



# San Francisco Youth Commission

## Minutes ~ Draft

Tuesday, January 2, 2018

5:15 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.*

Elsie Lipson, Lily Marshall-Fricker, Lisa Yu, Conna Chen, Arianna Nassiri, Mary Claire Amable, Kristen Tam, Paola Robles Desgarenes, Mampu Lona, Mike'l Gregory, Bahlam Vigil, Jarrett Mao, Jonathan Mesler, Chiara Lind, Felix Andam, Zak Franet

### **1. Call to Order and Roll Call for Attendance**

Meeting called to order at 5:19pm by Chair Lind. Commissioners present: Chiara Lind, Elsie Lipson, Lily Marshall-Fricker, Lisa Yu, Arianna Nassiri, Mary Claire Amable, Zak Franet, Jonathan Mesler, Paola Robles Desgarenes, Mampu Lona, Jarrett Mao.

Commissioners Chen, Tam, Mesler, and Gregory informed staff in advance that they would be absent for this meeting.

Commissioner Nassiri, seconded by Commissioner Mao, motioned to approve the above Commissioner's absences. The motion was approved by acclamation.

Staff present: Leah LaCroix, Kiely Hosmon. No public comment.

### **2. Approval of Agenda (Action Item)**

Commissioner Andam, seconded by Commissioner Yu, moved to approve the agenda. The motion was approved by acclamation. There was no public comment.

### **3. Approval of Minutes (Action Item)**

- A. December 18, 2017  
([Document A](#))

Commissioner Nassiri, seconded by Commissioner Mao, motioned to approve the minutes. Motion passed by acclamation. There was no public comment.

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

No public comment

### **5. Legislation Referred by the Board of Supervisors (All Items to Follow Discussion and Possible Action)**



- A. BOS File No. 171305 [Charter Amendment - Noncitizen Voting in School Board Elections]  
Sponsor: Supervisor Fewer  
Presenter: Angelina Yu, Legislative Aide to District 1 Supervisor Fewer  
(Document B)

This is a Charter Amendment to go on the June 2018 ballot.

Context around current Prop N legislation: in 2004 Super Gonzalez proposed this item to allow parents the right to vote for school board members; didn't pass. In 2010 David Chiu reignited it and it also didn't pass; and then last year Sup Mar spearheaded the effort which finally passed.

Prop N allows non-citizens parents/guardians to vote in school board elections. This proposed charter amendment would create an ordinance that says it would need to be approved (voted in) 270 days before an election in order for non-citizens could vote in a school board election.

Why are we doing this? Given current national climate number 1 priority is that undocumented parents are protected. Goal of Prop N is to have parents have a voice in the school board and engage in civic participation at the same time of protecting undocumented parents. However, anyone who opts to register to vote would make their data be on the voter rolls, which then become public information.

The Sunset clause would be removed as well. This charter amendment is asking the public to prioritize the safety of our parents.

Commissioner Vigil: is confused. The proposed amendment language is stating that the BOS would choose to have the elections happen. What would happen if BOS said they wouldn't sign it/authorize it? If it doesn't garner enough votes then the election wouldn't occur. Are we using this as a learning experience for when we want to pass similar things; can we use this as a reminder to properly implement something? Supervisor Fewer's office is learning a lot and in constant communication with the Coalition and want to work closely with folks with how to implement something.

Commissioner Vigil: worried about this being a political strategy and the possibility of arguing with BOS because they don't want to authorize this. We are giving BOS a lot of power on this.

Supervisor Fewer-we are in a political climate nationwide that is very dangerous; especially for undocumented folks. The president is abolishing temporary status for immigrants, looking at voter fraud, etc. This is why we are bringing this forward to you today as well as ballot measure. City attorney says we can't keep their info private from the federal govt. If we hold this election in November we would be giving the federal govt the names and address of undocumented folks who register to vote. These people would have a completely separate ballot then everyone else and would be very easy to target them. There is a target on our back in SF. Trump has already requested the names of people who are processing voter registration forms. Supervisor Fewer is not asking to abolish the right to vote but to postpone it, and yes it could be very political.

Commissioner Franet-will sunset clause be permanent or delayed? It may be continued at the will of the Supervisors, so essentially it would be up to BOS to reauthorize it.



Commissioner Franet-in worst case scenario, what steps are already in place if the ballot measure shouldn't pass? Franet understands that people could register and not have to disclose an address where they live. So delaying implementation would protect them but is concerned if voters don't approve the ballot, then undocumented folks could be still at risk with no plan in place. Supervisor Fewer-we are working with a coalition to work on a simultaneous plan to develop outreach to inform communities.

