

**City and County of San Francisco**

**Rules Committee**

*City Hall, Room 263*



**Meeting Agenda**

**Thursday, November 15, 2007**

**10:00 AM**

**Regular Meeting**

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***Members: Tom Ammiano, Sean Elsbernd, Aaron Peskin***

***Clerk: Gail Johnson (415) 554-4445***

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*Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation 2) Budget Analyst report 3) Legislative Analyst report*

*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. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

**MEETING CONVENED**

**REGULAR AGENDA**

- 1. 071480 [Re-Appointment - Local Homeless Coordinating Board]**  
Resolution re-appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived. (Controller)

10/24/07, RECEIVED AND ASSIGNED to Rules Committee.
  
- 2. 071535 [Appointment - Urban Counties Caucus]** **Supervisor Peskin**  
Resolution appointing Supervisor Carmen Chu, term ending December 31, 2008 to the Urban Counties Caucus.

11/6/07, RECEIVED AND ASSIGNED to Rules Committee.

**3. 071546 [Appointment - California State Association of Counties]**

Resolution appointing Supervisor Carmen Chu, term ending November 28, 2008, as an alternate member to the California State Association of Counties Board of Directors.

11/8/07, RECEIVED AND ASSIGNED to Rules Committee.

**4. 071547 [Appointment - California State Association of Counties]**

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2008, to the California State Association of Counties Board of Directors.

11/8/07, RECEIVED AND ASSIGNED to Rules Committee.

**5. 071548 [Appointment - In-Home Supportive Services Public Authority]**

Resolution appointing Gustavo Serina, term ending March 1, 2009, to the In-Home Supportive Services Public Authority.

Gustavo Serina, succeeding Anita Aaron, resigned, seat 7, must be a member of the Commission on the Aging, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2009.

11/8/07, RECEIVED AND ASSIGNED to Rules Committee.

*1 Seat/1 Applicant  
Gustavo Serina*

**6. 071549 [Appointment - Western SoMa Citizens' Planning Task Force]**

Resolution appointing Dennis Juarez, term ending June 30, 2008, to the Western SoMa Citizens' Planning Task Force, residency requirement waived.

Dennis Juarez (residency requirement waived), succeeding Terrance Alan, resigned, seat 10, must represent the entertainment industry, for the unexpired portion of a term ending June 30, 2008.

11/8/07, RECEIVED AND ASSIGNED to Rules Committee.

*1 Seat/1 Applicant  
Dennis Juarez, Seat 10 (Residency Waiver Required)*

**7. 071550 [Appointment - Asthma Task Force]**

Resolution appointing Denysius Cruz and Michelle Reyes, terms ending July 1, 2008, to the Asthma Task Force.

Denysius Cruz, succeeding Mariaelena Alioto, term expired, seat 5, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the

unexpired portion of a new two-year term ending July 1, 2008.

Michelle Reyes, succeeding Veronica Lightfoot, term expired, seat 6, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the unexpired portion of a new two-year term ending July 1, 2008.

11/9/07, RECEIVED AND ASSIGNED to Rules Committee.

*2 Seats/2 Applicants*

*Denysius Cruz, Seats 5 and 6*

*Michelle Reyes, Seats 5 and 6*

**8. 071368 [Changing the name of Rowland Street on Broadway in North Beach to Dirk Dirksen Alley] Supervisor Ammiano**

Resolution changing the name of Rowland Street on Broadway in North Beach to Dirk Dirksen Alley, in recognition of Dirk Dirksen, who is one of the most important figures in the musical and cultural history of San Francisco.

9/25/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/17/07, REFERRED TO DEPARTMENT. Referred to Department of Public Works, Department of Parking and Traffic, Chief of Police and Chief, Fire Department for review and comments.

10/30/07, RESPONSE RECEIVED. The Emergency Communications Department does not object to the street name change.

11/1/07, TRANSFERRED to Rules Committee.

11/7/07, RESPONSE RECEIVED. The Police Department does not have any objections to the proposed change provided that the name change will not affect the Police Department's ability to retrieve historical data (Incidents, Crime Analysis, CAD data and CABLE data).

**9. 071218 [Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability] Supervisors Daly, Ammiano, Mirkarimi, Peskin, Maxwell, Sandoval, Dufty, McGoldrick**

Charter amendment (Fourth Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

8/14/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/13/2007.  
(Referred to Departments)

11/5/07, FILED PURSUANT TO RULE 5.37.

11/6/07, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new title. (Referred to Departments)

11/6/07, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Daly requested this matter be reactivated.

11/6/07, ASSIGNED to Rules Committee.

11/6/07, ASSIGNED to Rules Committee. Supervisor Daly requested that the item be heard at the Rules Committee meeting on November 15, 2007.

- 10. 071543 [Local support for street resurfacing projects to be funded by FY 2007-08 Proposition 1B State Infrastructure Bond funds from the Local Streets and Roads Account] Mayor**

Resolution authorizing local support for the street resurfacing projects to be funded by FY 2007-08 Proposition 1B State Infrastructure Bond funds from the Local Streets and Roads Account.

11/13/07, RECEIVED AND ASSIGNED to Rules Committee.

- 11. 071538 [Imposing a suppression order upon the Board of Supervisors] Supervisor Sandoval**

Motion self-imposing a suppression order upon members of the Board of Supervisors and its staff after the Ethics Commission has forwarded to the Board a recommendation in the official misconduct proceedings against Supervisor Edmund Jew.

