



City and County of San Francisco
Meeting Minutes
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

Wednesday, February 3, 2016

2:00 PM

City Hall, Committee Room 263

Special Meeting

President London Breed appointed Supervisor John Avalos, in place of Supervisor Eric Mar, to the Rules Committee for the meeting of February 3, 2016.

Present: 3 - Katy Tang, Malia Cohen, and John Avalos

Excused: 1 - Eric Mar

The Rules Committee met in special session on Wednesday, February 3, 2016, with Chair Katy Tang presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Tang called the meeting to order at 2:06 p.m. On the call of the roll, Chair Tang and Members Cohen and Avalos were noted present. Supervisor Mar was noted not present. There was a quorum.

Supervisor Mar Excused from Attendance

Member Avalos, seconded by Member Cohen, moved that Supervisor Mar be excused from attending the Rules Committee meeting of February 3, 2016. The motion carried by the following vote:

Ayes: 3 - Tang, Cohen, Avalos

Excused: 1 - Mar

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

File Nos. 151273 and 160089 were called and heard together.

151273 [Charter Amendment - Filling Supervisorial Vacancies]**Sponsor: Avalos**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to require the Department of Elections to hold a special election when there is a vacancy in the Office of Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; and provide that the Mayor shall appoint an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on June 7, 2016.

12/15/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/14/2016.

12/21/15; REFERRED TO DEPARTMENT. Referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3); and Mayor's Office, Office of the City Attorney, and Department of Elections for informational purposes (per Rules of Order 2.22.4).

01/12/16; RESPONSE RECEIVED. Controller's Office provided financial analysis supporting opinion that this Charter Amendment would have a moderate impact on the cost of government.

01/14/16; DUPLICATED. Heard in Committee. Speakers: Nancy Wuerfel; David Cary; spoke in support of the hearing matter. Jim Lazarus (San Francisco Chamber of Commerce); spoke in opposition to the hearing matter. Christopher Jerdonek; spoke neither in support nor against the hearing matter.

01/14/16; CONTINUED AS AMENDED.

01/14/16; AMENDED. See Duplicated File No. 160040.

01/15/16; REFERRED TO DEPARTMENT. Re-referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3); and Mayor's Office, Office of the City Attorney, and Department of Elections for informational purposes (per Rules of Order 2.22.4).

01/21/16; AMENDED. Heard in Committee. Speaker: Magick; spoke in support of the hearing matter.

01/21/16; CONTINUED AS AMENDED.

01/22/16; REFERRED TO DEPARTMENT. Re-referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3); and Mayor's Office, Office of the City Attorney, and Department of Elections for informational purposes (per Rules of Order 2.22.4). Referred to the Planning Department for environmental review.

01/27/16; RESPONSE RECEIVED. The Planning Department has determined that the Charter Amendment is not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

01/28/16; DUPLICATED. Chair Tang, seconded by Member Cohen, moved that this Charter Amendment be CONTINUED TO THE CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Tang, Mar, Cohen

Member Cohen, seconded by Chair Tang, moved to rescind the previous vote to open public comment, which had not been heard; there were no speakers. The motion carried by the following vote:

Ayes: 3 - Tang, Mar, Cohen

Heard in Committee. Speaker: Jeremy Pollock, Legislative Aide (Office of Supervisor John Avalos); presented information and answered questions raised throughout the discussion.

01/28/16; CONTINUED TO CALL OF THE CHAIR. See duplicated File No. 160089.

02/02/16; RESPONSE RECEIVED. Controller's Office provided financial analysis supporting opinion that this Charter Amendment would have a moderate impact on the cost of government.

Heard in Committee. Speaker: Jon Giver, Deputy City Attorney; presented information and answered questions raised throughout the discussion.

Member Avalos, seconded by Member Cohen, moved that this Charter Amendment be

*CONTINUED TO THE CALL OF THE CHAIR. The motion carried by the following vote:
Ayes: 3 - Tang, Avalos, Cohen*

*Member Avalos, seconded by Member Cohen, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 3 - Tang, Mar, Cohen*

Member Avalos, seconded by Member Cohen, moved that this Charter Amendment be AMENDED by changing dates throughout the legislation to reflect the change of date to the November 8, 2016, election. The motion carried by the following vote:

Ayes: 3 - Tang, Cohen, Avalos
Excused: 1 - Mar

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to require the Department of Elections to hold a special election when there is a vacancy in the Office of Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; and provide that the Mayor shall appoint an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on November 8, 2016.

Member Avalos, seconded by Member Cohen, moved that this Charter Amendment be CONTINUED TO CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Tang, Cohen, Avalos
Excused: 1 - Mar

160089 [Charter Amendment - Filling Supervisorial Vacancies within 28 Days]**Sponsor: Tang**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require the Mayor to fill a supervisorial vacancy within 28 days, at an election to be held on June 7, 2016.

01/28/16; AMENDED. Duplicated from File No. 151273.

Chair Tang, seconded by Member Cohen, moved that this Charter Amendment be AMENDED by removing almost all of the proposed changes to the vacancy appointment and election process and solely requiring the Mayor to make vacancy appointments for the Board of Supervisors within 28 days of the date of the vacancy. The motion carried by the following vote:

Ayes: 3 - Tang, Mar, Cohen

Chair Tang, seconded by Member Cohen, moved that this Charter Amendment be CONTINUED AS AMENDED TO THE CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Tang, Mar, Cohen

Member Cohen, seconded by Chair Tang, moved to rescind the previous two votes to open public comment, which had not been heard; there were no speakers. The motion carried by the following vote:

Ayes: 3 - Tang, Mar, Cohen

Heard in Committee. Speaker: Jeremy Pollock, Legislative Aide (Office of Supervisor John Avalos); presented information and answered questions raised throughout the discussion.

01/28/16; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

01/28/16; DUPLICATED. Duplicated from File No. 151273.

Heard in Committee. Speakers:

01/29/16; REFERRED TO DEPARTMENT. Referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3); and Mayor's Office, Office of the City Attorney, and Department of Elections for informational purposes (per Rules of Order 2.22.4). Referred to the Planning Department for environmental review.

02/02/16; RESPONSE RECEIVED. Controller's Office provided financial analysis supporting opinion that this Charter Amendment would not have an impact on the cost of government.

Heard in Committee. Speaker: Jon Giver, Deputy City Attorney; presented information and answered questions raised throughout the discussion.

Member Avalos, seconded by Member Cohen, moved that this Charter Amendment be CONTINUED TO THE CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Tang, Avalos, Cohen

Member Avalos, seconded by Member Cohen, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 3 - Tang, Mar, Cohen

Member Avalos, seconded by Member Cohen, moved that the Charter Amendment be CONTINUED TO THE CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Tang, Cohen, Avalos

Excused: 1 - Mar

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 2:16 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.