Commissioner Franet-the way it's written is that undocumented folks wouldn't be allowed to vote in 2018 if it is passed? Yes, correct.

Commissioner Vigil-thank you so much for this. Is first generation and understands the fear of deportation in the family. Really appreciate the work of this and improves the livelihood of his own family.

Supervisor Fewer-when this was originally passed we didn't think we'd have the federal govt that we have now. Has checked with original writers and spearheaders and all agree that should be postponed.

Commissioner Franet-how many people would be impacted? 44,000 undoc in SF and many more who are legal residences. We don't know how many have children at SFUSD as they don't ask this question. Franet-will this create a buffer zone to improve eligibility for voting? Fewer-ordinance was written so broadly, it's hard to hone in on a particular set of people. Almost impossible to reach everyone who is umbrella'ed under this amendment.

There was no public comment.

Commissioner Andam-what exactly would we be supporting or not?

Commissioner Lind-Supporting the BOS to allow these special elections to happen.

Commissioner Franet-supporting this at the BOS level to have this on the November election to be decided by the voters

Commissioner Vigil, seconded by Commissioner Nassiri, motioned to support the charter amendment. A roll call vote was taken with all ayes with one no vote from Commissioner Marshall-Fricker.

Commissioner Lind-currently no guidelines or rules of this special election and could possibly motion to have someone take a stance and do something on it now.

Staff-you had Chinese from Affirmative Action present to you a different viewpoint. Suggesting parallel legislation to have language of how to prepare itself of what implementation could look like.

Commissioner Franet, seconded by Commissioner Vigil, motioned to add in a statement recommending that the Board of Supervisors introduce and adopt legislation detailing the implementation of Non-Citizen's voting in School Board Elections (Prop N, 2016) alongside the proposed charter amendment, in advance of the November 2018 School Board election.

A roll call vote was taken with all ayes with one no vote from Commissioner Marshall-Fricker. Motion passed.

B. BOS File No. 171304 [Charter Amendment - Cannabis Commission]



Sponsor: Supervisor Fewer

Presenter: Ian Fregosi, Legislative Aide to District 1 Supervisor Fewer  
(Document C)

This will be on June ballot to establish a Cannabis Commission. In 2016 pot is legal for adult use and the BOS and Mayors office have discussed policy and legislation to regulate adult use. This is a brand new legal industry that needs laws to regulate it. The BOS voted to support equity measures in order to provide economic opportunity by those most impacted by racist war on drugs. Potential use of revenue of sales to rebuild and repair communities that have been most impacted by the war on drugs. Cannabis Commission would ensure that equity measures would be implemented, and have transparency and accountability to the public.

One page handout was given on seat specifications. Pertinent to YC-seat 9 would be someone recommended by Youth Commission between ages of 21-25.

This is an opportunity for the YC to have representation on this Commission.

Commissioner Andam-so existing laws allow adult use but cannabis also impacts those over 18, so why is seat age 21-25? You have to be 21 or older to work in cannabis industry, but will look into why this is the exact age range.

Commissioner Amable-what if there is no youth on the YC to do this? The YC is being tasked with a recommendation, not that a YC'er needs to be on the Cannabis Commission.

Commissioner Lind-is it set of candidates by YC? Yes, we could determine a worthy candidate to serve on the commission. They want YC to have as much involvement as possible.

Staff-we have similar set up with soda tax and OAC committees. So recruitment, application process, with voting on candidates by YC.

Commissioner Marshall-Fricker-what is the cost of this? We don't know

Commissioner Andam-what are the duties of new cannabis commission and will these regulations make it easier to incarcerate folks who don't follow the exact rules? Can't speak to the specifics but it will be about implementation of the funds of sales go to the communities most impacted by the war on drugs. So regulations won't be perpetuating the racist policies of the past but counteracting that.

Commissioner Robles Desgarennes-so you'll be using part of the funds to advocate for the people who have been impacted by the racist laws and how does that look like? Yes, we will. The Commission is an oversight body to implement equity measures the BOS has already voted on.

Commissioner Robles Desgarennes- legal cannabis is coming into our communities, but Mission residents and black communities are already impacted, so what is the solution for those who are already impacted? Want to look at equity measures for communities of color to be a priority in business ownership and they will get permits granted first, helping them with retail space, permitting fees.

Commissioner Andam-sort of creates new war on drugs for people who may not have access to lawyers or permits to sell, so how will this commission still keep their position on equity with



people who sell cannabis but may not be doing it with the newly correct and legal regulations? This commission wouldn't be setting direction. The BOS would set directions on this and have done this via the equity program, so putting first people who have had a hard time doing their own business so they would be targeted for retail business or other pieces of it.

Commissioner Franet-equity program; voluntary opt in for the business end?-yes. Learned a lot from Oakland.

Commissioner Franet-likes that tax money would go into impacted communities. What types of programs would this look like? Supervisor Fewer-nothing on the ballot yet regarding the taxes but assume that would happen at some point. They do know they have an opportunity with the revenue to set aside to rebuild the impacted communities but don't have specific program ideas yet.

Commissioner Franet-hard to say what programs it would fund until we know how much revenues have been taken in or earmarked? Yes, we don't know yet. But the purpose is to use the money and this is why we need a commission so we have oversight. The office is run by the Mayor and there are term limits. We don't want it in the hands of just one person, but have it in multiple hands of the members of the Commission.

Commissioner Franet-to opt in, do you need to have a cannabis charge on your record? Yes

Commissioner Franet-Seat 2, what is the expectation? There would have to be a peace agreement and would be focused on union members and want there to be a right to unionize at every site. Seat 3-what's your definition of this? Someone who is in charge or production or someone in the business who is manufacturing goods. So, essentially someone who is growing or creating the product, but not the retail part. Would it be they had to be resident or business in SF? Have business in SF.

Commissioner Vigil-Commission would have oversight of tax revenue like the soda tax body? Yes, very similar. What years are we looking at for this commission? Don't know yet. Are we creating baseline facts/data? Yes, public of health is in charge of this.

Commissioner Vigil-does the Commission have power over the police department on cannabis use in public? This would probably go through BOS.

Commissioner Nassiri-was use of 'recommendation' language of seat 9 intentional? Yes. If our recommendation isn't approved how would that go? Staff-we would recommend that YC only choose one and not give options.

Staff-would like to see this potential new commission abide by authentic youth adult partnership models so that it creates a welcoming and educational environment for the youth. So many times we've seen bodies who want youth on their roster, but don't create an environment for the youth to grow, thrive, and sustain membership. Supervisor Fewer suggested we discuss this more to create some guidelines of what this could look like as well as for some guidelines of youth seat involvement. Supervisor Fewer suggests we submit amendment regarding the role of YC staff and seat 9.

Commissioner Amable-loves seat 9 but questions on 4 & 5. Would these seats represent where these cannabis clubs are located? There is geographic question on equity and where they are



located. It's not easy to state that since we have just passed ordinances of where dispensaries could be located. So we are hoping to have geographic equity.

Commissioner Franet-this Commission's responsibility is to oversee licensed distribution but has nothing to do with grey areas of the law? It would be at the direction of the BOS of what those ordinances will focus on in collaboration of the dept. of public health.

There was no public comment.

Commissioner Nassiri-can you abstain from voting? No.

Commissioner Lind, seconded by Commissioner Vigil, motioned to support this proposed charter amendment. A recess was taken at 6:24pm. Resumed at 6:27pm. A roll call vote was taken with no votes from Commissioner Andam and Commissioner Marshall-Fricker and aye votes from the rest. Motion passed.

- C. BOS File No. 171310 [Charter Amendment - Budget Set-Asides and Baselines]  
Sponsors: Supervisors Tang, Peskin  
Presenter: Menaka Mohan, Legislative Aide to District 4 Supervisor Tang  
(Document D)

Context: what does it mean to have a set aside or a baseline? SF has our own constitution where we can direct funding to specific things via a set aside. Two major reforms: one is to pause the growth of these set asides during an economic down turn and the second requires that the leftovers be returned to the general fund.

Why are they doing this? SF has 19 set asides whereas other cities have 2 or less. For example, there are set asides from 1994/95 and they will be projected to have billions. Set asides fund great things so the question is, during hard economic times, where is the tradeoff of when we only have 70% of the budget to use?

Commissioner Lind-what is the downside of this or the pros and cons of this? It's unusual to have 19 different set asides so a pro is to take the responsibilities and to prioritize and it becomes hard to do that with 70% of money. We are just trying to cap them to be in line with other cities where every issue is getting a baseline number.

Commissioner Franet-which have been left intact? These are focused on charter amendments many are transportation related, parks and open space, seniors.

Regarding the Children and Youth Fund, if this cap were to happen what would that look like in a deficit? They would keep the amount originally given but wouldn't receive the mandated increase of the growth and if they don't spend the allocated amount it goes back to the general fund.

