



City and County of San Francisco
Meeting Agenda

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

Audit, Labor and Government Efficiency Committee

Members: Supervisors Gavin Newsom, Chris Daly and Jake McGoldrick

Clerk: Mary Red

Tuesday, July 24, 2001

2:00 PM

City Hall Room 263

Rescheduled Meeting

Meeting Convened

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

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) 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.

AGENDA CHANGES

REGULAR AGENDA

1. 011341 [Pay Toilets]
Supervisor Newsom
Hearing to discuss the status of the City's pay toilets including, but not limited to, the following concerns: reports of vandalism, reports of breakdowns, monthly reports by the Department of Public Works, maintenance schedules, and arrests made for illegal activities.

7/16/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

2. **010845 [Dancehall Permits]**
 Supervisor Daly
 Ordinance amending San Francisco Police Code Section 1023 to exempt permitted places of entertainment and locations holding public assembly permits from the dancehall permit requirement.
- 5/7/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 6/6/2001.
 6/19/01, TRANSFERRED to Audit, Labor and Government Efficiency Committee.
 6/26/01, CONTINUED. Heard in Committee. Speakers: Supervisor Daly; Ted Lakey, Deputy City Attorney; Supervisor McGoldrick; Carol Roos, Legislative Analyst; Robert Garcia, Save Our Streets; Nick Fynn, Late Night Coalition; David Overdorf; Leslie Ayres; Phillip Faight, Union Square Association; Grant Davis, S. F. Line Dancers Association; Jeffrey Leibovitz; Sean Starbuck, Thump Radio Inc.; Gail Edwards; Bryan Dobson; Fred Hobson; Krishna; Lawrence Foard; Stephanie Tucker; Angelica Kuhl; Terrance Alan; Carlton Solle.
 Supervisor Newsom excused from committee due to conflict-of-interest.
 Continued to July 10, 2001.
 7/10/01, CONTINUED. Heard in Committee. Speakers: Sergeant Ann Mannix, SFPD; Sergeant William Coggan, SFPD; Ted Lakey, Deputy City Attorney; Phillip Faight; Kathleen Harrington, Golden Gate Restaurant Association; Linda Mjellem, Union Square Association; Leslie Ayers, SF Late Night Coalition; Robert Garcia, Save Our Streets; Krishna, SF Late Night Coalition; Leigh Ann Matsche, Union Square Business Improvement District; Starchild, Libertarian Party; David Overdorf; Stephanie Tucker, SF Late Night Coalition; Frederick Hobson; Jeff Page; Jeffrey Leibovitz.
 Supervisor Newsom excused from committee due to conflict-of-interest.
 Continued to July 24, 2001.
 7/23/01, CONTINUED. Supervisor Daly, seconded by Supervisor Leno moved to continued to July 30, 2001.
 THIS ITEM WAS CALLED OUT OF COMMITTEE TO BE HEARD BEFORE THE BOARD OF SUPERVISORS ON JULY 23, 2001.
3. **010941 [Superior Court employees, Deferred Compensation Plan]**
 Supervisor McGoldrick
 Ordinance extending to employees of the Superior Court of California, County of San Francisco, certain benefits which ordinarily accrue from participation in the City's Deferred Compensation Plan.
- 5/21/01, RECEIVED AND ASSIGNED to Finance Committee.
 7/10/01, TRANSFERRED to Audit, Labor and Government Efficiency Committee.
4. **010942 [Superior Court, Retirement System]**
 Supervisor McGoldrick
 Ordinance extending to employees of the Superior Court of California, County of San Francisco, certain benefits which ordinarily accrue from participation in the Retirement System.
- 5/21/01, RECEIVED AND ASSIGNED to Finance Committee.
 7/10/01, TRANSFERRED to Audit, Labor and Government Efficiency Committee.
5. **011093 [Pension Buy-Backs - Rollovers]**
 Ordinance amending the Administrative Code by adding Section 16.61-5 authorizing the Retirement System to accept rollovers from other tax qualified plans for buy-backs. (Retirement System)
- 6/6/01, ASSIGNED UNDER 30 DAY RULE to Audit, Labor and Government Efficiency Committee.
 6/7/01, SUBSTITUTED. City Attorney submitted a substitute ordinance bearing new title.
 6/7/01, ASSIGNED UNDER 30 DAY RULE to Audit, Labor and Government Efficiency Committee, expires on 7/11/2001.

LITIGATION

Conference with City Attorney

Convene in Closed Session)

Motion that the Neighborhood Services and Parks Committee of the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (b)(3)(A) and 54956.9(c) and Administrative Code Section 67.10 (d)(2), for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a defendant or a plaintiff) which may be filed regarding the City's horse stables in Golden Gate Park.

6. **011302** **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Romulo Fontanilla against the City and County of San Francisco for \$95,000.00 as back pay, with the Court to decide the amount of attorney's fees and costs with a floor of \$70,000.00 and a ceiling of \$120,000.00; the lawsuit was filed on October 28, 1996 in the U.S. District Court, Case No. C96-3916 JCS; entitled Romulo Fontanilla, et al., v. City and County of San Francisco, et al. (City Attorney)

7/11/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
7. **011221** **[Settlement of Claim]**
Resolution approving the settlement of the unlitigated claim filed by Christine Dean against San Francisco for \$32,000; claim was filed on October 30, 2000; additional material term of said settlement is the signing of liability against the City and County of San Francisco. (City Attorney)

6/27/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
8. **011193** **[Settlement of Claim]**
Resolution approving the settlement of the unlitigated claim filed by Knickerbocker Properties XXXIII against San Francisco for \$44,284.24; claim was filed on 04-06-2001; additional material terms of said settlement is the signing of full and final release of the City and County of San Francisco. (City Attorney)

6/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
7/10/01, CONTINUED. Continued to July 24, 2001.
9. **011132** **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by CARMEN LeFRANC against the City and County of San Francisco for \$51,000.00; the lawsuit was filed on August 5, 1999 in San Francisco Superior Court, Case No. 305440; entitled Carmen LeFranc, et al., v. City and County of San Francisco, et al. (City Attorney)

6/20/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
7/10/01, CONTINUED. Continued to July 24, 2001.

10. 011131 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Plaintiffs Vicki Rooker, et al. against the City and County of San Francisco for \$114,054.77; the lawsuit was filed on March 9, 1999 in United States District Court, Case No. C99-1095; entitled Rooker, et al., v. City and County of San Francisco, et al; other material terms of said settlement are: (1) settlement pertains only to plaintiffs' claims that the city improperly computed plaintiffs' wages during the time period plaintiffs worked as classification 2532 paramedics; and (2) settlement proceeds to be broken out as follows: (i) \$62,703.18 in back overtime wages; (ii) \$31,351.59 in liquidated damages; and (iii) \$20,000 in attorneys' fees. (City Attorney)

6/20/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

7/10/01, CONTINUED. Continued to July 24, 2001.

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 Committee 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 concerning the anticipated litigation 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 Audit, Labor and Government Efficiency 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 5.42 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.

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.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting.

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

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 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.

The following services are available when requested by 4:00 p.m. of the Friday before the Board meeting:

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706. The Clerk of the Board's Office TTY number for speech-hearing impaired is (415) 554-5227.

In order 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 various chemical based products.

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 Donna Hall; by mail to Clerk of the Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna_Hall@ci.sf.ca.us

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.ci.sf.ca.us/bdsupvrs/sunshine.htm>