



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

Tuesday, February 22, 2022

10:00 AM

Special Meeting

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

The Rules Committee met in special session through videoconferencing, and provided public comment through teleconferencing, on Monday, February 22, 2022, with Chair Aaron Peskin presiding.

Chair Peskin called the meeting to order at 9:01 a.m.

Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or 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>.

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

220022 [Initiative Ordinance - Police Code - Public Health Emergency Leave]

Sponsors: Mar; Ronen, Preston and Chan

Motion ordering submitted to the voters at an election to be held on June 7, 2022, an Ordinance to amend the Police Code to require employers to provide public health emergency leave during a public health emergency.

01/04/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/3/2022.

01/21/22; 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, and Ethics Commission for reports and/or comments, pursuant to Rules of Order 2.22.4.

02/07/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Gordon Mar (Board of Supervisors); Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Jordan Davis; spoke in support of the matter. Laurie Thomas (Golden Gate Restaurant Association); spoke neither in support nor opposition on the matter.

02/07/22; CONTINUED AS AMENDED.

02/07/22; RESPONSE RECEIVED.

02/07/22; RESPONSE RECEIVED.

02/07/22; 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, and Ethics Commission for reports and/or comments, pursuant to Rules of Order 2.22.4.

02/14/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Peg Stevenson (Controller's Office); Supervisor Gordon Mar (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Speaker; spoke in support of the matter. David Pilpel; Francisco Da Costa; spoke neither in support nor opposition on the matter.

02/14/22; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

02/16/22; 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, Public Works, and Ethics Commission for reports and/or comments, pursuant to Rules of Order 2.22.4.

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

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

Ayes: 3 - Peskin, Mandelman, Chan

Chair Peskin requested that File Nos. 220052 and 220053 be called and heard together.

220052 [Initiative Ordinance - Health Code - Refuse Collection and Disposal Ordinance]
Sponsors: Mayor; Peskin, Mandelman, Ronen, Walton, Chan, Safai, Melgar, Stefani, Preston, Haney and Mar

Motion ordering submitted to the voters at an election to be held on June 7, 2022, an Ordinance amending the Refuse Collection and Disposal Ordinance (“the Refuse Ordinance”) to restructure the refuse rate-setting process to replace hearings before the Department of Public Works with a requirement that the Controller, as Refuse Rate Administrator, regularly monitor the rates and appear before the Refuse Rate Board to recommend rate adjustments; establish an appointed Ratepayer Representative to replace the Controller on the Refuse Rate Board; authorize the Refuse Rate Board to set commercial rates; require applicants for refuse collection permits to demonstrate their ability to avoid disruptions in service; clarify existing law regarding refuse collection permits; authorize the Board of Supervisors on recommendation of the Refuse Rate Administrator, Refuse Rate Board, and Mayor to amend the Refuse Ordinance by eight-vote supermajority; and fully codifying the Refuse Ordinance in the Health Code.

01/11/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/10/2022.

01/21/22; 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, Public Works and Ethics Commission for reports and/or comments, pursuant to Rules of Order 2.22.4.

02/07/22; RESPONSE RECEIVED.

02/14/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Natasha Mihal and Peg Stevenson (Controller's Office); provided an overview and responded to questions raised throughout the discussion. John Bushard (Local 250); spoke in support of the matter. David Pilpel; spoke in opposition of the matter. Francisco Da Costa; Speaker; spoke neither in support nor opposition on the matter.

02/14/22; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

02/16/22; 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, Public Works, and Ethics Commission for reports and/or comments, pursuant to Rules of Order 2.22.4.

Heard in Committee. Speakers: None.

