



City and County of San Francisco

Meeting Agenda

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

Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Tuesday, May 21, 2002

1:00 PM

City Hall, Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

**1. 012130 [Regulation of Mass Mailings]
Supervisor Leno**

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by amending section 1.161 to require candidates who pay for mass mailings to file, within five working days after the date of the mailing, an itemized disclosure statement with the San Francisco Ethics Commission.

12/3/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/2/2002.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

2. **020671 [Appointment]**
Hearing to consider appointing 5 members to the Treasury Oversight Committee.
- 5 Seats Being Considered.
Vacant Seat, succeeding Dr. Philip R. Day, Jr., term expired, seat 1, must be the Chancellor of the Community College District or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Edward Harrington, term expired, seat 2, must be the County Controller, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Enrique Navas, term expired, seat 3, must be the County Superintendent of Schools or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Leo Fermin, term expired, seat 4, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Richard Sullivan, term expired, seat 5, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005.
- 4/22/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
5/7/02, CONTINUED. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney, City Attorney's Office; Male Speaker; Richard Sullivan, applicant; Leo Fermin, applicant; Sarah Hart, applicant.
- Continued to May 21, 2002.
5 Seats/5 Applicants
Dr. Philip R. Day, Jr. Seat 1
Ed Harrington, Seat 2
Sarah Hart, Seat 3
Leo Fermin, Seat 4
Richard Sullivan, Seat 5
3. **020679 [Reappointment of Ramon Romero to the San Francisco Redevelopment Agency]**
Mayor
Resolution confirming the reappointment of Ramon Romero to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2005. (Mayor)
- 4/29/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
4. **020670 [Board Off-site Meetings]**
Supervisor Ammiano
Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on June 19, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.
- 5/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
5. **020676 [Amending the Board's Process for Considering Appointments to the Planning Commission and the Board of Appeals]**
Motion amending Rule 2.31 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to amend the process for the Board's consideration of appointments to the Planning Commission and the Board of Appeals, consistent with Charter Sections 4.105 and 4.106. (Clerk of the Board)
- 4/29/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

6. **020350 [Corporate Property Reassessment]**
 Supervisor Gonzalez
 Resolution urging the California State Legislature to place on the ballot a constitutional amendment modifying current tax code to close corporate loopholes in Proposition 13 and allow reassessment of corporate property at current value.
- 2/25/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
 3/4/02, REFERRED to Rules and Audits Committee. Supervisor Yee requested this matter be severed so it could be considered separately.
- Supervisor Yee requested this matter be sent to committee.
7. **020351 [Small School Policy]**
 Supervisors Gonzalez, Sandoval, Leno, McGoldrick
 Resolution supporting the San Francisco Board of Education's resolution establishing an autonomous small school policy for the San Francisco Unified School District.
- 2/25/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
 3/4/02, REFERRED to City and School District Committee. Supervisor Sandoval requested this matter be severed so it could be considered separately.
- Supervisors Sandoval, Leno and McGoldrick requested to be added as co-sponsors.
- Supervisor Yee requested this matter be sent to committee.
 5/2/02, TRANSFERRED to Rules and Audits Committee.
8. **020649 [Urging Bechtel Corporation to withdraw their punitive legal claim]**
 Supervisors Gonzalez, Daly
 Resolution urging Bechtel Corporation and its Bolivian subsidiary, Aguas del Tunari, to immediately withdraw their punitive legal claims in international courts against Bolivia and its people and to abstain from engaging in any further litigation or mediation claims - either within or without U.S. borders - with the South American country.
- 4/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
 4/29/02, REFERRED to Rules and Audits Committee.
9. **020596 [Candidate Qualification Statements]**
 Supervisor Gonzalez
 Ordinance amending the Municipal Elections Code to permit candidates for Assessor-Recorder and Public Defender who qualify for a runoff election to submit a new candidate qualification statement for the runoff election.
- 4/15/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 5/15/2002.

10. 020637 [Establishing a San Francisco Museum and Historical Society Advisory Committee]
Supervisor Peskin
Ordinance amending Article VIII of the San Francisco Administrative Code by adding Section 2A.166 to establish the San Francisco Museum and Historical Society Advisory Committee as an advisory committee to the Board of Supervisors and the Board of Trustees of the Fine Arts Museums of San Francisco.
- 4/22/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 5/22/2002. From Deputy City Attorney Adine Varah, memo to Supervisor Peskin submitting a revised version of the ordinance dated 4/23/02, to correct minor typographical errors.
- 4-29-02 President Ammiano waived the 30-day rule.

SPECIAL ORDER

4:00 P.M.

LITIGATION

Conference with City Attorney

(Convene in Closed Session)

Motion that the Rules and Audits Committee of the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlements in the lawsuits or claims listed below.

11. 020710 [Settlement of Claim]
Resolution approving the settlement of the unlitigated claim filed by June Crabtree against San Francisco for \$100,000; claim was filed on March 29, 2001. (City Attorney)

(Public Benefit Recipient.)

5/6/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Department requests this item be calendared at the May 21, 2002 meeting.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

**12. 020283 [Fire Department Audit]
Supervisor Peskin**

Hearing to review the findings and recommendations contained in the recently released Fire Department audit submitted by the Budget Analyst's Office.

2/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

3/19/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Harvey Rose, Budget Analyst's Office; Steve Foti, Budget Analyst's Office; Ken Bruce, Budget Analyst's Office; Mario Trevino, Chief, San Francisco Fire Department; Dr. John Brown; Severin Campbell, Budget Analyst's Office; Khai Ali, Assistant Deputy Chief, San Francisco Fire Department; Russ McCallion, EMS Section Chief-Operations, San Francisco Fire Department; Rich Shortall, EMS Chief, San Francisco Fire Department; Allen Gibson, Budget Analyst's Office; Christine Regan; Joanne Hayes White, San Francisco Fire Department; Stan Jones, Budget Analyst's Office; Fred Howell, Budget Analyst's Office; John Hanley.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules and Audits Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.42 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.

**020638 [Elections Code Corrections, Repealing Election Code Section 930]
Supervisor McGoldrick**

Ordinance repealing Municipal Elections Code Section 930 in order to conform the Municipal Elections Code to the Charter, as amended by Proposition C at the November 6, 2001 election.

4/22/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 5/22/2002.

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 at a Committee meeting 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) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

The following services are available when requested by 4:00 p.m. of the Friday before the Board meeting:

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Ohn Myint at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706. The Clerk of the Board's Office TTY number for speech-hearing impaired is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine 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 (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/bdsupvrs/sunshine.htm>

Lobbyist Registration and Reporting 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 Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics