



City and County of San Francisco

Meeting Agenda

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, October 18, 2021

10:00 AM

WATCH SF Cable Channel 26, 78 or 99 (depending on provider)
WATCH www.sfgovtv.org

PUBLIC COMMENT CALL-IN
1 (415) 655-0001 / Meeting ID: 2481 023 9510 # #

Regular Meeting

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>.

PUBLIC COMMENT CALL-IN
1 (415) 655-0001 / Meeting ID: 2481 023 9510 # #

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 Assistant Victor Young at (415) 554-7723.

ROLL CALL AND ANNOUNCEMENTS

COMMUNICATIONS

AGENDA CHANGES

REGULAR AGENDA

1. [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 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 for voluntary collection and confidential retention of sexual orientation and gender identity information.

6/22/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

7/6/21; REFERRED TO DEPARTMENT.

9/27/21; RECOMMENDED.

10/5/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/5/21; RE-REFERRED AS AMENDED to the Rules Committee.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on October 19, 2021.

2. [210961](#) **[Municipal Elections Code - Reauthorization of Non-United States Citizen Voting in School Board Elections]**
Sponsors: Chan; Melgar, Walton, Ronen, Preston and Mar
Ordinance amending the Municipal Elections Code to reauthorize Non-United States citizen voting in elections for the Board of Education of the San Francisco Unified School District.

9/14/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

9/23/21; REFERRED TO DEPARTMENT.

3. [210835](#) [Administrative Code - Local Business Enterprise Program]**Sponsors: Mayor; Walton, Safai, Melgar and Ronen**

Ordinance amending the Administrative Code to revise the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance (Chapter 14B) to: 1) increase the LBE certification size thresholds and authorize an automatic increase to the thresholds every five years based on the consumer price index; 2) change the LBE certification size threshold term of calculation from an average of gross annual receipts in the prior three to the prior five years; 3) increase penalties for violations of Chapter 14B from up to 10% to up to 25% of the contract or subcontract amount; 4) require prime contractors to include LBE subcontractors' approved payment requests in payment applications within 30 days of receipt of an invoice; 5) authorize application of separate LBE subcontract participation requirements for micro, small, and SBA-LBEs; 6) extend the bonding assistance program to certain City-funded construction projects; 7) authorize a pilot Mentor-Protégé expansion program, a pilot micro-LBE set-aside program for certain design-build and construction manager/general contractor projects, and a pilot Neighborhood LBE program; and 8) increase the contracting Threshold Amount from \$706,000 to \$1,000,000 and the Minimum Competitive Amount from \$129,000 to \$200,000; and make various other changes and clarifications to Chapter 14B.

7/20/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

9/7/21; REFERRED TO DEPARTMENT.

10/5/21; RESPONSE RECEIVED.

10/5/21; SUBSTITUTED AND ASSIGNED to the Rules Committee.

4. [210935](#) [Administrative Code - Cannabis Oversight Committee Sunset Date]**Sponsor: Chan**

Ordinance amending the Administrative Code to extend the sunset date for the Cannabis Oversight Committee from December 3, 2021, to January 1, 2025.

9/7/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

9/16/21; 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 October 19, 2021.

5. [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.)
- 9/29/20; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.
- 10/9/20; REFERRED TO DEPARTMENT.
- 3/16/21; SUBSTITUTED AND ASSIGNED to the Rules Committee.
- 9/13/21; CONTINUED.
- 9/20/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
- 9/20/21; CONTINUED AS AMENDED.
- 9/27/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 9/27/21; CONTINUED AS AMENDED.

ADJOURNMENT

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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.

211029

[Administrative Code - Naming the City Hall Press Room for Barbara A. Taylor]

Sponsors: Peskin; Walton and Ronen

Ordinance amending the Administrative Code to name the City Hall Press Room in memory of legendary reporter Barbara Ann Taylor.

9/28/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

10/13/21; REFERRED TO DEPARTMENT.

211031

[Administrative Code - Request for Sheriff's Services]

Sponsor: Safai

Ordinance amending the Administrative Code to authorize the Sheriff to contract with private entities to provide supplemental law enforcement services.

9/28/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

10/13/21; REFERRED TO DEPARTMENT.

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 displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed 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 expected to be made a part of the official file 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.

COPYRIGHT: All system content that is broadcasted live during public proceedings is secured by High-bandwidth Digital Content Protection (HDCP), which prevents copyrighted or encrypted content from being displayed or transmitted through unauthorized devices. Members of the public who wish to utilize chamber digital, audio and visual technology may not display copyrighted or encrypted content during public proceedings.

AGENDA PACKET: Available 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: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyon pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (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

Americans with Disabilities Act (ADA)

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Board and Committee meeting agendas and minutes are available on the Board's website (www.sfbos.org) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 (wilson.l.ng@sfgov.org).

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 softf@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>.

Ethics 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>.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.