



City and County of San Francisco

Meeting Agenda - Final

Rules Committee

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

Members: David Campos, Michela Alioto-Pier, Eric Mar

Clerk: Linda Wong (415) 554-7719

Thursday, March 18, 2010

10:00 AM
Regular Meeting

City Hall, Committee Room 263

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. 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.

AGENDA CHANGES

REGULAR AGENDA

1. **100259** **[Appointments, Pedestrian Safety Advisory Committee]**

Hearing to consider appointing seven members, terms ending March 28, 2011, and March 28, 2012, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Vacant seat 1, succeeding Catherine Liddell, term expired, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2012.

Vacant seat 2, succeeding Pi Ra, term expired, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2011.

Vacant seat 3, succeeding Richard Rothman, term expired, must be a representative from senior or disability organizations, for the unexpired portion of a two-year term ending March 28, 2011.

Vacant seat 5, succeeding Catherine Liddle, term expired, must be a representative from bicycle or other non-motorized wheeled personal transport organization, for the unexpired portion of a two-year term ending March 28, 2011.

Vacant seat 6, succeeding Howard Strassner, term expired, must be a representative from transit or environmental organization, for the unexpired portion of a two-year term ending March 28, 2012.

Vacant seat 8, succeeding Shirley Bierly, term expired, must be representative from a public health organization, for the unexpired portion of a two-year term ending March 28, 2012.

Vacant seat 10, succeeding William Riggs, term expired, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2012.

3/9/10; RECEIVED AND ASSIGNED to the Rules Committee.

7 seats/ 7 applicants

Catherine Liddell, seat 1

Pi Ra, seat 2

Richard Rothman, seat 3

Mari Hunter, seat 5

Howard Strassner, seat 6

Paul Supawanich, seats 6, 10

Dahianna Lopez, seat 8 (Residency Waiver Required)

2. [100260](#)**[Appointments, In-Home Supportive Services Public Authority]**

Hearing to consider appointing seven members, terms ending March 1, 2012, and March 1, 2013, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Vacant seat 2, succeeding Patricia Webb, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 4, succeeding Elva Hernandez, must be a worker who provides personal assistance services to a consumer, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 5, succeeding Mike Boyd, term expired, must be consumer at-large between the ages of 18 and 60, for the unexpired portion of a three-year term ending March 1, 2012.

Vacant seat 6, succeeding Kelly Dearman, must be a member of the Human Services Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 8, succeeding James Illig, must be a member of the Health Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 9, succeeding Tatiana Kostanian, must be a member of the Mayor's Disability Council, recommended to the Board by the Council, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 10, succeeding Ethel Richardson, must be a consumer over the age of 55, authorized to represent organizations that advocate for aging people with disabilities, for the unexpired portion of a three-year term ending March 1, 2013.

3/9/10; RECEIVED AND ASSIGNED to the Rules Committee.

7 seats/ 7 applicants

Patricia Webb, seat 2

Elva Hernandez, seat 4 (residency waiver required)

Idell Wilson, seat 5

Kelly Dearman, seat 6

James Illig, seat 8

Tatiana Kostanian, seat 9

Ethel Richardson, seat 10

3. [100261](#)**[Appointment, Urban Forestry Council]**

Hearing to consider appointing one member, term ending November 18, 2010, to the Urban Forestry Council. (Clerk of the Board)

Vacant seat 6, succeeding Carolyn Blair, resigned, must be a representative of the community, for the unexpired portion of a two-year term ending November 18, 2010.

3/9/10; RECEIVED AND ASSIGNED to the Rules Committee.

1 seat/ 5 applicants

Rose Hillson, seat 6

Stuart Bussian, seat 6

Matt Czajkowski, seat 6

John Dunlap, seat 6

Timothy LeBeau, seat 6

4. [100293](#) **[Appointments, Shelter Monitoring Committee]**
Hearing to consider appointing two members, terms ending November 23, 2010, to the Shelter Monitoring Committee. (Clerk of the Board)
- Vacant seat 3, succeeding Aubrey Moore, resigned, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2010.
Vacant seat 6, succeeding Amanda Thompson, resigned, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2010.
- 3/10/10; RECEIVED AND ASSIGNED to the Rules Committee.
- 2 seats/ 4 applicants*
Charles Pitts, seat 3
Mary Howe, seats 3, 6 (Residency Waiver Required)
Scott Linnenbringer, seat 6
Robert Weber, seat 6
5. [090258](#) **[Reports, Shelter Monitoring Committee]**
Hearing to consider the quarterly reports of the Shelter Monitoring Committee. (Clerk of the Board)
- (Pursuant to Article 12-20 of the San Francisco Administrative Code, Ord. No. 283-04, the Committee shall prepare and submit quarterly reports. Original reports are in File 051713 and File 060377).
- 2/26/09; RECEIVED AND ASSIGNED to the Rules Committee.
- 8/6/09; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: John Smith.
- 9/17/09; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Henry Tom, Shelter Monitoring Committee; Bernice Casey; Joanna Fraguli, Mayor's Office of Disability; David Nakanishi, Department of Public Health; Michael D.; Frank Perez; Male Speaker; Quintin Meckie; Male Speaker; Moe Kauff.
6. [091444](#) **[Creating an Energy Efficiency Steering Committee]**
Sponsor: Mar
Ordinance amending the San Francisco Administrative Code by adding Article II to Chapter 5, Sections 5.2-1 through 5.2-8, to: create an Energy Efficiency Steering Committee to advise the Board of Supervisors on planning and decision-making regarding energy efficiency projects; provide for the Committee's membership, organization, and duties; and set a sunset date for the Committee.
Attachments: [Legislation Ver1](#)
- 12/15/09; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.
7. [100262](#) **[Removal of Tommy Escarcega from the Reentry Council]**
Sponsor: Campos
Motion removing Tommy Escarcega from the Reentry Council.
- 3/9/10; RECEIVED AND ASSIGNED to the Rules Committee.

