

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

City Hall, Committee Room 263



**Meeting Agenda
Thursday, July 2, 2009
9:30 AM
Rescheduled Meeting**

Members: Chris Daly, Carmen Chu, David Campos

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. 090767 [Appointment, Public Utilities Commission - Anson Moran]**
Motion confirming the Mayor's appointment of Anson Moran to the Public Utilities Commission, Seat 4, for the unexpired portion of a two-year term ending August 1, 2010. (Clerk of the Board)

(Charter Section 4.112(a) provides that the Board of Supervisors shall confirm appointment by a majority (six votes) of the Board of Supervisors; companion measure to File 090768. Transmittal date - June 1, 2009.)

6/1/09, RECEIVED AND ASSIGNED to Rules Committee.

6/18/09, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Anson Moran,

San Francisco Public Utilities Commission; Ed Harrington, San Francisco Public Utilities Commission; Mr. Flynn; David T.; Eric Brooks; Arthur Jensen; Ann Walker; Bryan Brown.

2. 090768 [Appointment, Public Utilities Commission - Anson Moran]

Motion rejecting the Mayor's appointment of Anson Moran to the Public Utilities Commission, Seat 4, for the unexpired portion of a two-year term ending August 1, 2010. (Clerk of the Board)

(Charter Section 4.112(a) provides that the Board of Supervisors shall confirm appointment by a majority (six votes) of the Board of Supervisors; companion measure to File 090767. Transmittal date - June 1, 2009.)

6/1/09, RECEIVED AND ASSIGNED to Rules Committee.

6/18/09, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Anson Moran, San Francisco Public Utilities Commission; Ed Harrington, San Francisco Public Utilities Commission; Mr. Flynn; David T.; Eric Brooks; Arthur Jensen; Ann Walker; Bryan Brown.

3. 090603 [Appointment, Historical Preservation Commission - James Buckley]

Motion approving the Mayor's nomination for appointment of James Buckley to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined.

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090604. Transmittal date - May 18, 2009.)

5/18/09, RECEIVED AND ASSIGNED to Rules Committee.

4. 090604 [Appointment, Historical Preservation Commission - James Buckley]

Motion rejecting the Mayor's nomination for appointment of James Buckley to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined.

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090603. Transmittal date - May 18, 2009.)

5/18/09, RECEIVED AND ASSIGNED to Rules Committee.

5. 090788 [Appointment, Historical Preservation Commission - Andrew Wolfram]

Motion approving the Mayor's nomination for appointment of Andrew Wolfram to the Historical

Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090789. Transmittal date - June 4, 2009.)

6/4/09, RECEIVED AND ASSIGNED to Rules Committee.

6. 090789 [Appointment, Historical Preservation Commission - Andrew Wolfram]

Motion rejecting the Mayor's nomination for appointment of Andrew Wolfram to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined.

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090788. Transmittal date - June 4, 2009.)

6/4/09, RECEIVED AND ASSIGNED to Rules Committee.

7. 090607 [Requiring adequate taxi service, protecting public ownership of taxi medallions and other features of the medallion program, and ensuring the welfare of taxi drivers] Supervisor Daly

Charter Amendment (Second Draft) to add Section 8A.116 to require the Municipal Transportation Agency to determine the number and types of taxi permits sufficient to ensure adequate taxi service; to require that Agency regulations are consistent with certain principles - that taxi medallions are a public asset that may not be sold, assigned, or transferred; that medallions may only be issued to natural persons, with a limit of one per person; that only application-related fees may be charged medallion applicants; that medallion applications will be considered in the order received, with preference given to applicants who have been active drivers since 2004; and that medallion holders must satisfy an annual driving requirement; and to require that the Agency provide for the welfare of medallion holders and active drivers, including health care, retirement, and disability.

5/19/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/18/2009.

6/2/09, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new title.

6/2/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/18/2009.

8. 090622 [Charter Amendment - Instituting two-year budgetary cycle, providing for the adoption of a five-year financial plan, and imposing a deadline of June 30 for approval of MOUs for miscellaneous Mayor, Supervisors Chiu, Mirkarimi, Avalos, Campos]

Charter Amendment (First Draft) to amend Sections 2.103, 2.108, 2.117, 3.105, 9.100, 9.101, 9.102, 9.103, 9.104, 9.113, 9.113.5, 9.114, 11.100, A8.409-4, A8.590-5, A8.590-8, 16.112, and Article XVII, and adding Sections 9.119, 9.120, and 9.121 to institute a "rolling" two-year budgetary cycle (the City would adopt a new two-year budget each year), allow the Board of Supervisors to convert the rolling two-year budgetary cycle for some or all departments into a "fixed" two-year cycle (each two-year budget would stay in effect for two years), impose a deadline of June 30th for the Board of Supervisors to approve or adopt new terms and conditions of employment for miscellaneous or safety employees if those terms and conditions are to be effective during the upcoming fiscal year, require that City departments, including the Board of Supervisors, post various notices on the departments' websites and eliminate the requirement that the departments publish such notices in the City's official newspaper, and allow the Controller to certify the availability of funds based on the expectation that funds will become available during the course of the budgetary cycle.

5/19/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/18/2009.

9. 090007 [Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors] Supervisors Elsbernd, Chu

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.119 to limit the expenditure of one-time revenues to one-time uses, unless the Board of Supervisors waives the limitation for a specific expenditure by a two-thirds' vote, and setting an operative date and an expiration date.

(Supervisor Daly dissented in Committee.)

1/6/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/5/2009. 1/26/09 - Received legislative digest, 30-day Rule ends February 25, 2009. 2/9/09 - Response received from Planning Department, non-physical per CEQA Guidelines Section 15060(c)(2).

2/3/09, SUBSTITUTED. Supervisor Elsbernd submitted a substitute Charter Amendment bearing new title.

2/3/09, ASSIGNED to Rules Committee.

2/10/09, SUBSTITUTED. Supervisor Elsbernd submitted a substitute Charter Amendment bearing same title.

2/10/09, ASSIGNED to Rules Committee.

2/19/09, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Sean Elsbernd; Christopher Bowlman.

6/4/09, REFERRED WITHOUT RECOMMENDATION. Heard in Committee. Speakers: Supervisor Sean Elsbernd; Art Agnos.

6/16/09, CONTINUED. Continued to June 23, 2009.

6/23/09, CONTINUED. Continue to June 30, 2009.

6/23/09, RE-REFERRED to Rules Committee.

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.

090795 [Prohibiting City employees and officers from raising funds for City departments]

Supervisor Daly

Ordinance adding a new Chapter 5 to Article III of the Campaign and Governmental Conduct Code, by adding sections 3.500, 3.505, 3.510 and 3.515, to prohibit City employees and officers from soliciting donations to nonprofit organizations to fund City departments from persons doing business with those departments.

6/9/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/9/2009. Referred to Ethics Commission for comment on 6/15/09.

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