



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: Ahsha Safai, Norman Yee, Catherine Stefani

Clerk: Victor Young (415) 554-7723

Wednesday, October 24, 2018

1:00 PM

Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Ahsha Safai, Norman Yee, and Rafael Mandelman

Excused: 1 - Catherine Stefani

The Rules Committee met in regular session on Wednesday, October 24, 2018, with Chair Ahsha Safai presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Safai called the meeting to order at 1:18 p.m. On the call of the roll, Chair Safai and Vice Chair Yee were noted present. Member Stefani was noted not present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

Supervisor Stefani Excused from Attendance

Vice Chair Yee moved that Supervisor Stefani be Excused from the Rules Committee meeting of October 24, 2018. The motion carried by the following vote:

Ayes: 2 - Safai, Yee

Excused: 1 - Stefani

Absent: 1 - Mandelman

REGULAR AGENDA

180976 [Appointment, Board of Appeals - Rachael Tanner]

Motion approving/rejecting the President of the Board of Supervisors Malia Cohen's nomination of Rachael Tanner for appointment to the Board of Appeals, for a term ending July 1, 2022. (Clerk of the Board)

10/11/18; RECEIVED FROM DEPARTMENT.

10/16/18; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Rachael Tanner, spoke on their qualifications and answered questions raised throughout the discussion. Iowayna Pena, Legislative Aide (Office of President Malia Cohen); Ace Washington; spoke in support of the appointment of Rachael Tanner.

Vice Chair Yee moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 3, by striking '/rejecting', and Line 13, by striking '/rejecting'.

Ayes: 2 - Safai, Yee

Excused: 1 - Stefani

Absent: 1 - Mandelman

Motion approving the President of the Board of Supervisors Malia Cohen's nomination of Rachael Tanner for appointment to the Board of Appeals, for a term ending July 1, 2022. (Clerk of the Board)

Vice Chair Yee moved that this Motion be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 2 - Safai, Yee

Excused: 1 - Stefani

Absent: 1 - Mandelman

Supervisor Mandelman was noted present at 1:37 p.m.

180934 [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]**Sponsor: Cohen**

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements for the City and the San Francisco Unified School District, by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining disclosure requirements for designated officials and employees.

09/25/18; ASSIGNED to Rules Committee. 10/18/2018 - President Cohen waived the 30-day hold.

10/03/18; REFERRED TO DEPARTMENT. Referred to San Francisco International Airport, Arts Commission, Office of the Assessor-Recorder, Department of Police Accountability, Office of the Controller, Department of Emergency Management, Department of the Environment, Ethics Commission, Office of the City Administrator, Public Works, Housing Authority, Department of Human Resources, Juvenile Probation Department and Commission, Mayor's Office, Municipal Transportation Agency, Planning Department, Police Department, Port of San Francisco, Public Utilities Commission, Recreation and Parks Department, San Francisco Unified School District, Office of Small Business, and War Memorial for informational purposes.

10/09/18; RESPONSE RECEIVED. The Office of the Mayor submitted suggested amendments to the proposed legislation.

Heard in Committee. Speakers: Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Speaker; spoke in opposition of the matter.

Vice Chair Yee moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Pages 34 and 35 to delete duplicative listing of positions in the Mayor's Office. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Mandelman

Excused: 1 - Stefani

Vice Chair Yee moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Mandelman

Excused: 1 - Stefani

180913 [Administrative Code - Reentry Council - Reporting Duties and Sunset Date]**Sponsor: Fewer**

Ordinance amending the Administrative Code to revise the reporting duties of the Reentry Council; and extend the sunset date of the Council by five years to June 1, 2024.

(Board Rule 2.21, requiring a sunset clause not to exceed three years, may be suspended pursuant to Board Rule 5.2 by the affirmative vote of eight Supervisors unless there are fewer than eight Supervisors present; in which case the unanimous consent of the Supervisors, but not less than six, shall be required.)

09/18/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/18/2018.

09/25/18; REFERRED TO DEPARTMENT. Referred to Adult Probation Department for informational purposes.

10/11/18; REFERRED TO DEPARTMENT. Referred to the Youth Commission for comment and recommendation pursuant to Charter, Section 4.124.

Heard in Committee. Speakers: Ian Fregosi, Legislative Aide (Office of Supervisor Fewer); provided an overview and responded to questions raised throughout the discussion. Speaker; Kevin Quick (Youth Commission); Jackfrea Moyer; spoke in support of the matter.

Vice Chair Yee moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Mandelman

Excused: 1 - Stefani

180912 [Police and Health Codes - Regulation of Cannabis Businesses]**Sponsors: Mayor; Mandelman and Cohen**

Ordinance amending the Police Code by making a number of changes in the regulation of commercial cannabis activity, including, among other things: 1) defining ownership interest in a Cannabis Business; 2) modifying the Cannabis Equity Incubator Program requirements; 3) extending by one year the possible duration of a Temporary Cannabis Business Permit; 4) authorizing the Director of the Office of Cannabis to issue Cannabis Business Permits to Medical Cannabis Dispensaries forced to discontinue operations due to a no-fault lease termination before December 31, 2018; 5) modifying the order in which the Director may review and process Cannabis Business Permit applications; 6) requiring Cannabis Business permit amendments when a change in ownership results in a decrease in an Equity Applicant's Ownership Interest or role in the Cannabis Business; 7) revising Cannabis Business Permit application requirements; 8) requiring Cannabis Businesses to comply with all permit conditions whether or not they are currently engaging in the permitted activity; 9) modifying the amount of Cannabis that may be delivered or sold to a customer; and 10) authorizing Cannabis Microbusinesses to conduct either storefront or delivery sales, but not both, and reducing from four to three the categories of Commercial activity required to operate as a Cannabis Microbusiness; and amending the Health Code by extending by one year the date on which Article 33 (Medical Cannabis Act) expires by law.

09/18/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/18/2018.

09/25/18; REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation; and Office of Cannabis, Department of Public Health, and Police Department for informational purposes.

Heard in Committee. Speakers: Nicole Elliott, Director (Office of Cannabis); President Malia Cohen and Supervisor Jane Kim (Board of Supervisors); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Johnny Delaplane (San Francisco Cannabis Retail Alliance); Quentin Platt (Access SF); Mr. Sponsor; Charlie Papas; spoke in support of the matter. Richard Ow; Sonya Ng; Cherry; Speaker; Speaker; Son Wong; Speaker; Sandy Lin; Wendy Wong (Coalition for Good Neighborhoods); spoke in opposition of the matter. Speaker; Ace Washington; Gail Segrays; spoke neither in support nor opposition on the matter.

See File No. 181041.

Supervisor Mandelman requested that this Ordinance be DUPLICATED.

Member Mandelman moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Mandelman

Excused: 1 - Stefani

Ordinance amending the Police Code by making a number of changes in the regulation of commercial cannabis activity, including, among other things: 1) defining ownership interest and revising Equity Criteria, for purposes of the Equity Program; 2) modifying the Cannabis Equity Incubator Program requirements; 3) extending by one year the possible duration of a Temporary Cannabis Business Permit; 4) authorizing the Director of the Office of Cannabis to issue Cannabis Business Permits to Medical Cannabis Dispensaries forced to discontinue operations due to a no-fault lease termination before December 31, 2018; 5) modifying the order in which the Director may review and process Cannabis Business Permit applications; 6) revising requirements associated with a Cannabis Business' change in ownership and structure; 7) revising Cannabis Business Permit application requirements; 8) requiring Cannabis Businesses to comply with all permit conditions whether or not they are currently engaging in the permitted activity; 9) modifying the amount of Cannabis that may be delivered or sold to a customer; and 10) authorizing Cannabis Microbusinesses to conduct either storefront or delivery sales, but not both, and reducing from four to three the categories of Commercial activity required to operate as a Cannabis Microbusiness; and amending the Health Code by revising eligibility requirements for medical cannabis dispensaries seeking authorization to Sell Adult Use Cannabis, and extending by one year to December 31, 2019 the date on which Article 33 (Medical Cannabis Act) expires.

Vice Chair Yee moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to revise Equity Criteria for the purpose of the Equity Program. The motion carried by the following vote:

Ayes: 2 - Yee, Mandelman

Noes: 1 - Safai

Excused: 1 - Stefani

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Safai, Yee, Mandelman

Excused: 1 - Stefani

181041 [Police and Health Codes - Regulation of Cannabis Businesses]**Sponsors: Mayor; Mandelman and Cohen**

Ordinance amending the Police Code by making a number of changes in the regulation of commercial cannabis activity, including, among other things: 1) defining ownership interest in a Cannabis Business; 2) modifying the Cannabis Equity Incubator Program requirements; 3) extending by one year the possible duration of a Temporary Cannabis Business Permit; 4) authorizing the Director of the Office of Cannabis to issue Cannabis Business Permits to Medical Cannabis Dispensaries forced to discontinue operations due to a no-fault lease termination before December 31, 2018; 5) modifying the order in which the Director may review and process Cannabis Business Permit applications; 6) requiring Cannabis Business permit amendments when a change in ownership results in a decrease in an Equity Applicant's Ownership Interest or role in the Cannabis Business; 7) revising Cannabis Business Permit application requirements; 8) requiring Cannabis Businesses to comply with all permit conditions whether or not they are currently engaging in the permitted activity; 9) modifying the amount of Cannabis that may be delivered or sold to a customer; and 10) authorizing Cannabis Microbusinesses to conduct either storefront or delivery sales, but not both, and reducing from four to three the categories of Commercial activity required to operate as a Cannabis Microbusiness; and amending the Health Code by extending by one year the date on which Article 33 (Medical Cannabis Act) expires by law.

