



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, Sandra Lee Fewer, Norman Yee

Clerk: Alisa Somera (415) 554-7711

Wednesday, November 1, 2017

1:00 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Ahsha Safai, Sandra Lee Fewer, and Norman Yee

The Rules Committee met in special session on Wednesday, November 1, 2017, with Chair Ahsha Safai presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Safai called the meeting to order at 1:02 p.m. On the call of the roll, Chair Safai and Vice Chair Fewer were noted present. Member Yee was noted not present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

170866 [Administrative, Campaign and Governmental Conduct Codes - Changing References from Office of Citizen Complaints to Department of Police Accountability]

Sponsor: Cohen

Ordinance amending the Administrative and Campaign and Governmental Conduct Codes to change all references from "Office of Citizen Complaints" to "Department of Police Accountability," and to make related terminology changes, to reflect that name change resulting from the passage of Proposition G at the November 8, 2016 election.

07/25/17; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/24/2017.

Heard in Committee. Speaker: Yoyo Chan (Office of Supervisor Malia Cohen); provided an overview and responded to questions raised throughout the discussion.

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

Ayes: 2 - Safai, Fewer

Absent: 1 - Yee

Vice Chair Fewer moved to RESCIND the previous vote. The motion carried by the following vote:

Ayes: 3 - Safai, Fewer, Yee

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

Ayes: 3 - Safai, Fewer, Yee

171152 [Appointment, Market and Octavia Community Advisory Committee - Chase Chambers]

Hearing to consider appointing one member, term ending December 16, 2018, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

Seat 4, succeeding Kenneth Wingard, resigned, must be a local merchant and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2018.

10/27/17; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Chase Chambers and Daniel Singer; spoke on their qualifications.

Appointment of Chase Chambers, seat 4, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Chase Chambers, term ending December 16, 2018, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

Chase Chambers, seat 4, succeeding Kenneth Wingard, resigned, must be a local merchant and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2018.

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

Ayes: 2 - Safai, Fewer

Absent: 1 - Yee

Vice Chair Fewer moved to RESCIND the previous vote. The motion carried by the following vote:

Ayes: 3 - Safai, Fewer, Yee

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

Ayes: 3 - Safai, Fewer, Yee

171093 [Appointments, Park, Recreation and Open Space Advisory Committee - Cally Wong and Ken McGary]

Hearing to consider appointing two members, terms ending February 1, 2020, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board)

Seat 9, succeeding Winnie Chu, term expired, must be nominated by the District 7 Supervisor from the organizations listed in Resolution No. 391-13, for a two-year term ending February 1, 2020.

Seat 21, succeeding Sharon Eberhardt, resigned, must be nominated by the District 11 Supervisor from the organizations listed in Resolution No. 391-13, for a two-year term ending February 1, 2020.

10/13/17; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Ken McGary; spoke on his qualifications.

Appointment of Cally Wong, seat 9, recommended.

Appointment of Ken McGary, seat 21, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Cally Wong and Ken McGary, terms ending February 1, 2020, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board)

Cally Wong, seat 9, succeeding Winnie Chu, term expired, must be nominated by the District 7 Supervisor from the organizations listed in Resolution No. 391-13, for a two-year term ending February 1, 2020.

Ken McGary, seat 21, succeeding Sharon Eberhardt, resigned, must be nominated by the District 11 Supervisor from the organizations listed in Resolution No. 391-13, for a two-year term ending February 1, 2020.

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

Ayes: 2 - Safai, Fewer

Absent: 1 - Yee

Vice Chair Fewer moved to RESCIND the previous vote. The motion carried by the following vote:

Ayes: 3 - Safai, Fewer, Yee

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

Ayes: 3 - Safai, Fewer, Yee

Member Yee was noted present at 1:31 p.m.

171042 [Various Codes - Regulation of Cannabis Businesses]**Sponsors: Mayor; Sheehy**

Ordinance amending the Administrative, Business and Tax Regulations, Health, and Police Codes to comprehensively regulate commercial activities relating to the cultivation, manufacture, distribution, testing, sale, and delivery of medicinal and adult use cannabis by, among other things: 1) requiring businesses that engage in commercial cannabis activities to obtain a permit from the Office of Cannabis; 2) requiring the Director of the Office of Cannabis to establish an Equity Program to promote equitable ownership and employment opportunities in the cannabis industry; 3) defining eligibility for temporary and permanent cannabis business permits; 4) establishing priorities for the review of cannabis business permit applications; 5) establishing operating standards for cannabis businesses; 6) establishing criteria for granting, denying, suspending, and revoking cannabis business permits; 7) incorporating state law governing commercial cannabis activities into local law for enforcement purposes; 8) authorizing the imposition of fines and penalties for violation of local and state laws governing cannabis businesses, and establishing procedures by which cannabis businesses may appeal a fine or permit penalty; 9) prohibiting the smoking and vaping of cannabis on the premises of all cannabis businesses, except select Medicinal Cannabis Retailers, as authorized by the Department of Public Health; 10) prohibiting the consumption of cannabis and cannabis products, other than by smoking or vaping, on the premises of all cannabis businesses, except Storefront Cannabis Retailers and Cannabis Microbusinesses that obtain consumption permits from the Department of Public Health; 11) prohibiting until January 1, 2019, tours of cannabis cultivators, manufacturers, and cannabis microbusinesses, and authorizing the Director of Cannabis to extend the prohibition on tours, or establish guidelines for the operation of tours; 12) prohibiting the acceptance of new applications for medical cannabis dispensary permits, starting January 1, 2018; 13) prohibiting medical cannabis dispensaries from cultivating cannabis under the authority of a medical cannabis dispensary permit, starting April 1, 2018; 14) establishing a sunset date of December 31, 2018, for Article 33 of the Health Code ("Medical Cannabis Act"); 15) eliminating the duty of the Clerk of the Board of Supervisors to send letters annually to state and federal officials requesting that cannabis be regulated and taxed; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/26/17; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/26/2017.

