



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: Alisa Somera (415) 554-7711

Wednesday, May 9, 2018

2:00 PM

Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Ahsha Safai, Norman Yee, and Catherine Stefani

The Rules Committee met in regular session on Wednesday, May 9, 2018, with Chair Ahsha Safai presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Safai called the meeting to order at 2:07 p.m. On the call of the roll, Chair Safai, Vice Chair Yee, and Member Stefani were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

180408 [Mayoral Reappointment, Police Commission - Sonia Melara]

Motion approving/rejecting the Mayor's nomination for the reappointment of Sonia Melara to the Police Commission, for a term ending April 30, 2022. (Clerk of the Board)
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: April 5, 2018.)

04/20/18; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Sonia Melara; spoke on their qualifications and answered questions raised throughout the discussion. Katherine Black; Uke; Carol Eto; Carlos Etino (Hispanic Chamber of Commerce); Alice Viligones; spoke in support of the reappointment of Sonia Melara. Doran Davis; Jackie Barsha; Karen Fleshman; Adrian; Speaker; spoke in opposition to the reappointment of Sonia Melara.

Member Stefani moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 3, by striking '/rejecting', and Line 14, by striking '/rejects'. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Motion approving the Mayor's nomination for the reappointment of Sonia Melara to the Police Commission, for a term ending April 30, 2022. (Clerk of the Board)
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: April 5, 2018.)

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

Ayes: 3 - Safai, Yee, Stefani

180409 [Mayoral Reappointment, Police Commission - Joseph Marshall]

Motion approving/rejecting the Mayor's nomination for the reappointment of Joseph Marshall to the Police Commission, for a term ending April 30, 2022. (Clerk of the Board)
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: April 5, 2018.)

04/20/18; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Joseph Marshall; spoke on their qualifications and answered questions raised throughout the discussion. Doran Davis; Karen Fleshman; Gloria; Speaker; spoke in opposition to the reappointment of Joseph Marshall.

Member Stefani moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 3, by striking 'rejecting', and Line 14, by striking 'rejects'. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Motion approving the Mayor's nomination for the reappointment of Joseph Marshall to the Police Commission, for a term ending April 30, 2022. (Clerk of the Board)
(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: April 5, 2018.)

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

Ayes: 3 - Safai, Yee, Stefani

180473 [Appointment, Children, Youth and Their Families Oversight and Advisory Committee - Jada Curry]

Hearing to consider appointing one member, term ending July 1, 2020, to the Children, Youth and Their Families Oversight and Advisory Committee. (Rules Committee)

Seat 7, succeeding Mia "Tu Mutch" Satya, resigned, shall be a person who is a disconnected transitional-aged youth, as that term is used in Charter, Section 16.108, 18 through 24 years of age at the time of appointment, and who is familiar with the issues and challenges faced by disconnected transitional-aged youth and with services, programs, and systems for them, for a two-year term ending July 1, 2020.

05/04/18; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jada Curry; spoke on their qualifications and answered questions raised throughout the discussion. Speaker; Cathy Lopez; spoke in support of the reappointment of Jada Curry. Speaker; spoke neither in support nor against the reappointment of Jada Curry.

Appointment of Jada Curry, seat 7, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Jada Curry, term ending July 1, 2020, to the Children, Youth and Their Families Oversight and Advisory Committee. (Rules Committee)

Jada Curry, seat 7, succeeding Mia "Tu Mutch" Satya, resigned, shall be a person who is a disconnected transitional-aged youth, as that term is used in Charter, Section 16.108, 18 through 24 years of age at the time of appointment, and who is familiar with the issues and challenges faced by disconnected transitional-aged youth and with services, programs, and systems for them, for a two-year term ending July 1, 2020.

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

Ayes: 3 - Safai, Yee, Stefani

171140 [Administrative Code - Process for Establishment of Cultural Districts]**Sponsors: Ronen; Cohen, Kim, Fewer, Sheehy, Yee, Stefani and Safai**

Ordinance amending the Administrative Code to create a process for the establishment of cultural districts in the City to acknowledge and preserve neighborhoods with unique cultural heritage, and to require City departments to report to the Board of Supervisors and the Mayor regarding existing cultural districts previously established by resolution; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/24/17; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/23/2017.

11/03/17; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; to Planning Department, Mayor's Office of Housing and Community Development, Office of Economic and Workforce Development, Arts Commission, Public Works, and Human Rights Commission for informational purposes.

