



City and County of San Francisco

Meeting Minutes

Rules Committee

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

Members: Hillary Ronen, Shamann Walton, Gordon Mar

Clerk: Victor Young (415) 554-7723

Monday, April 22, 2019

10:00 AM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Hillary Ronen, Shamann Walton, and Gordon Mar

The Rules Committee met in regular session on Monday, April 22, 2019, with Chair Hillary Ronen presiding. Chair Ronen called the meeting to order at 10:02 a.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Ronen, Vice Chair Walton, and Member Mar were noted present. A quorum was present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

190340 [Mayoral Appointment, Planning Commission - Frank Fung]

Motion approving/rejecting the Mayoral nomination for the appointment of Frank Fung to the Planning Commission, term ending June 30, 2022. (Clerk of the Board)

(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: March 25, 2019.)

03/27/19; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Frank Fung; spoke on their qualifications and answered questions raised throughout the discussion. Mike Garcia; Tanya Peterson; Rick Swig; Randall Knox; spoke in support of the appointment of Frank Fung. Mr. Wright; spoke neither in support nor against the appointment Frank Fung.

Vice Chair Walton moved that this Motion be AMENDED by striking the word 'rejecting' throughout the legislation. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

Motion approving the Mayoral nomination for the appointment of Frank Fung to the Planning Commission, term ending June 30, 2022. (Clerk of the Board)
(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: March 25, 2019.)

Vice Chair Walton moved that this Motion be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

190412 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Amanda Eaken]

Motion approving/rejecting the Mayor's nomination for the reappointment of Amanda Eaken to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2023. (Clerk of the Board)

04/15/19; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Amanda Eaken; spoke on their qualifications and answered questions raised throughout the discussion. Janice Lee; Jody Materis; Rachael Taylor; Rachel Hyden; Melony Nutter; Charles McKnee; spoke in support of the reappointment of Amanda Eaken. Mr. Wright; spoke neither in support nor against the reappointment Amanda Eaken.

Member Mar moved that this Motion be AMENDED by striking the word 'rejecting' throughout the legislation. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

Motion approving the Mayor's nomination for the reappointment of Amanda Eaken to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2023. (Clerk of the Board)

Member Mar moved that this Motion be RECOMMENDED AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

190287 [Campaign and Governmental Conduct Code - Public Campaign Financing]
Sponsor: Mar

Ordinance amending the Campaign and Governmental Conduct Code to modify the deadline for participation in the City's public financing program and the operation of individual expenditure ceilings for participating candidates. (Ethics Commission)

03/12/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/11/2019.

03/26/19; REFERRED TO DEPARTMENT. Referred to the Ethics Commission, Department of Elections, Office of the Controller and the Office of the Mayor for information purposes.

Heard in Committee. Speakers: Pat Ford (Ethics Commission); provided an overview and responded to questions raised throughout the discussion. Mr. Wright; spoke neither in support nor opposition on the matter.

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

Ayes: 3 - Ronen, Walton, Mar

190216 [Administrative Code - Mayoral Question-and-Answer Session at the Board of Supervisors]**Sponsor: Mar**

Ordinance amending the Administrative Code to authorize the Clerk of the Board of Supervisors to modify deadlines for submission of question topics by Supervisors in advance of the Mayor's appearance at the Board of Supervisors for a question-and-answer session.

02/26/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/28/2019.

03/05/19; REFERRED TO DEPARTMENT. Referred to the Mayor's Office for informational purposes.

Heard in Committee. Speaker: John Carroll, Assistant Clerk (Office of the Clerk of the Board of Supervisors); provided an overview and responded to questions raised throughout the discussion.

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

Ayes: 3 - Ronen, Walton, Mar

190110 [Administrative Code - Acquisition of Surveillance Technology]**Sponsors: Peskin; Yee, Walton, Ronen and Haney**

Ordinance amending the Administrative Code to require that City departments acquiring Surveillance Technology submit a Board of Supervisors approved Surveillance Technology Policy Ordinance and a Surveillance Impact Report to the Board in connection with any request to appropriate funds for the purchase of such technology or to accept and expend grant funds for such purpose, or otherwise to procure Surveillance Technology equipment or services; require each City department that owns and operates existing surveillance technology equipment or services to submit to the Board a proposed Surveillance Technology Policy Ordinance governing the use of the surveillance technology; and requiring the Controller, as City Services Auditor, to audit annually the use of surveillance technology equipment or services and the conformity of such use with an approved Surveillance Technology Policy Ordinance and provide an audit report to the Board of Supervisors.

01/29/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/28/2019.

