



**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*

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Thursday, July 14, 2016

11:00 AM

City Hall, Committee Room 263

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**Regular Meeting**

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**Present:** 3 - Katy Tang, Eric Mar, and Malia Cohen

*The Rules Committee met in regular session on Thursday, July 14, 2016, with Chair Katy Tang presiding.*

## **ROLL CALL AND ANNOUNCEMENTS**

*Chair Tang called the meeting to order at 11:05 a.m. On the call of the roll, Chair Tang, Vice Chair Mar, and Member Cohen were noted present. There was a quorum.*

## **AGENDA CHANGES**

*There were no agenda changes.*

## **REGULAR AGENDA**

### **160736 [Confirming Reappointment, Board of Appeals - Darryl Honda]**

**Sponsor: Mayor**

Motion confirming the mayoral reappointment of Darryl Honda to the Board of Appeals, for a term ending July 1, 2020.

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 23, 2016.)

06/23/16; RECEIVED FROM DEPARTMENT.

06/24/16; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Darryl Honda, Commissioner (Board of Appeals); spoke on their qualifications. Francisco Da Costa; spoke in support of the applicant.*

**Vice Chair Mar moved that this Motion be RECOMMENDED. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

**160737 [Confirming Appointment, Board of Appeals - Frank Fung]****Sponsor: Mayor**

Motion confirming the mayoral appointment of Frank Fung to the Board of Appeals, for a term ending July 1, 2020.

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 23, 2016.)

06/23/16; RECEIVED FROM DEPARTMENT.

06/24/16; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Frank Fung, Commissioner (Board of Appeals); spoke on their qualifications. Gabriel Medina; Francisco Da Costa; spoke in support of the applicant.*

**Vice Chair Mar, seconded by Member Cohen, moved that this Motion be RECOMMENDED. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

**160783 [Reappointment, Board of Appeals - Richard Swig]**

Motion approving/rejecting the President of the Board of Supervisors London Breed's nomination of Richard Swig for appointment to the Board of Appeals, for a term ending July 1, 2020. (Clerk of the Board)

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: May 9, 2016.)

05/09/16; RECEIVED FROM DEPARTMENT.

07/08/16; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Richard Swig, Commissioner (Board of Appeals); spoke on their qualifications. Francisco Da Costa; Ace "On the Case" Washington; spoke in support of the applicant.*

**Member Cohen, seconded by Vice Chair Mar, moved that this Motion be AMENDED to approve President London Breed's nomination of Richard Swig for appointment to the Board of Appeals. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

Motion approving the President of the Board of Supervisors London Breed's nomination of Richard Swig for appointment to the Board of Appeals, for a term ending July 1, 2020. (Clerk of the Board)  
(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: May 9, 2016.)

**Member Cohen, seconded by Vice Chair Mar, moved that this Motion be RECOMMENDED AS AMENDED. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

**160782 [Confirming Reappointment, Planning Commission - Richard Hillis]****Sponsor: Mayor**

Motion confirming the mayoral reappointment of Richard Hillis to the Planning Commission, term ending June 30, 2020.

(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: July 7, 2016.)

07/07/16; RECEIVED FROM DEPARTMENT.

07/08/16; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Richard Hillis, Commissioner (Planning Commission); spoke on their qualifications. Dennis Richards, Commissioner (Planning Commission); Francisco Da Costa; Ace "On the Case" Washington; spoke in support of the applicant.*

**Member Cohen, seconded by Vice Chair Mar, moved that this Motion be RECOMMENDED. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

**160587 [Charter Amendment - Non-Citizen Voting in School Board Elections]****Sponsors: Mar; Campos, Avalos, Cohen, Wiener and Kim**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize San Francisco residents who are not United States citizens but who are the parents, legal guardians, or caregivers of a child residing in San Francisco to vote in elections for the Board of Education, at an election to be held on November 8, 2016.

05/24/16; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Rules Committee.

06/07/16; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Rules Committee.

