



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: Aaron Peskin, Rafael Mandelman, Connie Chan

Clerk: Victor Young (415) 554-7723

Monday, July 11, 2022

10:00 AM

Regular Meeting

IN-PERSON MEETING
City Hall, Legislative Chamber, Room 250

(remote access provided)
(remote public comment provided via teleconference)

Present: 3 - Aaron Peskin, Rafael Mandelman, and Connie Chan

The Rules Committee met in regular session, in-person with remote access and public comment via telephone, on Monday, July 11, 2022, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 10:01 a.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).

Members of the public may submit their comments by email to: victor.young@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Rules Committee Meetings begin at 10:00 a.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Clerk, Victor Young, at (415) 554-7723 or victor.young@sfgov.org.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Peskin, Vice Chair Mandelman, and Member Chan were noted present. A quorum was present.

COMMUNICATIONS

*Victor Young, Rules Committee Clerk, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes by dialing the provided telephone number. When connected, they will receive another prompt to dial * 3 to be added to the queue to speak. Make sure to call from a quiet location, speak clearly and slowly, and turn down your television or radio. Written comments may be submitted through email (victor.young@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

220606 [Administrative Code - Surveillance Technology Policy for Police Department Use of Non-City Entity Surveillance Cameras]

Sponsor: Mayor

Ordinance approving Surveillance Technology Policy for Police Department use of non-City entity surveillance cameras.

05/17/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/16/2022.

06/14/22; REFERRED TO DEPARTMENT. Referred to the Police Department for informational purposes.

Heard in Committee. Speakers: Chief William Scott, Asja Steeves, (Police Department); provided an overview and responded to questions raised throughout the discussion. Paulina Sayer; Speaker; spoke in support of the matter. Alexa Folger; Magic Altman; Samina Guzman; Commie Mills; Ed Parrolan; Leah Morret; Carolyn Goossen; Kristina Kendari; Yari; Shanti Singh; Speaker; Brian Hillfer; Melanie Ogewalay; Matt Hagle; Matt Kingston; Tracy Rosenber; Westley Saver; Siras Hall; Jason Lyman; Speaker; Rena Curran; Liam Hoover; Tess Walborn; Laren Renad; Michael Howley; Marshal Waller; Speaker; Nicki Solis; Angela Bokeman; Erica; Christine; Max Kennedy; Jackson; Roman; Ms. Bowler; Speaker; spoke in opposition of the matter. David Pilpel; provided information on the matter.

Chair Peskin moved that this Ordinance be CONTINUED to the July 18, 2022, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

220641 [Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]

Sponsor: Mayor

Ordinance amending the Administrative Code to require Board of Supervisors approval for the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law.

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022.

06/01/22; REFERRED TO DEPARTMENT. Referred to Police Department for Informational Purposes.

Heard in Committee. Speakers: Asja Steeve; Deputy Chief of Special Operations; (Police Department); Tom Paulino (Mayor's Office); Ann Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Jennifer Tu; Marshall Lawler; spoke in opposition to the matter. David Pilpel; Rene Curran; Donna Mandel; Westley Saver; Speaker; provided information on the matter.

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

Ayes: 3 - Peskin, Mandelman, Chan

Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law, and approving the Police Department's use of Equipment Policy.

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

Ayes: 3 - Peskin, Mandelman, Chan

220756 [Business and Tax Regulations Code - Disclosure of Vacancy Tax Information; Penalties For Failure to Timely File Vacancy Tax Returns]**Sponsors: Peskin; Chan and Mandelman**

Ordinance amending the Business and Tax Regulations Code to permit the Tax Collector to make public certain information regarding the Vacancy Tax, and to waive the penalty for failure to timely file Vacancy Tax returns for tax years 2022 and 2023. (Rules Committee)

06/27/22; DUPLICATED AND AMENDED. Duplicated from File No. 220540.

06/27/22; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

Heard in Committee. Speaker: Amanda Fried (Treasurer and Tax Collector's Office); provided an overview and responded to questions raised throughout the discussion.

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

Ayes: 3 - Peskin, Mandelman, Chan

211131 [Police Code - Third-Party Food Delivery Services]**Sponsors: Peskin; Chan and Mandelman**

Ordinance amending the Police Code to define core delivery service to mean a service that both lists a covered establishment on all of a third-party food delivery service's platforms, including websites and mobile applications, and facilitates and/or performs delivery of food and/or beverages from the establishment; to exempt from the 15% cap on per-order fees, starting January 31, 2023, third-party food delivery services that offer restaurants the option to obtain only core delivery service at a cost of no more than 15% of the purchase price of an online order without requiring the purchase of additional services, and that notify all covered establishments with which the third-party food delivery services have an existing contract of this option no later than December 1, 2022; and to require that contracts between a third-party food delivery service and a covered establishment clearly define the fees, commissions, or charges associated with contracted services.

