



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

Monday, December 6, 2021

10:00 AM

Regular Meeting

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

The Rules Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, December 6, 2021, with Chair Aaron Peskin presiding.

Chair Peskin called the meeting to order at 10:00 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

201132 [Campaign and Governmental Conduct Code - Behested Payments]**Sponsors: Haney; Peskin, Chan and Walton**

Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of interested party to include City contractors, persons seeking to influence City officers and employees, registered contact lobbyists, permit consultants, and to prohibit elected officials, department heads, commissioners, and designated employees from soliciting behested payments from interested parties. (Meet and confer obligations met.)

09/29/20; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/29/2020.

10/09/20; REFERRED TO DEPARTMENT. Referred to Depts. for informational purposes.

03/16/21; SUBSTITUTED AND ASSIGNED to Rules Committee.

09/13/21; CONTINUED. Heard in Committee. Speakers: Supervisor Matt Haney (Board of Supervisors); Patrick Ford (Ethics Commission); Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Eileen Boken (Sunset Parkside); Bob Planthold; David Pilpel; Teresa Boglio (Local 261); spoke in support of the matter.

09/20/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Anne Pearson (Office of the City Attorney); Patrick Ford (Ethics Commission); provided an overview and responded to questions raised throughout the discussion. Charles Headspoke; in support of the matter. Speaker; spoke in opposition of the matter. Francisco Da Costa; Linda Chapman; Debbie Learner; David Pilpel; spoke neither in support nor opposition on the matter.

09/20/21; CONTINUED AS AMENDED.

09/27/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Matt Haney (Board of Supervisors); presented information and answered questions raised throughout the discussion. David Pilpel; Debbie Lehrman; Bruce Wolfe; Speaker; Linda Chapman; spoke in support of the amendments and hearing matter.

09/27/21; CONTINUED AS AMENDED.

10/18/21; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

11/29/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Debbi Lerman, Director (Human Services Network); Linda Chapman; David Pilpel; provided various comments on the hearing matter.

11/29/21; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Debbi Lerman (SF Human Services Network); Bruce Wolfe, Chair (Sunshine Ordinance Task Force); Charles Head (Coalition for SF Neighborhoods); David Pilpel; spoke on various concerns relating to the hearing matter.

Chair Peskin moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 2, Lines 19-21, to insert “Grant” shall mean an agreement with a government agency, non-profit organization or private entity to fund City projects or programs, under which the grantor imposes restrictions on the City’s spending of the grant funds’ after funds; on Page 3, Lines 11-12, to insert 'or (2) speaking at a public forum or rally, if the person does not have a financial interest in the matter that is the subject of the person’s speech'; on Page 3, Lines 18-21 and Page 6, Lines 14-16, to strike 'if the permitte consultant contacts the designated employee's or officer's department to carry out permit consulting services' and insert ', if the permit consultant has reported any contacts with the designated employee’s or officer’s department to carry out permit consulting services during the prior 12 months'; on Page 3, Lines 24-25, to insert 'or (c) an individual, solely because the individual is an uncompensated board member of a nonprofit organization that is an interested party'; on Page 4, Lines 1-2, to to insert 'For the purposes of subsection (c) only, “interested party” shall not include: (a) a person providing a grant to the City or a City department; or (b) with respect to members of the Board of Supervisors, a City Contractor, or affiliate of a City contractor, if the Board of Supervisors did not approve the City Contractor’s agreement with the City.'; on Page 6, Line 25, to strike 'person or set of persons' and insert 'interested party or parties; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan
(Meet and confer obligations met.)

Chair Peskin requested that File No. 201132 be **DUPLICATED**. (See File No. 211262)

DUPLICATED

Chair Peskin moved that this Ordinance be **RECOMMENDED AS AMENDED AS A COMMITTEE REPORT**. The motion carried by the following vote:

Ayes: 2 - Peskin, Chan
Noes: 1 - Mandelman

211262 [Campaign and Governmental Conduct Code - Behested Payments]

Sponsors: Haney; Peskin, Chan and Walton

Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of interested party to include City contractors, persons seeking to influence City officers and employees, registered contact lobbyists, permit consultants, and to prohibit elected officials, department heads, commissioners, and designated employees from soliciting behested payments from interested parties. (Meet and confer obligations met.)

