



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: John Avalos, Katy Tang, Malia Cohen

Clerk: Derek Evans (415) 554-7702

Thursday, January 14, 2016

11:00 AM

City Hall, Committee Room 263

Regular Meeting

President London Breed appointed Supervisor Mark Farrell, in place of Supervisor Malia Cohen, to the Rules Committee for the meeting of January 14, 2016.

Present: 3 - John Avalos, Katy Tang, and Mark Farrell

Excused: 1 - Malia Cohen

The Rules Committee met in regular session on Thursday, January 14, 2016, with Chair John Avalos presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Avalos called the meeting to order at 11:13 a.m. On the call of the roll, Chair Avalos and Vice Chair Tang were noted present. Member Farrell and Supervisor Cohen were noted not present. There was a quorum.

Supervisor Cohen Excused from Attendance

Vice Chair Tang, seconded by Chair Avalos, moved that Supervisor Cohen be excused from attending the Rules Committee meeting of January 14, 2016. The motion carried by the following vote:

Ayes: 2 - Avalos, Tang

Excused: 1 - Cohen

Absent: 1 - Farrell

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

160016 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Aaron Peskin]

Motion appointing Supervisor Aaron Peskin, term ending January 31, 2017, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

01/07/16; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: There were none.

Vice Chair Tang, seconded by Chair Avalos, moved that the Motion be RECOMMENDED. The motion carried by the following vote:

Ayes: 2 - Avalos, Tang

Excused: 1 - Cohen

Absent: 1 - Farrell

160018 [Appointment, Bay Conservation and Development Commission - Supervisor Aaron Peskin]

Motion appointing Supervisor Aaron Peskin, for an indefinite term, as an alternate member to the San Francisco Bay Conservation and Development Commission. (Clerk of the Board)

01/08/16; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: There were none.

Vice Chair Tang, seconded by Chair Avalos, moved that the Motion be RECOMMENDED. The motion carried by the following vote:

Ayes: 2 - Avalos, Tang

Excused: 1 - Cohen

Absent: 1 - Farrell

151105 [Administrative Code - Graffiti Advisory Board Membership]

Sponsor: Breed

Ordinance amending the Administrative Code to modify the composition of the Graffiti Advisory Board, renumber code sections, and provide sunset date.

10/27/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/26/2015.

11/16/15; REFERRED TO DEPARTMENT. Referred to SFMTA, Recreation and Park Department, District Attorney, Police Department, SFUSD, and Public Works for informational purposes.

Heard in Committee. Speakers: Conor Johnston (Office of Supervisor London Breed); Jimmer Cassiol (Public Works); presented information and answered questions raised throughout the discussion.

Vice Chair Tang, seconded by Chair Avalos, moved that the Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 2 - Avalos, Tang

Excused: 1 - Cohen

Absent: 1 - Farrell

160017 [Appointments, Child Care Planning and Advisory Council - Gretchen Ames and Dolores Terrazas]

Hearing to consider appointing two members, terms ending March 19, 2018, to the Child Care Planning and Advisory Council. (Rules Committee)

Vacant seat 5, succeeding Natalie Kriger, resigned, must be a nominee of the District 5 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for a three-year term ending March 19, 2018.

Vacant seat 9, succeeding Allison Cuentos, resigned, must be a nominee of the District 9 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for a three-year term ending March 19, 2018

01/07/16; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Gretchen Ames; Dolores Terrazas; spoke on their qualifications. E'Leva Gibson, Secretary (Child Care Planning and Advisory Council); spoke in support of both applicants.

Appointment of Gretchen Ames, seat 5, recommended.

Appointment of Dolores Terrazas, seat 9, recommended (residency requirement waived).

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Gretchen Ames and Dolores Terrazas (residency requirement waived), terms ending March 19, 2018, to the Child Care Planning and Advisory Council. (Rules Committee)

Gretchen Ames, seat 5, succeeding Natalie Kriger, resigned, must be a nominee of the District 5 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for the unexpired portion of a three-year term ending March 19, 2018.

Dolores Terrazas (residency requirement waived), seat 9, succeeding Allison Cuentos, resigned, must be a nominee of the District 9 Supervisor and represent one of the following categories: consumers, child care providers, discretionary, community representatives, or public agency representatives, for the unexpired portion of a three-year term ending March 19, 2018.

