



# City and County of San Francisco

## Meeting Agenda - Final

### Rules Committee

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

*Members: Norman Yee, London Breed, Malia Cohen*

*Clerk: Linda Wong (415) 554-7719*

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Thursday, October 31, 2013

1:30 PM

City Hall, Committee Room 263

**Special Meeting**

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## AGENDA CHANGES

## REGULAR AGENDA

1. **131019 [Reappointment, California State Association of Counties - Supervisor Eric Mar]**  
Motion reappointing Supervisor Eric Mar, term ending November 28, 2014, to the California State Association of Counties Board of Directors. (Clerk of the Board)  
  
10/18/13; RECEIVED AND ASSIGNED to the Rules Committee.
  
2. **131017 [Approving Reappointment, Entertainment Commission - Al Perez]**  
Motion approving the Mayor's nomination for reappointment of Al Perez, term ending July 1, 2017, to the Entertainment Commission. (Clerk of the Board)  
  
(Section 4.117 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. Transmittal date - 9/24/13.)  
  
10/18/13; RECEIVED AND ASSIGNED to the Rules Committee.
  
3. **131051 [Confirming Appointment, City Hall Preservation Advisory Commission - Patrick Carney]**  
Motion confirmation the Mayor's appointment of Patrick Carney, term ending January 13, 2016, to the City Hall Preservation Advisory Commission. (Mayor)  
  
10/18/13; RECEIVED AND ASSIGNED to the Rules Committee.

- 4. 120575 [Appointment, Commission on the Aging Advisory Council]**  
Hearing to consider appointing one member, term ending March 31, 2014, to the Commission on the Aging and Advisory Council. (Clerk of the Board)
- Vacant seat 7, succeeding Ken Prag, term expired, must be a nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2014.
- 5/30/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 6/7/12; CONTINUED TO CALL OF THE CHAIR.
- 1 seat/ 1 applicant*  
*Ken Prag, seat 7*
- 5. 130910 [Appointment, SOMA Community Stabilization Fund Community Advisory Committee]**  
Hearing to consider appointing one member, term ending April 27, 2014, to the SOMA Community Stabilization Fund Community Advisory Committee. (Clerk of the Board)
- Vacant seat 6, succeeding Bernadette Sy, term expired, must provide direct services to SOMA families, for the unexpired portion of a two-year term ending April 27, 2014.
- 9/20/13; RECEIVED AND ASSIGNED to the Rules Committee.
- 1 seat/ 1 applicant*  
*John Elberling, seat 6*
- 6. 130948 [Appointment, Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force]**  
Hearing to consider appointing one member, for an indefinite term, to the Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force. (Clerk of the Board)
- Vacant seat 4, new appointment, must be an LGBT senior, aging adult, or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
- 9/20/13; RECEIVED AND ASSIGNED to the Rules Committee.
- 10/3/13; CONTINUED TO CALL OF THE CHAIR.
- 1 seat/ 5 applicants*  
*Carla Harris, seat 4*  
*G. Joyce Pierson, seat 4*  
*Gregg Cassin, seat 4*  
*James Wagoner, seat 4*  
*Marshall Feldman, seat 4*

7. **131030** **[Appointments, Airport Facilities Naming Advisory Committee]**  
Hearing to consider appointing four members, for indefinite terms, to the Airport Facilities Naming Advisory Committee. (Clerk of the Board)

Vacant seat 6, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

Vacant seat 7, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

Vacant seat 8, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

Vacant seat 9, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

10/18/13; RECEIVED AND ASSIGNED to the Rules Committee.

*4 seats/ 4 applicants*

*Alex Walker, seats 6, 7, 8, 9*

*Jon Ballesteros, seats 6, 7, 8, 9*

*Maggie Weiland, seats 6, 7, 8, 9*

*Steven Guilliams, seats 6, 7, 8, 9*

8. **131047** **[Appointments, Assessment Appeals Board No. 1]**  
Hearing to consider appointing two members, terms ending September 5, 2016, to the Assessment Appeals Board No. 1. (Clerk of the Board)

Vacant seat 1, succeeding Jeffrey Morris, term expired, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a three-year term ending September 5, 2016.

