



**City and County of San Francisco**  
**Meeting Minutes - Final**  
**Rules Committee**

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

*Members: Norman Yee, London Breed, Malia Cohen*

*Clerk: Linda Wong (415) 554-7719*

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Thursday, October 3, 2013

1:30 PM

City Hall, Committee Room 263

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**Regular Meeting**

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**Present:** 3 - Norman Yee, London Breed, and Malia Cohen

**MEETING CONVENED**

*The meeting convened at 1:38 p.m.*

**REGULAR AGENDA**

**130948 [Appointment, Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force]**

Hearing to consider appointing one member, for an indefinite term, to the Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force. (Clerk of the Board)

Vacant seat 4, new appointment, must be an LGBT senior, aging adult, or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

09/20/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: None.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**130909 [Appointment, Bicycle Advisory Committee - Lena-Nsomeka Gomes]**

Hearing to consider appointing one member, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Vacant seat 9, succeeding Rachel Eborá, term expired, must be a nominee of District 9 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2014, or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

09/20/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speaker: Lena-Nsomeka Gomes; spoke on her qualifications.*

*Appointment of Lena-Nsomeka Gomes, seat 9, recommended.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Lena-Nsomeka Gomes, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Lena-Nsomeka Gomes, seat 9, succeeding Rachel Eborá, term expired, must be a nominee of District 9 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2014, or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**130740 [Appointment, Pedestrian Safety Advisory Committee - Morgan Fitzgibbons]**

Hearing to consider appointing one member, term ending March 28, 2015, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Vacant seat 5, succeeding Paul Supawanich, term expired, must be a representative from a bicycle or other non-motorized wheeled personal transport organization, for a two-year term ending March 28, 2015.

07/12/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speaker: Morgan Fitzgibbons; spoke on his qualifications.*

*Appointment of Morgan Fitzgibbons, seat 5, recommended.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Morgan Fitzgibbons, term ending March 28, 2015, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Morgan Fitzgibbons, seat 5, succeeding Paul Supawanich, term expired, must be a representative from a bicycle or other non-motorized wheeled personal transport organization, for a two-year term ending March 28, 2015.

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**130949 [Appointments, Child Care Planning and Advisory Council - Melinda Kanter-Levy and Lourdes Alarcon]**

Hearing to consider appointing two members, terms ending March 19, 2016, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Vacant seat 2, succeeding Melinda Kanter-Levy, term expired, must be a nominee of District 2 Supervisor, must be a consumer or a child care provider, for the unexpired portion of a three-year term ending March 19, 2016.

Vacant seat 8, succeeding Lourdes Alarcon, term expired, must be a nominee of District 8 Supervisor, must be a consumer or a child care provider, for the unexpired portion of a three-year term ending March 19, 2016.

09/20/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Melinda Kanter-Levy; spoke on her qualifications. Female Speaker; spoke on applicant Lourdes Alarcon's qualifications.*

*Appointment of Melinda Kanter-Levy, seat 2, recommended, residency requirement waived.*

*Appointment of Lourdes Alarcon, seat 8, recommended.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Melinda Kanter-Levy, residency requirement waived, and Lourdes Alarcon, terms ending March 19, 2016, to the Child Care Planning and Advisory Council. (Clerk of the Board)  
Melinda Kanter-Levy, seat 2, residency requirement waived, succeeding herself, term expired, must be a nominee of District 2 Supervisor, must be a consumer or a child care provider, for the unexpired portion of a three-year term ending March 19, 2016.

Lourdes Alarcon, seat 8, succeeding herself, term expired, must be a nominee of District 8 Supervisor, must be a consumer or a child care provider, for the unexpired portion of a three-year term ending March 19, 2016.

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**130911 [Appointments, Treasury Oversight Committee - Ben Rosenfield, Joseph Grazioli, and Aimee Brown]**

Hearing to consider appointing five members, terms ending June 5, 2017, to the Treasury Oversight Committee. (Clerk of the Board)

Vacant seat 1, succeeding Peter Goldstein, term expired, must be the Chancellor of the Community College District or his/her designee, for the unexpired portion of a four-year term ending June 5, 2017.