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

Ayes: 3 - Peskin, Mandelman, Chan

220053 [Initiative Ordinance - Health Code - Refuse Collection and Disposal Ordinance]**Sponsors: Peskin; Chan, Ronen, Walton and Safai**

Motion ordering submitted to the voters at an election to be held on June 7, 2022, an Ordinance amending the Refuse Collection and Disposal Ordinance (“the Refuse Ordinance”) to restructure the refuse rate-setting process to replace hearings before the Department of Public Works with a requirement that the Controller, as Refuse Rate Administrator, regularly monitor the rates and appear before the Refuse Rate Board to recommend rate adjustments; establish an appointed Ratepayer Representative to replace the Controller on the Refuse Rate Board; authorize the Refuse Rate Board to set commercial rates; require a competitive process for all existing and future refuse collection permits; authorize the Board of Supervisors on recommendation of the Refuse Rate Administrator, Refuse Rate Board, and Mayor to amend the Refuse Ordinance by eight-vote supermajority; and fully codifying the Refuse Ordinance in the Health Code.

01/11/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/10/2022.

01/21/22; 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, Public Works, and Ethics Commission for reports and/or comments, pursuant to Rules of Order 2.22.4.

02/07/22; RESPONSE RECEIVED.

02/14/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Natasha Mihal and Peg Stevenson (Controller's Office); provided an overview and responded to questions raised throughout the discussion. John Bushard (Local 250); spoke in support of the matter. David Pilpel; spoke in opposition of the matter. Francisco Da Costa; Speaker; spoke neither in support nor opposition on the matter.

02/14/22; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

02/16/22; 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, Public Works, and Ethics Commission for reports and/or comments, pursuant to Rules of Order 2.22.4.

Heard in Committee. Speakers: None.

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

Ayes: 3 - Peskin, Mandelman, Chan

220126 [Appointment, Small Business Commission - - Tiffany Walker-Carter]

Hearing to consider appointing one member, term ending January 6, 2026, to the Small Business Commission. (Rules Committee)

Seat 2, Kathleen Dooley, term expired, must be an owner, operator, or officer of a San Francisco small business and appointed by the Board of Supervisors, for the unexpired portion of a four-year term ending January 6, 2026.

02/01/22; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Tiffany Walker-Carter; spoke on their qualifications and answered questions raised throughout the discussion.

Tiffany Walker-Carter, Seat 2, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Tiffany Walker-Carter, term ending January 6, 2026, to the Small Business Commission. (Rules Committee)

Tiffany Walker-Carter, Seat 2, succeeding Kathleen Dooley, term expired, must be an owner, operator, or officer of a San Francisco small business and appointed by the Board of Supervisors, for the unexpired portion of a four-year term ending January 6, 2026.

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

Ayes: 3 - Peskin, Mandelman, Chan

220169 [Reappointment, Entertainment Commission - Laura Thomas]

Hearing to consider appointing one member, term ending July 1, 2025, to the Entertainment Commission. (Rules Committee)

Seat 3, succeeding Laura Thomas, term expired, must represent the interests of the public health community, for the unexpired portion of a four-year term ending July 1, 2025.

02/15/22; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Laura Thomas; Antrina Crawford; spoke on their qualifications and answered questions raised throughout the discussion.

Laura Thomas, Seat 3, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion reappointing Laura Thomas, for a term ending July 1, 2025, to the Entertainment Commission. (Rules Committee)

Laura Thomas, seat 3, succeeding herself, term expired, must represent the interests of the public health community, for the unexpired portion of a four-year term ending July 1, 2025.

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

Ayes: 3 - Peskin, Mandelman, Chan

210477 [Appointments, Local Homeless Coordinating Board - Kelley Cutler, Del Seymour, and Nikon Jeanell Guffey]

Hearing to consider appointing three members, terms ending October 21, 2022, and two members, terms ending October 21, 2023, to the Local Homeless Coordinating Board. (Rules Committee) Vacant Seat 5, succeeding Kelley Cutler, term expired, must represent one or more of the following homeless subpopulations: families with children; single adults; veterans; the chronically homeless; unaccompanied youth; persons with HIV/AIDS; persons with substance use disorders; the seriously mentally ill; and victims of domestic violence, dating violence, sexual assault, and stalking, for the unexpired portion of a four-year term ending October 21, 2023.

