



# City and County of San Francisco

## Meeting Agenda

### Rules Committee

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

*Members: Katy Tang, Eric Mar, Malia Cohen*

*Clerk: Derek Evans (415) 554-7702*

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Thursday, June 23, 2016

11:00 AM

City Hall, Committee Room 263

**Regular Meeting**

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## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## REGULAR AGENDA

- [151273](#) **[Charter Amendment - Filling Vacancies in Local Elective Office]**  
**Sponsors: Avalos; Mar**  
Charter Amendment (Fifth 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; 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; and require the Mayor to fill vacancies in all local elective offices within 28 days of the vacancy, at an election to be held on November 8, 2016.  
  
12/15/15; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.  
  
12/21/15; REFERRED TO DEPARTMENT.  
  
1/12/16; RESPONSE RECEIVED.  
  
1/14/16; DUPLICATED.  
  
1/14/16; CONTINUED AS AMENDED.  
  
1/14/16; AMENDED.  
  
1/15/16; REFERRED TO DEPARTMENT.  
  
1/21/16; AMENDED.  
  
1/21/16; CONTINUED AS AMENDED.  
  
1/22/16; REFERRED TO DEPARTMENT.  
  
1/27/16; RESPONSE RECEIVED.  
  
1/28/16; DUPLICATED.  
  
1/28/16; CONTINUED TO CALL OF THE CHAIR.

2/2/16; RESPONSE RECEIVED.

2/3/16; AMENDED.

2/3/16; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

6/3/16; REFERRED TO DEPARTMENT.

6/3/16; RESPONSE RECEIVED.

6/6/16; RESPONSE RECEIVED.

6/9/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

6/9/16; CONTINUED.

6/13/16; REFERRED TO DEPARTMENT.

6/13/16; RESPONSE RECEIVED.

2. [160381](#) **[Charter Amendment and Business and Tax Regulations Code - City Responsibility and Parcel Tax for Street Trees]**

**Sponsors: Wiener; Mar**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees to the City and establish a special fund primarily to pay for such maintenance and the maintenance of trees on San Francisco Unified School District property; to amend the Business and Tax Regulations Code to add a special parcel tax primarily to fund the City's maintenance of street trees and the maintenance of trees on San Francisco Unified School District property; to increase the City's appropriations limit by the amount of the parcel tax for four years from November 8, 2016; and to affirm the Planning Department's determination under the California Environmental Quality Act.

4/19/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

4/22/16; REFERRED TO DEPARTMENT.

5/6/16; RESPONSE RECEIVED.

6/2/16; TRANSFERRED to the Budget and Finance Committee.

6/8/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

6/8/16; CONTINUED AS AMENDED.

6/14/16; REFERRED TO DEPARTMENT.

6/16/16; REFERRED WITHOUT RECOMMENDATION to the Rules Committee.

3. [160582](#) **[Charter Amendment - City Responsibility for Maintaining Street Trees]**

**Sponsor: Avalos**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees from abutting property owners to the City; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on November 8, 2016.

5/24/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/2/16; REFERRED TO DEPARTMENT.

4. [160585](#) **[Charter Amendment - Dignity Fund]**  
**Sponsors: Cohen; Mar, Yee, Avalos and Campos**  
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to: 1) establish the Dignity Fund to support Seniors and Adults with Disabilities; 2) create an annual set-aside from the property tax for the Dignity Fund in an amount equivalent to an annual tax of two cents for each \$100 of assessed valuation, and a baseline appropriation based on City spending for these purposes in FY2016-2017; 3) establish a planning process for expenditures from the Fund; 4) create an Oversight and Advisory Committee; 5) set an expiration date of June 30, 2037; and, 6) change the Commission on Aging to the Aging and Adult Services Commission, update its responsibilities, and divide the appointing power between the Mayor and the Board of Supervisors, at an election to be held on November 8, 2016.

5/24/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/3/16; REFERRED TO DEPARTMENT.

## ADJOURNMENT

## LEGISLATION UNDER THE 30-DAY RULE

*NOTE: The following legislation will not be considered at this meeting. Board Rule 3.22 provides that when an Ordinance or Resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the Committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.*

[160581](#) **[Charter Amendment - Homeless Housing and Services Fund; Transportation Improvement Fund - Budget Set-Asides]**

**Sponsors: Mayor; Avalos, Wiener and Farrell**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to: create a Homeless Housing and Services Fund and appropriate \$11,500,000 to the Fund in FY2016-2017 and \$47,750,000 annually to the Fund, adjusted for changes in discretionary City revenues, for the next 24 years, and create a Transportation Improvement Fund and appropriate \$23,000,000 to the Fund in FY2016-2017 and \$95,500,000 annually to the Fund, adjusted for changes in discretionary City revenues, for the next 24 years, at an election to be held on November 8, 2016.

5/24/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/1/16; REFERRED TO DEPARTMENT.