11/30/17; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Section 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee: Speakers: Supervisor Hillary Ronen (Board of Supervisors); Director Brian Cheu (Mayor's Office of Housing and Community Development); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Rope Youngpus; LeeAnn Ladia; Tyra Penel; Sandy Mori; Shawn Haynes; Katie; Wawanda Descresand; Ugi; Jeneld Patterson; Jeanette; Christopher Staton; Rachel Ryan; David Iman; Bob Goldfar; Ellowise Patton; Claire Farley (Office of the Mayor); Honey Mahogany; Peter Papdopoulos; Duran Davis; Tony Robles; Maria Delamora; Eric Abruelo; Carlos Herosa; Hana; Vince Irving; Kyle; Mary Claire Malabre; TJ Bassa; Speaker, Rachel Asamosa, Mario Delemera, Paul, Desse Delera, and Gina Romalos (SOMA Filipinas); Carlos Bekenera; Ms. Berry; Bernadette Sue; Lucia; Speaker; spoke in support of the proposed legislation. Speaker; spoke neither in support nor opposition to the proposed legislation.

Chair Safai requested to be added as a co-sponsor.

Vice Chair Yee moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding Section 10.100-52 to create a Cultural District Fund, amending the process for Establishment of Cultural Districts, and adding other clarifying and conforming verbiage. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Ordinance amending the Administrative Code to create a process for the establishment of cultural districts in the City to acknowledge and preserve neighborhoods with unique cultural heritage, and to require the Mayor's Office of Housing and Community Development to report to the Board of Supervisors and the Mayor regarding existing cultural districts previously established by resolution; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

Ayes: 3 - Safai, Yee, Stefani

180193 [Municipal Elections Code - Noncitizen Voting in School Board Elections]**Sponsors: Yee; Fewer and Ronen**

Ordinance amending the Municipal Elections Code to implement Proposition N, adopted at the November 8, 2016, election, by requiring the Department of Elections to develop a voter registration affidavit for certain non-United States citizens to vote in School Board elections; to include a notice on voter materials informing non-United States citizens that any information provided to the Department may be obtained by the federal government; and to create other documents related to non-United States citizens voting in School Board elections, as defined herein.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/29/2018.

03/06/18; REFERRED TO DEPARTMENT. Referred to San Francisco Unified School District and Department of Elections for informational purposes.

Heard in Committee: Speakers: Ho Ming Pang (Immigrants for Affirmative Action); Director John Arntz (Department of Elections); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Adubul; Vanessa Bowman; Wai Hoon; Lucy Elegan; Abigale Salizar (Rapid Response Network); spoke in support of the matter. Speaker; spoke neither in support nor opposition on the matter.

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

Ayes: 3 - Safai, Yee, Stefani

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

Ayes: 3 - Safai, Yee, Stefani

Vice Chair Yee moved that this Ordinance be AMENDED on Page 3, Line 18, to strike 'and lawyers'; and on Page 4, Line 8, to strike 'lawyers, law firms, and'. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

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

Ayes: 3 - Safai, Yee, Stefani

180322 [Administrative Code - Coordinated Entry System for Homeless Persons; Priority Housing Status for Persons Discharged from Residential Behavioral Health Programs]

Sponsors: Sheehy; Ronen, Safai, Stefani and Yee

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing to give a priority to adults who have been discharged from residential behavioral health programs when making assignments to housing programs, and to coordinate with the Department of Public Health to ensure access to uninterrupted supportive services for such persons.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/3/2018.

04/10/18; REFERRED TO DEPARTMENT. Referred to Department of Homelessness and Supportive Housing and Department of Public Health for informational purposes.

Heard in Committee: Speakers: Supervisor Jeff Sheehy (Board of Supervisors); Emily Cohen (Department of Homelessness and Supportive Housing); Kelly Hermodo (Department of Public Health); Lauren Kahn, Donald, and Haley Wright (HealthRIGHT360); provided an overview and responded to questions raised throughout the discussion. Mr. Wright; spoke neither in support nor opposition to the matter.

Supervisors Safai, Stefani, and Yee requested to be added as co-sponsors.

Vice Chair Yee moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE to implement a Coordinated Entry System; and adding other clarifying and conforming verbiage. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing to implement a Coordinated Entry System governing the assessment, prioritization, and referral of homeless persons to housing programs; to give a priority to adults who have been discharged from residential behavioral health programs when making assignments to certain housing programs; and to coordinate with the Department of Public Health to ensure access to uninterrupted supportive services for those adults.

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

Ayes: 3 - Safai, Yee, Stefani

180316 [Administrative Code - Health Insurance for Successor Agency Commissioners]

Sponsor: Mayor

Ordinance amending the Administrative Code to allow members of the Successor Agency Commission to be eligible to participate in the City's Health Service System.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/3/2018.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Supervisor Yee was noted absent at 5:51 p.m. and for the remainder of the meeting.