12/05/21; DUPLICATED.

Duplicated from File No. 201132

DUPLICATED

Chair Peskin moved that this Ordinance be CONTINUED TO THE CALL OF THE CHAIR.

The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Chair Peskin moved to RESCIND the motion to Continue to the Call of the Chair.

The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Chair Peskin AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to codify existing interpretation of the law that contracts not approved by the Board of Supervisors are not subject to the prohibition on behested payments solicitations, by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan
(Meet and confer obligations met.)

Chair Peskin moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

211079 [Appointments, Food Security Task Force - Meredith Terrell and Guillermo Reece]

Hearing to consider appointing three members, for indefinite terms, to the Food Security Task Force. (Clerk of the Board)

Vacant Seat 12, succeeding Hilary Seligman, resigned, must be a representative of community-based organizations that provide nutritional support and increase the food security of San Francisco residents, including but not limited to a representative from an organization serving food in the following program types: home-delivered meals, congregate meals for seniors, food bank, free dining room, multi-service agency serving families and youth, shelter meals, faith-based organizations, food retail (farmers markets, grocery stores), and hospital and health clinics - no organization shall have more than one representative; nominated by the Food Security Task Force and appointed by the Board of Supervisors, for an indefinite term.

Vacant Seat 14, succeeding Jennifer Siswandi, resigned, must be a representative of community-based organizations that provide nutritional support and increase the food security of San Francisco residents, including but not limited to a representative from an organization serving food in the following program types: home-delivered meals, congregate meals for seniors, food bank, free dining room, multi-service agency serving families and youth, shelter meals, faith-based organizations, food retail (farmers markets, grocery stores), and hospital and health clinics - no organization shall have more than one representative; nominated by the Food Security Task Force and appointed by the Board of Supervisors, for an indefinite term.

Vacant Seat 19, succeeding Emma Steinberg, resigned, must be a representative of community-based organizations that provide nutritional support and increase the food security of San Francisco residents, including but not limited to a representative from an organization serving food in the following program types: home-delivered meals, congregate meals for seniors, food bank, free dining room, multi-service agency serving families and youth, shelter meals, faith-based organizations, food retail (farmers markets, grocery stores), and hospital and health clinics - no organization shall have more than one representative; nominated by the Food Security Task Force and appointed by the Board of Supervisors, for an indefinite term.

10/13/21; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Meredith Terrell; Guillermo Reece; spoke on their qualifications and answered questions raised throughout the discussion.

*Meredith Terrell, seat 12, recommended.
Guillermo Reece, seat 14, recommended.*

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Meredith Terrell and Guillermo Reece, for an indefinite term, to the Food Security Task Force. (Clerk of the Board)

Meredith Terrell, seat 12, succeeding Hilary Seligman, resigned, must be a representative of community-based organizations that provide nutritional support and increase the food security of San Francisco residents, including but not limited to a representative from an organization serving food in the following program types: home-delivered meals, congregate meals for seniors, food bank, free dining room, multi-service agency serving families and youth, shelter meals, faith-based organizations, food retail (farmers markets, grocery stores), and hospital and health clinics - no organization shall have more than one representative; nominated by the Food Security Task Force and appointed by the Board of Supervisors, for an indefinite term.

Guillermo Reece, seat 14, succeeding Jennifer Siswandi, resigned, must be a representative of community-based organizations that provide nutritional support and increase the food security of San Francisco residents, including but not limited to a representative from an organization serving food in the following program types: home-delivered meals, congregate meals for seniors, food bank, free dining room, multi-service agency serving families and youth, shelter meals, faith-based organizations food retail (farmers markets, grocery stores), and hospital and health clinics - no organization shall have more than one representative; nominated by the Food Security Task Force and appointed by the Board of Supervisors, for an indefinite term.