Vacant seat 2, succeeding Ben Rosenfield, term expired, must be the Controller, for the unexpired portion of a four-year term ending June 5, 2017.

Vacant seat 3, succeeding Joseph Grazioli, term expired, must be the Superintendent of Schools or his/her designee, for the unexpired portion of a four-year term ending June 5, 2017.

Vacant seat 4, succeeding Todd Rydstrom, term expired, must represent the public at large, for the unexpired portion of a four-year term ending June 5, 2017.

Vacant seat 5, succeeding Richard Sullivan, term expired, must represent the public at large or the Treasurer, for the unexpired portion of a four-year term ending June 5, 2017.

09/20/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Todd Rydstrom; Aimee Brown; spoke on their qualifications.*

*Appointment of Ben Rosenfield, seat 2, recommended.*

*Appointment of Joseph Grazioli, seat 3, recommended.*

*Appointment of Aimee Brown, seat 5, recommended.*

*Seats 1 and 4 were continued to the Call of the Chair.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Ben Rosenfield, Joseph Grazioli, and Aimee Brown, terms ending June 5, 2017, to the Treasury Oversight Committee. (Clerk of the Board)

Ben Rosenfield, seat 2, succeeding himself, term expired, must be the Controller, for the unexpired portion of a four-year term ending June 5, 2017.

Joseph Grazioli, seat 3, succeeding himself, term expired, must be the Superintendent of Schools or his/her designee, for the unexpired portion of a four-year term ending June 5, 2017.

Aimee Brown, seat 5, succeeding Richard Sullivan, term expired, must represent the public at large or the Treasurer, for the unexpired portion of a four-year term ending June 5, 2017.

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**130857 [Appointments, Citizen's Committee on Community Development - Eddie Ahn, Utumn Belfrey, and Peter Cohen]**

Hearing to consider appointing four members, terms ending February 23, 2014, and February 23, 2015, to the Citizen's Committee on Community Development. (Clerk of the Board)

Vacant seat 1, succeeding Utuma Belfrey, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for a two-year term ending February 23, 2015.

Vacant seat 2, succeeding Peter Cohen, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for a two-year term ending February 23, 2015.

Vacant seat 3, succeeding Joshua Arce, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the unexpired portion of a two-year term ending February 23, 2014.

Vacant seat 4, succeeding Charlie Sciammas, resigned, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the unexpired portion of a two-year term ending February 23, 2014.

09/06/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Peter Cohen; Utumn Belfrey; Eddie Ahn; spoke on their qualifications. Mr. Walker; Female Speaker; Jackie Flynn; David Deltori; spoke in support of various applicant(s).*

*Appointment of Utumn Belfrey, seat 1, recommended.*

*Appointment of Peter Cohen, seat 2, recommended.*

*Appointment of Eddie Ahn, seat 3, recommended.*

*Seat 4 was continued to the Call of the Chair.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Eddie Ahn, term ending February 23, 2014, Utuma Belfrey and Peter Cohen, terms ending February 23, 2015, to the Citizen's Committee on Community Development. (Clerk of the Board)

Utuma Belfrey seat 1, succeeding herself, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for a two-year term ending February 23, 2015.

Peter Cohen, seat 2, succeeding himself, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for a two-year term ending February 23, 2015.

Eddie Ahn, seat 3, succeeding Joshua Arce, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the unexpired portion of a two-year term ending February 23, 2014.

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**130908 [Appointments, Reentry Council - Stanley Goff, Joseph Calderon, and Ernest Kirkwood]**

Hearing to consider appointing three members, terms ending June 1, 2014, to the Reentry Council. (Clerk of the Board)

Vacant seat 1, succeeding Gerald Miller, term expiring on July 17, 2013, for a term ending June 1, 2014. Must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prisons facility. (Pursuant to San Francisco Administrative Code Section 5.1, all members of the Council shall be exempt from the Charter requirement that they be electors of the City and County of San Francisco.)