Vice Chair Tang, seconded by Chair Avalos, moved that the Motion be RECOMMENDED... The motion carried by the following vote:

Ayes: 2 - Avalos, Tang

Excused: 1 - Cohen

Absent: 1 - Farrell

150940 [Charter Amendment - Park, Recreation and Open Space Fund]**Sponsors: Farrell; Mar, Tang, Wiener, Yee, Breed and Cohen**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.

09/22/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/22/2015.

09/29/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3); and Mayor's Office, Office of the City Attorney, City Administrator, Ethics Commission, Department of Elections, Budget and Legislative Analyst, Recreation and Park Department/Commission, and Park, Recreation and Open Space Advisory Committee for informational purposes (per Rules of Order 2.22.4).

11/05/15; RESPONSE RECEIVED. Planning Department certifies this Charter Amendment is 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.

11/10/15; REFERRED TO DEPARTMENT. Referred to the Youth Commission per Charter Section 4.124 for comment and recommendation.

11/12/15; RESPONSE RECEIVED. Controller's Office provided financial analysis supporting opinion that this Charter Amendment would have a significant impact on the cost of government.

11/12/15; AMENDED. Heard in Committee. Speakers: Supervisor Mark Farrell (Board of Supervisors); Phil Ginsburg, General Manager (Recreation and Park Department); presented information and answered questions raised throughout the discussion. Samantha; Linda D'Avirro, Chair (Park, Recreation and Open Space Advisory Committee); Phil Arnold (Parks Alliance); Kitty Teerling (Friends of Grattan Playground); Jacqueline Bos (Friends of Joe DiMaggio Playground); Rachel Norton; Denis Mosgofian (Park, Recreation and Open Space Advisory Committee), Jean Bogiages; Jessica Closson; Steffen Franz (Park, Recreation and Open Space Advisory Committee); Isabel Wade; Matt O'Grady, President (Parks Alliance); Tom Banks; Vince Courtney (L!UNA!); John Ware; June Fraps (Friends of Washington Square); Kate Eschelbach (Friends of Grattan Playground); Janet Gamble (Friends of Alta Plaza Park); Eric Brooks (Our City); Linda Newhouse Segal; Vanessa Banks (Friends of Youngblood Coleman Park); Linda Schaffer (Park, Recreation and Open Space Advisory Committee); spoke in support of the hearing matter. Nancy Wuerfel; Eileen Boken; spoke in opposition of the hearing matter. Ron Proctor, Anastasia Glikshtern, Dee Seligman, and Kathleen Hallinan (San Francisco Forest Alliance); spoke neither in support nor against the hearing matter.

11/12/15; CONTINUED AS AMENDED.

11/12/15; REFERRED TO DEPARTMENT. Re-referred to the Planning Department for environmental review; City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3); and Mayor's Office, Office of the City Attorney, City Administrator, Ethics Commission, Department of Elections, Budget and Legislative Analyst, Recreation and Park Department/Commission, and Park, Recreation and Open Space Advisory Committee for informational purposes (per Rules of Order 2.22.4).

11/13/15; REFERRED TO DEPARTMENT. Re-referred to the Youth Commission per Charter Section 4.124 for comment and recommendation.

11/17/15; RESPONSE RECEIVED. Youth Commission voted to support File No. 150940, with comments.

12/01/15; RESPONSE RECEIVED. Controller's Office provided financial analysis supporting opinion that this Charter Amendment would have a significant impact on the cost of government.

12/07/15; RESPONSE RECEIVED. Planning Department certifies this Charter Amendment is 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.

12/10/15; CONTINUED. Heard in Committee. Speakers: Matt O'Grady, and Kelly Nice (San Francisco Parks Alliance); Denis Mosgofian, Commissioner (Park, Recreation, and Open Space Advisory Committee); Christine Raher (San Francisco Lawn Bowling Club); Lee Anne Weldon (San Francisco Parks Alliance); Linda D'Avirro, Chair (Park, Recreation, and Open Space Advisory Committee); Linda Litehiser; Martha

Ehrenfeld (Tennis Coalition of San Francisco); Jane Weil, Commissioner (Park, Recreation, and Open Space Advisory Committee); Bill Hancock (San Francisco Parks Alliance); Jenny Lan, Jackie O, and Kathleen Hallinan (San Francisco Parks Alliance); Kitty Teerling (Friends of Grattan Playground); Rosemary Cameron, Board Member (San Francisco Parks Alliance); Walter Paulson; Rachel Norton, Director of Policy and Communications (San Francisco Parks Alliance); spoke in support of the hearing matter. Ron Proctor (San Francisco Forest Alliance); Nancy Wuerfel; spoke neither in support nor against the hearing matter.