Vacant Seat 6, succeeding Deleano Seymour, term expired, must represent one or more of the following homeless subpopulations: families with children; single adults; veterans; the chronically homeless; unaccompanied youth; persons with HIV/AIDS; persons with substance use disorders; the seriously mentally ill; and victims of domestic violence, dating violence, sexual assault, and stalking, for the unexpired portion of a four-year term ending October 21, 2022.

Vacant Seat 7, succeeding Sophia Isom, term expired, must represent one or more of the following homeless subpopulations: families with children; single adults; veterans; the chronically homeless; unaccompanied youth; persons with HIV/AIDS; persons with substance use disorders; the seriously mentally ill; and victims of domestic violence, dating violence, sexual assault, and stalking, for the unexpired portion of a four-year term ending October 21, 2022.

Vacant Seat 8, succeeding Erick Brown, term expired, must represent one or more of the following homeless subpopulations: families with children; single adults; veterans; the chronically homeless; unaccompanied youth; persons with HIV/AIDS; persons with substance use disorders; the seriously mentally ill; and victims of domestic violence, dating violence, sexual assault, and stalking, for the unexpired portion of a four-year term ending October 21, 2022.

Vacant Seat 9, succeeding James Loyce, term expired, must be appointed by the City Controller, confirmed by the Board of Supervisors, and represent one or more of the following homeless subpopulations: families with children; single adults; veterans; the chronically homeless; unaccompanied youth; persons with HIV/AIDS; persons with substance use disorders; the seriously mentally ill; and victims of domestic violence, dating violence, sexual assault, and stalking, for the unexpired portion of a four-year term ending October 21, 2023.

04/28/21; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Emily Cohen (Local Homeless Coordinating Board); provided an overview and responded to questions raised throughout the discussion. Kelley Cutler; Josh Steinberger; Mark Nagel; Del Seymour; Ancel Romero; Nikon Jeanell Guffey; Raymond Gary McCoy; Caroline Thomas; spoke on their qualifications and answered questions raised throughout the discussion. Christian Evans; Caroline Kennedy; spoke in support of the appointment of various applicants. Jennifer Friedenbach (Coalition on Homelessness); Olivia Burlaki; spoke in support of the appointment of Kelley Cutler. Speaker; Jennifer Lasca; spoke in support of the appointment of Mark Nagel.

Kelley Cutler, Seat 5, recommended.

Del Seymour, Seat 6, recommended (residency requirement waived).

Nikon Jeanell Guffey, Seat 7, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Kelley Cutler, term ending October 21, 2023, and Del Seymour (residency requirement waived), and Nikon Jeanell Guffey, terms ending October 21, 2022, to the Local Homeless Coordinating Board. (Rules Committee)

Kelley Cutler, seat 5, succeeding themselves, term expired, must represent one or more of the following homeless subpopulations: families with children; single adults; veterans; the chronically homeless; unaccompanied youth; persons with HIV/AIDS; persons with substance use disorders; the seriously mentally ill; and victims of domestic violence, dating violence, sexual assault, and stalking, for the unexpired portion of a four-year term ending October 21, 2023.

Del Seymour (residency requirement waived), seat 6, succeeding themselves, term expired, must represent one or more of the following homeless subpopulations: families with children; single adults; veterans; the chronically homeless; unaccompanied youth; persons with HIV/AIDS; persons with substance use disorders; the seriously mentally ill; and victims of domestic violence, dating violence, sexual assault, and stalking, for the unexpired portion of a four-year term ending October 21, 2022.

Nikon Jeanell Guffey, seat 7, succeeding Sophia Isom, term expired, must represent one or more of the following homeless subpopulations: families with children; single adults; veterans; the chronically homeless; unaccompanied youth; persons with HIV/AIDS; persons with substance use disorders; the seriously mentally ill; and victims of domestic violence, dating violence, sexual assault, and stalking, for the unexpired portion of a four-year term ending October 21, 2022.

Chair Peskin moved that this Motion be RECOMMENDED. 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 11:39 a.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.