

BOARD of SUPERVISORS



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## MEMORANDUM

### RULES COMMITTEE

#### SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Norman Yee, Chair  
Rules Committee

FROM: Linda Wong, Committee Clerk

DATE: July 23, 2013

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, July 23, 2013

The following files should be presented as **COMMITTEE REPORT** at the Board meeting today, July 23, 2013. These items were acted upon at a Committee Meeting on Thursday, July 18, 2013 at 1:30 p.m., by the votes indicated.

**Item No. 51            File No. 130336**

**[Settlement of Lawsuit - Rosemary Bosque - \$49,505.70]**

Ordinance authorizing settlement of the lawsuit filed by Rosemary Bosque against the City and County of San Francisco for \$49,505.70; the lawsuit was filed on May 14, 2010 in San Francisco Superior Court, Case No. CGC-10-499909, entitled Bosque v. City and County of San Francisco.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Excused  
Breed – Aye  
Cohen – Aye

*(Pursuant to Rules of Order, Section 3.2, President David Chiu served as a committee member to vote on File No. 130449 due to lack of quorum.)*

**Item No. 52            File No. 130449**

**[Settlement of Lawsuit - Jesse J. Byrd - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by Jesse J. Byrd, Malik Britt, and Rashad Conley against the City and County of San Francisco for \$75,000; the lawsuit was filed on April 8, 2011, in U.S. District Court, Northern District of California, Case No. C11-1742-DMR; entitled Jesse J. Byrd, et al., v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Excused  
Cohen – Excused  
Chiu – Aye

**Item No. 53            File No. 130507**

**[Settlement of Lawsuit - Local Search Association - \$85,000]**

Ordinance authorizing settlement of the lawsuit filed by Local Search Association against the City and County of San Francisco for \$85,000; the lawsuit was filed on June 7, 2011, in the U.S. District Court for the Northern District of California, Case No. CV-11-2776 SBA; entitled Local Search Association v. City and County of San Francisco, et al.; other material terms of said settlement are that the parties shall stipulate to entry of a consent judgment against the City and County of San Francisco.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 54            File No. 130529**

**[Settlement of Lawsuit - Paulette Adams-Irving - \$350,000]**

Ordinance authorizing settlement of the lawsuit filed by Paulette Adams-Irving against the City and County of San Francisco for \$350,000.00; the lawsuit was filed on March 15, 2011, in San Francisco Superior Court, Case No. CGC 11-509216; entitled Paulette Adams-Irving v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 55**            **File No. 130530**

**[Settlement of Lawsuit - Maria Camacho - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Maria Camacho against the City and County of San Francisco for \$50,000; the lawsuit was filed on March 7, 2012, in San Francisco Superior Court, Case No. CGC 12-517261; entitled Maria Camacho, et al., v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 56**            **File No. 130643**

**[Settlement of Lawsuit - Maria D'Agostino - \$135,000]**

Ordinance authorizing settlement of the lawsuit filed by Maria D'Agostino against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 15, 2012, in San Francisco Superior Court, Case No. CGC-12-521615; entitled Maria D'Agostino, et al., v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 57**            **File No. 130644**

**[Settlement of Lawsuit - Wei Vivian Cui - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Wei Vivian Cui against the City and County of San Francisco for \$30,000; the lawsuit was filed on November 3, 2011, in San Francisco County Superior Court, Case No. CGC-11-515654; entitled Wei Vivian Cui v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 58**

**File No. 130531**

**[Settlement of Claim - Travelers Insurance Company and Connie Curran - \$42,876.54]**

Resolution approving the proposed settlement of claim filed by Travelers Insurance Company and Connie Curran against the City and County of San Francisco for \$42,876.54; claim was filed on November 15, 2011, bearing Claim No. 12-01124.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 59**

**File No. 130567**

**[Settlement of Unlitigated Claims - 300 Spear Realty Venture LLC]**

Resolution approving the settlement of the unlitigated claim in favor of 300 Spear Realty Venture LLC against the City and County of San Francisco; and the unlitigated claim in favor of the City and County of San Francisco against 300 Spear Realty Venture LLC.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 60**

**File No. 130634**

**[Settlement of Administrative Enforcement Action - \$51,000]**

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$51,000.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 61**

**File No. 130705**

**[Settlement of Unlitigated Claims - Donald Wiggam - \$125,000]**

Resolution approving the settlement of the unlitigated claims filed by Donald Wiggam against the City and County of San Francisco for \$125,000; claims were filed on October 22, 2011, August 9, 2012, and March 26, 2013.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 62**

**File No. 130622**

**[Initiative Ordinance - Administrative Code - San Francisco Family Friendly Workplace Ordinance]**

Motion ordering submitted to the voters an ordinance amending the Administrative Code to: allow San Francisco-based employees to request flexible or predictable working arrangements to assist with caregiving responsibilities, subject to the employer's right to deny a request based on business reasons; prohibit adverse employment actions based on caregiver status; prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; require employers to post a notice informing employees of their rights under the Ordinance; require employers to maintain records regarding compliance with the Ordinance; authorize enforcement by the Office of Labor Standards Enforcement, including the imposition of remedies and penalties for a violation, and an appeal process for an employer to an independent hearing officer; authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings, to the voters of the City and County of San Francisco at an election to be held on November 5, 2013.