Commissioner Nassiri-do you have estimated numbers on what would be saved if this was passed? No, but will get back to us.

Commissioner Vigil- would the money that would go back into the general fund be used for infrastructure costs? Some of it would and some of it wouldn't.





Commissioner Andam- how we would account for changing needs? What if there are more children than adults and that cap is still there? There is still an overall city budget that communities could go back to their supervisor and advocate for those funds.

Commissioner Franet-if there is a 200 million deficit would it put the brakes on growth entirely or only up until 200 million? The fund would be a freeze and it would go away if the deficit was less.

Commissioner Franet-it would stop growth on every one of these fronts if the deficit was 200 million? Yes. So if there is a deficit it wouldn't cap the growths? It would completely freeze the fund and cap the growth of it. So you wouldn't get the increase and if there was an increase you wouldn't see the unused funds.

Commissioner Franet-wouldn't prevent the funds from growing, but in future years it would grow as long as they are spending their minimums. If there is a lot of funding in their reserve, during a deficit term, what does that look like? It depends on what the set aside was voted in. No fund would go bankrupt, but it's about a cap.

Commissioner Andam-would extra allocated portion be allowed? No, if they aren't spending a certain amount you wouldn't keep it. Commissioner Andam- this puts a lot of pressure on organizations.

Commissioner Franet-some of these funds that are capped, then some ideas like parks and recs and MTA that might only have big expenditures. But it seems that penalizing these funds that are a good year might not be the best fiscal planning solution. 5 year plan comes into effect here where it could be locked in. A lot of these budgets have more than one funding stream.

Commissioner Franet-no specific breakdown of capital vs operational in terms of what is being defunding? If it puts a freeze on growth, that's not necessarily reflected.

Commissioner Vigil-is this inspired from 2008? This came from budgeting season that they have less budget to respond to needs. Commissioner Vigil-during 2008 D11 suffered heavy from budget cuts. The economy will probably go downward, so understand this is a way to avoid, but this is not the best way and scares him for his community and more budget cuts or decimation of resources that communities need.

Commissioner Andam-could we make an amendment to this? No. What if they don't support the suggestion or comments?

Manaka-gave an example that if the city has a tight budget and if millions aren't being used by the library then we can't use it other places like housing.

Commissioner Franet-appreciate where this is coming from and important to have flexibility. However, there are several funds on this list who should not be subject to this kind of charter amendment. When it comes to MTA, Children Fund, and the public education fund, we should have different guidelines but a blanket guideline isn't the best way but agrees with sentiment to adapt to changes.

Commissioner Andam-recommends that we don't vote. Staff-can't do that.

Commissioner Marshall-Fricker- this is only during certain budget times. Yes.



Commissioner Vigil-understands there are areas where money isn't being used, but we're giving money to tech companies who said they would do things but aren't. Why aren't you holding tech companies accountable who make a lot of money who aren't doing anything? We need to look to other ways to get money in different ways and there are better alternatives to getting this money.

Staff-would the Board and Rules committee consider taking out particular funds for this freeze? Yes, they are considering this as they are meeting with people in the community.

There was no public comment.

Commissioner Andam-a cap over everything isn't the right way to do it. Should be subject to discussion and city agencies should have a say in this.

Commissioner Lind-can take a stance and add our notes on it. Still a little lost.

Commissioner Franet-most orgs work with an operational budget and capital budget. Capital are big ticket things and operational is day to day stuff. Ex: repaving of sidewalks would be capital but paying to spray the sidewalks daily would be operational. With this legislation, if there is a deficit, there would be an analysis to see what they have money wise, they will be capped at their initial rate. So if there is no differentiation between capital and operational budget, then there is a good chance they have money in the budget they will want to spend it on but may not take into account what they have planned for future years. Some of these funds should not be subjected to a one shoe fits all. Some of these set asides should remain untouched.

Commissioner Andam-concerned that these city services have a lot of power over individual orgs. His org gets money from DCYF and this could impact his organization. So this legislation could impact those organizations that do the ground work in the community and be severely impacted.

Commissioner Franet-agrees, non profits who get funding would also be impacted by this for various reasons.

Commissioner Lona-places have that budget and would have allocation and would be considered spent they wouldn't have to worry about money that they already have.

Commissioner Franet-how is the analysis of the funds going to look in the short term or long term? If it's already budgeted out then think it wouldn't be affected, but wants to get confirmation on this answer.

Commissioner Andam-if you haven't spent it but it is considered spent, wants confirmation of this.

