

**City and County of San Francisco
Rules Committee**

City Hall, Committee Room 263



Meeting Agenda
Thursday, July 30, 2009
10:00 AM
Special Meeting

Members: David Campos, Carmen Chu, Chris Daly

Clerk: Linda Wong (415) 554-7719

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.

AGENDA CHANGES

REGULAR AGENDA

- 1. 090461 [Providing members of the public with access to language services] Supervisor Chiu**
- Ordinance amending the San Francisco Administrative Code by adding new Sections 91.1, 91.8, 91.11, 91.14, 91.18; amending Sections 91.2, 91.3, 91.4, 91.6; amending Section 91.8 and renumbering Section 91.8 as 91.9; amending Section 91.9 and renumbering Section 91.9 as 91.10; amending Section 91.11 and renumbering Section 91.11 as 91.13; amending Section 91.12 and renumbering Section 91.12 as 91.15; amending Section 91.14 and renumbering Section 91.14 as 91.17; renumbering Sections 91.10 as 91.12 and 91.13 as 91.16 to rename the Equal Access Ordinance to Language Access Ordinance and add findings; to develop language services protocols in crisis situations, to amend the contents required in departmental Annual Compliance Plans; to create reporting requirements, to create and outline the Office of Civic Engagement and Immigrant Affairs' responsibilities; to clarify the Ordinance intent to promote the general welfare of the public; to require all City departments to comply with the minimal requirements set forth in this Ordinance; to expand the number of City departments that must comply with the Ordinance in its entirety; to require all City departments to inform Limited English Speaking Persons of their rights under the Ordinance; to require all City Boards, City Commissions, and City Departments to translate meeting minutes; and to amend the compliant procedures.

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.

2. 090878 [Settlement of Lawsuits - John Tennison and Antoine Goff totaling \$7,500,000]

Ordinance authorizing settlement of the lawsuits filed by John Tennison and Antoine Goff against the City and County of San Francisco for the total amount of \$7,500,000. The John Tennison lawsuit was filed on February 11, 2004, in the United States District Court for the Northern District of California, Case No. C04-0574 CW; entitled John Tennison, et al., v. City and County of San Francisco, et al. and will be settled by the payment of \$4,600,000. The Antoine Goff lawsuit was filed on April 27, 2004, in the United States District Court for the Northern District of California, Case No. C04-1643 CW; entitled Antoine Goff, et al., v. City and County of San Francisco, et al. and will be settled by the payment of \$2,900,000. (City Attorney)

7/20/09, RECEIVED AND ASSIGNED to Rules Committee.

3. 090895 [Settlement of Lawsuit - Linda Caratti - \$80,000]

Ordinance authorizing settlement of the lawsuit filed by Linda Caratti against the City and County of San Francisco for \$80,000; the lawsuit was filed on August 28, 2008, in San Francisco Superior Court, Case No. 479214; entitled Linda Caratti, v. City and County of San Francisco, et al.; other material terms of said settlement are the City and San Francisco Zoological Society agree to a mutual release of claims for indemnification. (City Attorney)

7/7/09, RECEIVED AND ASSIGNED to Rules Committee.

4. 090896 [Settlement of Lawsuit - John Williams - \$27,000]

Ordinance authorizing settlement of the lawsuit filed by John Williams against the City and County of San Francisco for \$27,000; the lawsuit was filed on September 5, 2008, in San Francisco Superior Court, Case No. 479-512; entitled John Williams v. City and County of San Francisco, et al. (City Attorney)

7/7/09, RECEIVED AND ASSIGNED to Rules Committee.

5. 090897 [Settlement of Lawsuit - Benson Chen - \$75,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Benson Chen against the City and County of San Francisco for \$75,000; the lawsuit was filed on November 2, 2007, in San Francisco Superior Court, Case No. 468791; entitled Benson Chen v. City and County of San Francisco, et al. (City Attorney)

7/7/09, RECEIVED AND ASSIGNED to Rules Committee.

6. 090898 [Settlement of Lawsuit - Yue Kong Kam - \$102,327.06]

Ordinance authorizing settlement of the lawsuit filed by Yue Kong Kam against the City and County of San Francisco for \$102,327.06; the lawsuit was filed on June 19, 2008, in San Francisco Superior Court, Case No. 476-544; entitled Yue Kong Kam, et al. v. City and County of San Francisco, et al. (City Attorney)

7/9/09, RECEIVED AND ASSIGNED to Rules Committee.

7. 090899 [Settlement of Lawsuits - United States of America - \$7,000,000]

Ordinance authorizing settlement of the two lawsuits filed by the United States of America against the City and County of San Francisco for \$7,000,000; the two lawsuits were filed on August 22, 2005, and September 6, 2007, in the United States District Court for the Eastern District of California, Case No. 2:05 CV 01693 entitled United States of America v. City and County of San Francisco, et al. and Case No. 1:07 CV 01300 entitled United States of America v. City and County of San Francisco, et al. and appropriating \$7,000,000 of fund balance from the Hetch Hetchy Fund for this purpose. (City Attorney)

7/13/09, 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.

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.



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

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