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

Ayes: 3 - Peskin, Mandelman, Chan

210419 [Appointment, Police Commission]

Hearing to consider appointing one member, term ending April 30, 2025, to the Police Commission. (Clerk of the Board)

Seat 3, succeeding Petra DeJesus, term expiring April 30, 2021, must be nominated by Board of Supervisors Rules Committee and subject to confirmation by the Board of Supervisors, for a four-year term ending April 30, 2025.

04/20/21; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: David Rizk; Jesús Gabriel Yañez; Stephen Schwartz; Veronika Fimbres; spoke on their qualifications and answered questions raised throughout the discussion. Verlon Begil; Ron Stickle; Mr. Garcia Costa; Ivan Prado; Kevin Ortiz; Valerie Terimayna; Selina Peseto; spoke in support of the appointment of Jesús Gabriel Yañez. Julie Tron; Sam Revarian; Rebecca Young; spoke in support of the appointment of David Rizk.

Chair Peskin moved that this Hearing be CONTINUED to the Rules Committee Meeting of December 13, 2021. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

211192 [Appointments, Children, Youth and Their Families Oversight and Advisory Committee - Jada Curry, Jennifer Salerno, and Julie Roberts-Phung]

Hearing to consider appointing three members, terms ending July 1, 2022, and two members, terms ending July 1, 2023, to the Children, Youth and Their Families Oversight and Advisory Committee. (Rules Committee)

Seat 7, succeeding Jada Curry, term expired, 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, 2022.

Seat 8, succeeding Winnie Chen, term expiring July 1, 2021, shall be a person who is a parent or guardian of a child, which child is enrolled in kindergarten through 8th grade at the time of the member's appointment for the term. This member shall be from a low-income community or have expertise or substantial experience working to promote the interests of communities of color and shall have demonstrated a commitment to improving access and quality of services for children, youth and families, for a two-year term ending July 1, 2023.

Seat 9, succeeding Julie Roberts-Phung, term expired, shall be a person who is a parent or guardian of a child, which child, at the time of the member's appointment for the term, is under the age of 5 years and enrolled in a publicly-subsidized or City-funded program. This member shall have demonstrated a commitment to improving access and quality of services for children, youth and families, for a two-year term ending July 1, 2022.

Seat 10, succeeding Yamini Bhatnagar, term expiring July 1, 2021, shall be a person with expertise or substantial experience working in the field of children and youth services in communities that are low-income or underserved, for a two-year term ending July 1, 2023.

Vacant Seat 11, succeeding Joanna Powell (resigned), term expired, shall be a person who has demonstrated commitment to improving access to and quality of services for children, youth and families, for a two-year term ending July 1, 2022.

11/16/21; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Dori Caminong, Department of Children Youth and their Families; provided an overview and responded to questions raised throughout the discussion. Jennifer Salerno; Julie Roberts-Phung; spoke on their qualifications and answered questions raised throughout the discussion.

Jada Curry, seat 7, recommended.

Julie Roberts-Phung, seat 8, recommended.

Jennifer Salerno, seat 11, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Jada Curry and Jennifer Salerno, terms ending July 1, 2022, and Julie Roberts-Phung, term ending July 1, 2023, to the Children, Youth and Their Families Oversight and Advisory Committee. (Rules Committee)

Jada Curry, seat 7, succeeding themselves, term expired, 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, 2022;

Jennifer Salerno, seat 11, succeeding Joanna Powell (resigned), term expired, shall be a person who has demonstrated commitment to improving access to and quality of services for children, youth and families, for a two-year term ending July 1, 2022;

Julie Roberts-Phung, seat 8, succeeding Winnie Chen, term expired, shall be a person who is a parent or guardian of a child, which child is enrolled in kindergarten through 8th grade at the time of the member's appointment for the term. This member shall be from a low-income community or have expertise or substantial experience working to promote the interests of communities of color and shall have demonstrated a commitment to improving access and quality of services for children, youth and families, for a two-year term ending July 1, 2023.

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 12:15 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.