Heard in Committee. Speakers: Jim Lazarus (San Francisco Chamber of Commerce); Matt O'Grady, Chief Executive Officer (Parks Alliance); Phil Arnold (Parks Alliance); Martha Ehrenfeld (Tennis Coalition of San Francisco); Kelly Nice, Board Chair (Parks Alliance); Male Speaker (Zynga Charity); Rosemary Cameron (Parks Alliance); Jean Boglages (Parks Alliance); Anita Denz (Friends of Alta Park); Rachel Norton (San Francisco Parks Alliance); spoke in support of the hearing matter. Linda Litehiser; Christine Raheer (San Francisco Lawn Bowling); Zahra Kelly (Nature in the City); Dee Seligman (San Francisco Forest Alliance); Nancy Wuerfel; spoke neither in support nor against the hearing matter.

Chair Avalos moved that this Charter Amendment be AMENDED to extend the annual set-aside and baseline appropriations for the open space fund for another 15 years. The motion FAILED by the following vote:

Ayes: 1 - Avalos

Noes: 2 - Tang, Farrell

Excused: 1 - Cohen

Member Farrell, seconded by Vice Chair Tang, moved that the Charter Amendment be AMENDED on Page 1, Line 7; on Page 3, Lines 18 and 22; on Page 6, Lines 15, 17, 20, 22, and 25; on Page 7, Lines 3, 6, 8, and 10 through 19; on Page 8, Lines 11 and 19 through 22; on Page 9, Lines 2 through 5; on Page 10, Lines 1 and 20; on Page 11, Lines 1 and 20 through 25; and on Page 12, Line 1, to address equity concerns in park-funding levels, and to mandate that the Recreation and Park Department and Commission develop equity metrics to be used to establish a baseline of existing services and resources in low-income neighborhoods and disadvantaged communities; to require the Department to submit the Capital Plan to the Park, Recreation and Open Space Advisory Committee for review before Commission approval; to require the Department to consider the equity analysis and metrics in the Operational, Strategic, and Capital Plans; to require the Department to submit the metrics to the Mayor and Board of Supervisors for review; and authorizing the creation of a new equity fund to accept private donations to support any deficiencies in equity shown in the analysis and metrics. The motion carried by the following vote:

Ayes: 2 - Tang, Farrell

Noes: 1 - Avalos

Excused: 1 - Cohen

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations to include equity analysis, at an election to be held on June 7, 2016.

Member Farrell, seconded by Vice Chair Tang, moved that the Charter Amendment be CONTINUED AS AMENDED to the next Rules Committee meeting. The motion carried by the following vote:

Ayes: 2 - Tang, Farrell

Noes: 1 - Avalos

Excused: 1 - Cohen

151273 [Charter Amendment - Filling Mayoral and Supervisorial Vacancies]**Sponsor: Avalos**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide for a run-off election for Mayor between the top two candidates selected through ranked-choice voting unless one candidate receives a majority of first-place choices; require the Department of Elections to hold a special election when there is a vacancy in the Office of Mayor or Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; provide that the President of the Board of Supervisors serves as Acting Mayor until an election is held to fill a mayoral vacancy; and provide that the Board of Supervisors shall appoint an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on June 7, 2016.

12/15/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/14/2016.

12/21/15; REFERRED TO DEPARTMENT. Referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3); and Mayor's Office, Office of the City Attorney, and Department of Elections for informational purposes (per Rules of Order 2.22.4).

01/12/16; RESPONSE RECEIVED. Controller's Office provided financial analysis supporting opinion that this Charter Amendment would have a moderate impact on the cost of government.

Heard in Committee. Speakers: Nancy Wuerfel; David Cary; spoke in support of the hearing matter. Jim Lazarus (San Francisco Chamber of Commerce); spoke in opposition to the hearing matter. Christopher Jerdonek; spoke neither in support nor against the hearing matter.

Chair Avalos requested File No. 151273 be DUPLICATED.

See Duplicated File No. 160040.

