



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

Wednesday, June 29, 2022

11:00 AM

Special Meeting

IN-PERSON MEETING
City Hall, Room 263

(remote access provided)
(remote public comment provided via teleconference)

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

The Rules Committee met in special session, in-person with remote access and public comment via telephone, on Monday, June 29, 2022, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 11:06 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 and Member Chan were noted present. Vice Chair Mandelman was noted not present. A quorum was present.

Vice Chair Mandelman was noted present at 11:15 a.m.

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

220631 [Charter Amendment, Initiative Ordinance, and Policy Declaration - Affordable Housing Production Act]

Sponsors: Chan; Walton, Peskin and Mandelman

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide for accelerated review and approval of eligible 100% affordable housing projects, educator housing projects, and market-rate projects that provide significant increased affordability, and providing for Planning Department ministerial review in lieu of approvals by or certain appeals to City boards and commissions; to make corresponding amendments to the Planning Code and the Business and Tax Regulations Code; to amend the Administrative Code to provide for an Annual Affordable Housing Allocation Report as part of the City's budget deliberation process; and to declare as City policy the need to accelerate approval of 100% affordable housing projects, educator housing projects, and market-rate projects that provide significant increased affordability; to make findings of compliance with the General Plan, and Planning Code, Section 101.1, and findings of public necessity convenience, and welfare under Planning Code, Section 302; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on November 8, 2022.

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022. Referred to Planning Department for environmental review and general plan review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, MOHCD, and Department of Homelessness and Supportive Housing for reports and/or comments, pursuant to Rules of Order 2.22.4.

06/01/22; REFERRED TO DEPARTMENT.

06/23/22; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines.

Heard in Committee. Speakers: Janice Levy (Office of the Controller); John Warner; provided an overview and responded to questions raised throughout the discussion. April Adkins; Charlie Salmos; Mr. Mati; Kim Kabaloni (SF Labor Council); Anatasia Anopolis; Speaker; Lorene Penny; Sue Hestor; Greg Hartigen; Danny Campbell; Sheryl Dorton; Larry Mendoza; spoke in support of the matter. Sophia Catherine; Morine Sodona; Lisa Zonara; Timothy Wright; Howard Kevin; Shawn McGary; Adam Bruss; Herbert Wiener; Don Hoki; Alex Lansberg; John Alini; Tim Pelarno; Wing Tang; Mr. Soko; Kenneth Doe; Steven Sarguts; Kevin Verker; Daniel Greg; Jacob Jarcaberry; Cory Smith; John Avalos; Andrew Sullivan; Speaker; John Adresser; Speaker; Mark Koppa; Francisco Martinez; Gene Morris; Chris Warner; Ms. Rodriguez; Jose Martinez; Tray Mackin; Matthew Warbottom; Jack Burmin; Mr. Brewer; Falima Herera; Jim Kaple; David Mendez; Speaker; Daniel West; Martinez Lopez Sr.; Paulina Dear; Western Cooper; Telsi Weight; Frank Doda; Debra Scheider; Joe Momento; spoke in opposition of the matter. Ken Biocha; Mr. Gonzalez; Scott Irenson; Mark Putell; spoke on various concerns relating to the hearing matter.

Member Chan AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide for accelerated review and approval of eligible 100% affordable housing projects, educator housing projects, and market-rate projects that provide significant increased affordability, and providing for Planning Department ministerial review in lieu of approvals by or certain appeals to City boards and commissions; to make corresponding amendments to the Planning Code and the Business and Tax Regulations Code; to amend the Administrative Code to provide for an Annual Affordable Housing Allocation Report as part of the City's budget deliberation process; and to declare as City policy the need to accelerate approval of 100% affordable housing projects, educator housing projects, and market-rate projects that provide significant increased affordability; to make findings of compliance with the General Plan and Planning Code, Section 101.1 and findings of public necessity, convenience, and welfare under Planning Code, Section 302; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on November 8, 2022.

Member Chan moved that this Charter Amendment be CONTINUED AS AMENDED to the July 6, 2022, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

220633 [Charter Amendment - Forfeiture of Pension Benefits]

Sponsors: Peskin; Chan

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide for forfeiture of the pension of a member of the San Francisco Employees' Retirement System upon a finding by clear and convincing evidence after an administrative hearing that the member committed a crime involving moral turpitude in connection with the member's duties as a City employee or officer; at an election to be held on November 8, 2022.

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022.

06/01/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Retirement Board for reports and/or comments, pursuant to Rules of Order 2.22.4.

06/23/22; RESPONSE RECEIVED. Not defined as a project unce CEQA Guidelines.

Heard in Committee. Speakers: Ardis Graham, Employee Relations Director (Human Resources); Janice Levy (Office of the Controller); Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. David Pilpel; provided information on the matter.

Chair Peskin moved that this Charter Amendment be CONTINUED to the July 6, 2022, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

220636 [Charter Amendment and Ordinance - Additional Density and Height; Rent-Control]**Sponsors: Peskin; Chan, Preston and Walton**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to set forth as City policy a requirement that when the City amends the Planning Code to allow for additional residential numerical density or height, that developers agree to subject the new residential units in the development to rent control; to amend the Administrative Code to establish as the residential numerical density and height limits those controls in effect as of November 8, 2022, and to allow the Board of Supervisors to amend the Planning Code to exceed those limits if the ordinance requires a regulatory agreement to subject all dwelling units in development projects to the additional density or height to rent control; to require rent control in future development agreements; and making findings of compliance with the General Plan and Planning Code, Section 101.1 and findings of public necessity, convenience, and welfare under Planning Code, Section 302; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on November 8, 2022.

(Economic Impact; No Economic Impact Analysis Report)

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022.

06/01/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review and general plan review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Rent Board for reports and/or comments, pursuant to Rules of Order 2.22.4.

06/23/22; RESPONSE RECEIVED. Not defined as a project unce CEQA Guidelines.

Heard in Committee. Speakers: Audrey Pearson (Office of the City Attorney); Janice Levy (Office of the Controller); provided an overview and responded to questions raised throughout the discussion. Lauren Petty; Anatasia Anapolis; spoke in support of the matter. Cory Smith; Jim Campbell; Speaker; DC Williams; Paulina Bear; spoke in opposition of the matter. Harvey McClennen; David Pilpel; Rudy Gonzalez; spoke neither in support nor opposition on the matter.

Chair Peskin moved that this Charter Amendment be CONTINUED to the July 6, 2022, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

220638 [Charter Amendment - City Elections in Even-Numbered Years]**Sponsors: Preston; Peskin**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; to provide that the current term for the aforementioned offices will end on January 8, 2025 rather than January 8, 2024; to amend the definition of general municipal election so that such elections occur only in even-numbered years; and to change the signature threshold for initiative ordinances to two percent of the number of registered voters in San Francisco; at an election to be held on November 8, 2022.

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022.

06/01/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, and Ethics Commission for reports and/or comments, pursuant to Rules of Order 2.22.4.

06/23/22; RESPONSE RECEIVED. Not defined as a project unce CEQA Guidelines.

Heard in Committee. Speakers: Supervisor Dean Preston (Board of Supervisors); John Arntz, Director (Department of Elections); Janice Levy (Office of the Controller); provided an overview and responded to questions raised throughout the discussion. Speaker; spoke in support of the matter. David Pilpel; spoke in opposition of the matter.

Chair Peskin moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; to provide that the current term for the aforementioned offices will end on January 8, 2025 rather than January 8, 2024; to amend the definition of general municipal election so that such elections occur only in even-numbered years; and to change the signature threshold for initiative ordinances to two percent of the number of registered voters in San Francisco; at an election to be held on November 8, 2022.

Chair Peskin moved that this Charter Amendment be CONTINUED AS AMENDED to the July 6, 2022, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

220639 [Charter Amendment - Student Success Fund]**Sponsors: Ronen; Melgar, Walton, Safai, Mar and Preston**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco, to establish the Student Success Fund under which the Department of Children, Youth, and Their Families will provide grants to schools in the San Francisco Unified School District to implement programs that improve academic achievement and social/emotional wellness of students; and to require an annual appropriation in a designated amount to the Fund based on a calculation of the City's excess Educational Revenue Augmentation Fund allocation in specified fiscal years; at an election to be held on November 8, 2022.

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022.

06/01/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and Dept. of Children, Youth and Their Families the Department of Building Inspection/Commission for reports and/or comments, pursuant to Rules of Order 2.22.4. Referred to the Youth Commissions for review and report.

06/23/22; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines.

