supervisors and Youth-Serving Commissions to create a “Youth Voice”
12 Policy that would allow more young people to come to testify at public meetings to voice their concerns
13 and opinions on legislation that would directly impact them; and

14 WHEREAS, The San Francisco Board of Supervisors added Rule 2.12.1⁶ to the Board of
15 Supervisors’ Rules of Order in 2014, providing more opportunities for young people to meaningfully
16 participate in public meetings; and

17 ¹ <http://vote16sf.org/endorsements>

18 ² “Voting at 16: Turnout and the Quality of Vote Choice.” *Electoral Studies* 31, no. 2 (2012). Accessed December 29, 2014.
19 http://ac.els-cdn.com/S0261379412000212/1-s2.0-S0261379412000212-main.pdf?_tid=1fa2eb02-9237-11e4-a398-00000aacb361&acdnat=1420172798_2b922ffa143eaa9603df4a3691b93c3e.

20 ³ San Francisco Youth Commission Resolution 0405—AL013 “Resolution Urging the San Francisco Board of Supervisors
21 to Recommend to State Legislators That They Allow Local Choice, For Which City or County Could Permit Persons 16
22 years of Age or Older to Vote In City or County Elections,” adopted June 6, 2005

23 ⁴ See Board of Supervisor File No. 051215—Urging State Legislators to Permit Persons 16 Years of Age or Older to Vote
24 in City and County Elections, Passed on July 21, 2005. Retrieved at:
25 <https://sfgov.legistar.com/LegislationDetail.aspx?ID=477237&GUID=8E3D3E05-BB1D-488F-A1D0-8F0B22AB0739&Options=ID|Text|&Search=538-05>

⁵ San Francisco Youth Commission Resolution 1313—02 “Resolution Urging the San Francisco Board of Supervisors and
Youth-Serving Commissions to Support the Creation of a Youth Voice Policy,” adopted March 3, 2014

⁶ “Motion amending the Board of Supervisors Rules of Order, by adding Rule 2.12.2, to establish communication
procedures for hearings on matters related to the Youth Commission.” San Francisco Board of Supervisors. Accessed
December 6, 2014: <https://sfgov.legistar.com/View.ashx?M=F&ID=3276905&GUID=8ACEC527-F5C4-4E6B-99FF-450D9B60A3BE>

Commented [4]: can also add in 2016 resolution from YC supporting state leg “ACA 10” which is now coming back again as ACA 8. Evan Low as sponsor for this statewide bill of lowering voting age.

1 WHEREAS, Many states are enacting laws designed to severely limit communities of color and
2 young people’s voting rights, rolling back gains won through a proud history of struggle on behalf of
3 African Americans and groups of young, multiracial activists; and

4 WHEREAS, San Francisco has an opportunity to take bold action to reverse these trends and
5 stand for the political enfranchisement of young people; and

6 WHEREAS, As stated in Section 4.124 of the San Francisco City Charter, the Youth
7 Commission is charged with identifying and proposing solutions to meet the unmet needs and concerns
8 of San Francisco youth; and

9 WHEREAS, The Youth Commission believes that young people’s ability to engage in electoral
10 processes that directly impact them is an unmet need; now, therefore, be it

11 RESOLVED, That the Youth Commission urges the Mayor and the Board of Supervisors to
12 lower San Francisco’s city and school district voting age eligibility to 16 years of age or older; and be it
13 further

14 RESOLVED, That the Youth Commission urges the Mayor and the Board of Supervisors to
15 urge San Francisco’s elected state representatives—State Senator Scott Wiener, Assembly members
16 Philip Y. Ting and David Chiu—to prepare legislation that would provide for a state constitutional
17 referendum to reduce the voting age to sixteen for all state elections; and be it finally,

18 RESOLVED, Evan Low

19 RESOLVED, That the Youth Commission urges the Mayor and the Board of Supervisors to
20 prepare a charter amendment to relevant sections of the San Francisco Charter allowing citizens of 16
21 years of age and older to vote and register in municipal and school district elections held in the City and
22 County of San Francisco.
23
24
25

Commented [5]: See Evan Low's ACA 8

April 9th, 2019

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

**RE: Strong Support for BOS File No. 190392 [Administrative Code - Juvenile Hall Closure]
Sponsors: Walton; Ronen, Haney, Mar, Peskin, Fewer, Brown and Safai**

Dear Board of Supervisors,

San Francisco Juvenile Hall is under-filled, overfunded, and not a restorative space for our youth. Over the last decade, youth crime has steadily decreased, reaching record lows across the country, including in San Francisco. Currently, over 70 percent of San Francisco's Juvenile Hall sits empty, with the city spending nearly \$270,000 to keep one young person behind bars each year. In January, for example, there were 45 children detained in the Hall, filling only 30 percent of its 150 beds, with nearly 70 percent of those detained being held for a non-violent offense. The city's approach also disproportionately affects African American youth, despite the fact that African Americans make up a dwindling 3% percentage of San Francisco's population.

For many years, the Youth Commission has advocated expanding alternative to incarceration for youth through legislation and our annual Budget and Policy Priorities publications. Our city's budget would be much better used for investment in alternatives for incarceration, like community-based restorative practices. We advocated for these in our recent Omnibus Budget Priorities Resolution. Through these, youth would be able to heal, learn and grow while staying rooted with their community.

Legislation introduced at the San Francisco Board of Supervisors April 9th meeting would require the closure of San Francisco's Juvenile Hall by December 2021. In its place, San Francisco would develop an expanded array of alternatives to incarceration for young people who do not need to be locked up. In addition to expanding community-based alternatives to detention and providing a rehabilitative, non-institutional place of detention, it will establish a working group for the closure plan, and establish a Youth Justice Reinvestment Fund.

We, the Transformative Justice Committee of the Youth Commission, believe that incarceration leaves youth traumatized, disconnected and disempowered. We follow the lead of youth directly impacted by the legal system and thank Young Women Freedom Center and Supervisors Walton, Haney, and Ronen for spearheading this legislation forward. We are excited that the legislation is veto-proof with the cosponsorship of Supervisors Mar, Brown, Lee Fewer, and Peskin. Let's shut down Juvenile Hall and open the doors for community-oriented solutions to community health issues. It's high time to focus on care not cages for young people.

Sincerely,

Transformative Justice Committee
San Francisco Youth Commission