10/26/21; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 11/25/2021.

11/04/21; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for response within 12 days from the date of referral.

Referred to the Police Department for informational purposes.

01/13/22; TRANSFERRED to Rules Committee.

06/28/22; SUBSTITUTED AND ASSIGNED to Rules Committee.

07/01/22; REFERRED TO DEPARTMENT. Referred to the Police Department for informational purposes.

Heard in Committee. Speakers: None.

Supervisors Chan and Mandelman requested to be added as a co-sponsors.

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

Ayes: 3 - Peskin, Mandelman, Chan

220633 [Charter Amendment - Forfeiture of Pension Benefits]**Sponsors: Peskin; Chan**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide for the forfeiture of City-funded pension benefits of a member of the San Francisco Employees' Retirement System upon a finding by clear and convincing evidence after an administrative hearing that the member committed bribery, embezzlement, extortion, or wire fraud in connection with the member's duties as a City employee or officer, or committed perjury in connection with or to conceal any such crime; and providing all time and service beginning with the date when the member first engaged in the specified criminal conduct or perjury through the date of the adverse administrative decision shall be excluded from the computation of the service to be credited to the member for the purpose of determining whether such member qualifies for retirement and calculating benefits; at an election to be held on November 8, 2022.

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022.

06/01/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Retirement Board for reports and/or comments, pursuant to Rules of Order 2.22.4.

06/23/22; RESPONSE RECEIVED. Not defined as a project unce CEQA Guidelines.

06/29/22; CONTINUED. Heard in Committee. Speakers: Ardis Graham, Employee Relations Director (Human Resources); Janice Levy (Office of the Controller); Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. David Pilpel; provided information on the matter.

07/06/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Rudy Gonzalez; spoke in support of the matter. David Pilpel; spoke on various concerns relating to the matter.

07/06/22; CONTINUED AS AMENDED.

07/07/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Retirement Board for reports and/or comments, pursuant to Rules of Order 2.22.4.

Heard in Committee. Speakers: David Pilpel; Corey Smith; provided information on the matter.

Chair Peskin moved that this Charter Amendment be CONTINUED to the July 18, 2022, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

220636 [Charter Amendment and Ordinance - Additional Density and Height; Rent-Control]**Sponsors: Peskin; Chan, Preston and Walton**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to set forth a requirement that when the City amends the Planning Code to allow for additional residential numerical density or height, that developers agree to subject the new residential units in the development, other than Affordable Housing Units, to rent control; to amend the Administrative Code to establish as the residential numerical density and height limits those controls in effect as of November 8, 2022, and to allow the Board of Supervisors to amend the Planning Code to exceed those limits if the ordinance requires a regulatory agreement to subject all dwelling units in development projects, other than Affordable Housing Units, to rent control; to require rent control in future development agreements; and making findings of compliance with the General Plan and Planning Code, Section 101.1 and findings of public necessity, convenience, and welfare under Planning Code, Section 302; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on November 8, 2022. (Economic Impact; No Economic Impact Analysis Report)

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022.

06/01/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review and general plan review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Rent Board for reports and/or comments, pursuant to Rules of Order 2.22.4.

06/23/22; RESPONSE RECEIVED. Not defined as a project unce CEQA Guidelines.

06/29/22; CONTINUED. Heard in Committee. Speakers: Audrey Pearson (Office of the City Attorney); Janice Levy (Office of the Controller); provided an overview and responded to questions raised throughout the discussion. Lauren Petty; Anatasia Anapolis; spoke in support of the matter. Cory Smith; Jim Campbell; Speaker; DC Williams; Paulina Bear; spoke in opposition of the matter. Harvey McClennen; David Pilpel; Rudy Gonzalez; spoke neither in support nor opposition on the matter.

07/06/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Theresa Flandrick; Molly Goldberg; Maria; Speaker; Anastasia Yovonopolous; Lorraine Petty; Eric Arguello; spoke in support of the matter. David Price; Marie Haraviel; Paulina Sayer; spoke in opposition of the matter. Dan Fujioko; Augustine Oldman; David Pilpel; Alicia Sandoval; spoke on concerns relating to the matter.

07/06/22; CONTINUED AS AMENDED.

07/07/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review and general plan review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Rent Board for reports and/or comments, pursuant to Rules of Order 2.22.4.

