



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: Hillary Ronen, Shamann Walton, Gordon Mar

Clerk: Victor Young (415) 554-7723

Monday, September 30, 2019

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Hillary Ronen, Shamann Walton, and Gordon Mar

The Rules Committee met in regular session on Monday, September 30, 2019, with Chair Hillary Ronen presiding. Chair Ronen called the meeting to order at 10:04 a.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Ronen, Vice Chair Walton, and Member Mar were noted present. A quorum was present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

190899 [Administrative Code - Compliance with Right to Return for Temporarily Displaced Tenants]

Sponsors: Peskin; Brown

Ordinance amending the Administrative Code to add a preference in City affordable housing programs to tenants temporarily evicted from rental units for capital improvements or rehabilitation work; requiring landlords who regain possession of such rental units to provide evidence of complying with a tenant's right to re-occupy such tenant's rental unit; clarifying that temporary evictions for capital improvements are intended to cover work that would make the unit hazardous, unhealthy, and/or uninhabitable; and modifying the standards that the Rent Board must consider when reviewing a request to authorize a temporary eviction for capital improvements to last more than three months.

09/03/19; ASSIGNED to Rules Committee. President Yee waived the 30 Day Rule pursuant to Board Rule 3.22.

09/11/19; REFERRED TO DEPARTMENT. Referred to the Dept. of Homelessness and Supportive Housing, Department of Building Inspection, MOHCD and Rent Board for informational purposes.

09/23/19; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Aaron Peskin (Board of Supervisors); Jon Givner (Office of the City Attorney); Amy Chan (Mayor's Office of Housing); provided an overview and responded to questions raised throughout the discussion. Shelby Nacino (Asian Law Caucus); Marla Knight (North Beach Tenants Committee); Hannah Chung (API Legal Outreach); Rose Berryessa; Pak Hong Ng; Steven White; George Lim; Speaker; Kam Tu; Rita; Sarah French; Diva Valto; Gen Fujioka; Speaker; spoke in support of the matter.

09/23/19; CONTINUED AS AMENDED.

Heard in Committee. Speaker: Supervisor Aaron Peskin (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion.

Vice Chair Walton requested that File No. 190899 be duplicated.

Duplicated into File No. 190999.

DUPLICATED

Chair Ronen moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, clarify that temporary evictions for capital improvements are intended to cover work that would make the unit hazardous, unhealthy, and/or uninhabitable, and are intended to last for the minimum amount of time required to complete the work. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

Chair Ronen moved that this Ordinance be CONTINUED AMENDED to the Rules Committee meeting of October 7, 2019. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

190999 [Administrative Code - Temporarily Displaced Tenant Preference in City Affordable Housing - Compliance with Right to Return for Temporarily Displaced Tenants]

Sponsors: Peskin; Brown

Ordinance amending the Administrative Code to add a preference in City affordable housing programs to tenants temporarily evicted from rental units for capital improvements or rehabilitation work; requiring landlords who regain possession of such rental units to provide evidence of complying with a tenant's right to re-occupy such tenant's rental unit; clarifying that temporary evictions for capital improvements are intended to cover work that would make the unit hazardous, unhealthy, and/or uninhabitable; and modifying the standards that the Rent Board must consider when reviewing a request to authorize a temporary eviction for capital improvements to last more than three months.

Heard in Committee. Speaker: Supervisor Aaron Peskin (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion.

Duplicated from File No. 190899.

Chair Ronen moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

181215 [Administrative, Planning Codes - South of Market Community Advisory Committee]**Sponsor: Haney**

Ordinance amending the Administrative and Planning Codes to establish the South of Market Community Planning Advisory Committee to advise City officials and agencies on implementation of the Central SoMa Plan, Western SoMa Area Plan, and East SoMa Area Plan; to revise the membership and duties of the SOMA Community Stabilization Fund Community Advisory Committee and the Eastern Neighborhoods Citizens Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

12/11/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2019.

12/27/18; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review.

01/30/19; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15060 (c)(2) and 15378 because there is no direct or indirect physical change in the environment.

07/30/19; SUBSTITUTED AND ASSIGNED to Rules Committee. Supervisor Haney introduced a substitute Ordinance bearing a new title

08/08/19; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation, Planning Department for environmental review and the Office of Economic and Workforce Development, Municipal Transportation Agency, Recreation and Parks, Public Works and the Arts Commission for informational purposes. .

09/25/19; RESPONSE RECEIVED.

Heard in Committee. Speakers: Abigail Rivamonte Mesa (Office of Supervisors Matt Haney); Aaron Starr (Planning Commission); provided an overview and responded to questions raised throughout the discussion. John Wicker; Alan Samson; spoke in support of the matter.

Vice Chair Walton moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE on Page 4, Lines 1-2, to insert 'but in any event must meet the standards set for voting members in subsection (a)'; Page 4, Lines 6-8, to insert '(e) Each member and each alternate member of the Committee shall serve at the pleasure of their respective appointing authority and may be moved by their appointing authority at any time'; Page 9, Lines 12, to replace 'four' with 'two'; Page 10, Lines 6-7, to insert '(c) Each member and each alternate member of the Committee shall serve at the pleasure of their appointing authority and may be removed by their appointing authority at any time'; Page 10, Lines 11-12, to insert 'Service for two or more years of a term shall be deemed a full four-year term'; Page 14, Lines 9-10, to insert 'from any of the Showplace Square/Potrero Hill, Mission, and Central Waterfront neighborhoods; Page 15, Lines 5-6, to insert '(g) Each member of the Committee shall serve at the pleasure of their respective appointing authority and may be removed by their appointing authority at any time'; and add other clarifying and confirming changes. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

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

Ayes: 3 - Ronen, Walton, Mar

190990 [Appointments, Children and Families First Commission - Joan Miller, Linda Asato, Suzanne Giraudou, and Lynn Merz]

Hearing to consider appointing one member, indefinite term, and three members, terms ending April 29, 2023, to the Children and Families First Commission. (Rules Committee)
Vacant Seat 2, succeeding Sylvia Deporto, shall be the General Manager of the Department of Human Services or his/her designee, for an indefinite term.

Seat 6, succeeding Linda Asato, term expiring on April 29, 2019, shall represent one or more of the categories specified in additional requirements below, for a four-year term ending April 29, 2023.

Seat 7, succeeding Suzanne Giraudou, term expiring on April 29, 2019, shall represent one or more of the categories specified in additional requirements below, for a four-year term ending April 29, 2023.

Seat 9, succeeding Lynn Merz, term expiring on April 29, 2019, shall represent one or more of the categories specified in additional requirements below, for a four-year term ending April 29, 2023.

09/25/19; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Linda Asato; Suzanne Giraudou; Lynn Merz; spoke on their qualifications and answered questions raised throughout the discussion. Teresa Sagara; spoke in support of the appointments of Joan Miller, Linda Asato, Suzanne Giraudou, and Lynn Merz.

Appointment of Joan Miller, seat 2, recommended.

Appointment of Linda Asato, seat 6, recommended.

Appointment of Suzanna Giraudou, seat 7, recommended.

Appointment of Lynn Merz, seat 9, recommended (residency requirement waived).

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Joan Miller, indefinite term, and Linda Asato, Suzanne Giraudou, and Lynn Merz (residency requirement waived), terms ending April 29, 2023, to the Children and Families First Commission. (Rules Committee)

Joan Miller, seat 2, succeeding Sylvia Deporto, shall be the General Manager of the Department of Human Services or his/her designee, for an indefinite term.

Linda Asato, seat 6, succeeding herself, term expired on April 29, 2019, shall represent one or more of the categories specified in additional requirements below, for the unexpired portion of a four-year term ending April 29, 2023.

Suzanne Giraudou, seat 7, succeeding herself, term expired on April 29, 2019, shall represent one or more of the categories specified in additional requirements below, for the unexpired portion of a four-year term ending April 29, 2023.

Lynn Merz, seat 9 (residency requirement waived), succeeding herself, term expired on April 29, 2019, shall represent one or more of the categories specified in additional requirements below, for a four-year term ending April 29, 2023.

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

Ayes: 3 - Ronen, Walton, Mar

190068 [Appointments, Cannabis Oversight Committee - Ali Jamalian, Aaron Flynn, Doug Bloch, Leah “Nina Parks’ Weitz; Jesse Stout, Theresa Foglio and Sara Payan]

Hearing to consider appointing nine members, terms ending December 3, 2020, to the Cannabis Oversight Committee. (Rules Committee)

Vacant Seat 8, new appointment, must be held by an Owner of a Cannabis Business permitted through the Equity Program, for a two-year term ending December 3, 2020.

Vacant Seat 9, new appointment, must be held by the operator of a Cannabis cultivation, manufacturing, or distribution business with fewer than 20 employees at the time of appointment, for a two-year term ending December 3, 2020.

Vacant Seat 10, new appointment, must be held by a representative of organized labor who works with the Cannabis business labor force, for a two-year term ending December 3, 2020.