Heard in Committee. Speakers: Supervisors Myrna Melgar, Hillary Ronen, and Ahsha Safai (Board of Supervisors); Maria Su (Department of Children, Youth and Their Families); Janice Levy (Office of the Controller); Dr. Matt Wayne, Superintendent (SFUSD); Leslie Hu (United Educators of San Francisco); provided an overview and responded to questions raised throughout the discussion. Tina Share; Merideth Dobson; Speaker; Sabina Wildman; Elinor Gunn; Daisy Martinez; Mr. Rubkie; Michele Sosa; Anna Martina; Kayla DeGorgio; Shavon Foster; Cornise Casey; Anne Shu and (SF School Board of Education); Ms. Coridina; John Segrave; Nellie Supenski; Ms. Lopez; Ivan Crodo; Teresa Rutherford; Michael Essey; Kevin Bogus; Mosses Corrette; Juan Diasson; Debra Pertel; Nick King; Rudy Gonzalez; Melinda; Speaker; Angela; Sam; Leah Walkland; Speaker; Dorothy Clark; Speaker; Vanessa Murono; Susan Buskin; Eddie Kaufman; Francisco Herrera; Marlon; Marlene; Gloria Romero; Nancy Freed; Lisa Weisman; Sarah Brant; Carl Marks; Dr. Carol Hill; David Delgado; Melina Ahern; Sonia; Michael White; Michael Herrera; Gary; Valerie; Alita Curenquanta; Claudia; Cheryl Thornton; Rosario Gonzalez; Laney; Amanda Alvarado-Ford; Nick Chandler; Alyssa Jones Garner; Ana Rivera; spoke in support of the matter. Kim Tavaglione (SF Labor Council); spoke in opposition of the matter. Alita Fischer; Rafael Picasso; A.J. Thomas and Gus Vallejo (Local 21); Francisco Da Costa; provided information on the matter.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco, to establish the Student Success Fund under which the Department of Children, Youth, and Their Families will provide grants to schools in the San Francisco Unified School District to implement programs that improve academic achievement and social/emotional wellness of students; and to require an annual appropriation in a designated amount to the Fund based on a calculation of the City's excess Educational Revenue Augmentation Fund allocation in specified fiscal years; at an election to be held on November 8, 2022.

Chair Peskin moved that this Charter Amendment be CONTINUED AS AMENDED to July 6, 2022, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Chair Peskin recessed the meeting at 1:05 p.m and reconvened the meeting at 1:32 p.m.

Chair Peskin recessed the meeting at 2:40 p.m and reconvened the meeting at 3:05 p.m.

SPECIAL MEETING OF THE BOARD OF SUPERVISORS

Supervisors Ahsha Safai, Hillary Ronen, and Myrna Melgar were noted present at 3:05 p.m.; thereby constituting a quorum of the Board of Supervisors. A special meeting of the Board of Supervisors was convened at 3:05 p.m.; although, the meeting was conducted in all respects as a committee meeting for items on the agenda and any substantive decisions constitute a recommendation of the committee and not action taken by the board.

Present: Supervisors Peskin, Mandelman, Chan, Safai, Ronen, and Melgar

220640 [Charter Amendment - Retiree Supplemental Cost of Living Adjustment; Retirement Board Contract with Executive Director]

Sponsors: Safai; Melgar, Peskin and Mandelman

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to eliminate the full funding requirement for supplemental cost of living benefit payments to members of the San Francisco Employees' Retirement System who retired before November 6, 1996, subject to a monthly monetary cap for retirees and their qualified survivors and beneficiaries in years that the Retirement System is not fully funded; adjust the base retirement allowance for these retirees, or their qualified survivors and beneficiaries, to account for supplemental cost of living adjustments not received in the years 2013, 2014, 2017, 2018 and 2019; and authorize the Retirement Board to enter into an individual contract with any Retirement System executive director hired on or after January 1, 2023; at an election to be held on November 8, 2022.

05/24/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2022.

06/01/22; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Retirement Board for reports and/or comments, pursuant to Rules of Order 2.22.4.

06/23/22; RESPONSE RECEIVED. Not defined as a project unce CEQA Guidelines.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Janice Levy (Office of the Controller); provided an overview and responded to questions raised throughout the discussion. Speaker; Tim O'Brian; Gus Vallejo (Local 21); Herbert Wiener; Denise Mayfield; Denis Williams; Dorothy Silver; David Pilpel; spoke in support of the matter.

Supervisor Mandelman requested to be added as a co-sponsor.

Chair Peskin moved that this Charter Amendment 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 5:45 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.