

City and County of San Francisco

Rules Committee

City Hall, Room 263



Meeting Agenda

Thursday, May 1, 2008

10:00 AM

Regular Meeting

Members: Chris Daly, Bevan Dufty, Tom Ammiano

Clerk: Mary Red (415) 554-4442

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. 080546 [Appointment - Western SOMA Citizens Planning Task Force - John Thomas Braun and Robert Knigge]

Motion appointing John Thomas Braun and Robert Knigge, terms ending June 30, 2010, to the Western SOMA Citizens Planning Task Force.

John Thomas Braun, new appointment, seat 4, must be a youth residing in Western SOMA, for term ending June 30, 2010.

Robert Knigge, succeeding Matthew Furey, seat 5, term expired, must be raising a family in Western SOMA, for term ending June 30, 2010.

4/16/08, RECEIVED AND ASSIGNED to Rules Committee.

3 Seats/4 Applicants
Eric Duane Lopez, Seat 5
Robert Knigge, Seat 5
Charles R. Smith, Seat 6
John Thomas Braun, Seat 4

2. 080554 **[Appointment - Sunshine Ordinance Task Force - Erica Craven, Richerd Knee, Sue Cauthen, Ketaki Gokhale, Allyson Washburn, Kristin Chu, Hanley Chan and Nicholas Goldman]**

Motion appointing Ketaki Gokhale, term ending April 27, 2009, Erica Craven, Richard Knee, Sue Cauthen, Allyson Washburn, Kristin Chu, Hanley Chan and Nicholas Goldman, terms ending April 27, 2010, to the Sunshine Ordinance Task Force, residency requirement waived.

Erica Craven, succeeding herself, term expired, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for a two-year term ending April 27, 2010.

Richard Knee, succeeding himself, term expired, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a Journalist, for a two-year term ending April 27, 2010.

Sue Cauthen, succeeding herself, term expired, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a two-year term ending April 27, 2010.

Ketaki Gokhale, succeeding Pueng Vongs, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization. Task Force reorganized under Proposition G and seat number changed from 15 to 4, for an unexpired portion of a two-year term ending April 27, 2009.

Allyson Washburn, succeeding Kristin R. M. Chu, term expired, seat 5, must be appointed from names submitted by the League of Women Voters, for a two-year term ending April 27, 2010.

Kristin Chu, succeeding Bruce Wolfe, term expired, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2010.

Hanley Chan, succeeding himself, term expired, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2010 (residency requirement waived).

Nicholas Goldman, succeeding himself, term expired, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2010.

4/22/08, RECEIVED AND ASSIGNED to Rules Committee.

10 Seats/11 Applicants
Erica L. Craven, Seat 1
Richard A. Knee, Seat 2
Sue Cauthen, Seats 3, 6, 7, 8, 9, 10
Ketaki Gokhale, Seat 4
Allyson M. Washburn, Seat 5
Ray W. Hartz, Jr., Seat 6
Doug Comstock, Seat 6
Kristin Chu, Seats 7, 8
David Pilpel, Seat 7
Hanley Chan, Seat 9 (residency waiver required)
Nicholas Goldman, Seat 10

3. **080555** **[Appointment - Peak Oil Preparedness Task Force - Cal Simone]**
Motion appointing Cal Simone, term ending October 5, 2008, to the Peak Oil Preparedness Task Force, residency requirement waived.
- Cal Simone, succeeding Franz Cheng, resigned, seat 6, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008 (residency requirement waived).
- 4/22/08, RECEIVED AND ASSIGNED to Rules Committee.
- 1 Seat, 2 Applicants*
Cal Simone, Seat 6 (residency waiver required)
Don Eichelberger, Seat 6
4. **080475** **[Presidio Neighborhood Representative Work Group]** **Supervisor Alioto-Pier**
Resolution re-establishing the Presidio Neighborhood Representative Work Group to be comprised of representatives from affected neighborhoods and City Departments.
- 4/8/08, RECEIVED AND ASSIGNED to Rules Committee.
5. **071427** **[Alternative Fuels Access Ordinance]**
Ordinance amending the San Francisco Police Code to add Article 42E, encompassing Sections 4200E.1 through 4200E.5, to prohibit motor fuel refiners and distributors from limiting the ability of service station dealers having franchise or supply agreements to purchase motor fuel from any location or through any vendor in the refiner's wholesale network and to purchase alternative motor fuel from any source other than the refiner or distributor if the refiner or distributor is unable to provide the alternative motor fuel.
- 10/16/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/15/2007.
Referred to City Attorney for review and approval as to form.
- 12/6/07, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Edward Evans; Bruce McDermott, Western State Petroleum Association; Dennis Ecutter, California Service Stations.
- 12/6/07, CONTINUED TO CALL OF THE CHAIR AS AMENDED.
- 12/6/07, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.
6. **080588** **[City and County funding of the Arts]** **Supervisor Ammiano**
Hearing to consider the City and County funding of the Arts in fiscal years 2005-2006, 2006-2007 and 2007-2008.
- 4/29/08, RECEIVED AND ASSIGNED to Rules Committee.
- Pending introduction on April 29, 2008.*

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.

7. 080509 [Settlement of Lawsuit - Debra Denise Reed - \$65,000]

Ordinance authorizing settlement of the lawsuit filed by Debra Denise Reed against the City and County of San Francisco for \$65,000; the lawsuit was filed on November 22, 2006 in San Francisco Superior Court, Case No. 458-146; entitled Debra Denise Reed, et al., v. City and County of San Francisco, et al (City Attorney)

4/9/08, RECEIVED AND ASSIGNED to Rules Committee.

8. 080510 [Settlement of Lawsuit - Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422]

Ordinance authorizing settlement of the coordinated lawsuits, entitled Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422, filed by AMEC Construction Management, Inc. ("ACMI") against the City and County of San Francisco, and filed by the City and County of San Francisco and the People of the State of California ("San Francisco") against ACMI, its parent and sister companies, its Surety companies, and its bond broker. (City Attorney)

4/9/08, RECEIVED AND ASSIGNED to Rules Committee.

Report on Closed Session

[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.

9. 080480 [Regulation of Newsracks: Amendment of Space Allocation Provisions of Fixed Pedestal Newsrack Program] Supervisor Peskin

Ordinance amending Section 184.12 of the San Francisco Public Works Code to provide that priority in allocation of space in fixed pedestal newsracks shall be given to publications that were historically distributed from freestanding newsracks at the locations of the fixed pedestal newsracks and that are published one or more times per week.

4/8/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/8/2008.

10. 080529 [Requiring Activation of Closed Captions on Television Receivers] Supervisors Alioto-Pier, Dufty, Ammiano

Ordinance amending the San Francisco Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.

4/15/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/15/2008.

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