



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

Thursday, July 14, 2016

11:00 AM

City Hall, Committee Room 263

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- 160736** **[Confirming Reappointment, Board of Appeals - Darryl Honda]**
Sponsor: Mayor
Motion confirming the mayoral reappointment of Darryl Honda to the Board of Appeals, for a term ending July 1, 2020.

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 23, 2016.)

6/23/16; RECEIVED FROM DEPARTMENT.
6/24/16; RECEIVED AND ASSIGNED to the Rules Committee.
- 160737** **[Confirming Appointment, Board of Appeals - Frank Fung]**
Sponsor: Mayor
Motion confirming the mayoral appointment of Frank Fung to the Board of Appeals, for a term ending July 1, 2020.

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 23, 2016.)

6/23/16; RECEIVED FROM DEPARTMENT.
6/24/16; RECEIVED AND ASSIGNED to the Rules Committee.

3. [160783](#) **[Reappointment, Board of Appeals - Richard Swig]**
Motion approving/rejecting the President of the Board of Supervisors London Breed's nomination of Richard Swig for appointment to the Board of Appeals, for a term ending July 1, 2020. (Clerk of the Board)
- (Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: May 9, 2016.)
- 5/9/16; RECEIVED FROM DEPARTMENT.
- 7/8/16; RECEIVED AND ASSIGNED to the Rules Committee.
4. [160782](#) **[Confirming Reappointment, Planning Commission - Richard Hillis]**
Sponsor: Mayor
Motion confirming the mayoral reappointment of Richard Hillis to the Planning Commission, term ending June 30, 2020.
- (Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: July 7, 2016.)
- 7/7/16; RECEIVED FROM DEPARTMENT.
- 7/8/16; RECEIVED AND ASSIGNED to the Rules Committee.
5. [160587](#) **[Charter Amendment - Non-Citizen Voting in School Board Elections]**
Sponsors: Mar; Campos, Avalos, Cohen and Wiener
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize San Francisco residents who are not United States citizens but who are the parents, legal guardians, or caregivers of a child residing in San Francisco to vote in elections for the Board of Education, at an election to be held on November 8, 2016.
- 5/24/16; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to the Rules Committee.
- 6/7/16; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to the Rules Committee.
- 6/22/16; REFERRED TO DEPARTMENT.
- 7/7/16; CONTINUED.
- 7/7/16; RESPONSE RECEIVED.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 19, 2016.*

6. [160583](#) [Charter Amendment - Public Advocate]**Sponsors: Campos; Avalos, Kim and Mar**

Charter Amendment (Second 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) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) provide for the Public Advocate's election, removal, and salary; and, 6) set City policy regarding sufficient funding and minimum staffing for 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.

6/3/16; RESPONSE RECEIVED.

6/29/16; RESPONSE RECEIVED.

6/30/16; CONTINUED.

7/6/16; DUPLICATED.

7/6/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/6/16; CONTINUED AS AMENDED.

7/6/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 19, 2016.

7. [160781](#) [Charter Amendment - Public Advocate]**Sponsor: Mar**

Charter Amendment (Second 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) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) provide for the Public Advocate's election, removal, and salary; and, 6) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; and setting an operative date, at an election to be held on November 8, 2016.

7/6/16; DUPLICATED.

7/6/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/6/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/6/16; CONTINUED AS AMENDED.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 19, 2016.

8. [160588](#) **[Charter Amendment - Housing and Development Commission]**
Sponsors: Peskin; Kim
Charter Amendment (Second 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 and the Department of Housing and Community Development; 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; to require the Commission to hold hearings and make recommendations regarding proposals to adopt or change inclusionary housing requirements for housing developments; 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; and to provide that ordinances regarding inclusionary housing requirements and rules regarding competitive selection for affordable housing adopted under the processes set forth in the Charter may supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, 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.

6/24/16; RESPONSE RECEIVED.

6/29/16; RESPONSE RECEIVED.

6/30/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

6/30/16; CONTINUED AS AMENDED.

7/6/16; RESPONSE RECEIVED.

7/7/16; CONTINUED.

9. [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.

6/13/16; REFERRED TO DEPARTMENT.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 19, 2016.

10. [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.
6/27/16; REFERRED TO DEPARTMENT.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 19, 2016.*
11. [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.
6/27/16; REFERRED TO DEPARTMENT.
12. [160731](#) **[Hearing - Initiative Ordinance - Police Code - Promotion of Safe and Open Sidewalks]**
Sponsors: Farrell; Tang, Cohen and Wiener
Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 8, 2016, Election, entitled "Ordinance amending the Police Code to prohibit the placement of tent encampments on public sidewalks."
- 6/21/16; RECEIVED AND ASSIGNED to the Rules Committee.
6/27/16; REFERRED TO DEPARTMENT.
7/5/16; RESPONSE RECEIVED.
13. [160730](#) **[Hearing - Initiative Ordinance - Accessory Dwelling Units]**
Sponsors: Farrell; Cohen, Wiener and Breed
Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 8, 2016, Election, entitled "Ordinance amending the Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) on all lots in the City in areas that allow residential use; amending the Administrative Code to revise the definition of "rental unit" as it applies to ADUs.
- 6/21/16; RECEIVED AND ASSIGNED to the Rules Committee.
6/27/16; REFERRED TO DEPARTMENT.
7/5/16; RESPONSE RECEIVED.

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.

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.

6/28/16; REFERRED TO DEPARTMENT.

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.

6/28/16; REFERRED TO DEPARTMENT.

160727

[Initiative Ordinance - Environment Code - Extending the Solar Incentive Program]

Sponsor: Breed

Motion ordering submitted to the voters, at an election to be held on November 8, 2016, the Ordinance amending the Environment Code to extend the Solar Incentive Program through June 30, 2029, and urging the San Francisco Public Utilities Commission to continue to fund the program and to integrate it with CleanPowerSF, San Francisco's Community Choice Aggregation program.

6/21/16; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/28/16; REFERRED TO DEPARTMENT.

7/5/16; RESPONSE RECEIVED.

160761

[Initiative Ordinance - Police Code - Process for Removal of Encampments and Transition to Housing]

Sponsor: Peskin

Motion ordering submitted to the voters, at an election to be held on November 8, 2016, an Ordinance amending the Police Code to provide a process for the removal of encampments when housing or shelter is available for encampment residents.

6/28/16; 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

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>