06/22/16; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, Office of the City Attorney, Department of Elections, Planning Department, and SFUSD for informational purposes (per Rules of Order 2.22.4). Referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3). Referred to the Planning Department for environmental review. Referred to the Youth Commission per Charter Section 4.124 for comment and recommendation.

06/30/16; RESPONSE RECEIVED. Planning Department determined that this 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.

07/06/16; RESPONSE RECEIVED. Controller's Office provided financial analysis supporting the opinion that should the proposed Charter amendment be approved by the voters, there would be an additional cost, as estimated by the Department of Elections, of a minimum of \$160,000 per election.

07/07/16; CONTINUED. Heard in Committee. Speakers: There were none.

07/07/16; RESPONSE RECEIVED. At the Tuesday, July 5, 2016 meeting, the Youth Commission voted to support this proposed Charter Amendment.

*Heard in Committee. Speakers: Gabriel Medina; Leticia; Natasha Mihal (Office of the Controller); presented information and answered questions raised throughout the hearing. Lisa Weissman-Ward; Commissioners Erica Kong and Anna Bernick (Youth Commission); Lucia; Cecilia Galeano, Commissioner (Youth Commission); Joshua Park; Joshua Arce (Labor Union Local 361); Erick Arguello, President (Calle 24); Theresa Imperial (Manilatown Heritage Foundation); Male Speaker; Francisco Da Costa; Ace "On the Case" Washington; Ronald E. David Lee; spoke in support of the proposed Charter Amendment. Silvia Johnson; spoke neither in support nor against the proposed Charter Amendment.*

**Member Cohen moved that this Charter Amendment be RECOMMENDED AS A COMMITTEE REPORT to the July 19, 2016, Board of Supervisors meeting. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

*Chair Tang requested that File Nos. 160583 and 160781 be called and heard together.*

**160583 [Charter Amendment - Public Advocate]****Sponsors: Campos; Avalos, Kim and Mar**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) provide for the Public Advocate's election, removal, and salary; and, 6) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; and setting an operative date, at an election to be held on November 8, 2016.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

06/02/16; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, Office of the City Attorney, Department of Elections, Office of Citizen Complaints, Office of Labor Standards Enforcement, Police Department, District Attorney, and Ethics Commission for informational purposes (per Rules of Order 2.22.4). Referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3). Referred to the Planning Department for environmental review.

06/03/16; RESPONSE RECEIVED. Planning Department determined that this Charter Amendment is not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

06/29/16; RESPONSE RECEIVED. Controller's Office provided financial analysis supporting the opinion that the proposed charter amendment would result in a significant increase in the cost of government

06/30/16; CONTINUED. Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Natasha Mihal (Controller's Office); presented information and answered questions raised throughout the hearing. Mike Casey; Alisa Messer; Tom O'Connor (San Francisco Fire Fighters); Ace Washington; spoke in support of the proposed Charter Amendment. Jim Lazarus (Chamber of Commerce); spoke in opposition of the proposed Charter Amendment.

Member Cohen, seconded by Vice Chair Mar, moved that this Charter Amendment be CONTINUED AS AMENDED to the July 7, 2016, Rules Committee meeting. The motion carried by the following vote:

Ayes: 3 - Tang, Avalos, Cohen

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

Ayes: 3 - Tang, Mar, Cohen

07/06/16; DUPLICATED. Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Jon Givner, Deputy City Attorney (City Attorney's Office); presented information and answered questions raised throughout the hearing. John Crew; Eileen Boken; Josue Reyes (Progressive Workers Alliance); spoke in support of the proposed Charter Amendment. Charely Lavery; Sean McGarry (Carpenters Local 22); David Johnson (Local 300); spoke in opposition of the proposed Charter Amendment. Sylvia Johnson; spoke neither in support nor against the proposed Charter Amendment.

07/06/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. See Duplicated File No. 160781.

07/06/16; CONTINUED AS AMENDED.

