



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, April 11, 2022

10:00 AM

Regular Meeting

IN-PERSON MEETING

City Hall, Legislative Chamber, Room 250

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

The Rules Committee met in regular session, in-person with remote access and public comment via telephone, on Monday, April 11, 2022, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 10:01 a.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).

Members of the public 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>.

Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Clerk, Victor Young, at (415) 554-7723 or victor.young@sfgov.org.

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.

COMMUNICATION

*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

220242 [Administrative Code - Limits on Storage and Use of DNA Profiles]

Sponsors: Ronen; Walton and Preston

Ordinance amending the Administrative Code to prohibit the Police Department or other City departments from uploading or storing DNA profiles known to belong to crime victims ("Victim DNA Profiles") in any City DNA database that is not subject to the federal and state rules governing Combined DNA Index Systems ("CODIS") databases ("Non-CODIS DNA Databases"), and from storing DNA profiles obtained from crime scene evidence ("Evidentiary DNA Profiles") in any Non-CODIS DNA Database for longer than 60 days; to require that, by July 1, 2022, or 15 days after the effective date of this Ordinance, the Police Department purge from Non-CODIS DNA Databases Evidentiary DNA Profiles stored for longer than 60 days and Victim DNA Profiles stored for any length of time; and to limit the Police Department and other City departments to using Non-CODIS DNA Databases only for quality assurance purposes, and not for any investigative purposes.

03/08/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/7/2022.

03/14/22; REFERRED TO DEPARTMENT. Referred to the Police Department and all city departments through the Mayor's Office for informational purposes.

Heard in Committee. Speakers: Supervisor Hillary Ronen (Board of Supervisors); Anne Pearson (Office of the City Attorney); Mark Howell, Acting Forensic Services Director; Fiona (Police Department); provided an overview and responded to questions raised throughout the discussion. Francisco Da Costa; spoke neither in support nor opposition on the matter.

Chair Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, Page 1, Lines 14-17, to insert 'to require the Controller to submit an audit report regarding Non-CODIS DNA Databases; and to require posting on the Police Department website and other City websites a description of how the Department handles and stores a Victim's DNA'; Page 4, Line 13, to insert new section 'Sec. 96G.5 CONTROLLER'S AUDIT'; and Page 4, Line 23, to insert new section 'Sec. 96G.6 NOTICE TO PUBLIC'. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Ordinance amending the Administrative Code to prohibit the Police Department or other City departments from uploading or storing DNA profiles known to belong to crime victims ("Victim DNA Profiles") in any City DNA database that is not subject to the federal and state rules governing Combined DNA Index Systems ("CODIS") databases ("Non-CODIS DNA Databases"), and from storing DNA profiles obtained from crime scene evidence ("Evidentiary DNA Profiles") in any Non-CODIS DNA Database for longer than 60 days; to require that, by July 1, 2022, or 15 days after the effective date of this Ordinance, the Police Department purge from Non-CODIS DNA Databases Evidentiary DNA Profiles stored for longer than 60 days and Victim DNA Profiles stored for any length of time; to limit the Police Department and other City departments to using Non-CODIS DNA Databases only for quality assurance purposes, and not for any investigative purposes; to require the Controller to submit an audit report regarding Non-CODIS DNA Databases; and to require posting on the Police Department website and other City websites a description of how the Department handles and stores a Victim's DNA.

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

Ayes: 3 - Peskin, Mandelman, Chan

210979 [Appointments, San Francisco Health Authority - Jian Qing Zhang, Roland Pickens, Emily Webb, Joseph Woo, Steven Fugaro, Steve Fields, and Eddie Chan]

Hearing to consider appointing one member, term ending January 15, 2023, five members, terms ending January 15, 2024, and one member term ending January 15, 2025, to the San Francisco Health Authority. (Rules Committee)

Seat 2, succeeding Jian Qing Zhang, term expired, must be employed in the senior management of a hospital not operated by the county or the University of California and who is a nominee of the San Francisco Section of Westbay Hospital Conference or any successor organization, or if no successor organization, a person who shall be nominated by the Hospital Council of Northern and Central California, for the unexpired portion of a three-year term ending January 15, 2023.

Seat 3, succeeding Roland Pickens, term expired, must be employed in the senior management of San Francisco General Hospital, for the unexpired portion of a three-year term ending January 15, 2024.

Seat 4, succeeding Emily Webb, term expired, must be employed in the senior management of St. Luke's Hospital (San Francisco), for the unexpired portion of a three-year term ending January 15, 2024.

Seat 6, succeeding Eddie Chan, term expired, must be employed in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the San Francisco Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2025.

Seat 7, succeeding Lawrence Cheung, term expired, must be a physician, nominated by the San Francisco Medical Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2024.

Seat 8, succeeding Steven Fugaro, term expired, must be a physician, nominated by the San Francisco Medical Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2024.

Seat 12, succeeding Steve Fields, term expired, must be knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the Health Authority, and nominated by the program committee of the Health Authority, for the unexpired portion of a three-year term ending January 14, 2024.

09/17/21; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jian Zhang; Roland Pickens; Emily Webb; Eddie Chan; Joseph Woo; Steven Fugaro; Steve Fields; spoke on their qualifications and answered questions raised throughout the discussion. Cindy Susa(SF Health Plan; spoke in support of the appointment of various applicants.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Jian Qing Zhang, term ending January 15, 2023, Roland Pickens, Emily Webb, Joseph Woo, Steven Fugaro, Steve Fields, terms ending January 15, 2024, and Eddie Chan, term ending January 15, 2025, to the San Francisco Health Authority. (Rules Committee)

Jian Qing Zhang, seat 2, succeeding himself, term expired, must be employed in the senior management of a hospital not operated by the county or the University of California and who is a nominee of the San Francisco Section of Westbay Hospital Conference or any successor organization, or if no successor organization, a person who shall be nominated by the Hospital Council of Northern and Central California, for the unexpired portion of a three-year term ending January 15, 2023;

Roland Pickens, seat 3, succeeding himself, term expired, must be employed in the senior management of San Francisco General Hospital, for the unexpired portion of a three-year term ending January 15, 2024;

Emily Webb, seat 4, succeeding herself, term expired, must be employed in the senior management of St. Luke's Hospital (San Francisco), for the unexpired portion of a three-year term ending January 15, 2024;

Joseph Woo, seat 7, succeeding Lawrence Cheung, term expired, must be a physician, nominated by the San Francisco Medical Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2024;

Steven Fugaro, seat 8, succeeding himself, term expired, must be a physician, nominated by the San Francisco Medical Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2024;

Steve Fields, seat 12, succeeding himself, term expired, must be knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the Health Authority, and nominated by the program committee of the Health Authority, for the unexpired portion of a three-year term ending January 14, 2024;

Eddie Chan, seat 6, succeeding himself, term expired, must be employed in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the San Francisco Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2025.

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

Ayes: 3 - Peskin, Mandelman, Chan

220149 [Appointment, Director of the San Francisco Bay Area Regional Water System Financing Authority - Dennis J. Herrera]

Sponsor: Mayor

Resolution appointing Dennis J. Herrera as a Director of the San Francisco Bay Area Regional Water System Financing Authority, for the remainder of the four-year term ending June 30, 2023.

02/08/22; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Dennis J. Herrera, General Manager (SF Public Utilities Commission); spoke on their qualifications and answered questions raised throughout the discussion. Eileen Boken; Francisco Da Costa; spoke neither in support nor opposition of the appointment of Dennis J. Herrera.

RECOMMENDED

Ayes: 3 - Peskin, Mandelman, Chan

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 10:57 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.