**160583 [Charter Amendment - Public Advocate]****Sponsors: Campos; Avalos, Kim and Mar**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) place the Public Advocate in charge of the Office of Labor Standards Enforcement (OLSE), the Office of Citizen Complaints (OCC), and the Controller's whistleblower program; 5) call a special election for November 7, 2017, to elect the first Public Advocate; 6) provide for the Public Advocate's election, removal, and salary; and 7) establish a set-aside of 0.03% of the City's budget, as well as the amounts previously budgeted to OLSE, OCC, and the whistleblower program, to fund the Office of the Public Advocate, and setting an operative date, at an election to be held on November 8, 2016.

5/24/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/2/16; REFERRED TO DEPARTMENT.

**160584 [Charter Amendment - Independent Investigations Bureau in the Office of the District Attorney]****Sponsor: Cohen**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to designate an Independent Investigations Bureau in the Office of the District Attorney as the primary agency to investigate criminal conduct arising out of critical incidents in the City involving officer-involved use of force, upon the District Attorney's establishment of the Bureau; to provide for development of a protocol between the District Attorney and Chief of Police to staff and coordinate the Bureau; and to establish the Independent Investigations Bureau Fund for the operation of the Bureau and require that an amount equal to 0.34% of the annual budgets of the Police Department and Sheriff's Department and funds for additional costs of the Bureau be allocated annually to the Fund, for so long as the District Attorney maintains the Bureau, at an election to be held on November 8, 2016.

5/24/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/2/16; REFERRED TO DEPARTMENT.

**160586 [Charter Amendment - Independent Police Oversight Department and Budget Set-Aside]****Sponsor: Cohen**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to: re-name the Office of Citizen Complaints (OCC) as the Independent Police Oversight Department (IPOD); eliminate the requirement that the Police Commission approve IPOD's proposed budget and instead give IPOD direct authority over its proposed budget; authorize IPOD to conduct periodic reviews of how the Police Commission, Police Department, and IPOD have handled claims of officer misconduct; and require an annual appropriation to IPOD at least equal to the OCC budget for FY2015-2016, adjusted for changes in total City discretionary revenues, at an election to be held on November 8, 2016.

5/24/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/3/16; REFERRED TO DEPARTMENT.

**160588****[Charter Amendment - Housing and Development Commission]****Sponsors: Peskin; Kim**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development, the Department of Housing and Community Development, and the Department of Real Estate; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; and to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development, at an election to be held on November 8, 2016.

5/24/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/3/16; REFERRED TO DEPARTMENT.

**160589****[Charter Amendment - Municipal Transportation Agency - Appointments to Board of Directors and Budget Process]****Sponsors: Yee; Kim, Peskin and Campos**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to split the power to make appointments to the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors between the Mayor and the Board of Supervisors, to lower the vote by which the Board of Supervisors may reject the SFMTA Budget from seven to six, and to make related changes implementing these amendments, at an election to be held on November 8, 2016.

5/24/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/3/16; REFERRED TO DEPARTMENT.

**160669****[Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]****Sponsor: Peskin**

Ordinance amending the Campaign and Governmental Conduct Code to prohibit City elected officials from establishing candidate-controlled general purpose committees.

6/7/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

**160688****[Administrative Code - Establishing Neighborhood Crime Advisory Board]****Sponsors: Mayor; Farrell, Yee and Wiener**

Ordinance amending the Administrative Code to establish the Neighborhood Crime Advisory Board to advise the Mayor, Board of Supervisors, and City departments regarding strategies for addressing neighborhood crime; and setting forth the membership and duties of the Advisory Board.

6/14/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

**160689**     **[Campaign and Governmental Conduct Code - Expanding Scope of Whistleblower Protection Ordinance]**

**Sponsor: Breed**

Ordinance amending the Campaign and Governmental Conduct Code to broaden the agencies with which a whistleblower may file a complaint, provide retaliation protections for City contractors, increase the remedies available for whistleblowers who have suffered retaliation, and establish greater confidentiality protections for whistleblowers' identities.

6/14/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

**160698**     **[Initiative Ordinance - Planning Code - Requiring Conditional Use Authorization for Replacement of Production, Distribution, Repair, Institutional Community, and Arts Activities Uses]**

**Sponsor: Kim**

Motion ordering submitted to the voters an Ordinance amending the Planning Code to require Conditional Use authorization for conversion of Production, Distribution, and Repair Use, Institutional Community Use, and Arts Activities Use and replacement space; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held November 8, 2016.

6/14/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

**160699**     **[Initiative Ordinance - Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]**

**Sponsor: Peskin**

Motion ordering submitted to the voters an Ordinance amending the Campaign and Government Conduct Code to prohibit City elected officials from establishing candidate-controlled general purpose committees, at an election to be held on November 8, 2016.

6/14/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

### Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

### Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

**LAPTOP COMPUTER FOR PRESENTATIONS:** Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

**AGENDA PACKET:** Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Peggy Nevin at (415) 554-5184. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702. **Paunawa:** Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag ka sa (415) 554-5184.

**翻譯 必須在會議前最少四十八小時提出要求**  
**請電 (415) 554-7719**

### **Disability Access**

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Wilson Ng at (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, , 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>