07/06/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/10/16; 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). Referred to the Planning Department for environmental review.

*Heard in Committee. Speakers: Jon Givner, Deputy City Attorney (Office of the City Attorney); Natasha Mihal (Office of the Controller); presented information and answered questions raised*

throughout the hearing. *Silvia Johnson; Francisco Da Costa; spoke neither in support nor against the proposed Charter Amendment.*

*Supervisor Mar dissented in Committee.*

**Member Cohen moved that this Charter Amendment be RECOMMENDED AS A COMMITTEE REPORT to the July 19, 2016, Board of Supervisors meeting. The motion carried by the following vote:**

Ayes: 2 - Tang, Cohen

Noes: 1 - Mar

### **160781 [Charter Amendment - Public Advocate]**

**Sponsors: Campos; Avalos, Kim and Mar**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) provide for the Public Advocate's election, removal, and salary; and, 6) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; and setting an operative date, at an election to be held on November 8, 2016.

07/06/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Duplicated from File No. 160583.

07/06/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/06/16; CONTINUED AS AMENDED.

07/06/16; DUPLICATED.

07/10/16; 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). Referred to the Planning Department for environmental review.

*Heard in Committee. Speakers: Jon Givner, Deputy City Attorney (Office of the City Attorney); Natasha Mihal (Office of the Controller); presented information and answered questions raised throughout the hearing. Silvia Johnson; Francisco Da Costa; spoke neither in support nor against the proposed Charter Amendment.*

*Supervisor Mar dissented in Committee.*

*Vice Chair Mar moved that this Charter Amendment be TABLED. The motion failed by the following vote:*

*Ayes: 1 - Mar*

*Noes: 2 - Cohen, Tang*

**Member Cohen moved that this Charter Amendment be RECOMMENDED AS A COMMITTEE REPORT to the July 19, 2016, Board of Supervisors meeting. The motion carried by the following vote:**

Ayes: 2 - Tang, Cohen

Noes: 1 - Mar

**160588 [Charter Amendment - Housing and Development Commission]****Sponsors: Peskin; Kim**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development and the Department of Housing and Community Development; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; to require the Commission to hold hearings and make recommendations regarding proposals to adopt or change inclusionary housing requirements for housing developments; to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development; and to provide that ordinances regarding inclusionary housing requirements and rules regarding competitive selection for affordable housing adopted under the processes set forth in the Charter may supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, at an election to be held on November 8, 2016.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2016.

06/03/16; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, Office of the City Attorney, Department of Elections, Real Estate Division, Office of Economic and Workforce Development, and Office of Housing and Community Development for informational purposes (per Rules of Order 2.22.4). Referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3). Referred to the Planning Department for environmental review.

06/24/16; RESPONSE RECEIVED. Planning Department determined that this Charter Amendment is not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

06/29/16; RESPONSE RECEIVED. The Controller determined that the proposed amendment would have a minimal impact on the cost of government, increasing the cost of government by approximately \$190,000 annually to fund the cost of a new city commission.

06/30/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Sunny Angulo, Legislative Aide (Office of Supervisor Aaron Peskin); Todd Rufo, Director; and Joaquin Torres, Deputy Director (Office of Economic and Workforce Development); Olson Lee, Director (Office of Housing and Community Development); Supervisor John Avalos (Board of Supervisors); Natasha Mihal (Controller's Office); presented information and answered questions raised throughout the hearing. Todd Radulovich, Executive Director (Livable City); Ace Washington; John Elke; Eileen Bogin; spoke in support of the proposed Charter Amendment. Alyssa Kies (SPUR); Corrine Woods; Kevin Carroll; Yaris Ng Pang (Andrea Baker Consulting); Julie Phelps (Counterpulse); Randy Shaw (Tenderloin Housing Clinic); Adriel Lively (Little Saigon Association); Dan Adams (Bridge Housing); Pratibha Tekkey (Central City SRO Collaborative); Scott Hauge (LAL Insurance); Paul Pendergust (Small Business Network); Tyra Fennell (Imprint City); Tim Colen (Housing Action Coalition); Harrison Lao (Chinatown Community Development Center); Samantha Higgins (Golden Gate Restaurant Association); Sharyl Davis; Arnold Townsend; Amos Brown, President (ACLU - San Francisco); Jim Lazarus (Chamber of Commerce); spoke in opposition of the proposed Charter Amendment. Gail Gilman; Dan Faulk (Tenderloin Neighborhood Development Corporation); Lee; spoke neither in support nor against the proposed Charter Amendment.

06/30/16; CONTINUED AS AMENDED.

07/06/16; RESPONSE RECEIVED. The Controller determined that the proposed amendment would have a minimal impact on the cost of government, increasing the cost of government by approximately \$190,000 annually to fund the cost of a new city commission.

07/07/16; CONTINUED. Heard in Committee. Speakers: Sunny Angulo, Legislative Aide (Office of Supervisor Aaron Peskin); Jon Givner, Deputy City Attorney (City Attorney's Office); Olson Lee, Director (Mayor's Office of Housing and Community Development); Ken Rich (Office of Labor Standards Enforcement); presented information and answered questions raised throughout the hearing. George Wooding; Patrick Monette-Shaw; Eileen Boken; Calvin Welch; Gabriel Medina; spoke in support of the proposed Charter Amendment.

07/10/16; 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). Referred to the Planning Department for environmental review.

*Heard in Committee. Speakers: Supervisor Aaron Peskin (Board of Supervisors); Todd Rufo, Director (Office of Economic and Workforce Development); Olson Lee, Director (Mayor's Office of Housing and Community Development); Natasha Mihal (Office of the Controller); Jon Giver, Deputy City Attorney (Office of the City Attorney); presented information and answered questions raised throughout the hearing. Randy Shaw (Tenderloin Housing Clinic); John Orland; spoke in opposition of the proposed Charter Amendment. Silvia Johnson; spoke neither in support nor against the proposed Charter Amendment.*

**Vice Chair Mar requested that this Charter Amendment be DUPLICATED.**

*See Duplicated File No. 160813.*

**Vice Chair Mar, seconded by Chair Tang, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development and the Department of Housing and Community Development; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; to require the Commission to hold hearings and make recommendations regarding proposals to adopt or change inclusionary housing requirements for housing developments; to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development; and to provide that ordinances regarding inclusionary housing requirements and rules regarding competitive selection for affordable housing adopted under the processes set forth in the Charter may supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, at an election to be held on November 8, 2016.

**Vice Chair Mar, seconded by Chair Tang, moved that this Charter Amendment be CONTINUED AS AMENDED to the July 18, 2016, Rules Committee Special Meeting. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

**160813 [Charter Amendment - Affordable Housing and Community Development Hearings and Reports]****Sponsors: Peskin; Kim**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development and the Department of Housing and Community Development; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; to require the Commission to hold hearings and make recommendations regarding proposals to adopt or change inclusionary housing requirements for housing developments; to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development; and to provide that ordinances regarding inclusionary housing requirements and rules regarding competitive selection for affordable housing adopted under the processes set forth in the Charter may supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, at an election to be held on November 8, 2016. (7/14/16 - Duplicated by Supervisor Mar from File No. 160588.)

*Duplicated from File No. 160588.*

**Vice Chair Mar, seconded by Chair Tang, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco, to require the Office of Economic and Workforce Development (OEWD) and the Mayor's Office of Housing and Community Development (MOHCD) to propose five-year strategic plans for consideration and approval by the Board of Supervisors; to require OEWD and MOHCD to report to the Board of Supervisors regarding their annual work plans at least two times each fiscal year; and to provide that ordinances adopted under the processes set forth in the Charter regarding inclusionary housing requirements and regarding competitive selection for the expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of MOHCD shall supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, at an election to be held on November 8, 2016.