Heard in Committee. Speakers: Emily Curran; spoke in support of the hearing matter. Corey Smith; Speaker; provide information on the hearing matter.

Chair Peskin moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to set forth a requirement that when the City amends the Planning Code to allow for additional residential numerical density or height, that developers agree to subject the new residential units in the development, other than Affordable Housing Units, to rent control; to amend the Administrative Code to establish as the residential numerical density and height limits those controls in effect as of November 8, 2022, and to allow the Board of Supervisors to amend the Planning Code to exceed those limits if the ordinance requires a regulatory agreement to subject all dwelling units in development projects, other than Affordable Housing Units, to rent control; to require rent control in future development agreements; and making findings of compliance with the General Plan and Planning Code, Section 101.1 and findings of public necessity, convenience, and welfare under Planning Code, Section 302; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on November 8, 2022.
(Economic Impact; No Economic Impact Analysis Report)

Chair Peskin moved that this Charter Amendment be CONTINUED AS AMENDED to the July 18, 2022, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

220639 [Charter Amendment - Student Success Fund]**Sponsors: Ronen; Melgar, Walton, Safai, Mar, Preston and Mandelman**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to establish the Student Success Fund under which the Department of Children, Youth, and Their Families will provide grants to the San Francisco Unified School District and schools in the District to implement programs that improve academic achievement and social/emotional wellness of students; and to require an annual appropriation in a designated amount to the Fund for 15 years based on a calculation of the City's excess Educational Revenue Augmentation Fund allocation in specified fiscal years; at an election to be held on November 8, 2022.

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022.

06/01/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and Dept. of Children, Youth and Their Families the Department of Building Inspection/Commission for reports and/or comments, pursuant to Rules of Order 2.22.4. Referred to the Youth Commissions for review and report.

06/23/22; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines.

06/29/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisors Myrna Melgar, Hillary Ronen, and Ahsha Safai (Board of Supervisors); Maria Su (Department of Children, Youth and Their Families); Janice Levy (Office of the Controller); Dr. Matt Wayne, Superintendent (SFUSD); Leslie Hu (United Educators of San Francisco); provided an overview and responded to questions raised throughout the discussion. Tina Share; Merideth Dobson; Speaker; Sabina Wildman; Elinor Gunn; Daisy Martinez; Mr. Rubkie; Michele Sosa; Anna Martina; Kayla DeGorgio; Shavon Foster; Cornise Casey; Anne Shu and (SF School Board of Education); Ms. Coridina; John Segrave; Nellie Supenski; Ms. Lopez; Ivan Crodo; Teresa Rutherford; Michael Essey; Kevin Bogus; Mosses Corrette; Juan Diasson; Debra Pertel; Nick King; Rudy Gonzalez; Melinda; Speaker; Angela; Sam; Leah Walkland; Speaker; Dorothy Clark; Speaker; Vanessa Muroso; Susan Buskin; Eddie Kaufman; Francisco Herrera; Marlon; Marlene; Gloria Romero; Nancy Freed; Lisa Weisman; Sarah Brant; Carl Marks; Dr. Carol Hill; David Delgado; Melina Ahern; Sonia; Michael White; Michael Herrera; Gary; Valerie; Alita Curenquanta; Claudia; Cheryl Thornton; Rosario Gonzalez; Laney; Amanda Alvarado-Ford; Nick Chandler; Alyssa Jones Garner; Ana Rivera; spoke in support of the matter. Kim Tavaglione (SF Labor Council); spoke in opposition of the matter. Alita Fischer; Rafael Picaso; A.J. Thomas and Gus Vallejo (Local 21); Francisco Da Costa; provided information on the matter.

06/29/22; CONTINUED AS AMENDED.

07/01/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and Dept. of Children, Youth and Their Families the Department of Building Inspection/Commission for reports and/or comments, pursuant to Rules of Order 2.22.4. Referred to the Youth Commissions for review and report.

07/06/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Hillary Ronen (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. David Pilpel; spoke in opposition to the matter. Ashley Renneck; spoke on various concerns relating to the matter.

Supervisor Mandelman requested to be added as a co-sponsor.

07/06/22; CONTINUED AS AMENDED.

07/07/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and Dept. of Children, Youth and Their Families the Department of Building Inspection/Commission for reports and/or comments, pursuant to Rules of Order 2.22.4. Referred to the Youth Commissions for review and report.

Heard in Committee. Speakers: Supervisor Hillary Ronen; provided an overview and responded to questions raised throughout the discussion. David Pilpel; spoke in opposition of the matter.

Chair Peskin moved that this Charter Amendment be REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 1:10 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.