Vacant Seat 11, new appointment, must be held by a representative of organized labor who works with the Cannabis delivery service labor force, for a two-year term ending December 3, 2020.

Vacant Seat 12, new appointment, must be held by an owner of a storefront Cannabis retailer, for a two-year term ending December 3, 2020.

Vacant Seat 13, new appointment, must be held by a person who, at the time of the appointment, is an Equity Applicant, as that term is defined in Police Code, Subsection 1604(b), for a two-year term ending December 3, 2020.

Vacant Seat 14, new appointment, must be held by a person with demonstrated subject matter expertise on the State of California’s Cannabis laws and regulations, for a two-year term ending December 3, 2020.

Vacant Seat 15, new appointment, must be held by a person with significant experience in workforce and economic development, for a two-year term ending December 3, 2020.

Vacant Seat 16, new appointment, must be held by a person who has been a Medicinal Cannabis patient or Medicinal Cannabis consumer for at least five years, with an extensive history advocating for Medicinal Cannabis patients or involvement in implementing and running a Cannabis compassionate use program in compliance with the Compassionate Use Act of 1996, for a two-year term ending December 3, 2020.

01/17/19; RECEIVED AND ASSIGNED to Rules Committee.

08/02/19; REMAIN ACTIVE.

Heard in Committee. Speakers: Erich Pearson; Ali Jamalian; Sara Payan; Nguay Lay; Andrew Silva; Theresa Foglio; Doug Bloch; Burke James Hansen; Brien Kramer; Jeff Stizza; Ryan Miller; AnnaRae Grabstein; Aaron Flynn; Leah Weitz; Arcelio Joseph Reybol; Jesse Stout; spoke on their qualifications and answered questions raised throughout the discussion. Sara Payan read a letter for applicant Jennifer Garcia. Speaker; spoke in support of the appointment of Ali Jamalian. Ed Donaldson; spoke in support of the appointments of AnnaRae Grabstein and Nina Parks. Korin Sparks and Anna Morris; spoke in support of the appointment of AnnaRae Grabstein. Ron Zain; spoke in support of the appointment of Leah Weitz.

Appointment of Ali Jamalian, seats 8, recommended.

Appointment of Aaron Flynn, seat 9, recommended.

Appointment of Doug Bloch, seat 11, recommended (residency requirement waived).

Appointment of Leah “Nina Parks’ Weitz, seat 13, recommended (residency requirement waived).

Appointment of Jesse Stout, seat 14, recommended.

Appointment of Theresa Foglio, seat 15, recommended (residency requirement waived).

Appointment of Sara Payan, seats 16, recommended (residency requirement waived).

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Ali Jamalian, Aaron Flynn, Doug Bloch (residency requirement waived), Leah "Nina Parks' Weitz (residency requirement waived), Jesse Stout, Theresa Foglio (residency waiver required), Sara Payan (residency waiver required), terms ending December 3, 2020, to the Cannabis Oversight Committee. (Rules Committee)

Ali Jamalian , seat 8, new appointment, must be held by an Owner of a Cannabis Business permitted through the Equity Program, for a two-year term ending December 3, 2020.

Aaron Flynn, seat 9, new appointment, must be held by the operator of a Cannabis cultivation, manufacturing, or distribution business with fewer than 20 employees at the time of appointment, for a two-year term ending December 3, 2020.

Doug Bloch (residency requirement waived), seat 11, new appointment, must be held by a representative of organized labor who works with the Cannabis delivery service labor force, for a two-year term ending December 3, 2020.

Leah "Nina Parks' Weitz (residency requirement waived), seat 13, new appointment, must be held by a person who, at the time of the appointment, is an Equity Applicant, as that term is defined in Police Code, Subsection 1604(b), for a two-year term ending December 3, 2020.

Jesse Stout, seat 14, new appointment, must be held by a person with demonstrated subject matter expertise on the State of California's Cannabis laws and regulations, for a two-year term ending December 3, 2020.

Theresa Foglio (residency requirement waived), seat 15, new appointment, must be held by a person with significant experience in workforce and economic development, for a two-year term ending December 3, 2020.

Sara Payan (residency requirement waived), seat 16, new appointment, must be held by a person who has been a Medicinal Cannabis patient or Medicinal Cannabis consumer for at least five years, with an extensive history advocating for Medicinal Cannabis patients or involvement in implementing and running a Cannabis compassionate use program in compliance with the Compassionate Use Act of 1996, for a two-year term ending December 3, 2020.

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

Ayes: 3 - Ronen, Walton, Mar

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 1:28 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.