

City and County of San Francisco

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



MEETING MINUTES

Thursday, July 30, 2009

10:00 AM

City Hall, Committee Room 263

Special Meeting

Rules Committee

Members: David Campos, Chris Daly, Michela Alioto-Pier

Clerk: Linda Wong (415) 554-7719

Members Present: *David Campos, Carmen Chu, Chris Daly.*

Members Excused: *None.*

Members Absent: *None.*

MEETING CONVENED

The meeting convened at 10:02 a.m.

REGULAR AGENDA

090461 [Providing members of the public with access to language services] **Supervisors Chiu, Daly, Chu**

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

4/14/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/13/2009.

Heard in Committee. Speakers: Supervisor David Chiu, Board of Supervisors; Adrienne Pon, Office of Civic Engagement; Vera Haile, Immigrant Rights Commission; Ronnie Rhoe; Teresa Molina; Euma Delgado; Cindy Choy; Juan Sito.

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Chu, Daly

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.*

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Campos, Chu, Daly

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.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Chu

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 that 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.

CONTINUED by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Chu

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.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Chu

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.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Chu

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.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Chu

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.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Chu

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

Deputy City Attorney Cheryl Adams reported that the Rules Committee has met 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 settlements in the lawsuits or claims listed above.

[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.

Unanimous vote not to disclose by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Chu

ADJOURNMENT