Vacant seat 4, succeeding Gregory Blaine, term expired, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a three-year term ending September 5, 2016.

10/18/13; RECEIVED AND ASSIGNED to the Rules Committee.

*2 seats/ 6 applicants*

*Shawn Ridgell, seats 1, 4*

*Kristine Nelson, seats 1, 4*

*John Lee, seats 1, 4*

*Eugene Valla, seats 1, 4*

*Jeffrey Morris, seats 1, 4*

*Yosef Tahbazof, seats 1, 4*

**9. 131048 [Appointments, Assessment Appeals Board No. 2]**

Hearing to consider appointment three members, terms ending September 5, 2016, to the Assessment Appeals Board No. 2. (Clerk of the Board)

Vacant seat 2, succeeding Margaret Ruxton, term expired, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a three-year term ending September 5, 2016.

Vacant seat 3, succeeding Mervin Conlan, term expired, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a three-year term ending September 5, 2016.

Vacant seat 4, succeeding Alfredo Perez, term expired, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a three-year term ending September 5, 2016.

10/18/13; RECEIVED AND ASSIGNED to the Rules Committee.

*3 seats/ 8 applicants*

*Mervin Conlan, seats 2, 3, 4*

*Alfredo Perez, seats 2, 3, 4*

*Margaret Ruxton, seats 2, 3, 4*

*Robia Crisp, seats 2, 3, 4*

*John Lee, seats 2, 3, 4*

*Kristine Nelson, seats 2, 3, 4*

*Shawn Ridgell, seats 2, 3, 4*

*Yosef Tahbazof, seats 2, 3, 4*

**10. 131049 [Appointments, Assessment Appeals Board No. 3]**

Hearing to consider appointing eight members, terms ending September 5, 2014, September 5, 2015, and September 5, 2016, to the Assessment Appeals Board No. 3. (Clerk of the Board)

Vacant seat 1, new appointment, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a three-year term ending September 5, 2016.

Vacant seat 2, new appointment, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a two-year term ending September 7, 2015.

Vacant seat 3, new appointment, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a one-year term ending September 1, 2014.

Vacant seat 4, new appointment, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a three-year term ending September 5, 2016.

Vacant seat 5, new appointment, must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a two-year term ending September 7, 2015.

Vacant seat 6, new appointment (ALTERNATE MEMBER,) must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a three-year term ending September 5, 2016.

Vacant seat 7, new appointment (ALTERNATE MEMBER,) must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a two-year term ending September 7, 2015.

Vacant seat 8, new appointment (ALTERNATE MEMBER,) must meet the eligibility criteria set forth in California Revenue and Taxation Code, Section 1624.05. Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real

Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers, for a one-year term ending September 1, 2014.

10/18/13; RECEIVED AND ASSIGNED to the Rules Committee.

*8 seats/ 5 applicants*

*Shawn Ridgell, seats 1, 2, 3, 4, 5*

*Kristine Nelson, seats 1, 2, 3, 4, 5*

*John Lee, seats 1, 2, 3, 4, 5*

*Yosef Tahbazof, seats 1, 2, 3, 4, 5, 6, 7, 8*

*Angela Cheung, seats 6, 7, 8*

**11. 131042 [Park, Recreation, and Open Space Advisory Committee - Membership List]**

**Sponsor: Yee**

Resolution approving the recommended list of organizations for membership in the Park, Recreation, and Open Space Advisory Committee, as required by Proposition C, and approved by the Recreation and Park Commission.

10/22/13; RECEIVED AND ASSIGNED to the Rules Committee.

