



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

Wednesday, January 26, 2022

10:00 AM

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PUBLIC COMMENT CALL-IN
1 (415) 655-0001 / Meeting ID: 2494 817 1812 # #

Recessed Meeting

On January 24, 2022, after Items Nos. 211279, 220067, and 211298 were heard, the Chair announced that the local cable channel broadcasting of the meeting had been disrupted. The cable provider confirmed and indicated that the issue would not be fixed until late in the evening; therefore, in an effort to uphold the public's right to complete access, the Chair moved to recess the meeting to Wednesday, January 25, 2022, at 10:00 a.m.

A quorum of the Board of Supervisors may be present at this committee meeting. If a quorum is present, the meeting will also constitute a Special Meeting of the Board of Supervisors. However, the meeting will be conducted in all respects as a committee meeting, and any substantive decision will constitute a recommendation of the committee rather than an action taken by the Board. The Clerk will make a note of the special meeting in the committee minutes, and discussion will be limited to items noticed on this agenda.

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: 2494 817 1812 # #](tel:4156550001)

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

AGENDA CHANGES

COMUNICATIONS

CONSENT AGENDA

File Nos. 211279, 220067, and 211298 were heard and acted upon at the January 24, 2022, meeting prior to the meeting being recessed. In an effort to ensure all members of the public have the opportunity to provide input on these matters, public comment will be re-opened for these three items when the Consent Agenda is called.

- 211279** **[Mayoral Appointment, Municipal Transportation Agency Board of Directors - Stephanie Cajina]**
Motion approving the Mayor's nomination for the appointment of Stephanie Cajina to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2022. (Clerk of the Board)

(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors, with no timeframe to confirm specified. Transmittal Date: December 8, 2021.)

12/8/21; RECEIVED AND ASSIGNED to the Rules Committee.

2. [220067](#) **[Appointments, Citizens' General Obligation Bond Oversight Committee - Andrea Marmo Crawford and Timothy Mathews]**

Motion appointing Andrea Marmo Crawford and Timothy Mathews, terms expiring November 21, 2022, to the Citizens General Obligation Bond Oversight Committee. (Clerk of the Board)

Andrea Marmo Crawford, Seat 1, succeeding Brenda Kwee McNulty, term expired, must be active in a business organization representing the business community located within the City, for the unexpired portion of a two-year term ending November 21, 2022.

Timothy Mathews, Seat 2, succeeding themselves, term expired, must be active in a labor organization, for the unexpired portion of a two-year term ending November 21, 2022.

1/19/22; RECEIVED AND ASSIGNED to the Rules Committee.

3. [211298](#) **[Administrative Code - Central SoMa Legacy Business and PDR Support Fund - Jackson Playground Park Fund - Planning Code Fee Credits - Real Property Conveyance for Affordable Housing Construction]**

Sponsor: Peskin

Ordinance amending the Administrative Code to create the Central SoMa Legacy Business & PDR Support Fund and the Jackson Playground Park Fund; crediting payments to be made by KR Flower Mart, LLC under the Flower Mart Development Agreement against Eastern Neighborhoods Infrastructure Fees under Planning Code, Section 423, and Transportation Sustainability Fees under Planning Code, Section 411A; authorizing the City to accept land located at 71 Boardman Place and 356 Harriet Street (Assessor's Parcel Block No. 3779, Lot Nos. 084 and 112) for affordable housing; and providing KR Flower Mart, LLC credit against Jobs-Housing Linkage Fees under Planning Code, Section 413, for the value of that land; authorizing the attachment of missing pages to the Transportation Demand Management exhibit of the Development Agreement; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b), and public necessity, convenience, and welfare findings under Planning Code, Section 302.

12/14/21; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

1/13/22; TRANSFERRED to the Rules Committee.

1/20/22; REFERRED TO DEPARTMENT.