Chair Avalos moved that the Charter Amendment be AMENDED by removing text related to the Mayoral run-off election following ranked-choice voting. The motion carried by the following vote:

Ayes: 3 - Avalos, Tang, Farrell

Excused: 1 - Cohen

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require the Department of Elections to hold a special election when there is a vacancy in the Office of Mayor or Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; provide that the President of the Board of Supervisors serves as Acting Mayor until an election is held to fill a mayoral vacancy; and provide that the Mayor shall appoint an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on June 7, 2016.

Vice Chair Tang, seconded by Member Farrell, moved that the Charter Amendment be CONTINUED AS AMENDED to the next Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Avalos, Tang, Farrell

Excused: 1 - Cohen

160040 [Charter Amendment - Mayoral Run-Off Election Following Ranked-Choice Voting]**Sponsor: Avalos**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide for a run-off election for Mayor between the top two candidates selected through ranked-choice voting unless one candidate receives a majority of first-place choices; require the Department of Elections to hold a special election when there is a vacancy in the Office of Mayor or Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; provide that the President of the Board of Supervisors serves as Acting Mayor until an election is held to fill a mayoral vacancy; and provide that the Board of Supervisors shall appoint an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on June 7, 2016.

Duplicated from File No. 151273.

Heard in Committee. Speakers: Nancy Wuertel; David Cary; spoke in support of the hearing matter. Jim Lazarus (San Francisco Chamber of Commerce); spoke in opposition to the hearing matter. Christopher Jerdonek; spoke neither in support nor against the hearing matter.

Chair Avalos moved that the Charter Amendment be AMENDED by removing text relating to filling Mayoral and Supervisorial vacancies. The motion carried by the following vote:

Ayes: 3 - Avalos, Tang, Farrell

Excused: 1 - Cohen

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide for a run-off election for Mayor between the top two candidates selected through ranked-choice voting unless one candidate receives a majority of first choices, at an election to be held on June 7, 2016.

Vice Chair Tang, seconded by Member Farrell, moved that the Charter Amendment be CONTINUED TO CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Avalos, Tang, Farrell

Excused: 1 - Cohen

160014 [Appointments, Cannabis State Legalization Task Force - Duncan Talento Ley, Thea Selby, and Jennifer Garcia]

Hearing to consider appointing three members, terms ending August 31, 2016, to the Cannabis State Legalization Task Force. (Rules Committee)

Vacant seat 13, new appointment, must be an owner of a small business in San Francisco, for a one-year term ending August 31, 2016.

Vacant seat 14, new appointment, must be an individual with experience working for, or on behalf of, the interests of businesses in San Francisco, for a one-year term ending August 31, 2016.

Vacant seat 20, new appointment, must be a representative of a labor union that represents employees working in the cannabis industry, for a one-year term ending August 31, 2016.

01/07/16; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Janet Griggs; David Hua; Michael Nolin; Thea Selby; Jennifer Garcia; spoke on their qualifications. Peter Strauss; Jim Lazarus (San Francisco Chamber of Commerce); spoke in support of Thea Selby.

Appointment of Duncan Talento Ley, seat 13, recommended.

Appointment of Thea Selby, seat 14, recommended.

Appointment of Jennifer Garcia, seat 20, recommended (residency requirement waived).

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Duncan Talento Ley, Thea Selby, and Jennifer Garcia (residency requirement waived), terms ending August 31, 2016, to the Cannabis State Legalization Task Force. (Rules Committee)

Duncan Talento Ley, seat 13, new appointment, must be an owner of a small business in San Francisco, for a one-year term ending August 31, 2016.

Thea Selby, seat 14, new appointment, must be an individual with experience working for, or on behalf of, the interests of businesses in San Francisco, for a one-year term ending August 31, 2016.

Jennifer Garcia (residency requirement waived), seat 20, new appointment, must be a representative of a labor union that represents employees working in the cannabis industry, for a one-year term ending August 31, 2016.

Vice Chair Tang, seconded by Chair Avalos, moved that the Motion be RECOMMENDED... The motion carried by the following vote:

Ayes: 2 - Avalos, Tang

Excused: 1 - Cohen

Absent: 1 - Farrell

Chair Avalos recessed from 11:58 a.m. until 12:30 p.m.

Member Farrell was noted present at 12:31 p.m. and for the remainder of the meeting.

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 1:46 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.