*The chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on November 5, 2013.*

## 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.*

**12. 131033 [California Code of Civil Procedure, Section 998 - Offer to Compromise to Defendants - Anshen and Allen, Architects Inc.]**

**Sponsor: Yee**

Ordinance authorizing the City Attorney to make a California Code of Civil Procedure, Section 998, Offer to Compromise to Defendants to the City in the lawsuit entitled City and County of San Francisco v. Anshen and Allen, Architects, Inc., et al., Alameda County Superior Court Case No. RG13679711.

10/22/13; RECEIVED AND ASSIGNED to the Rules Committee.

- 13. 131014 [Settlement of Lawsuit - Calkin, et al. - \$862,500]**  
Ordinance authorizing partial settlement of the lawsuit filed by Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan against the City and County of San Francisco for \$862,500; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. C12-02584 JCS; entitled Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan v. City and County of San Francisco. (City Attorney's Office)
- 10/11/13; RECEIVED FROM DEPARTMENT.
- 10/22/13; RECEIVED AND ASSIGNED to the Rules Committee.
- 14. 131013 [Settlement of Lawsuits - Zeno Zimmerman - \$145,000]**  
Ordinance authorizing settlement of the lawsuits filed by Zeno Zimmerman against the City and County of San Francisco for \$145,000; the lawsuits were filed on December 6, 2011, in San Francisco Superior Court, Case Nos. CGC-11-516360 and CGC-11-516361 (consolidated); entitled Zeno Zimmerman v. City and County of San Francisco, et al. (City Attorney)
- 10/11/13; RECEIVED FROM DEPARTMENT.
- 10/22/13; RECEIVED AND ASSIGNED to the Rules Committee.
- 15. 130955 [Settlement of Administrative Enforcement Action - San Francisco Bay Regional Water Quality Control Board - \$608,310]**  
Ordinance authorizing settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco for \$608,310; and appropriating \$608,310 for this purpose from the Public Utilities Commission Water Enterprise fund balance. (City Attorney's Office)
- 9/27/13; RECEIVED FROM DEPARTMENT.
- 10/8/13; RECEIVED AND ASSIGNED to the Rules Committee.
- 16. 130956 [Settlement of Lawsuit - Carlos Hutcherson, et al. - \$125,000]**  
Ordinance authorizing settlement of the lawsuit filed by Carlos Hutcherson, Tarasa Gates, and Donald Walton against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 21, 2012, in United States District Court, Case No. 12-cv-6481; entitled Carlos Hutcherson, et al., v. City and County of San Francisco, et al. (City Attorney's Office)
- 9/27/13; RECEIVED FROM DEPARTMENT.
- 10/8/13; RECEIVED AND ASSIGNED to the Rules Committee.
- 17. 130957 [Settlement of Administrative Enforcement Acton - San Francisco Bay Regional Water Quality Control Board - \$69,000]**  
Resolution approving the settlement of the unlitigated administrative enforcement acton filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$69,000. (City Attorney's Office)
- 9/27/13; RECEIVED FROM DEPARTMENT.
- 10/8/13; RECEIVED AND ASSIGNED to the Rules Committee.

- 18. 130958 [Settlement of Administrative Enforcement Action - Central Valley Regional Water Quality Control Board - \$1,000,000]**  
Resolution approving the settlement of the unlitigated administrative enforcement action filed by the Central Valley Regional Water Quality Control Board against San Francisco imposing a penalty of \$1,000,000. (Public Utilities Commission)

9/27/13; RECEIVED FROM DEPARTMENT.

10/8/13; RECEIVED AND ASSIGNED to the Rules Committee.

- 19. 130959 [Settlement of Claim - Adam Holm - \$50,000]**  
Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for \$50,000; claim was filed on March 28, 2013. (City Attorney's Office)

9/27/13; RECEIVED FROM DEPARTMENT.

10/8/13; 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**



### Agenda Item Information

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, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

### 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; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, 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.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. 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. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

**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, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. Meetings are broadcast live on KPOO 89.5 FM. 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 Derek Evans (415) 554-7702.

**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. This 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 Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at [sotf@sfgov.org](mailto:sotf@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 <http://www.sfgov.org/ethics>