



Daniel Lurie
Mayor

Julie Lamarre
Executive Director

[DRAFT LETTER FOR CONSIDERATION AT THE DECEMBER 10, 2025 BOARD OF APPEALS HEARING]

December 10, 2025

The Honorable Rafael Mandelman
President, San Francisco Board of Supervisors
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Dear President Mandelman:

On behalf of the Board of Appeals, I am writing to let you and your colleagues know about the apparently intentional disregard of a City ordinance by a City and County agency. This concern was brought to our attention and discussed in Appeal No. 25-007, Tenderloin Tree Campaign v. San Francisco Public Works, Bureau of Urban Forestry, at the Board of Appeals' October 8, 2025 meeting.

As you know from your own service on the Board of Appeals, the appeals process plays an essential role in public participation and government accountability. The Business and Tax Regulations Code provides that departmental orders (in this case tree removal) may be appealed to the Board of Appeals within fifteen days of the issuance of an order and that no work pursuant to an order is permitted during that short time period. This brief time window is critical to the right of appeal and the commencement of the Board of Appeals' process. Currently, the Board of Appeals lacks the authority to sanction parties who ignore this requirement, and we must rely upon any sanctions of the permitting authority to address violations.

This particular case involved the appeal of an order which allowed for the removal of three trees at 50 United Nations Plaza by the San Francisco Recreation and Parks Department. The order was issued by Public Works on January 28, 2025 and appealed on February 5, 2025, eight days after the order was issued. The subject trees, however, had already been removed by the Recreation and Parks Department prior to the appeal being filed. We heard testimony from the appellant that was confirmed by municipal agencies, that the Recreation and Parks Department was aware of its responsibility to withhold action on its authority to

remove trees and intentionally ignored it "as a strategic decision" in order to abide by another calendar -- a ceremony to inaugurate a skatepark expansion.

At our own hearing, we learned that any fine for this violation that may be imposed on the Recreation and Parks Department by the permitting authority, the Department of Public Works, will be paid from other City and County funds. A system reliant upon the city paying the city has limited deterrent effect on future disregard of the appellate process by the Department of Recreation and Parks or other agencies.

We bring this matter to your attention for the purpose of exploring legislative or other changes that will promote respect for the appellate process by municipal agencies and further the public interest in legal compliance by such agencies. Our commissioners and staff would be pleased to work with the Board of Supervisors, City Attorney, affected agencies and all your respective staffs to address this matter.

Sincerely,

John Trasviña
President