Vacant seat 2, succeeding Kimberli Courtney, term expiring on July 17, 2013, for a term ending June 1, 2014. Must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prisons facility. The member shall also have expertise in providing services to individuals exiting the criminal justice system. (Pursuant to San Francisco Administrative Code Section 5.1, all members of the Council shall be exempt from the Charter requirement that they be electors of the City and County of San Francisco.)

Vacant seat 3, succeeding Viet Mike Ngo, term expiring on July 17, 2013, for a term ending June 1, 2014. Must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prisons facility. The member must also have been released from custody within two years of his or her appointment. (Pursuant to San Francisco Administrative Code Section 5.1, all members of the Council shall be exempt from the Charter requirement that they be electors of the City and County of San Francisco.)

09/20/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Bradley Reiss; Eric DuPree; Stanley Goff; Wayne Espinoza; Christopher Lloyd; Joseph Calderon; David Cowan; Keith Bass; George Turner; DeAngelo Cortijo; Richard Lindsey; Ernest Kirkwood; Omar Breedlove; spoke on their qualifications. Mallon B.; Male Speaker; Frankie Bruceman; spoke in support of various applicant(s). Sara Felicia Moore-Jordan (Reentry Council); presented information concerning the matter and answered questions raised throughout the hearing.*

*Appointment of Stanley Goff, seat 1, recommended.*

*Appointment of Joseph Calderon, seat 2, recommended.*

*Appointment of Ernest Kirkwood, seat 3, recommended.*

*Supervisor Breed was noted absent at 3:30 p.m. and noted present at 3:32 p.m.*

*Supervisor Cohen was noted absent at 3:33 p.m. and noted present at 3:47 p.m.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Stanley Goff, Joseph Calderon, and Ernest Kirkwood, terms ending June 1, 2014, to the Reentry Council. (Clerk of the Board)

Stanley Goff, seat 1, succeeding Gerald Miller, term expired, for the unexpired portion of a term ending June 1, 2014. Must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prisons facility. (Pursuant to San Francisco Administrative Code Section 5.1, all members of the Council shall be exempt from the Charter requirement that they be electors of the City and County of San Francisco.)

Joseph Calderon, seat 2, succeeding Kimberli Courtney, term expired, for the unexpired portion of a term ending June 1, 2014. Must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prisons facility. The member shall also have expertise in providing services to individuals exiting the criminal justice system. (Pursuant to San Francisco Administrative Code Section 5.1, all members of the Council shall be exempt from the Charter requirement that they be electors of the City and County of San Francisco.)

Ernest Kirkwood, seat 3, succeeding Viet Mike Ngo, term expired, for the unexpired portion of a term ending June 1, 2014. Must be a former inmate in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility and/or a United States Bureau of Prisons facility. The member must also have been released from custody within two years of his or her appointment. (Pursuant to San Francisco Administrative Code Section 5.1, all members of the Council shall be exempt from the Charter requirement that they be electors of the City and County of San Francisco.)

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**130710 [Terms of and Expansion of Scope for Existing Local Agency Formation Commission Positions]**

**Sponsors: Avalos; Campos and Mar**

Resolution amending the terms of existing Local Agency Formation Commission (LAFCo) positions by expanding the scope of services for the Senior Program Officer, extending the term of employment for an additional three years, and utilizing the existing LAFCo budget to continue funding this position.

07/09/13; RECEIVED AND ASSIGNED to Rules Committee.

09/19/13; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Frances Hsieh (Office of Supervisor John Avalos); Deborah Landis (Office of the Clerk of the Board); presented information concerning the matter and answered questions throughout the hearing.

*Heard in Committee. Frances Hsieh (Board of Supervisors); Angela Calvillo, Clerk of the Board (Board of Supervisors); Supervisor John Avalos (Board of Supervisors); Jason Fried (LAFCo); presented information concerning the matter and answered questions raised throughout the hearing.*

*Supervisor Breed requested her name to be removed as a co-sponsor.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

Resolution amending the terms of the existing Local Agency Formation Commission (LAFCo) positions by expanding the scope of services for the Senior Program Officer, extending the term of employment for an additional three years, and utilizing the existing LAFCo budget to continue funding this position.