REGULAR AGENDA

4. [211284](#) **[Charter Amendment - Establishment of Children’s Agency and Commission; Funding for Children, Youth, and the San Francisco Unified School District; Funding Conditions on City Appropriations for the School District]**
Sponsors: Mayor; Melgar and Mandelman
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to 1) establish a new Children’s Agency responsible for overseeing, aligning, and coordinating the development of systems, services, policies, and planning strategies to strengthen the City’s services for children, youth, and families; 2) authorize the Agency to include the Department of Children, Youth, and Their Families, which is responsible for administering the City’s Children and Youth Fund and promoting the development of programs and planning strategies to enhance services for children, youth, and their families; 3) authorize the Agency to include a new Department of Early Childhood, which will assume the duties previously assigned to the Office of Early Care and Education promoting the development of programs, policies, and strategies to enhance services for children ages 0-5; 4) establish a Children’s Commission to oversee the Agency; 5) modify the process for expending funds in the Children and Youth Fund to support services for children; 6) modify the process for expending funds in the Public Education Enrichment Fund to support the San Francisco Unified School District; and 7) require the Board of Education to submit a certification of compliance with specified governance requirements before the City appropriates funds to the San Francisco Unified School District not otherwise required by the Charter or State law; at an election to be held on June 7, 2022.
- 12/14/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.
- 12/22/21; REFERRED TO DEPARTMENT.
- 12/28/21; RESPONSE RECEIVED.
5. [211286](#) **[Charter Amendment - Building Inspection Commission]**
Sponsors: Melgar; Peskin, Ronen and Mandelman
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to revise the duties, composition, and method of appointment for members of the Building Inspection Commission; and affirming the Planning Department’s determination under the California Environmental Quality Act; at an election to be held on June 7, 2022.
- 12/14/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.
- 12/22/21; REFERRED TO DEPARTMENT.
- 12/28/21; RESPONSE RECEIVED.

6. [211285](#) **[Charter Amendment - Split Appointment Authority for Boards and Commissions; Powers and Duties of the City Administrator]**

Sponsors: Chan; Ronen, Peskin and Preston

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to 1) split the power to make appointments to the following bodies between the Mayor and the Board of Supervisors: Airport Commission, Arts Commission, Asian Art Commission, Civil Service Commission, Commission on the Environment, Commission on the Status of Women, Disability and Aging Services Commission, Fire Commission, Health Commission, Historic Preservation Commission, Human Rights Commission, Human Services Commission, Juvenile Probation Commission, Library Commission, Municipal Transportation Agency Board of Directors, Public Utilities Commission, Recreation and Park Commission, and War Memorial and Performing Arts Center Board of Trustees; subject Mayoral appointments to those bodies and to the Building Inspection Commission and the Small Business Commission to approval by the Board of Supervisors; and provide that the appropriate appointing authority (Mayor or Board of Supervisors, as applicable) may initiate removal of commissioners; and 2) specify the types of functions that the City Administrator may oversee; require that any agencies under the City Administrator be designated by ordinance; authorize the City Administrator to review City programs and services, and employment practices, and to make recommendations to the Mayor, Board of Supervisors, and departments based on those reviews; prohibit the Mayor from placing functions under the City Administrator without authorization by ordinance; and authorizing the City Administrator to recommend removal of any department head to the Mayor or a commission, and requiring the Mayor or commission to act on the recommendation within 30 days; at an election to be held on June 7, 2022.

12/14/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

12/22/21; REFERRED TO DEPARTMENT.

12/28/21; RESPONSE RECEIVED.

7. [211287](#) **[Charter Amendment - Filling Vacancies in Elected Offices; Timelines for Recall Process]**

Sponsors: Peskin; Walton, Ronen, Preston, Chan and Melgar

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide that vacancies on the Board of Supervisors, Board of Education, and governing body of the Community College District shall be filled by a majority of those boards' members rather than the Mayor; extend the ban on initiation of recall petitions from six to twelve months after the official has assumed office; and prohibit the submission of recall petitions within eighteen months of a regularly scheduled election for the office held by the official sought to be recalled; at an election to be held on June 7, 2022.

12/14/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

12/22/21; REFERRED TO DEPARTMENT.

12/28/21; RESPONSE RECEIVED.