**Vice Chair Mar, seconded by Chair Tang, moved that this Charter Amendment be CONTINUED AS AMENDED to the July 18, 2016, Rules Committee Special Meeting. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

**160669 [Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]****Sponsor: Peskin**

Ordinance amending the Campaign and Governmental Conduct Code to prohibit City elected officials from establishing candidate-controlled general purpose committees.

06/07/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/7/2016.

06/13/16; REFERRED TO DEPARTMENT. Referred to the Ethics Commission in accordance with Campaign and Governmental Conduct Code, Section 1.103. Referred to the Department of Elections for informational purposes.

06/27/16; RESPONSE RECEIVED. At the June 27, 2016, meeting, the Ethics Commission voted 4-0 in favor of supporting this Ordinance.

*Heard in Committee. Speakers: Supervisor Aaron Peskin (Board of Supervisors); Natasha Mihal (Office of the Controller); presented information and answered questions raised throughout the hearing.*

**Vice Chair Mar, seconded by Member Cohen, moved that this Ordinance be RECOMMENDED AS A COMMITTEE REPORT to the July 19, 2016, Board of Supervisors meeting. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

*Chair Tang requested that File Nos. 160669 and 160699 be called and heard together.*

**160699 [Initiative Ordinance - Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]****Sponsor: Peskin**

Motion ordering submitted to the voters an Ordinance amending the Campaign and Government Conduct Code to prohibit City elected officials from establishing candidate-controlled general purpose committees, at an election to be held on November 8, 2016.

06/14/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/13/2016.

06/27/16; REFERRED TO DEPARTMENT. Referred to the Ethics Commission in accordance with Campaign and Governmental Conduct Code, Section 1.103. Referred to Planning Department for environmental review. Referred to the Controller for financial analysis. Referred to the Department of Elections for informational purposes.

06/27/16; RESPONSE RECEIVED. At the June 27, 2016, meeting, the Ethics Commission voted 4-0 in favor of supporting this Initiative Ordinance.

*Heard in Committee. Speakers: Supervisor Aaron Peskin (Board of Supervisors); Natasha Mihal (Office of the Controller); presented information and answered questions raised throughout the hearing.*

**Vice Chair Mar, seconded by Chair Tang, moved that this Charter Amendment be RECOMMENDED AS A COMMITTEE REPORT to the July 19, 2016, Board of Supervisors meeting. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

*Chair Tang recessed the Rules Committee at 1:26 p.m. and reconvened at 1:33 p.m.*

*Supervisor Mar was noted present at 1:51 p.m.*

**160698 [Initiative Ordinance - Planning Code - Requiring Conditional Use Authorization for Replacement of Production, Distribution, Repair, Institutional Community, and Arts Activities Uses]**

**Sponsors: Kim; Peskin**

Motion ordering submitted to the voters an Ordinance amending the Planning Code to require Conditional Use authorization for conversion of Production, Distribution, and Repair Use, Institutional Community Use, and Arts Activities Use and replacement space; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held November 8, 2016.

06/14/16; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/13/2016.

06/27/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review. Referred to the Controller for financial analysis. Referred to the Mayor and Department of Elections for informational purposes.

06/30/16; RESPONSE RECEIVED. Planning Department determined that this Initiative Ordinance is not defined as a project under CEQA guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment. Individual physical projects would require environmental review.

