



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, September 27, 2021

10:00 AM

Regular Meeting

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

The Rules Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, September 27, 2021, with Chair Aaron Peskin presiding.

Chair Peskin called the meeting to order at 10:03 a.m.

Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or 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>.

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.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

201132 [Campaign and Governmental Conduct Code - Behested Payments]

Sponsors: Haney; Peskin, Chan and Walton

Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of interested party to include City contractors, persons seeking to influence City officers and employees, registered contact lobbyists, permit consultants, and to prohibit elected officials, department heads, commissioners, and designated employees from soliciting behested payments from interested parties. (Meet and confer obligations not met.)

09/29/20; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/29/2020.

10/09/20; REFERRED TO DEPARTMENT. Referred to Depts. for informational purposes.

03/16/21; SUBSTITUTED AND ASSIGNED to Rules Committee.

09/13/21; CONTINUED. Heard in Committee. Speakers: Supervisor Matt Haney (Board of Supervisors); Patrick Ford (Ethics Commission); Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Eileen Boken (Sunset Parkside); Bob Planthold; David Pilpel; Teresa Boglio (Local 261); spoke in support of the matter.

09/20/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Anne Pearson (Office of the City Attorney); Patrick Ford (Ethics Commission); provided an overview and responded to questions raised throughout the discussion. Charles Headspoke; in support of the matter. Speaker; spoke in opposition of the matter. Francisco Da Costa; Linda Chapman; Debbie Learner; David Pilpel; spoke neither in support nor opposition on the matter.

09/20/21; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Supervisor Matt Haney (Board of Supervisors); presented information and answered questions raised throughout the discussion. David Pilpel; Debbie Lehrman; Bruce Wolfe; Speaker; Linda Chapman; spoke in support of the amendments and hearing matter.

Chair Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 9-10, by adding ‘, if the contact lobbyist or expenditure lobbyist is registered to lobby the designated employee’s or officer’s department’, and Lines 12-14, by adding ‘, if the permit consultant contacts the designated employee’s or officer’s department to carry out permit consulting services’; on Page 4, Lines 16-17, by adding ““Permit consulting services” shall be defined as set forth in Article III, Chapter 4 of this Code.’; on Page 5, Lines 20-22, by adding ‘, if the contact lobbyist or expenditure lobbyist is registered to lobby the designated employee’s or officer’s department’; and on Page 6, Lines 1-2, by adding ‘, if the permit consultant contacts the designated employee’s or officer’s department to carry out permit consulting services’. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan
(Meet and confer obligations not met.)

CONTINUED AS AMENDED to the Rules Committee meeting of October 18, 2021, by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

210739 [Administrative Code - Repealing Employee Sexual Privacy Ordinance; Requiring Data Collection Requests]**Sponsors: Mayor; Mandelman**

Ordinance amending the Administrative Code to repeal the City Employee's Sexual Privacy Ordinance; direct the Department of Human Resources (DHR) to request that applicants for City employment voluntarily provide anonymous sexual orientation and gender identity information; direct City departments to request that employees voluntarily provide anonymous sexual orientation and gender identity information when responding to surveys that also seek other demographic information; and direct DHR to develop systems to anonymously collect and retain sexual orientation and gender identity information.

06/22/21; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/22/2021.

07/06/21; REFERRED TO DEPARTMENT. Referred to all city departments via the Mayor's Office for informational purposes.

Heard in Committee. Speakers: Pau Crego, Acting Director (Office of Transgender Initiatives); presented information and answered questions raised throughout the discussion. Speaker; David Pilpel; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Peskin, Mandelman, Chan

210592 [Appointments, Assessment Appeals Board No. 1 - Kristine Nelson, John Kaeuper, Paul Bellar, Elizabeth Zareh, and Scott Spertzel]

Hearing to consider appointing one member, term ending September 5, 2022, and four members, terms ending September 2, 2024, to the Assessment Appeals Board No. 1. (Clerk of the Board) Seat 2, succeeding Scott Spertzel, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

Vacant Seat 4, succeeding Eugene Valla, resigned, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 5, 2022.

Seat 5, succeeding Elizabeth Zareh, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portions of a three-year term ending September 2, 2024.