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 1 - Yee

Noes: 2 - Breed, Cohen

**Supervisor Breed, moved to rescind the previous vote. The motion carried by the following vote:**

**Ayes: 3 - Yee, Breed, Cohen**

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

Ayes: 3 - Yee, Breed, Cohen

**130400 [Health Code - Massage Practitioners]**

Ordinance amending the Health Code to exempt massage practitioners who are certified by the State of California and massage establishments that employ only state-certified massage practitioners from requirements for obtaining a permit from the Health Department; and making environmental findings. (Public Health Department)

05/02/13; RECEIVED FROM DEPARTMENT.

05/14/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

05/14/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

06/04/13; SUBSTITUTED AND ASSIGNED to Rules Committee.

10/01/13; RESPONSE RECEIVED. Response received from the Planning Department.

*Heard in Committee. Speakers: Richard Lee (Department of Public Health); Jon Givner (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**

Ayes: 3 - Yee, Breed, Cohen

Ordinance amending the Health Code to exempt massage practitioners who are certified by the California Massage Therapy Council ("CAMTC") and massage establishments that employ only CAMTC-certified massage practitioners from requirements for obtaining a permit from the San Francisco Health Department; require massage establishments that employ only CAMTC-certified massage practitioners to pay an annual license fee; and increasing the licensing fees for all establishments and practitioners; and making environmental findings. (Public Health Department)

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

Ayes: 3 - Yee, Breed, Cohen

**130402 [Health, Business and Tax Regulations Codes - Safe Body Art]**

Ordinance amending the Health Code by repealing miscellaneous sections relating to tattooing and adding Article 40 to require body art practitioners to register with the Department of Public Health (DPH) and to annually renew registration, and to require permanent and temporary body art facilities to obtain and annually renew permits with DPH; amending the Business and Tax Regulations Code by adding fees relating to body art permits and licenses; and making environmental findings. (Public Health Department)

05/02/13; RECEIVED FROM DEPARTMENT.

05/14/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

05/14/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

*Heard in Committee. Speakers: Richard Lee (Department of Public Health); Jon Givner (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing. Paul Stoll (Body Manipulations); spoke in opposition to the hearing matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**130789 [Health Code - Licensing and Regulation of Massage Establishments and Practitioners]****Sponsors: Tang; Chiu, Kim and Yee**

Ordinance amending the Health Code to require massage practitioners licensed by San Francisco to wear photo identification cards when working; deny Massage Establishment permits to applicants convicted of specified crimes; to provide an appeal process for persons denied a Massage Establishment permit; to establish health and safety requirements for all Massage Establishments; to establish penalties for violations of Article 29 governing Massage Practitioners and Massage Establishments; to require notice of violations be sent to the owner(s) of property where Massage Establishments are located; and making environmental findings.

07/30/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee.

09/10/13; TRANSFERRED to Rules Committee.

09/11/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

09/11/13; RESPONSE RECEIVED.

09/12/13; RESPONSE RECEIVED.

*Heard in Committee. Speaker: Supervisor Katy Tang (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing.*

*Supervisor Yee requested to be added as a co-sponsor.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**

Ayes: 3 - Yee, Breed, Cohen

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

Ayes: 3 - Yee, Breed, Cohen

**130584 [Administrative Code - California Benefit Corporation Discount Program - Contract Monitoring Division]****Sponsor: Chiu**

Ordinance amending the Administrative Code by transferring the implementation of the California Benefit Corporation Discount Program from the Human Rights Commission to the Contract Monitoring Division of the City Administrator.

06/04/13; ASSIGNED to Rules Committee.

06/19/13; REFERRED TO DEPARTMENT. Referred to the City Administrator's Office for informational purposes.

*Heard in Committee. Speaker: Maria Cordero, Director (City Administrator's Contract Monitoring Division); presented information concerning the matter and answered questions raised throughout the hearing.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**ADJOURNMENT**

*The meeting adjourned at 5:32 p.m.*