Commissioner Andam, seconded by Commissioner Vigil, motion to not support because there is no distinguishing between capital and operational funds. A roll call vote was taken:

No-Commissioners Mao, Lind, Franet, Robles Desgarenes, Amable, Nassiri, Yu, Marshall-Fricker, Lipson

Aye- Commissioners Andam, Vigil, Lona

The motion did not pass.





Commissioner Marshall-Fricker, seconded by Commissioner Andam motioned to support the legislation. A roll call vote was taken.

No-Commissioners Franet, Andam, Vigil, Lona, Robles Desgarenes, Amable, Nassiri, Yu, Lipson  
Aye- Commissioners Mao, Lind, Marshall-Fricker

The motion did not pass.

Commissioner Lona-if we don't fully support it we should not support it. So taking no stance isn't good.

Staff-your chartered duties state that you are advising BOS and the Mayor on the legislative and budget impacts on youth and children services. Call your attention to the potential impact on youth and school districts on sports, arts, and libraries. Your insights on these areas will be important to have.

Commissioner Nassiri, seconded by Commissioner Franet, motioned to not support this legislation. A roll call vote was taken:

No-Commissioners Marshall-Fricker, Yu, Lind, Mao  
Aye- Commissioners Lipson, Nassiri, Amable, Robles Desgarenes, Lona, Vigil, Andam, Franet

Motion fails. Need 9 votes to pass.

Commissioner Franet, seconded by Commissioner Nassiri, motioned to take no position on this legislation. A roll call vote was taken:

No-Commissioners Marshall-Fricker, Lona, Vigil, Andam, Franet, Lipson  
Aye- Commissioners Nassiri, Amable, Robles Desgarenes, Lind, Mao, Yu

Motion fails.

Commissioner Franet-do we entirely agree with what's in the language? Commissioner Nassiri-need to do a vote of what the body is chartered to do.

Menaka-there is some capital for housing and trust fund, lot of capital for the library. Youth would be operational.

Commissioner Andam-not one sized fits all. Commissioner Franet agrees.

Staff-has the budget and leg analyst showed we'll be hitting a deficit in the next few years?  
Menaka believes last year there was a deficit.

Commissioner Andam-should treat tech companies the same way and it's not fair to limit children and youth and to just ignore the tech issue.

Menaka-if certain departments get a set aside and other departments don't what does that mean for our city? How do we create a level playing field?



Commissioner Franet, seconded by Commissioner Amable, motioned to not support this legislation. A roll call vote was taken.

No-Commissioners Marshall-Fricker

Aye- Commissioners Lind, Franet, Andam, Vigil, Lona, Robles Desgarenes, Amable, Nassiri, Yu, Lipson

The motion passes. The Youth Commission votes to not support this legislation.

Comments/suggestions to add in:

Commissioner Franet- suggests a different set of guidelines for housing trust fund, pub education, and children and youth fund.

Commissioner Andam-distinguish between capital and operational funds.

Commissioner Franet-request that they send us financial impact analysis.

Commissioner Vigil- consider other alternatives or solutions so not wasting time on just one but to have a back up plan

Commissioner Franet, seconded by Andam, motioned to suggest the removal of the Housing Trust Fund, Public Education Fund, and the Children and Youth Funds with their baselines from this chartered amendment.

A roll call vote was taken and all voted unanimously in favor of adding in this suggestion.

## **6. Committee Reports (Discussion Only)**

### A. Executive Committee

No meeting.

### B. Housing, Environment and City Services Committee

No meeting.

### C. Justice and Employment Committee

Waiting to hear back from community orgs on resolution sponsorship. Also in the front page of the Examiner.

### D. Civic Engagement and Immigration Committee

Celebration tomorrow at 4:30 in room 278 for the end of our pre reg efforts.

### E. Our Children Our Family Council

No meeting yet.

## **7. Staff Report (Discussion Only)**



- Justice and Employment Committee is in the Examiner on the front page.
- Team Icebreaker for the Mid Year Retreat to meet on Tuesday, January 9<sup>th</sup> at 4:30pm. All can attend except for Claire.
- Mid Year Retreat is Jan. 13 and 14<sup>th</sup> at The Port. Please read BPPs and come on time.
- Final chance to get in your appointment paperwork. We are getting emails from HR about them.
- Staff will connect with EC on how to get folks to read their Weekly Internal

## **8. Announcements (This Includes Community Events)**

Commissioner Vigil is working on resolutions on Erica Garner as well as one on Palestine.

## **9. Adjournment**

The meeting was adjourned at 7:54pm.