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules 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. 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 claims listed below.*

8. **100178** **[Settlement of Lawsuit - F & I Management and D & J Parking, Inc. - \$25,750]**
Ordinance authorizing settlement of the lawsuit filed by F & I Management and D & J Parking, Inc. against the City and County of San Francisco for \$25,750; the lawsuit was filed on December 17, 2008, in San Francisco Superior Court, Case No. CGC08-483121; entitled F & I Management and D & J Parking, Inc., et al. v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation VER1](#)

2/23/10; RECEIVED AND ASSIGNED to the Rules Committee.
9. **100179** **[Settlement of Lawsuit - Vincente V. Vista - \$35,000]**
Ordinance authorizing settlement of the lawsuit filed by Vincente V. Vista against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 29, 2008, in San Francisco Superior Court, Case No. 08-478001; entitled Vista v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation VER1](#)

2/23/10; RECEIVED AND ASSIGNED to the Rules Committee.
10. **100180** **[Settlement of Lawsuit - Thomas Barnes - \$135,000]**
Ordinance authorizing settlement of the lawsuit filed by Thomas Barnes against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 13, 2008, in San Francisco Superior Court, Case No. 476-339; entitled Thomas Barnes, et al. v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation VER1](#)

2/25/10; RECEIVED AND ASSIGNED to the Rules Committee.
11. **100181** **[Settlement of Lawsuit - Elbert Harris - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Elbert Harris, III against the City and County of San Francisco, Robert Thomas, and Larry Bevan for \$100,000, plus reinstatement of Harris as a Certified Nursing Assistant assigned to San Francisco General Hospital; the lawsuit was filed on May 7, 2008, in United States District Court, Case No. CV 08-2353 PJH; entitled Elbert Harris, III v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation VER1](#)

2/25/10; RECEIVED AND ASSIGNED to the Rules Committee.

12. [100182](#) **[Settlement of Class Action Lawsuit - Western Regional Advocacy Project, et al.]**

Ordinance authorizing settlement of the class action lawsuit entitled Western Regional Advocacy Project et al. v. Mayor Gavin Newsom et al., filed on August 27, 2008, in the United States District Court for the Northern District of California, Case No. CV 08-4087-MMC. Pursuant to the proposed settlement, the City will make revisions to current policies of its single adult emergency shelter system in order to improve services to homeless people with disabilities. (City Attorney)

2/25/10; RECEIVED AND ASSIGNED to the Rules Committee.

13. [100249](#) **[Settlement of Unlitigated Claim – Marlon Miranda - \$75,000]**

Resolution approving the settlement of the unlitigated claim filed by Marlon Miranda against the City and County of San Francisco for \$75,000; claim was filed on June 18, 2009. (City Attorney)

3/1/10; RECEIVED AND ASSIGNED to the Rules Committee.

14. [100250](#) **[Settlement of Unlitigated Claim – Thelma Jefferson - \$200,000]**

Resolution approving the settlement of the unlitigated claim filed by Thelma Jefferson against the City and County of San Francisco for \$200,000; claim was filed on September 28, 2009. (City Attorney)

3/1/10; RECEIVED AND ASSIGNED to the 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.

100204

[Americans with Disabilities Act - Reasonable Modification Policy]

Sponsor: Alioto-Pier

Ordinance adding Administrative Code Section 2A.22.3 to adopt a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

Attachments: [Legislation VER1](#)

2/23/10; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

3/2/10; REFERRED TO DEPARTMENT. 3/2/10 - To the Mayor's Office of Disability for comment and recommendation.

100235

[Transferring the Police Department's Functions, Assets and Operations to the Sheriff]

Sponsor: Daly

Charter Amendment (First Draft) to to amend the Charter of the City and County of San Francisco by amending Section 6.105 and providing for the repeal of Section 4.109, to transfer the Police Department's functions, assets and operations to the Sheriff.

Attachments: [Legislative Ver1](#)

3/10/10; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

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

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.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

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 F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

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 decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This 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 by mail 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

Citizens may obtain a free copy of the Sunshine Ordinance 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 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics