



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: Ahsha Safai, Norman Yee, Catherine Stefani

Clerk: Victor Young (415) 554-7723

Wednesday, November 28, 2018

1:00 PM

Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Ahsha Safai, Norman Yee, and Catherine Stefani

The Rules Committee met in regular session on Wednesday, November 28, 2018, with Chair Ahsha Safai presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Safai called the meeting to order at 1:12 p.m. On the call of the roll, Chair Safai, Vice Chair Yee, and Member Stefani were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

180925 [Administrative Code - Acceptance of Gifts - SFO Museum]

Ordinance amending the Administrative Code to authorize the Airport Commission to accept certain gifts, devises, and bequests of objects or other articles for the SFO Museum collection. (Airport Commission)

09/17/18; RECEIVED FROM DEPARTMENT.

10/02/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/1/2018.

Heard in Committee: Speaker: Dyanna Quizon (San Francisco International Airport); provided an overview and responded to questions raised throughout the discussion.

Vice Chair Yee moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

180937 [Administrative Code - Composition and Sunset Date - Single Room Occupancy Task Force]**Sponsor: Kim**

Ordinance amending the Administrative Code to extend the sunset date of the Single Room Occupancy (SRO) Task Force by three years to December 31, 2021; to eliminate one seat on the Task Force; and to change the membership of one seat on the Task Force.

09/25/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/25/2018.

10/03/18; REFERRED TO DEPARTMENT. Referred to Department of Building Inspection, Department of Homelessness and Supportive Housing, and Department of Public Health for informational purposes.

Heard in Committee: Speakers: Chair Jamie Sanbonmatsu (SRO Task Force); Supervisor Jane Kim (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Jordan Davis; Clifford Gilmore; Diana Martinez; spoke in support of the matter.

Member Stefani moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

180960 [Administrative Code - Official Band - San Francisco Lesbian/Gay Freedom Band]**Sponsor: Mandelman**

Ordinance amending the Administrative Code to designate the San Francisco Lesbian/Gay Freedom Band as the official band of the City and County of San Francisco.

10/02/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/1/2018.

10/11/18; REFERRED TO DEPARTMENT. Referred to the Entertainment Commission for informational purposes.

Heard in Committee: Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Doug Litman, Director (San Francisco Lesbian/Gay Freedom Band); provided an overview and responded to questions raised throughout the discussion. Linda Worder; spoke in support of the matter.

Member Stefani moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

181001 [Charter Amendment - Free City College Fund]**Sponsors: Kim; Mandelman and Yee**

Charter Amendment (First Draft) to establish the Free City College Fund to defray certain costs of City College students, and to require annual appropriations in designated amounts to the Fund; at an election to be held on November 5, 2019.

10/16/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/15/2018.

10/22/18; 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, Office of the City Administrator, and Department of Children, Youth and Their Families for reports and/or comments, pursuant to Rules of Order 2.22.4; and to Youth Commission for comment and recommendation, pursuant to Charter, Section 4.124.

11/01/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

11/20/18; RESPONSE RECEIVED. 11/19/2018 - The Youth Commission voted unanimously to support the proposed Charter Amendment.

Heard in Committee: Speakers: Supervisors Jane Kim and Rafael Mandelman (Board of Supervisors); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Jenny Marley; Speaker; Ms. Wuerful; Judiana; Alex; Sue Lender; Monica Collins; Tim Kelly; Harry Bernstein; Brenan; Sam Sue; Paul Lesiano; Patty (Youth Commission); Coby Salinas; Jerry Cortney; Nat Naler (Local 29); Mr. Salis; Todd Snyder; Jessica Bellbond; Rebec Bracket; Marcus Cruz; Mika; Jason Wyman; Winn; Branden Romy; Mr. Wong; James Chasy; Ms. Bounty; Speaker; Javier Belmont; Haley Melarky Clark; Jean Yeast; Speaker; Ms. Reah; Jacklyn; Dia Mekata; Amanda Remero; Ms. Ramos; Cathy Berit; Emily; Ms. Tang; Caroline Troung; Paul Mohan; Conney Ford; Speaker; Balon Mitchell; Sophia; Salia; Alisa Meseri; spoke in support of the matter.

Vice Chair Yee requested to be added as a co-sponsor.

Vice Chair Yee moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to extending the sunset date from FY 2030/2031 to FY 2040-2041. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Charter Amendment (Second Draft) to establish the Free City College Fund to defray certain costs of City College students, and to require annual appropriations in designated amounts to the Fund; at an election to be held on November 5, 2019.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 1 and 2, to insert 'or any California or federal grant program that funds community college tuition fee' and Page 4, Line 5 to replace '\$200' with '\$250'. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Chair Safai moved that this Charter Amendment be CONTINUED AS AMENDED to the Call of the Chair. The motion carried by the following vote:

Ayes: 2 - Safai, Stefani

Noes: 1 - Yee

Chair Safai moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Chair Safai moved that this Charter Amendment be CONTINUED AS AMENDED to a Special Rules Committee meeting of December 3, 2018. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

180912 [Police and Health Codes - Regulation of Cannabis Businesses]**Sponsors: Mayor; Mandelman and Cohen**

Ordinance amending the Police Code by making a number of changes in the regulation of commercial cannabis activity, including, among other things: 1) defining ownership interest and revising Equity Criteria, for purposes of the Equity Program; 2) modifying the Cannabis Equity Incubator Program requirements; 3) extending by one year the possible duration of a Temporary Cannabis Business Permit; 4) authorizing the Director of the Office of Cannabis to issue Cannabis Business Permits to Medical Cannabis Dispensaries forced to discontinue operations due to a no-fault lease termination before December 31, 2018; 5) modifying the order in which the Director may review and process Cannabis Business Permit applications; 6) revising requirements associated with a Cannabis Business' change in ownership and structure; 7) revising Cannabis Business Permit application requirements; 8) requiring Cannabis Businesses to comply with all permit conditions whether or not they are currently engaging in the permitted activity; 9) modifying the amount of Cannabis that may be delivered or sold to a customer; and 10) authorizing Cannabis Microbusinesses to conduct either storefront or delivery sales, but not both, and reducing from four to three the categories of Commercial activity required to operate as a Cannabis Microbusiness; and amending the Health Code by revising eligibility requirements for medical cannabis dispensaries seeking authorization to Sell Adult Use Cannabis, and extending by one year to December 31, 2019 the date on which Article 33 (Medical Cannabis Act) expires.

09/18/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/18/2018.

09/25/18; REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation; and Office of Cannabis, Department of Public Health, and Police Department for informational purposes.

10/24/18; DUPLICATED. Heard in Committee. Speakers: Nicole Elliott, Director (Office of Cannabis); President Malia Cohen and Supervisor Jane Kim (Board of Supervisors); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Johnny Delaplane (San Francisco Cannabis Retail Alliance); Quentin Platt (Access SF); Mr. Spensor; Charlie Papas; spoke in support of the matter. Richard Ow; Sonya Ng; Cherry; Speaker; Speaker; Son Wong; Speaker; Sandy Lin; Wendy Wong (Coalition for Good Neighborhoods); spoke in opposition of the matter. Speaker; Ace Washington; Gail Segrays; spoke neither in support nor opposition on the matter.

See File No. 181041.

10/24/18; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/24/18; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/24/18; CONTINUED TO CALL OF THE CHAIR.

Heard in Committee: Speakers: Supervisor Rafael Mandelman and President Malia Cohen (Board of Supervisors); Director Nicole Elliot (Office of Cannabis); Tom Temprano (Office of Supervisor Rafael Mandelman); Lee Hepner (Office of Supervisor Aaron Peskin); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Marty Snyder (Hometown Park); Doug Block; AnnMarie Gobstein; spoke in support of the matter. Reese Penton; Denise Dory; William Dolan; Ramon Garcia; Malcom White; Charlie Papas; Morris Kelly; Edward Brown; Turner; Speaker; spoke on various concerns relating to the hearing matter.

Vice Chair Yee moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to clarify delivery standards, make permits under Article 33 non-transferable and create requirements for ownership changes. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Chair Safai moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to require that a manifest be created upon completion of the deliveries. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Chair Safai moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to set a limits on the permits and making other conforming, clarifying and clerical changes. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Ordinance amending the Police Code by making a number of changes in the regulation of commercial cannabis activity, including, among other things: 1) defining ownership interest and revising Equity Criteria, for purposes of the Equity Program; 2) modifying the Cannabis Equity Incubator Program requirements; 3) extending by one year the possible duration of a Temporary Cannabis Business Permit; 4) authorizing the Director of the Office of Cannabis to issue Cannabis Business Permits to Medical Cannabis Dispensaries forced to discontinue operations due to a no-fault lease termination before December 31, 2018; 5) modifying the order in which the Director may review and process Cannabis Business Permit applications; 6) revising requirements associated with a Cannabis Business' change in ownership and structure; 7) revising Cannabis Business Permit application requirements; 8) requiring Cannabis Businesses to comply with all permit conditions, whether or not they are currently engaging in the permitted activity; 9) modifying the amount of Cannabis that may be delivered or sold to a customer; and 10) authorizing Cannabis Microbusinesses to conduct either storefront or delivery sales, but not both, and reducing from four to three the categories of Commercial activity required to operate as a Cannabis Microbusiness; and amending the Health Code by revising eligibility requirements for medical cannabis dispensaries seeking authorization to sell adult use Cannabis, and extending by one year, to December 31, 2019, the date on which Article 33 (Medical Cannabis Act) expires.

