



City and County of San Francisco
Meeting Minutes
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

Monday, July 12, 2021

10:00 AM

Remote Meeting

Present: 3 - Aaron Peskin, Rafael Mandelman, and Connie Chan

The Rules Committee met in regular session through videoconferencing on Monday, July 12, 2021, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 10:00 a.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. 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. on each Monday of month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Peskin, Vice Chair Mandelman, and Member Chan were noted present. A quorum was present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

201089 [Administrative Code - Rules for Awarding Grants]

Sponsors: Stefani; Chan, Peskin and Mandelman

Ordinance amending the Administrative Code by codifying a grant award process to, among other things: 1) require, with certain exceptions, a competitive solicitation; 2) require advertisement of solicitations and set forth evaluation criteria of grant proposals; 3) reserve the City's right to cancel, reject and/or readvertise solicitations; 4) list required grant terms; 5) set forth requirements for the head of a granting agency in making a sole source grant determination; 6) authorize the purchaser to promulgate rules and regulations for effectively carrying out the requirements of this Ordinance; 7) set forth grant requirements based on a grant's funding source; 8) set forth administrative debarment procedures; and 9) advertisement of rebate and incentive programs.

09/22/20; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/22/2020.

12/28/20; REFERRED TO DEPARTMENT. Referred to the Controller and Office of Contract Administration for informational purposes.

06/07/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Supervisor Catherine Stefani (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion.

Supervisor Chan requested to be added as a co-sponsor.

06/07/21; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

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

Supervisors Peskin and Mandelman requested to be added as a co-sponsors.

Chair Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 11-12, to insert 'set forth the requirements for the advertisement and notice of availability'; on Page 2, Line 6, to replace 'effective date' with 'operative date'; on Page 4, Line 11, to change the annual report due date from 'June 1, 2022' to 'June 1 2023'; on Page 6, Lines 22-23, to replace '2021' with '2022'; on Page 8, Line 21, to insert 'in accordance with the Purchaser's rules and regulations'; on Page 9, Lines 5-6, to insert 'the Granting Agency's recommendation that the Grant be awarded as sole source'; on Page 9, Line 9, to replace 'Requirements for Grants' with 'Rules and Regulations'; on Page 9, Lines 14-18, to insert ' These rules and regulations shall , among other things, permit sole source Grants when a competitive process is infeasible or impracticable, or when Public Purpose may reasonably be accomplished by one particular Grantee. The Purchaser may update these rules and regulations from time to time, as needed'; on Page 10, Line 11 to replace 'January' with 'July'; on Page 10, Line 23 and Page 11, Lines 3-4, to set the operative date at January 1, 2022; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Ordinance amending the Administrative Code by codifying a grant award process to, among other things, 1) require, with certain exceptions, a competitive solicitation; 2) require advertisement of solicitations and set forth evaluation criteria of grant proposals; 3) reserve the City's right to cancel, reject, and/or readvertise solicitations; 4) list required grant terms; 5) set forth requirements for the head of a granting agency in making a sole source grant determination; 6) authorize the Purchaser to promulgate rules and regulations for effectively carrying out the requirements of this ordinance; 7) set forth grant requirements based on a grant's funding source; 8) set forth administrative debarment procedures; and 9) set forth the requirements for the advertisement and notice of availability of rebate and incentive programs.

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

Ayes: 3 - Peskin, Mandelman, Chan

210567 [Administrative Code - Food Empowerment Market Fund]

Sponsors: Safai; Walton, Peskin and Ronen

Ordinance amending the Administrative Code to establish a special fund for grants to nonprofit agencies to establish and operate food empowerment markets, and designating the Human Services Agency to administer and establish rules for the program.

05/18/21; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2021.

05/26/21; REFERRED TO DEPARTMENT. Referred to Human Services Agency and all city departments via the Mayor's Office for informational purposes.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Dr. Paula Jones (Department of Public Health); Susie Smith and Cindy Lin (Human Services Agency); Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Ms. Bonini, Chair (Food Security Task Force); spoke in support of the matter. Francisco Da Costa; Francesca Nagasa; spoke neither in support nor opposition on the matters.

Supervisor Peskin requested to be added as a co-sponsor.