11/6/07, RECEIVED AND ASSIGNED to Rules Committee.

- 12. 060377 [Shelter Monitoring Committee] Supervisor Mirkarimi**

Hearing to consider the quarterly reports of the Shelter Monitoring Committee.

(Originally heard under File No. 051713 sponsor, Supervisor Alioto-Pier).

3/21/06, RECEIVED AND ASSIGNED to Rules Committee.

3/30/06, CONTINUED. Heard in Committee. Speakers: Diana Valentine, Chair, Shelter Monitoring Committee; Wade Crowfoot, Mayor's Liaison to the Board of Supervisors; Joyce Crumm, Deputy Director of Homeless Emergency Services, Department of Human Services; James Chioncini, Secretary, Shelter Monitoring Committee; Hank Wilson; Bianka Newyar, Coalition on Homelessness; Shelley Riter, St. Boniface; Quintin Mecke; Jennifer Friederbach, Coalition on Homelessness; Male Speaker, Coalition on Homelessness. Continued to April 27, 2006.

4/27/06, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Wade Crowfoot, Mayor's Liaison to Board of Supervisors; Diana Valentine, Chair, Shelter Monitoring Committee; Dariush Cahun, Human Services Agency; Julie Runni, Shelter Monitoring Committee; Bernice Casey; Male Speaker.

7/13/06, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Bernice Casey, Shelter Monitoring Committee.

9/28/06, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Quintin Mecke, Shelter Monitoring Committee; Bernice Casey, Shelter Monitoring Committee; Judy Runni, Shelter Monitoring Committee.

1/25/07, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Quintin Mecke, Secretary, Shelter Monitoring Committee; Bernice Casey, Shelter Monitoring Committee; Hank Wilson, Shelter Monitoring Committee; Kim Clark, Shelter Monitoring Committee; Joyce Crum, Director, Housing and Homeless Division, Human Services Agency; David Oganshi, Shelter Monitoring; Linsey Coleman, Director, Next Door Shelter; Richard Robinson; Karen Parkins, Site Manager, Next Door Shelter.

4/5/07, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Damian Ocho, Shelter Monitoring Committee; Joyce Crumm, Human Services Agency; Tomas Picarella; Judy Iranyi, Member, Shelter Monitoring Committee; Male Speaker, Department of Public Health.

9/13/07, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Quintin Mecke, Shelter Monitoring Committee; Joyce Crumm, Director, Housing and Homeless Division, Human Services Agency; Bernice Casey, Shelter Monitoring Committee; Tomas Picarello, Shelter Monitoring Committee; Vivian Adams; Larry Holmes; Judi Iranyi, Shelter Monitoring Committee; Richard Robinson; David Nakanishi, Department of Public Health.

## LITIGATION

### Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant] Motion that the Rules Committee Committee of the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits and claims in which proposed settlements are being considered by the Committee. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits and/or claims listed below.*

**13. 071417 [Settlement of Lawsuit - CCSF v. Michael Levine and What Do We Do? Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael Levine and What Do We Do? Inc. for \$30,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. 452-470; entitled City and County of San Francisco, et al., v. Michael Levine, et al.; other material terms of said settlement are that Judgment is to be entered against Michael Levine personally in the amount of \$30,000, that payment of \$15,000 is to be made at the time of finalization of the settlement of this matter, that the remaining payment of \$15,000 is to be in monthly installments over a period of 18 months, and if any payment is late, the entire amount is immediately due, payable and collectible. (City Attorney)

10/12/07, RECEIVED AND ASSIGNED to Rules Committee.

**14. 071459 [Settlement of Lawsuit - Pacific Gas and Electric Company]**

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$10,000; the lawsuit entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al., Case No. RG-05-246128, was filed on December 9, 2005 in Alameda County Superior Court; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071459. (City Attorney)

10/17/07, RECEIVED AND ASSIGNED to Rules Committee.

**15. 071483 [Settlement of Grievance - Service Employees International**

**Union, AFL-CIO, Local 790 ("Union")]**

Resolution approving the settlement of the grievance (ERD No. 81-06-1465) filed by Service Employees International Union, AFL-CIO, Local 790 ("Union") on behalf of Grievant Victoria Sargent against the City and County of San Francisco for \$133,751.52. Other material terms of said settlement is that Grievant and Union shall release all claims relating to Grievant's employment with the City and that Grievant shall be restricted from any future employment with the City. (City Attorney)

10/26/07, RECEIVED AND ASSIGNED to Rules Committee.

**16. 071513 [Settlement of City's Lawsuit Against Dynegy, Inc., Dynegy Marketing and Trade and West Coast Power LLC]**

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$480,000 to the City from defendants Dynegy, Inc. and its affiliates Dynegy Marketing and Trade and West Coast Power LLC. (City Attorney)

11/5/07, RECEIVED AND ASSIGNED to Rules Committee.

*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 Board 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 listed above.*

**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 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 5.40 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.*

- 17. 071471 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records Supervisor Alioto-Pier**

Charter Amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

10/23/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/26/2007.  
(Referred to Departments)

### 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.

**USING LAPTOP COMPUTERS FOR PRESENTATIONS:** Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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

Agendas are available on the internet at [www.sfgov.org/site/bos\\_meetings](http://www.sfgov.org/site/bos_meetings)

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

**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.



## **Disability Access**

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N, and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 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. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts 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 perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

## **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 Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

## **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](http://www.sfgov.org/ethics)