8. [211288](#) **[Declaration of Policy and Charter Amendment - Fossil Fuel Disinvestment Policy; Retirement Board Membership]**
Sponsors: Peskin; Preston, Melgar and Chan
Charter Amendment (First Draft) to adopt a Declaration of Policy urging the Retirement Board to divest from fossil fuels; and to amend the Charter of the City and County of San Francisco to require that one of the members of the Retirement Board who is currently appointed by the Mayor shall instead be appointed by the Board of Supervisors, and to require the Board of Supervisors-appointed member to be experienced with the management of investment portfolios based on environmental, social, and governance factors; at election to be held on June 7, 2022.
- 12/14/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.
- 12/22/21; REFERRED TO DEPARTMENT.
- 12/28/21; RESPONSE RECEIVED.
9. [211289](#) **[Charter Amendment and Initiative Ordinance - Streamlining Review of Affordable Housing]**
Sponsor: Safai
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide for streamlined review of eligible affordable housing projects by limiting discretionary review by City boards and commissions, and providing for Planning Department ministerial review in lieu of approvals by or certain appeals to City boards and commissions; to make corresponding amendments to the Planning Code and the Business and Tax Regulations Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of compliance with the General Plan and Planning Code, Section 101.1 and findings of public necessity, convenience, and welfare under Planning Code, Section 302; at an election to be held on June 7, 2022.
- 12/14/21; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.
- 12/22/21; REFERRED TO DEPARTMENT.
- 12/28/21; RESPONSE RECEIVED.
10. [220055](#) **[Reappointment, Local Agency Formation Commission - Supervisor Gordon Mar]**
Motion reappointing Supervisor Gordon Mar, term ending February 4, 2026, to the Local Agency Formation Commission. (Clerk of the Board)
- 1/13/22; RECEIVED AND ASSIGNED to the Rules Committee.
11. [220056](#) **[Reappointment, Local Agency Formation Commission - Supervisor Dean Preston]**
Motion reappointing Supervisor Dean Preston, term ending February 4, 2026, as an alternate to the Local Agency Formation Commission. (Clerk of the Board)
- 1/13/22; RECEIVED AND ASSIGNED to the Rules Committee.

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.

220022

[Initiative Ordinance - Police Code - Public Health Emergency Leave]

Sponsors: Mar; Ronen

Motion ordering submitted to the voters at an election to be held on June 7, 2022, an Ordinance to amend the Police Code to require employers to provide public health emergency leave during a public health emergency.

1/4/22; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

1/21/22; REFERRED TO DEPARTMENT.

220052

[Initiative Ordinance - Health Code - Refuse Collection and Disposal Ordinance]

Sponsors: Mayor; Peskin, Mandelman, Ronen, Walton, Chan, Safai, Melgar, Stefani, Preston, Haney and Mar

Motion ordering submitted to the voters at an election to be held on June 7, 2022, an Ordinance amending the Refuse Collection and Disposal Ordinance (“the Refuse Ordinance”) to restructure the refuse rate-setting process to replace hearings before the Department of Public Works with a requirement that the Controller, as Refuse Rate Administrator, regularly monitor the rates and appear before the Refuse Rate Board to recommend rate adjustments; establish an appointed Ratepayer Representative to replace the Controller on the Refuse Rate Board; authorize the Refuse Rate Board to set commercial rates; authorize the Board of Supervisors on recommendation of the Refuse Rate Administrator, Refuse Rate Board, and Mayor to amend the Refuse Ordinance by supermajority vote; and fully codifying the Refuse Ordinance in the Health Code.

1/11/22; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

1/21/22; REFERRED TO DEPARTMENT.

220053**[Initiative Ordinance - Health Code - Refuse Collection and Disposal Ordinance]****Sponsors: Peskin; Chan, Ronen, Walton and Safai**

Motion ordering submitted to the voters at an election to be held on June 7, 2022, an Ordinance amending the Refuse Collection and Disposal Ordinance (“the Refuse Ordinance”) to restructure the refuse rate-setting process to replace hearings before the Department of Public Works with a requirement that the Controller, as Refuse Rate Administrator, regularly monitor the rates and appear before the Refuse Rate Board to recommend rate adjustments; establish an appointed Ratepayer Representative to replace the Controller on the Refuse Rate Board; authorize the Refuse Rate Board to set commercial rates; require a competitive process for all existing and future route permits; authorize the Board of Supervisors on recommendation of the Refuse Rate Administrator, Refuse Rate Board, and Mayor to amend the Refuse Ordinance by supermajority vote; and fully codifying the Refuse Ordinance in the Health Code.

1/11/22; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

1/21/22; 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.

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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.

傳譯服務: 所有常規及特別市參事會議和常務委員會會議將提供西班牙文, 中文以及菲律賓文的傳譯服務, 但必須在會議前最少48小時作出請求, 以確保能獲取到傳譯服務. 將因應請求提供交替傳譯服務, 以便公眾向有關政府機構發表意見. 如需更多資訊或請求有關服務, 請致電 (415) 554-5184聯絡我們.

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 serbisyong 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.

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 soft@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.