



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 21, 2016

10:00 AM

Legislative Chamber, Room 250

Special Meeting

Present: 3 - John Avalos, Katy Tang, and Malia Cohen

The Rules Committee met in special session on Thursday, January 21, 2016, with Chair John Avalos presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Avalos called the meeting to order at 10:13 a.m. On the call of the roll, Chair Avalos and Vice Chair Tang were noted present. Member Cohen was noted not present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

151263 [Hearing - Alternatives to Use of Force in Policing]

Sponsors: Cohen; Yee, Avalos, Breed and Campos

Hearing on alternatives to the use of force in policing, and re-evaluating San Francisco Police Department General Orders 2.07, 5.01, and 5.02; and requesting the Police Department to report.

12/08/15; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

12/11/15; TRANSFERRED to Rules Committee. President Breed transferred File No. 151263 from PSNS to Rules; 12/11/15.

12/11/15; REFERRED TO DEPARTMENT. Referred to the Police Department and Police Commission for informational purposes.

Heard in Committee. Speakers: Supervisor David Campos and President London Breed (Board of Supervisors); Aaron Zisser (U.S Department of Justice, Civil Rights Division); Yolanda Jackson, Executive Director and General Council, and Julie Traun, Data Collection Committee Chair (Bar Association of San Francisco); Joyce Hicks, Director (Office of Citizens Complaints); Captain Gregory Yee, and Lieutenant Mario Molina (Police Department); presented information and answered questions raised throughout the discussion. Tes Welborn; Magick; Male Speaker; Chuck Newell; Michael Lyon (San Francisco Gray Panthers); Patricia Gray (Occupy Action Council); Adam Jamin; Angela Jenkins; Eticia Brown (Last 3% of Black SF); D'Andre; Curt Wechsler; Jennifer Friedenbach, Executive Director (Coalition on Homelessness); Shawn Richard (Brothers Against Guns); David (Justice for Mario Woods Coalition); Alvin Watson; Nick Pasquariello; Male Speaker; Male Speaker; Male Speaker; shared various concerns relating to the hearing matter.

Vice Chair Tang moved that the hearing be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 2 - Avalos, Tang

Absent: 1 - Cohen

Supervisor Cohen was noted present at 10:14 a.m.

Supervisor Tang was noted absent at 10:47 a.m. and present at 12:45 p.m.

Supervisor Cohen was noted absent at 1:02 p.m. and for the remainder of the meeting.

President Breed appointed Supervisor David Campos, in place of Supervisor Katy Tang, for Item No. 1 (File No. 151263), for the duration of her absence at today's Rules Committee meeting.

Chair Avalos recessed the Rules Committee meeting from 1:06 p.m. to 1:07 p.m., due to a temporary loss of quorum.

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

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.

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 (LIUNA!); 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.

01/14/16; AMENDED.

01/14/16; CONTINUED AS AMENDED.

01/14/16; AMENDED. 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 Raher (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.

01/15/16; 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).

Heard in Committee. Speakers: Supervisor Mark Farrell (Board of Supervisors); presented information and answered questions raised throughout the discussion. Phil Arnold; Matt O'Grady, Chief Executive Officer; Kelly Nice; Rachel Norton; and Rosemary Cameron (San Francisco Parks Alliance); Todd David (Residents for Noe Valley Town Square); spoke in support of the hearing matter.

Vice Chair Tang, seconded by Chair Avalos, moved that the Charter Amendment be AMENDED by extending the term of the Fund, including the set aside and the baseline appropriation, by 15 years; requiring that the equity analyses in the Strategic and Capital Expenditures Plans adopted by the Department include strategies to mitigate any equity deficiencies identified in the plans; and requiring the Board of Supervisors to conduct a hearing on the Strategic and Capital Expenditure Plans adopted by the Department and adopt a resolution expressing the Board's approval or disapproval of the Plans. The motion carried by the following vote:

Ayes: 3 - Avalos, Tang, Cohen

Charter Amendment (Fourth 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, extend the annual set-aside and the baseline appropriation for 15 years to FY2045-2046, and modify the Recreation and Park Department's planning obligations to include equity analysis and Board of Supervisors review, at an election to be held on June 7, 2016.

Vice Chair Tang, seconded by Chair Avalos, moved that the Charter Amendment be CONTINUED AS AMENDED to the January 28, 2016, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Avalos, Tang, Cohen

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

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.

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.

01/14/16; DUPLICATED. 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.

01/14/16; CONTINUED AS AMENDED.

01/14/16; AMENDED. See Duplicated File No. 160040.

01/15/16; REFERRED TO DEPARTMENT. Re-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).

Heard in Committee. Speaker: Magick; spoke in support of the hearing matter.

Vice Chair Tang, seconded by Chair Avalos, moved that the Charter Amendment be AMENDED by striking text related to the selection process for vacancies in the office of the Mayor, and inserting text to specify that the Mayor shall appoint an interim Supervisor to temporarily fill a Supervisorial vacancy within 28 days of the date of the vacancy. The motion carried by the following vote:

Ayes: 3 - Avalos, Tang, Cohen

Charter Amendment (Third 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 Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the 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 Chair Avalos, moved that the Charter Amendment be CONTINUED AS AMENDED to the January 28, 2016, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Avalos, Tang, Cohen

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 1:19 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.