

**City and County of San Francisco**

**Rules Committee**

*City Hall, Room 263*



**Meeting Agenda**

**Thursday, December 6, 2007**

**10:00 AM**

**Regular Meeting**

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***Members: Tom Ammiano, Sean Elsbernd, Aaron Peskin***

***Clerk: Gail Johnson (415) 554-4445***

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*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. 071550 [Appointment - Asthma Task Force]**

Resolution appointing Denysius Cruz and Michelle Reyes, terms ending July 1, 2008, to the Asthma Task Force.

Denysius Cruz, succeeding Mariaelena Alioto, term expired, seat 5, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the unexpired portion of a new two-year term ending July 1, 2008.

Michelle Reyes, succeeding Veronica Lightfoot, term expired, seat 6, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the unexpired portion of a new two-year term ending July 1, 2008.

11/9/07, RECEIVED AND ASSIGNED to Rules Committee.

11/15/07, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

*2 Seats/2 Applicants*

*Denysius Cruz, Seats 5 and 6*

*Michelle Reyes, Seats 5 and 6*

**2. 071610 [Appointment - Mental Health Board]**

Resolution appointing Richard Rodriguez, term ending January 31, 2010, to the Mental Health Board.

Richard Rodriguez, succeeding Rebecca Turner, resigned, seat 15, must be a health professional, for the unexpired portion of a three-year term ending January 31, 2010.

11/28/07, RECEIVED AND ASSIGNED to Rules Committee.

*1 Seat/1 Applicant*

*Richard Rodriguez, Ph.D., Seat 15*

**3. 071609 [Appointment - Sunshine Ordinance Task Force 2000]**

Resolution appointing Marjorie Ann Williams, term ending April 27, 2009 to the Sunshine Ordinance Task Force.

Marjorie Ann Williams, succeeding herself, term expired, seat 11, 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 the unexpired portion of a two-year term ending April 27, 2009.

11/28/07, RECEIVED AND ASSIGNED to Rules Committee.

*2 Seats/3 Applicants*

*Doug Comstock, Seat 6*

*James Knoebber, Seat 6*

*Marjorie Ann Williams, Seat 11*

**4. 071619 [Appointment - San Francisco Health Authority]**

Resolution appointing Linda Bien, term ending January 15, 2010, to the San Francisco Health Authority, residency requirement waived.

Linda Bien, succeeding herself, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2010.

11/28/07, RECEIVED AND ASSIGNED to Rules Committee.

*1 Seat/1 Applicant*

*Linda Bien, Seat 6 (Residency Waiver Required)*

**5. 071611 [Appointment - Developmental Disabilities Area Board V]**

Resolution appointing Levi Nnaemeka and Donna Adkins, terms ending December 31, 2010, to Developmental Disabilities Area Board V.

Levi Nnaemeka, succeeding himself, term expired, seat 1, must represent the general public, for a new three-year term ending December 31, 2010.

Donna Adkins, succeeding herself, term expired, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2010.

11/28/07, RECEIVED AND ASSIGNED to Rules Committee.

*2 Seats/2 Applicants*

*Levi Nnaemeka, Seat 1*

*Donna Adkins, Seat 2*

**6. 071617 [Appointment - Sweatfree Procurement Advisory Group]**

Resolution appointing Jason Oringer, Alicia Culver, Sarah Leiber Church and Virginia Villegas, terms ending December 17, 2009, to the Sweatfree Procurement Advisory Group, residency requirement waived.

Jason Oringer, succeeding himself, term expired, seat 1, must have significant experience representing employees in labor matters, for a two-year term ending December 17, 2009.

Alicia Culver (residency requirement waived), succeeding herself, term expired, seat 2, must have significant experience acquiring goods or services for a public entity, for a two-year term ending December 17, 2009.

Sarah Leiber Church (residency requirement waived), succeeding herself, term expired, seat 3, must have significant experience as an advocate for human rights or the poor, for a two-year term ending December 17, 2009.

Virginia Villegas, succeeding herself, term expired, seat 5, must be a member of the public, for a two-year term ending December 17, 2009.

11/28/07, RECEIVED AND ASSIGNED to Rules Committee.

*4 Seats/4 Applicants*

*Jason Oringer, Seat 1*

*Alicia Culver, Seat 2 (Residency Waiver Required)*

*Sarah Leiber Church, Seat 3 (Residency Waiver Required)*

*Virginia Villegas, Seat 5*

**7. 071618 [Appointment - Children and Families First Commission]**

Resolution appointing Maria X. Martinez and September Jarrett, for indefinite terms, to the Children and Families First Commission.