*Heard in Committee. Speakers: April Veneracion Ang, Legislative Aide (Office of Supervisor Jane Kim); Josh Switzky (Planning Department); presented information and answered questions raised throughout the hearing. Gabriel Medina (Mission Economic Development Agency); Mari Eliza; Erick Arguello, President (Calle 24); John Orland; Dairo Romero; Skot Kuiper; spoke in support of the proposed Charter Amendment. David Meckel (California College of the Arts); Muhammad Nadhiri (Axis Development Group); Tim Colen (San Francisco Housing Action Coalition); Sarah Karlinsky (SPUR); Adrian Simi; Steve Vettel (Farella Braun and Martel); Jason Wallace; Kate (Manufacturing association); spoke in opposition of the proposed Charter Amendment. Silvia Johnson; spoke neither in support nor against the proposed Charter Amendment.*

*Supervisor Peskin requested to be added as a cosponsor.*

**Member Cohen moved that this Initiative Ordinance be AMENDED by accepting amendments proposed by Supervisor Kim but eliminating the following impacted areas: Showplace Square, Potrero Hill, and Central Waterfront, and omitting the section regarding the Board adopting an ordinance after 60 months. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

**Chair Tang moved that this Initiative Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to revise the last paragraph to read 'The Board of Supervisors may amend the provisions of this measure at any time after its initial effective date to promote or better achieve the underlying goal of protecting and enhancing these PDR, Institutional Community, and Arts Activities uses.' The motion carried by the following vote:**

Ayes: 2 - Tang, Cohen

Noes: 1 - Mar

**CONTINUED AS AMENDED to the July 18, 2016, Rules Committee special meeting. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

**160731 [Hearing - Initiative Ordinance - Police Code - Promotion of Safe and Open Sidewalks]****Sponsors: Farrell; Tang, Cohen and Wiener**

Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 8, 2016, Election, entitled "Ordinance amending the Police Code to prohibit the placement of tent encampments on public sidewalks."

06/21/16; RECEIVED AND ASSIGNED to Rules Committee.

06/27/16; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, City Attorney, Department of Elections, Ethics Commission, City Administrator, HOPE, Police, Public Works, and Human Services Agency for informational purposes (per Rules of Order 2.22.4). Referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3). Referred to the Planning Department for environmental review. Referred to the Small Business Commission for comment.

07/05/16; RESPONSE RECEIVED. Planning Department determined that this 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.

*Heard in Committee. Speakers: Jess Montejano, Legislative Aide (Office of Supervisor Mark Farrell); presented information and answered questions raised throughout the hearing. Jordan Gwendolyn Davis; spoke in opposition of the proposed Initiative Ordinance. Silvia Johnson; spoke neither in support nor against the proposed Initiative Ordinance.*

**Vice Chair Mar, seconded by Member Cohen, moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

**160730 [Hearing - Initiative Ordinance - Accessory Dwelling Units]****Sponsors: Farrell; Cohen, Wiener and Breed**

Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 8, 2016, Election, entitled "Ordinance amending the Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) on all lots in the City in areas that allow residential use; amending the Administrative Code to revise the definition of "rental unit" as it applies to ADUs.

06/21/16; RECEIVED AND ASSIGNED to Rules Committee.

06/27/16; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, City Attorney, Department of Elections, Ethics Commission, City Administrator, Department of Building Inspection, and Mayor's Office of Housing and Community Development for informational purposes (per Rules of Order 2.22.4). Referred to the City Controller for a financial analysis (per Elections Code, Section 305(B)(2) and Rules of Order 2.22.3). Referred to the Planning Department for environmental review. Referred to the Small Business Commission for comment.

07/05/16; RESPONSE RECEIVED. Planning Department determined that this proposed initiative ordinance received environmental clearance under the 2004 and 2009 Housing Element EIR, certified by the Planning Commission on April 24, 2014, and the Housing Element EIR Addendum No. 4, issued by the Planning Department on June 15, 2016 (Planning Case Nos. 2007.1275E and 2016-004042ENV).

*Heard in Committee. Speakers: Jess Montejano, Legislative Aide (Office of Supervisor Mark Farrell); presented information and answered questions raised throughout the hearing. Silvia Johnson; spoke neither in support nor against the proposed Charter Amendment.*

**Member Cohen, seconded by Vice Chair Mar, moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:**

Ayes: 3 - Tang, Mar, Cohen

## ADJOURNMENT

*There being no further business, the Rules Committee adjourned at the hour of 3:18 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.*