Chair Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line, 2, to insert 'all of'; Page 2, Lines 6, to insert '(2) The facility has a free delivery service for people who, by reason of their age, underlying health conditions, or other factors, would have difficulty accessing the market and its program; on Page 2, Line 22, to insert 'code Section 41.44'; on Page 3, Line 14, to insert ' (C) Subject to the budgetary and fiscal provisions of the Charter, HSA'; Page 3, Lines 16-17, to insert 'developing the rules for the grant program and to assist grantees with setting up the food empowerment markets, and the costs of such contract may be charged to the Fund'; Page 3, Lines 24-25, to insert '(3) The rules shall allow grantees up to 2 yers after the award of the grant to open the community kitchen required under subsection (c)(3), above'; on Page 4, Lines 8-9, to insert '(5) the rules shall require each food emowerment market to have a ditrict food liaison. The liaison shall serve as the primary point of contact for the facility, convene or'; Page 4, Lines 11-13, to insert 'coordinate with public agencies on programs affecting the facility and administration of the grant, including coordinating with the Food Security Task Force. The liaison shall also oversee efforts to keep the local community informed about the facility and its offerings'; on Page 4, Line 22, to insert 'Subject to funding'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Chair Peskin moved that this Ordinance be RECOMMENDED AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

210568 [Administrative Code - Biennial Food Security and Equity Report]**Sponsors: Safai; Ronen, Walton, Peskin and Mandelman**

Ordinance amending the Administrative Code to direct the Department of Public Health to report biennially on food security and equity, with input from other departments.

05/18/21; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2021.

05/26/21; REFERRED TO DEPARTMENT. Referred to Public Health for informational purposes.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Dr. Paula Jones (Department of Public Health); Susie Smith and Cindy Lin (Human Services Agency); Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Ms. Bonini, Chair (Food Security Task Force); spoke in support of the matter. Francisco Da Costa; Francesca Nagasa; spoke neither in support nor opposition on the matters.

Supervisor Peskin requested to be added as a co-sponsor.

Chair Peskin moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

210719 [Administrative Code - Food Security Task Force Reauthorization and Sunset Date Extension]**Sponsors: Safai; Ronen, Peskin, Mandelman and Walton**

Ordinance amending the Administrative Code to extend the sunset date of the Food Security Task Force from July 1, 2021, to July 1, 2024, and to reference among the Task Force's duties assisting with the Department of Public Health's Food Security and Equity Report.

06/15/21; ASSIGNED to Rules Committee. President Walton waived the 30 day rule.

06/23/21; REFERRED TO DEPARTMENT. Referred to Public Health for informational purposes.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Dr. Paula Jones (Department of Public Health); Susie Smith and Cindy Lin (Human Services Agency); Anne Pearson (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Ms. Bonini, Chair (Food Security Task Force); spoke in support of the matter. Francisco Da Costa; Francesca Nagasa; spoke neither in support nor opposition on the matters.

Supervisor Peskin requested to be added as a co-sponsor.

Chair Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, after 'Task Force' by inserting 'Reauthorization and'; Page 1, Lines-4, by inserting 'reauthorize the Food Security Task Force and extend the sunset date'; to replace the sunset date of July 1, 2021 with July 1, 2026 through the legislation; and Page 2, Lines 17-18, by inserting 'Notwithstanding Rule 2.21 of the Board of Supervisors Rules of Order, which provides the advisory bodies created by the Board should sunset within three years'. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Ordinance amending the Administrative Code to reauthorize the Food Security Task Force and extend the sunset date from July 1, 2021, to July 1, 2026, and to reference among the Task Force's duties assisting with the Department of Public Health's Food Security and Equity Report.

(Board Rule 2.21, requiring a sunset clause not to exceed three years, may be suspended pursuant to Board Rule 5.2 by the affirmative vote of eight Supervisors unless there are fewer than eight Supervisors present; in which case the unanimous consent of the Supervisors, but not less than six, shall be required.)

Chair Peskin moved that this Ordinance be RECOMMENDED AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

210696 [Mayoral Appointment, Historic Preservation Commission - Jason Wright]

Motion approving/rejecting the Mayor's nomination for appointment of Jason Wright to the Historic Preservation Commission, for a term ending December 31, 2024. (Clerk of the Board)

(Charter, Section 4.135, 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: June 9, 2021.)

06/09/21; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jason Wright; spoke on their qualifications and answered questions raised throughout the discussion. Aaron Highland; spoke in support of the appointment of Jason Wright.

Vice Chair Mandelman moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by striking the word 'rejecting' throughout the legislation and adding other clarifying and conforming changes. The motion carried by the following vote:

Motion approving the Mayor's nomination for appointment of Jason Wright to the Historic Preservation Commission, for a term ending December 31, 2024. (Clerk of the Board)

(Charter, Section 4.135, 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: June 9, 2021.)

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

Ayes: 3 - Peskin, Mandelman, Chan

ADJOURNMENT

There being no further business, the Rules Committee adjourned at the hour of 11:28 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.