Chair Safai moved that this Ordinance be CONTINUED AS AMEDNED to a Special Rules Committee meeting of December 3, 2018. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

180805 [Police Code - Apprentice Hiring Requirements for Cannabis Businesses]

Sponsor: Safai

Ordinance amending the Police Code to require Cannabis Businesses, when entering into a City-mandated Labor Peace Agreement or collective bargaining agreement, to also agree that 35% of new hires shall be graduates of State-approved apprenticeship programs or of City-certified pre-apprenticeship programs, if a relevant program of either type exists.

07/31/18; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 8/30/2018.

08/03/18; REFERRED TO DEPARTMENT. Referred to the Police Department, the Office of Cannabis, and the Office of Economic and Workforce Development for informational purposes; referred to the Small Business Commission for comment and recommendation.

10/31/18; TRANSFERRED to Rules Committee. President Cohen transferred this matter from the Public Safety and Neighborhood Services Committee to the Rules Committee.

Heard in Committee: Speakers: Joshua Arce (Office of Economic and Workforce Development); provided an overview and responded to questions raised throughout the discussion. Teresa Folklio; Hugo Delterio; Jackie Flynn; Ramon Garcia; Edward Brown; Speaker; Jennifer Garcia (Local 648); spoke in support of the matter.

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

Ayes: 3 - Safai, Yee, Stefani

Ordinance amending the Police Code to require Cannabis Businesses to ensure that 35% of new hires shall be registered apprentices enrolled in State-approved apprenticeship programs that have a memorandum of understanding (MOU) with one or more City-certified pre-apprenticeship programs, if a relevant State-approved apprenticeship program has such an MOU.

Vice Chair Yee moved that this Ordinance be CONTINUED AS AMENDED to a Special Rules Committee meeting of December 3, 2018. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

180317 [Campaign and Governmental Conduct Code - Expanding Whistleblower Protections]

Sponsor: Cohen

Ordinance amending the Campaign and Governmental Conduct Code to provide additional retaliation protections for whistleblowers, establish retaliation protections for City contractors, increase the remedies available for whistleblowers who have suffered retaliation, and establish greater confidentiality protections for whistleblowers' identities.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/3/2018.

04/10/18; REFERRED TO DEPARTMENT. Referred to Office of the Controller, Ethics Commission, Office of the District Attorney, Office of the City Attorney, and Department of Human Resources for informational purposes.

Heard in Committee: Speakers: Speakers: Patrick Ford (Ethics Commission); President Malia Cohen (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Dr. Derek Kerr; spoke in support of the matter.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to change the implementation date from January 1, 2019, to January 1, 2020. by the following vote:

Ayes: 3 - Safai, Yee, Stefani

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Safai, Yee, Stefani

181105 [Mayoral Appointment, Residential Rent Stabilization and Arbitration Board - Jeffrey Joshua Panzer]

Motion approving/rejecting the Mayor's appointment of Jeffrey Joshua Panzer to the Residential Rent Stabilization and Arbitration Board, for a term ending September 1, 2022. (Clerk of the Board) (Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: November 13, 2018.)

11/19/18; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jeffrey Joshua Panzer; spoke on their qualifications and answered questions raised throughout the discussion. Jon Givner (Office of the City Attorney); responded to questions raised throughout the discussion. Karen Nepsik (Rebuilding San Francisco); Speaker; Ms. Remandez; Charlie Goss; Brook Turner; spoke in support of the appointment of Jeffrey Joshua Panzer. Rosamaria Caballo; Mitch Owens; spoke in opposition of the appointment of Jeffrey Joshua Panzer.

Vice Chair Yee moved that this Motion be AMENDED, on Page 1, Line 3, to strike 'rejecting' and Page 1, Line 20, to strike 'rejects'. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

Motion approving the Mayor's appointment of Jeffrey Joshua Panzer to the Residential Rent Stabilization and Arbitration Board, for a term ending September 1, 2022. (Clerk of the Board) (Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: November 13, 2018.)

Vice Chair Yee moved that this Motion be REFERRED WITHOUT RECOMMENDATION AS AMENDED to the Board of Supervisors. The motion carried by the following vote:

Ayes: 3 - Safai, Yee, Stefani

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 5:24 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.