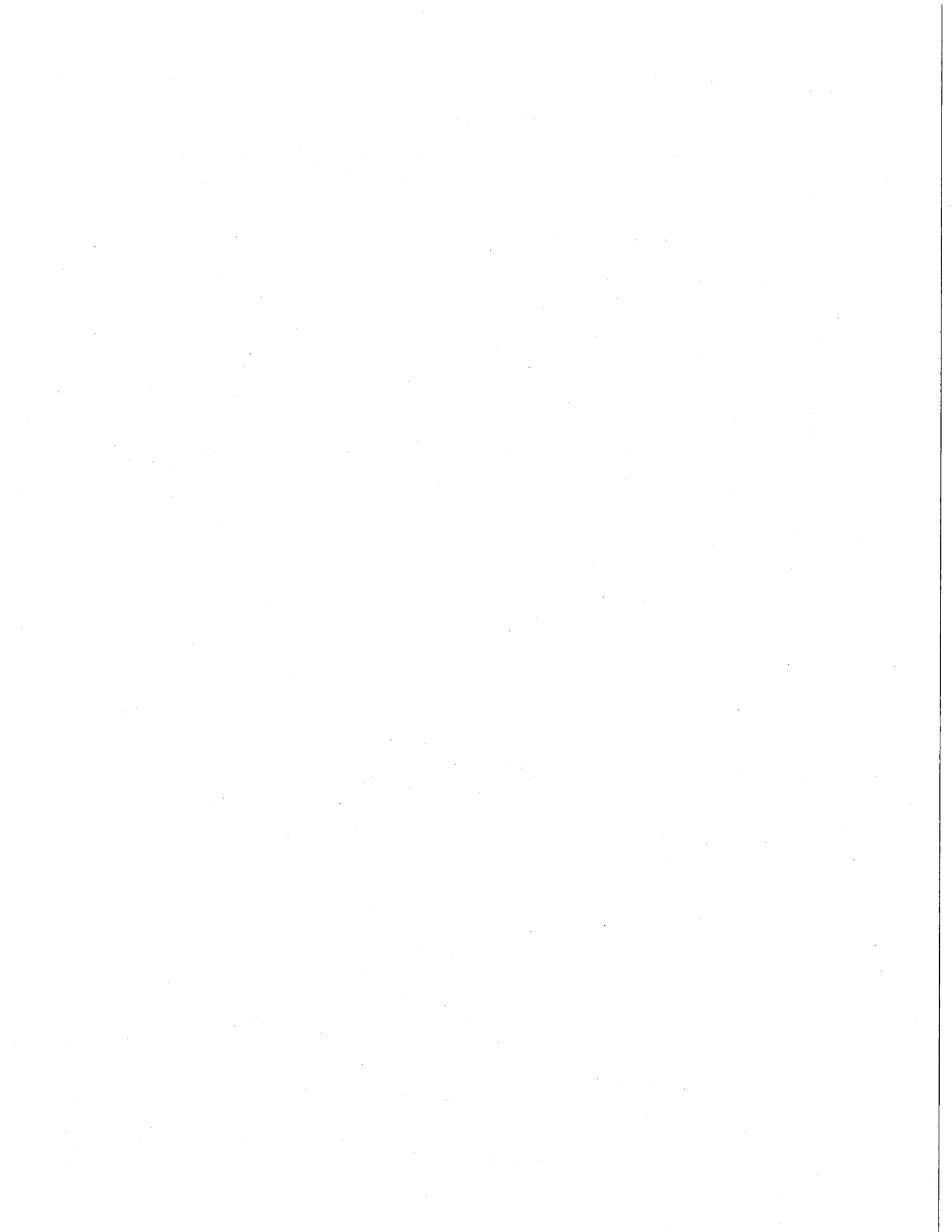
**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**CONTINUED AS AMENDED to July 23, 2013.**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

c: Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Jon Givner, Deputy City Attorney  
Rick Caldeira, Legislative Deputy Director



File No. 130643

Committee Item No. 12

Board Item No. 56

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 7/18/13

Board of Supervisors Meeting

Date 7/23/13

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
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#### OTHER

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Completed by: Linda Wong

Date 7/15/13

Completed by: L.W.

Date 7/23/13

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Settlement of Lawsuit - Maria D'Agostino - \$135,000]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by Maria D'Agostino against the**  
4 **City and County of San Francisco for \$135,000; the lawsuit was filed on June 15, 2012,**  
5 **in San Francisco Superior Court, Case No. CGC-12-521615; entitled Maria D'Agostino,**  
6 **et al., v. City and County of San Francisco, et al.**

7  
8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. The City Attorney is hereby authorized to settle the action entitled "Maria  
10 D'Agostino, et al., v. City and County of San Francisco, et al.," San Francisco Superior Court,  
11 Court No. CGC-12-521615 by the payment of \$135,000.

12 Section 2. The above-named action was filed in San Francisco Superior Court on June  
13 15, 2011, and the following parties were named in the lawsuit: Maria D'Agostino, Plaintiff,  
14 San Francisco County (a government entity), City of San Francisco (a government entity),  
15 San Francisco Police Department (a government entity), Keith Matthews (an individual), and  
16 DOES 1 through 40 inclusive, Defendants.

17 APPROVED AS TO FORM AND  
18 RECOMMENDED:

19 DENNIS J. HERRERA  
City Attorney

20 See File for Signature  
21 CHERYL ADAMS  
Chief Trial Deputy

22 FUNDS AVAILABLE:

23 See File for Signature  
24 BENJAMIN ROSENFELD  
25 Controller

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

See File for Signature  
GREGORY P. SUHR  
Chief of Police

APPROVED:

See File for Signature  
Police Commission Secretary