10/04/17; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; to Small Business Commission for comment and recommendation; and to Department of Public Health, Police Department, Sheriff's Department, Office of Cannabis, Fire Department, Department of Building Inspection, and Board of Appeals for informational purposes.

10/04/17; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

10/24/17; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Rules Committee. Mayor Lee introduced a substitute Ordinance bearing a new title.

Heard in Committee. Speaker: Supervisor Jeff Sheehy (Board of Supervisors); Brittni Chicuata (Office of Supervisor Malia Cohen); Jon Givner (Office of the City Attorney); Nicole Elliott, Director (Office of Cannabis); provided an overview and responded to questions raised throughout the discussion. Joshua Weitz; Bridget May; Mike Lomuto; Aaron Flint; Cassandra Costello; Jim Lazarus; John Gallagie; Alexandra; Brandon Brown; Female Speaker; Philip McGarth; Mark Chiater; Luke Burner; Ryan Bush; Male Speaker; Nana Parks; Mr. Summerson; Jeremy Seal; Jessie Stave; Stephanie H.; Marla Venture; Karen Woodson; Alice Fong; Travis Ellie; Gilbert; Sharon Quinze; Ross Mirkarimi; Yaris Sarroni; Alica; Male Speaker; Nancy To; Quint Platt; Terence Allen; Male Speaker; Jason Clifford; Laura Chamber; Male Speaker; Molly Tran; Mary Ma; Wendy; Sonjia Ng; Audrey Leong; Chi Quich; Vince Courtney, Jr.; Xavier Lampkin; Bobby Bruno; Denise; Male Speaker; Female Speaker; Male Speaker; Katy; Female Speaker; spoke on various concerns relating to the hearing matter.

Chair Safai moved that this Ordinance be AMENDED to increase the local hire percentage from 30% to 50%. The motion carried by the following vote:

Ayes: 3 - Safai, Fewer, Yee

Member Yee moved that this Ordinance be AMENDED to include clarifying language regarding equity program. The motion carried by the following vote:

Ayes: 2 - Safai, Yee

Noes: 1 - Fewer

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

Ayes: 2 - Safai, Yee

Noes: 1 - Fewer

Ordinance amending the Administrative, Business and Tax Regulations, Health, and Police Codes to comprehensively regulate commercial activities relating to the cultivation, manufacture, distribution, testing, sale, and delivery of medicinal and adult use cannabis by, among other things: 1) requiring businesses that engage in commercial cannabis activities to obtain a permit from the Office of Cannabis; 2) requiring the Director of the Office of Cannabis to implement an Equity Program to promote equitable ownership and employment opportunities in the cannabis industry by providing priority permitting for Equity Applicants and Equity Incubators, as defined; 3) defining eligibility for temporary and permanent cannabis business permits; 4) establishing priorities for the review of cannabis business permit applications; 5) establishing operating standards for cannabis businesses; 6) establishing criteria for granting, denying, suspending, and revoking cannabis business permits; 7) requiring all cannabis businesses to ensure that 50% of work hours are performed by San Francisco residents, and cannabis businesses with 10 or more employees to adopt labor peace agreements; 8) authorizing the imposition of fines and penalties for violation of local and state laws governing cannabis businesses, and establishing procedures by which cannabis businesses may appeal a fine or permit penalty; 9) prohibiting the smoking and vaping of cannabis on the premises of all cannabis businesses, except select Medicinal Cannabis Retailers and Cannabis Retailers, as authorized by the Department of Public Health; 10) prohibiting the consumption of cannabis and cannabis products, other than by smoking or vaping, on the premises of all cannabis businesses, except Storefront Cannabis Retailers and Cannabis Microbusinesses that obtain consumption permits from the Department of Public Health; 11) prohibiting until January 1, 2019, tours of cannabis cultivators, manufacturers, and cannabis microbusinesses, and authorizing the Director of Cannabis to extend the prohibition on tours, or establish guidelines for the operation of tours; 12) prohibiting the acceptance of new applications for medical cannabis dispensary permits, starting January 1, 2018; 13) prohibiting medical cannabis dispensaries from cultivating cannabis under the authority of a medical cannabis dispensary permit, starting April 1, 2018; 14) establishing a sunset date of December 31, 2018, for Article 33 of the Health Code ("Medical Cannabis Act"); 15) requiring the Department of Public Health to implement an ongoing public health education campaign about the safe consumption and health benefits of cannabis; 16) requiring the Controller to submit a report to the Board of Supervisors within one year of the effective date of Article 16 recommending whether the issuance of cannabis business permits should be subject to any limits; 17) establishing an Equity Operator Fund to receive any monies appropriated for the purpose of assisting Equity Operators; and 18) eliminating the duty of the Clerk of the Board of Supervisors to send letters annually to state and federal officials requesting that cannabis be regulated and taxed; and affirming the Planning Department's determination under the California Environmental Quality Act.

CONTINUED TO CALL OF THE CHAIR AS AMENDED by the following vote:

Ayes: 3 - Safai, Fewer, Yee

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 4:02 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.