02/06/19; REFERRED TO DEPARTMENT. Referred to the Department of Technology, Mayor's Office, Controller, Office of the Sheriff and the District Attorney for informational purposes.

04/15/19; CONTINUED. Heard in Committee. Speakers: Supervisor Aaron Peskin (Board of Supervisors); Bill Barnes (Office of the City Administrator); provided an overview and responded to questions raised throughout the discussion. Steven Renderous (Center for Media Justice); Tim Kingston and Deonarvir Evans (Racial Justice Committee, Office of the Public Defender); Tracy Rosenberg; Shahid Buttar; Nitin Sapra; Spencer Hudson; Gladys Rosario (Lawyers' Committee for Civil Rights of the San Francisco Bay Area); Speaker; Alexander Post; Aneeqa Abid (Council on American-Islamic Relations); Nathan Sheard (Electronic Frontier Foundation); Brian Hofer (Secure Justice); spoke in support of the hearing matter. Chris Ward Kline (PAVEN); spoke in opposition to the hearing matter. Speaker; Mr. Wright; Speaker; spoke neither in support nor opposition to the hearing matter.

(Supervisor Ronen requested to be added as a co-sponsor.)

Heard in Committee. Speakers: Supervisor Aaron Peskin (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Nathan Shear; spoke in support of the matter. Alice Xavier; Susan Gard (Department of Human Resources); Frank Noto; spoke in opposition of the matter.

Supervisor Mar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, clarifying that Section 19B.2(2) shall not include federally-regulated facilities at the Airport or Port; excluding computers, software, hardware, or devices, used in monitoring the work and work related activities involving City buildings, employees, contractors, and volunteers or used in conducting internal investigations involving City employees, contractors, and volunteers from the definition of Surveillance Technology; noting that nothing in Chapter 19B shall be construed to prohibit, restrict or interfere with the receipt by a City department of information gathered by a non-City entity or individual; deleting language making it a misdemeanor to knowingly use City owned Surveillance Technology for a purpose prohibited by the Surveillance Technology Policy ordinance; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

Ordinance amending the Administrative Code to require that City departments acquiring Surveillance Technology, or entering into agreements to receive information from non-City owned Surveillance Technology, submit a Board of Supervisors approved Surveillance Technology Policy Ordinance, based on a policy developed by the Committee on Information Technology (COIT), and a Surveillance Impact Report to the Board in connection with any request to appropriate funds for the purchase of such technology or to accept and expend grant funds for such purpose, or otherwise to procure Surveillance Technology equipment or services; require each City department that owns and operates existing surveillance technology equipment or services to submit to the Board a proposed Surveillance Technology Policy Ordinance governing the use of the surveillance technology; and requiring the Controller, as City Services Auditor, to audit annually the use of surveillance technology equipment or services and the conformity of such use with an approved Surveillance Technology Policy Ordinance and provide an audit report to the Board of Supervisors.

Chair Ronen moved that this Ordinance be CONTINUED AS AMENDED to the May 6, 2019, Rules Committee Meeting. The motion carried by the following vote:

Ayes: 3 - Ronen, Walton, Mar

190415 [Appointment, Sugary Drinks Distributor Tax Advisory Committee - Aaron Kunz]

Hearing to consider appointing one member, terms ending December 31, 2020, to the Sugary Drinks Distributor Tax Advisory Committee. (Rules Committee)

Vacant Seat 6, succeeding Areeya Chanandech, resigned, must be a person who is under 19 years old at the time of appointment and who may be a member of the Youth Commission, nominated by the Youth Commission and appointed by the Board of Supervisors, for a two-year term ending December 31, 2020. (Note: If the person is under legal voting age and unable to be an elector for that reason, the person may hold this seat, but upon reaching legal voting age, the person shall relinquish the seat unless he or she becomes an elector, in which case the person shall retain the seat.)

04/15/19; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

Aaron Kunz, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Aaron Kunz, term ending December 31, 2020, to the Sugary Drinks Distributor Tax Advisory Committee. (Rules Committee)

Aaron Kunz, seat 6, succeeding Areeya Chanandech, resigned, must be a person who is under 19 years old at the time of appointment and who may be a member of the Youth Commission, nominated by the Youth Commission and appointed by the Board of Supervisors, for a two-year term ending December 31, 2020. (Note: If the person is under legal voting age and unable to be an elector for that reason, the person may hold this seat, but upon reaching legal voting age, the person shall relinquish the seat unless he or she becomes an elector, in which case the person shall retain the seat.)

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

Ayes: 3 - Ronen, Walton, Mar

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 11:08 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.