



City and County of San Francisco

Meeting Agenda

Rules Committee

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

Members: Jane Kim, Sean Elsbernd, Mark Farrell

Clerk: Linda Wong (415) 554-7719

Thursday, June 16, 2011

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget and Legislative Analyst report*
- 3) Department or Agency cover letter and/or report*
- 4) 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. [110712](#) **[Appointment, Veteran Affairs Commission]**
Hearing to consider appointing one member, term ending January 31, 2013, to the Veteran Affairs Commission. (Clerk of the Board)

Vacant seat 12, new appointment, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2013.

Attachments: [Comm Packet 061611](#)

6/7/11; RECEIVED AND ASSIGNED to the Rules Committee.

1 seat/ 1 applicant
Sharon Meagher, seat 12

2. [110722](#) **[Appointment, Western SoMa Citizens' Planning Task Force]**
Hearing to consider appointing one member, term ending December 31, 2011, to the Western SoMa Citizens' Planning Task Force. (Clerk of the Board)
- Vacant seat 19, succeeding Jazzie Collins, resigned, must be appointed by District 6 Supervisor, for the unexpired portion of a three-year term ending December 31, 2011.
- Attachments:** [Comm Packet 061611](#)
- 6/7/11; RECEIVED AND ASSIGNED to the Rules Committee.
- 1 seat/ 1 applicant*
Glendon Hyde, seat 19
3. [110717](#) **[Appointment, Developmental Disabilities Area Board V]**
Hearing to consider appointing one member, term ending December 31, 2013, to the Developmental Disabilities Area Board V. (Clerk of the Board)
- Vacant seat 2, succeeding Donna Adkins, term expired, must have demonstrated interest and leadership in human services, for the unexpired portion of a three year term ending December 31, 2013.
- Attachments:** [Comm Packet 061611](#)
- 6/7/11; RECEIVED AND ASSIGNED to the Rules Committee.
- 1 seat/ 1 applicant*
Donna Adkins, seat 2
4. [110727](#) **[Appointment, Eastern Neighborhood Citizens Advisory Committee]**
Hearing to consider appointing one member, term ending October 19, 2013, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)
- Vacant seat 6, succeeding David Ho, resigned, must be nominated by District 6 Supervisor and confirmed by the full Board, for the unexpired portion of a four-year term ending October 19, 2013.
- Attachments:** [Comm Packet 061611](#)
- 6/7/11; RECEIVED AND ASSIGNED to the Rules Committee.
- 1 seat/ 1 applicant*
Kristian Ongoco, seat 6

5. [110401](#) **[Charter Amendment - Allowing Amendments to or Repeals of Initiative Ordinances and Declarations of Policy]**

Sponsor: Wiener

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.101 to allow amendments to or repeals of initiative ordinances and declarations of policy.

Attachments: [Comm Packet 051911](#)

[Comm Packet 060211](#)

[Legislation Ver2](#)

[Comm Packet 061611](#)

4/5/11; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

5/19/11; CONTINUED. Heard in Committee. Speakers: Supervisor Scott Wiener, Office of Supervisor Scott Wiener; Peg Stevenson, Controller's Office; Andrew Shen, City Attorney's Office; spoke on the matter. Ray Hartz, Jr.; Calvin Welch; Kathy Chancey; Rachel Richmond, Local 21; Female Speaker; Judy Burkerich; David T.; spoke in opposition of the matter.

6/2/11; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Scott Wiener, Office of Supervisor Scott Wiener; Andrew Shen, City Attorney's Office; spoke on the matter. Sue Hestor; Joan Wood; Rose Hillson; Hiroshi Fukuda; spoke in opposition of the matter. Larry Griffin; Ray Hartz; Judy Burkuis; spoke neither in support or opposition of the matter.

6/2/11; CONTINUED AS AMENDED.

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.*

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

6. [110537](#) **[Settlement of Lawsuit - Stephanie Davis - \$45,000]**

Ordinance authorizing settlement of the lawsuit filed by Stephanie Ann Davis against the City and County of San Francisco for \$45,000; the lawsuit was filed on January 5, 2010, in San Francisco Superior Court, Case No. CGC-10-495809; entitled Stephanie Ann Davis, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

Attachments: [Legislation Ver1](#)

[Comm Packet 061611](#)

4/25/11; RECEIVED AND ASSIGNED to the Rules Committee.

7. [110539](#) **[Settlement of Claim - Tadhge Conway - \$250,000]**
Resolution approving the settlement of the unlitigated claim filed by, Tadhge Conway against the City and County of San Francisco for \$250,000; the claim was filed on July 22, 2010, Claim No. 11-00169. (City Attorney's Office)

Attachments: [Legislation Ver1](#)
[Comm Packet 061611](#)

4/25/11; RECEIVED AND ASSIGNED to the Rules Committee.

8. [110392](#) **[Settlement of Lawsuit - Committee on JOBS Candidate Advocacy Fund, et al. - \$290,000]**
Ordinance authorizing settlement of the lawsuit filed by Committee on JOBS Candidate Advocacy Fund and Building Owners and Managers Association of San Francisco Independent Expenditure Political Action Committee against the City and County of San Francisco for \$290,000; the lawsuit was filed on June 18, 2007, in United States District Court for the Northern District of California, Case No. 07-3199 JSW; entitled Committee on JOBS Candidate Advocacy Fund, et al.; other material terms of the settlement are a stipulated injunction prohibiting the City from enforcing the independent expenditure contribution limit in San Francisco Campaign and Governmental Conduct Code 1.114(c). (City Attorney)

Attachments: [Comm Packet 061611](#)

6/7/11; RECEIVED AND ASSIGNED to the Rules Committee.

[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.

110622 [Administrative Code - Allowing Paid Administrative Leave in Certain Circumstances]

Ordinance amending the San Francisco Administrative Code by adding Section 16.10 to allow the City and County of San Francisco to use time-limited paid administrative leave for its employees under certain circumstances. (Human Resources Department)

Attachments: [Legislation_Ver1](#)

5/9/11; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

110058 [Charter Amendment - City Retirement Benefits and Health Care Benefits]

Sponsors: Mayor; Elsbernd, Avalos, Chiu, Chu, Cohen, Farrell and Wiener
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending the provisions in Appendix A to: 1) adjust contribution rates for current and future employees to the San Francisco Employees' Retirement System (SFERS) based on the rate employers are required to pay each year; 2) limit SFERS' supplemental cost of living adjustments to retiree benefits for all employees and retirees; 3) create new retirement plans for employees commencing employment on and after January 7, 2012; 4) require elected officials to pay their contributions to SFERS; 5) allow certain individuals who are members of the California Public Employees' Retirement System (CalPERS) to become members of SFERS; 6) change the composition of the Health Service Board (HSB); 7) change the vote requirement for the HSB to approve member health care plans; 8) require current employees to contribute to the Retiree Health Care Trust Fund beginning in fiscal year 2016-17; 9) restrict certain retiree health care benefits for employees who left City employment, but have not yet retired, to those benefits in place at the time they left employment; 10) reduce employers' contributions into the Health Service System Trust Fund under certain circumstances; and 11) make certain other changes to retirement and health care benefits.

Attachments: [Legislation_Ver1](#)

5/24/11; 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 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) bringing in or displaying signs in the meeting room; 4) standing in the meeting room.

The public is encouraged to testify at Committee meetings and to write letters to the Clerk of the Board or to Supervisors: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests 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 debe recibirse antes de mediodía 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, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. 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. 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 by mail the 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 soft@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.sfbos.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