



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: Matt Dorsey, Shamann Walton, Ahsha Safai

Clerk: Victor Young (415) 554-7723

Monday, April 10, 2023

10:00 AM

Regular Meeting

IN-PERSON MEETING
City Hall, Legislative Chamber, Room 250

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

Present: 3 - Matt Dorsey, Shamann Walton, and Ahsha Safai

The Rules Committee met in regular session, in-person with remote access and public comment via telephone, on Monday, April 10, 2023, with Chair Matt Dorsey presiding. Chair Dorsey called the meeting to order at 10:01 a.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access, and remote public comment via teleconference (<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.

Live watch San Francisco Cable Channels 26, 28, 78 or 99 (depending on your provider) or stream meetings on the SFGovTV website (www.sfgovtv.org). 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>.

Visit the Board's website (www.sfbos.org) for additional information or 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 Dorsey, Vice-Chair Walton, and Member Safai were noted present. A quorum of the committee was present.

COMMUNICATIONS

Victor Young, Rules Committee Clerk, instructed members of the public, that when general public comment is called, to contribute live comments in-person or by dialing the telephone number published on the agenda and scrolling across the screen. Clerk Young further announced that in-person public comment will be taken before remote public comment is called.

*(Those who are providing public comment remotely must dial *3 to be added to the remote queue to speak. 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

230135 [Administrative Code - Small Business Commission Duties]

Sponsor: Peskin

Ordinance amending the Administrative Code to revise the duties of the Small Business Commission by replacing the duty to coordinate an application and selection process to recognize outstanding contributions by small businesses during Small Business Month with a duty to coordinate activities to encourage the general public to support San Francisco small businesses during Small Business Month.

02/07/23; ASSIGNED to Rules Committee. 2/9/23- President Peskin waived the 30-day rule pursuant to Board Rule No. 3.22.

03/28/23; REFERRED TO DEPARTMENT. Referred to the Office of Small Business for information purposes.

Heard in Committee. Speaker: Supervisor Aaron Peskin (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion.

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

Ayes: 3 - Dorsey, Walton, Safai

The meeting recessed at 10:07 a.m. and reconvened at 10:46 a.m.

221268 [Administrative Code - Public Works Contracting and Contractor Performance Evaluations]**Sponsor: Mandelman**

Ordinance amending the Administrative Code to remove the minimum cost criterion weighting for Design-Build and Construction Manager/General Contractor best value procurements; and to require consideration of available contractor performance evaluations when considering contractors for award of a public works construction contract.

12/13/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2023.

12/22/22; REFERRED TO DEPARTMENT. Referred to the Contract Monitoring Division and the Office of Contract Administration for informational purposes.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion.

Supervisor Safai requested that File No. 221268 be duplicated (See File No. 230408).

Chair Dorsey moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Dorsey, Walton, Safai

230408 [Administrative Code - Public Works Contracting]**Sponsor: Mandelman**

Ordinance amending the Administrative Code to remove the minimum cost criterion weighting for Design-Build and Construction Manager/General Contractor best value procurements; and to require consideration of available contractor performance evaluations when considering contractors for award of a public works construction contract.

Duplicated from File No. 221268.

Member Safai moved that this Ordinance be DUPLICATED AND AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines, 5-6, to strike 'and to require consideration of available contractor performance evaluations when considering contractors for award of a public works construction contract'; on Page 1, lines 20-25, to strike 'The performance evaluation shall include, but is not limited to, documentation as applicable of any notice of violation, citation, third party claim filed against the City in connection with the Contractor's work, or instance of non-compliance with Contract terms and conditions. (b) A department shall consider relevant Contractor performance evaluations, if available, when the department evaluates a Contractor's Responsibility for award of a Contract'; on Page 3, Lines 14-15, and on Page 5, Lines 2-3, to strike ' The cost criterion shall constitute not less than 40% of the overall evaluation'; on Page 5, Line 10, to replace 'March 1, 2023' with ' July 1, 2023' and make other complying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Dorsey, Walton, Safai

Ordinance amending the Administrative Code to remove the minimum cost criterion weighting for Design-Build and Construction Manager/General Contractor best value procurements.

Chair Dorsey moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Dorsey, Walton, Safai

Supervisor Safai was noted not present at 11:03 a.m. and for the remainder of the meeting.

Chair Dorsey moved that Supervisor Safai be excused from voting on File No. 230243. The motion carried by the following vote:

Ayes: 2 - Dorsey, Walton

Excused: 1 - Safai

230243 [Appointments, Assessment Appeals Board No. 3 - Marc Dickow and John Su]

Hearing to consider appointing one member, term ending September 4, 2023, two members, terms ending September 4, 2024, and one member term ending September 1, 2025, to the Assessment Appeals Board No. 3. (Real Estate Department)

Vacant Seat 5, 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 6 (Alternate Member), 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 1, 2025.

Vacant Seat 7 (Alternate Member), 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 8 (Alternate Member), 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.

03/06/23; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Marc Dickow; John Su; spoke on their qualifications and answered questions raised throughout the discussion.

Marc Dickow, seat 5, recommended.

John Su, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Marc Dickow, term ending September 2, 2024, and John Su, term ending September 1, 2025, to the Assessment Appeals Board No. 3. (Real Estate Department)

Marc Dickow, seat 5, 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;

John Su, seat 6 (Alternate Member), 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 1, 2025.

RECOMMENDED by the following vote:

Ayes: 2 - Dorsey, Walton

Excused: 1 - Safai

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.