Seat 6 (Alternate Member), succeeding Kristine Nelson, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

Seat 8 (Alternate Member), succeeding Paul Bellar, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

05/25/21; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Scott Spertzel; John Kaeuper; Elizabeth Zareh; Kristine Nelson; Paul Bellar; spoke on their qualifications and answered questions raised throughout the discussion.

Appointment of John Kaeuper, seat 2, recommended.

Appointment of Kristine Nelson, seat 4, recommended.

Appointment of Paul Bellar, seat 5, recommended.

Appointment of Elizabeth Zareh, seat 6, recommended.

Appointment of Scott Spertzel, seat 8, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Kristine Nelson, term ending September 5, 2022, and John Kaeuper, Paul Bellar, Elizabeth Zareh, and Scott Spertzel, terms ending September 2, 2024, to the Assessment Appeals Board No. 1. (Clerk of the Board)

John Kaeuper, Seat 2, succeeding Scott Spertzel, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

Kristine Nelson, Seat 4, succeeding Eugene Valla, resigned, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 5, 2022.

Paul Bellar, Seat 5, succeeding Elizabeth Zareh, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portions of a three-year term ending September 2, 2024.

Elizabeth Zareh, Seat 6 (Alternate Member), succeeding Kristine Nelson, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

Scott Spertzel, Seat 8 (Alternate Member), succeeding Paul Bellar, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

RECOMMENDED by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

210368 [Appointments, Assessment Appeals Board No. 2 - Louisa Mendoza and Marc Wilson]

Hearing to consider appointing one member, term ending September 4, 2023, and four members, terms expiring September 2, 2024, to the Assessment Appeals Board No. 2. (Clerk of the Board) Seat 1, succeeding Louisa Mendoza, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

Vacant Seat 5, succeeding Daniel Hershkowitz, resigned, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

Vacant Seat 6 (Alternate Member), succeeding Joyce Lewis, resigned, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending on September 2, 2024.

Vacant Seat 7 (Alternate Member), succeeding Angela Cheung, resigned, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

Seat 8 (Alternate Member), succeeding Elizabeth Zareh, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 4, 2023.

04/12/21; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Louisa Mendoza; Marc Wilson; spoke on their qualifications and answered questions raised throughout the discussion.

Appointment of Louisa Mendoza, seat 1, recommended.

Appointment of Marc Wilson, seat 5, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Louisa Mendoza and Marc Wilson, terms expiring September 2, 2024, to the Assessment Appeals Board No. 2. (Clerk of the Board)

Louisa Mendoza, Seat 1, succeeding themselves, term expired, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

Marc Wilson, Seat 5, succeeding Daniel Hershkowitz, resigned, must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant or public accountant; licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, certified by the Office of Real Estate Appraisers, or certified by the State Board of Equalization, for the unexpired portion of a three-year term ending September 2, 2024.

RECOMMENDED by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

211007 [Appointments, Ballot Simplification Committee - Scott Patterson, Betty Packard, and Ann Merrill]

Hearing to consider appointing three members, terms ending November 30, 2022, to the Ballot Simplification Committee. (Clerk of the Board)

Seat 1, succeeding Scott Patterson, term expired, must be nominated by the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2022.

Seat 2, succeeding Betty Packard, term expired, must be nominated by the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2022.

Seat 3, succeeding Lauren Girardin, term expired, must be nominated by the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2022.

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

Heard in Committee. Speakers: Scott Patterson; Ann Merrill; spoke on their qualifications and answered questions raised throughout the discussion. Jen Tse; spoke in support of the nominees. David Pilpel; spoke on various concerns relating to the nominees.

Appointment of Scott Patterson, seat 1, recommended.

Appointment of Betty Packard, seat 2, recommended.

Appointment of Ann Merrill, seat 3, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Scott Patterson, Betty Packard, and Ann Merrill, terms ending November 30, 2022, to the Ballot Simplification Committee. (Clerk of the Board)

Scott Patterson, Seat 1, succeeding themselves, term expired, must be nominated by the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2022.

Betty Packard, Seat 2, succeeding themselves, term expired, must be nominated by the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2022.

Ann Merrill, Seat 3, succeeding Lauren Girardin, term expired, must be nominated by the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2022.

RECOMMENDED by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 11:01 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.