Maria X. Martinez, succeeding Virginia Smyly, resigned, seat 1, must be the Director of Public Health or his/her designee, for an indefinite term.

September Jarrett, succeeding Margaret Brodtkin, resigned, seat 4, must be the Director of the Office of Children, Youth and Their Families or his or her designee, for an indefinite term.

11/28/07, RECEIVED AND ASSIGNED to Rules Committee.

*2 Seats/2 Applicants*

*Maria X. Martinez, Seat 1*

*September Jarrett, Seat 4*

**8. 071565 [Extending the expiration of the legislation establishing the**

**Supervisor Maxwell**

**Back Streets Business Advisory Board to December 31, 2008]**

Ordinance amending the San Francisco Administrative Code by amending Section 5.265, to retroactively extend the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008.

11/13/07, RECEIVED AND ASSIGNED to Rules Committee.

**9. 071426 [Fair Retail Pricing Ordinance] Supervisor Ammiano**

Ordinance amending the San Francisco Police Code to add Article 42C, encompassing Sections 4200C.1 through 4200C.9, to require motor fuel refiners over a two year period to divest themselves of company operated service stations in the City and County of San Francisco and to preclude refiners from owning service stations in San Francisco in the future.

Economic Impact

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.

**10. 071427 [Alternative Fuels Access Ordinance] Supervisor Ammiano**

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.

**11. 071121 [Creating an Independent Rate Payer Advocate to review and recommend utility service rates proposed by the San Francisco Public Utilities Commission] Supervisor Alioto-Pier**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.26, to require the City Administrator to obtain the services of an Independent Rate Payer Advocate, and prescribing the duties and responsibilities of the Independent Rate Payer Advocate.

7/31/07, RECEIVED AND ASSIGNED to Rules Committee.

10/25/07, CLERICAL CORRECTION. Clerically corrected version of proposed ordinance received from City Attorney. (See file for details.)

10/25/07, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Alioto-Pier; Judith Berkowitz, Coalition for San Francisco Neighborhoods; Joan Girardot, Coalition for San Francisco Neighborhoods; Douglas Yep.

**12. 071553 [Authorizing Tax Collector Attorney to file suit against a responsible relative of recipient of services at City hospitals to recover value of services]**

Resolution authorizing Tax Collector Attorney to file suit against a responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

11/9/07, RECEIVED AND ASSIGNED to Rules Committee.

- 13. 070167 [Homeless LGBT youth in San Francisco] Supervisors Ammiano, Dufty**  
Hearing on Homeless LGBT youth in San Francisco.

2/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests that this item be referred to Budget & Finance Committee.

5/10/07, TRANSFERRED to Rules Committee.

- 14. 071284 [Implementation of AB 2745] Supervisor Ammiano**  
Hearing on the implementation of AB 2745.

9/11/07, RECEIVED AND ASSIGNED to Rules Committee.

## LITIGATION

### Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant] Motion that the Rules Committee 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. Government Code Section 54956.9(a) and San Francisco 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/or claims listed below.*

- 15. 071575 [Settlement of Lawsuit - Trustees of The J. David Gladstone Institutes, et al., v. CCSF]**

Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of \$420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40. (City Attorney)

11/16/07, RECEIVED AND ASSIGNED to Rules Committee.

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

*[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.*

- 16. 071589 [Charter Amendment - City Elections In Even-Numbered Years] Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so

that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

11/20/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/20/2007.  
(Referred to Departments.)

- 17. 071590 [Charter Amendment - Providing for the election of members of the Municipal Transportation Agency's Board of Directors, their compensation, and their service as members of the Parking Commission] Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend Sections 8A.102, 8A.112, 13.101, 13.101.5, and 15.105 to provide for the election of members of the Municipal Transportation Agency's Board of Directors, setting their compensation, and fixing their status as members of the Parking Authority Commission.

11/20/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/20/2007.  
(Referred to Departments.)

- 18. 071591 [Charter Amendment - City policy regarding diversity on City boards and commissions] Supervisor McGoldrick**

Charter Amendment (Fourth Draft) to amend Section 4.101 to make it City policy to consider and as appropriate support the nomination, appointment and confirmation of female, minority, and disabled candidates to fill seats on appointive boards, commissions, or advisory bodies.

11/20/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/20/2007.  
(Referred to Departments.)

### **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](http://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](mailto: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](http://www.sfgov.org/ethics)