Duplicated from File No. 180912.

Member Mandelman moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to extend by one year the possible duration of a Temporary Cannabis Business Permit; and amending the Health Code to increase, from 90 days to 120 days, the time period that the Director of the Office of Cannabis may extend a medical cannabis dispensary's authorization to Sell Adult Use Cannabis, and extending by one year to December 31, 2019 the date on which Article 33 (Medical Cannabis Act) expires. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Mandelman

Excused: 1 - Stefani

Ordinance amending the Police Code to extend by one year the possible duration of a Temporary Cannabis Business Permit; and amending the Health Code to increase, from 90 days to 120 days, the time period that the Director of the Office of Cannabis may extend a medical cannabis dispensary's authorization to Sell Adult Use Cannabis, and extending by one year to December 31, 2019 the date on which Article 33 (Medical Cannabis Act) expires.

Member Mandelman moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Mandelman

Excused: 1 - Stefani

181022 [Appointments, Sunshine Ordinance Task Force - Josh Wolf, Leuwam Tesfai, Bruce Wolfe, Rodman Martin, Frank Cannata, Chris Hyland, and Matthew Yankee]

Hearing to consider appointing seven members, terms ending April 27, 2020, to the Sunshine Ordinance Task Force. (Rules Committee)

Seat 3, succeeding Josh Wolf, term expired, must be a member from the press or electronic media, for the unexpired portion of a two-year term ending April 27, 2020.

Seat 5, succeeding Leuwam Tesfai, term expired, must be nominated by the local chapter of the League of Women Voters, for the unexpired portion of a two-year term ending April 27, 2020.

Seat 6, succeeding Bruce Wolfe, term expired, must be a member of the public experienced in consumer advocacy, for the unexpired portion of a two-year term ending April 27, 2020.

Seat 7, succeeding Dave Maass, term expired, must be a member of the public experienced in consumer advocacy, for the unexpired portion of a two-year term ending April 27, 2020.

Seat 8, succeeding Frank Cannata, term expired, must have demonstrated interest in, or have experience in, the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2020.

Seat 9, succeeding Chris Hyland, term expired, must have demonstrated interest in, or have experience in, the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2020.

Seat 10, succeeding Louise Fischer, term expired, must have demonstrated interest in, or have experience in, the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2020.

10/19/18; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Leuwam Tesfai; Bruce Wolfe; Frank Cannata; Chris Hyland; Dean Schmidt; Rodman Martin; Matthew Yankee; Glenn Mar; spoke on their qualifications and answered questions raised throughout the discussion. Dawn Trennert; spoke in support of the appointment of Frank Cannata. Bruce Brugman; spoke in support of the appointment of Dean Schmidt. Peter Warfield (Library User Association); spoke in opposition of the appointment of Chris Hyland. Ace Washington; spoke neither in support nor against the appointment of the applicants.

Appointment of Josh Wolf, seat 3, recommended.

Appointment of Leuwam Tesfai, seat 5, recommended.

Appointment of Bruce Wolfe, seat 6, recommended.

Appointment of Rodman Martin, seat 7, recommended.

Appointment of Frank Cannata, seat 8, recommended.

Appointment of Chris Hyland, seat 9, recommended.

Appointment of Matthew Yankee, seat 10, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Josh Wolf, Leuwam Tesfai, Bruce Wolfe, Rodman Martin, Frank Cannata, Chris Hyland, and Matthew Yankee, terms ending April 27, 2020, to the Sunshine Ordinance Task Force. (Rules Committee)

Josh Wolfe, seat 3, succeeding himself, term expired, must be a member from the press or electronic media, for the unexpired portion of a two-year term ending April 27, 2020.

Leuwam Tesfai, seat 5, succeeding himself, term expired, must be nominated by the local chapter of the League of Women Voters, for the unexpired portion of a two-year term ending April 27, 2020.

Bruce Wolfe, seat 6, succeeding himself, term expired, must be a member of the public experienced in consumer advocacy, for the unexpired portion of a two-year term ending April 27, 2020.

Rodman Martin, seat 7, succeeding Dave Maass, term expired, must be a member of the public experienced in consumer advocacy, for the unexpired portion of a two-year term ending April 27, 2020.

Frank Cannata, seat 8, succeeding himself, term expired, must have demonstrated interest in, or have experience in, the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2020.

Chris Hyland, seat 9, succeeding himself, term expired, must have demonstrated interest in, or have experience in, the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2020.

Matthew Yankee, seat 10, succeeding Louise Fischer, term expired, must have demonstrated interest in, or have experience in, the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2020.

Vice Chair Yee moved that this Motion be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Mandelman

Excused: 1 - Stefani

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 4:24 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Rules Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.