180280 [Campaign and Governmental Conduct Code - Campaign Finance and Conflict of Interest]**Sponsor: Peskin**

Ordinance amending the Campaign and Governmental Conduct Code to 1) prohibit earmarking of contributions and false identification of contributors; 2) modify contributor card requirements; 3) require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; 4) require additional disclosures for campaign contributions from business entities to political committees; 5) require disclosure of bundled campaign contributions; 6) extend the prohibition on campaign contributions to candidates for City elective offices and City elective officers who must approve certain City contracts; 7) require committees to file a third pre-election statement prior to an election; 8) remove the prohibition against distribution of campaign advertisements containing false endorsements; 9) allow members of the public to receive a portion of penalties collected in certain enforcement actions; 10) require financial disclosures from certain major donors to local political committees; 11) impose additional disclaimer requirements; 12) permit the Ethics Commission to recommend contract debarment as a penalty for campaign finance violations; 13) create new conflict of interest and political activity rules for elected officials and members of boards and commissions; 14) specify recusal procedures for members of boards and commissions; and 15) establish local behested payment reporting requirements for donors and City officers.

(Pursuant to Campaign and Governmental Conduct Code, Section 3.204, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

03/20/18; ASSIGNED to Rules Committee. 3/23/18 - President Breed waived the 30-day rule pursuant to Board Rule No. 3.22.

03/26/18; REFERRED TO DEPARTMENT. Referred to Ethics Commission and Department of Elections for informational purposes.

04/03/18; AMENDED.

04/03/18; AMENDED. Supervisor Tang, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED in Section 1.124(a)(1) by adding 'one of' before 'the business entity'; in Section 3.600 by striking the definition for 'Actively Support or Oppose' and striking portion '(ii)' of the definition for 'Interested Party'; in Section 3.620 by striking Subsection 3.620(a)(2) regarding reporting for filing by donors; and in Section 3.630 by modifying Subsection 3.630(a)(2)(ii) by striking 'has actively supported or opposed' and adding 'was an interested party in'. Before the vote was taken, this motion and the second was withdrawn.

04/03/18; AMENDED.

04/03/18; AMENDED.

04/03/18; AMENDED.

04/03/18; AMENDED.

04/03/18; AMENDED.

04/03/18; AMENDED.

04/03/18; AMENDED.

04/03/18; AMENDED.

04/03/18; RE-REFERRED AS AMENDED to Rules Committee. Supervisor Tang, seconded by Supervisor Cohen, moved to re-refer the Ordinance, as amended, to the Ethics Commission for consideration. The motion carried without objection.

During the Ethics Commission deliberations during the Joint Public Hearing, the Commission did not consider the further amendments made by the Board and continued the entire Ordinance, as amended, to the call of the Chair (see File No. 180226).

04/03/18; AMENDED.

04/16/18; REFERRED TO DEPARTMENT. Referred (version 11) to Ethics Commission and Department of Elections for informational purposes.

04/26/18; RESPONSE RECEIVED. 4/3/2018 - The Ethics Commission voted to approve a revised Ordinance and provided their recommendations to the full Board for consideration.

Heard in Committee: Speakers: Jon Givner (Office of the City Attorney); Lee Hepner (Office of Supervisor Aaron Peskin); provided an overview and responded to questions raised throughout the discussion.

Member Stefani moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by incorporating all of the Ethics Commission's recommendations adopted by the Ethics Commission on April 18, 2018. The motion carried by the following vote:

Ayes: 2 - Safai, Stefani

Absent: 1 - Yee

Ordinance amending the Campaign and Governmental Conduct Code to 1) prohibit earmarking of contributions and false identification of contributors; 2) modify contributor card requirements; 3) require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; 4) require additional disclosures for campaign contributions from business entities to political committees; 5) require disclosure of bundled campaign contributions; 6) extend the prohibition on campaign contributions to candidates for City elective offices and City elective officers who must approve certain City contracts; 7) require committees to file a third pre-election statement prior to an election; 8) remove the prohibition against distribution of campaign advertisements containing false endorsements; 9) allow members of the public to receive a portion of penalties collected in certain enforcement actions; 10) impose additional disclaimer requirements; 11) permit the Ethics Commission to recommend contract debarment as a penalty for campaign finance violations; 12) create new conflict of interest and political activity rules for elected officials and members of boards and commissions; 13) specify recusal procedures for members of boards and commissions; and 14) establish local behested payment reporting requirements for donors and City officers.

(Pursuant to Campaign and Governmental Conduct Code, Section 3.204, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

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

Ayes: 2 - Safai, Stefani

Absent: 1 - Yee

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 5:57 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.