



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, January 24, 2022

9:00 AM

Rescheduled Meeting

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

The Rules Committee met in rescheduled session through videoconferencing, and provided public comment through teleconferencing, on Monday, January 24, 2022, with Chair Aaron Peskin presiding.

Chair Peskin called the meeting to order at 9:02 a.m.

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>.

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.

COMMUNICATIONS

*Victor Young, Rules Committee Clerk, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes by dialing the provided telephone number. When connected, they will receive another prompt to dial * 3 to be added to the queue to speak. Make sure to call from a quiet location, speak clearly and slowly, and turn down your television or radio. Written comments may be submitted through email (victor.young@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

211279 [Mayoral Appointment, Municipal Transportation Agency Board of Directors - Stephanie Cajina]

Motion approving/rejecting 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.)

12/08/21; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Stephanie Cajina; Brian Huntsman (Walk SF); spoke on their qualifications and answered questions raised throughout the discussion. Supervisors Ahsha Safai and Myrna Melgar (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Cathy DeLuca; Jose Hernandez; Rosia Garant; Kevin Ortiz; Barry Toronto; Vanessa Margarita (Latin X Democratic Club); Anna Valdez; Ruby Navarro; Pete Wilson; David Pilpel; David Hooper; Ms. Kanilli; Gabriel Madina; Kathy Milky Myer; Oscar Grande; spoke in support of the appointment of Stephanie Cajina.

Chair Peskin 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:

Ayes: 3 - Peskin, Mandelman, Chan

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.)

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

Ayes: 3 - Peskin, Mandelman, Chan

220067 [Appointments, Citizens' General Obligation Bond Oversight Committee - Andrea Marmo Crawford and Timothy Mathews]

Hearing to consider appointing three members, term expiring November 21, 2022, to the Citizens General Obligation Bond Oversight Committee. (Clerk of the Board)

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.

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

Seat 3, succeeding Kristin Chu, term expired, must be active in a community organization, for the unexpired portion of a two-year term November 21, 2022.

01/19/22; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Andrea Marmo Crawford; Timothy Mathews; spoke on their qualifications and answered questions raised throughout the discussion. Kate McGee; spoke in support of the appointment of Andrea Marmo Crawford.

Andrea Marmo Crawford, seat 1, recommended.

Timothy Mathews, seat 2, recommended.

PREPARED IN COMMITTEE AS A MOTION

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.

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

Ayes: 3 - Peskin, Mandelman, Chan

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 Budget and Finance Committee, expires on 1/13/2022.

01/13/22; TRANSFERRED to Rules Committee.

01/20/22; REFERRED TO DEPARTMENT. Referred to MOHCD for informational purposes.

Heard in Committee. Speakers: Anne Taupier (Office of Economic Development); provided an overview and responded to questions raised throughout the discussion. Jeannie Bow (Flower Market); spoke in support of the matter.

Chair Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, Page 3, Line 17, to replace 'xxx' with '46'; Page 5, Line 10, to replace 'xxx' with '82'; and Page 6, Line 16, to replace '\$5,355,000' with '\$250,000'. The motion carried by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

Supervisor Peskin RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Peskin, Mandelman, Chan

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 Rules Committee, expires on 1/13/2022.

12/22/21; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Dept. of Children, Youth and Their Families for reports and/or comments, pursuant to Rules of Order 2.22.4. Referred to the Youth Commission for review for reports and/or comments.

12/28/21; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2).

Heard in Committee. Speakers: Peg Stevenson (Controller's Office); Tom Paulino (Mayor's Office); Supervisors Myrna Melgar and Hillary Ronen (Board of Supervisors); Maria Su, Director (Department of Children, Youth and Their Families); provided an overview and responded to questions raised throughout the discussion. Norman Yee; spoke in support of the matter. Naimi Charles; Ms. Marquis; Jill Wynn; Delia Philpatrick; Hanna; Marie Sepella; Diana Sanchez (Coleman Advocates); spoke in opposition of the matter.

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 Rules Committee, expires on 1/13/2022.

12/22/21; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Department of Building Inspection/Commission for reports and/or comments, pursuant to Rules of Order 2.22.4.

12/28/21; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2).

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 Rules Committee, expires on 1/13/2022.

12/22/21; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the City Administrator for reports and/or comments, pursuant to Rules of Order 2.22.4.

12/28/21; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2).

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 Rules Committee, expires on 1/13/2022.

12/22/21; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and SFUSD and the City College of San Francisco for reports and/or comments, pursuant to Rules of Order 2.22.4. Referred to the Youth Commission for review for reports and/or comments.

12/28/21; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2).

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 Rules Committee, expires on 1/13/2022.

12/22/21; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Retirement Board for reports and/or comments, pursuant to Rules of Order 2.22.4.

12/28/21; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2).

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 Rules Committee, expires on 1/13/2022.

12/22/21; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller for financial analysis report; and Mayor's Office, Office of the City Attorney, Department of Elections, Ethics Commission, and the Dept. of Homelessness and Supportive Housing, Housing Authority, MOHCD, Board of Appeals, Historic Preservation Commission, Planning Commission, Arts Commission and Office of Labor Standards Enforcement for reports and/or comments, pursuant to Rules of Order 2.22.4. Referred to Planning Department for determination of consistency with the City's General Plan.

12/28/21; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2).

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)

01/13/22; RECEIVED AND ASSIGNED to Rules Committee.

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)

01/13/22; RECEIVED AND ASSIGNED to Rules Committee.

The meeting was recessed at 11:20 a.m. and reconvened at 11:30 a.m.

The meeting was recessed at 11:30 a.m. and reconvened at 12:00 p.m.

The meeting was recessed at 12:00 p.m. and reconved at 1:00 p.m.

The meeting was recessed at 1:20 p.m. and reconvened at 5:00 p.m.

The meeting was recessed at 5:00 p.m. to January 26, 2022, at 10:00 a.m.

MEETING RECESSED

Chair Peskin, moved to recess this meeting to Janaury 26, 2022. The motion carried by the following vote

Ayes: 3 - Peskin, Mandelman, Chan