



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, December 18, 2001

1:00 PM

City Hall Room 263

Rescheduled Meeting

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. **011464 [311 Non-Emergency Service Line]**
 Supervisor Newsom
 Hearing to assess the feasibility of implementing a 311-Emergency Line in the City and County of San Francisco to expedite the dispatch of emergency and paramedic services; and to reform our emergency and paramedic services offered by the SF Fire Department and the SF Department of Public Health.

 8/6/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.
 12/11/01, TRANSFERRED to Audit, Labor and Government Efficiency Committee.

2. **011112 [Permit Expeditors and the City's Permitting Process]**
 Supervisor Daly
 Hearing to study the City's permitting process and the corrosive impact of permit expeditors, with specific focus on the Controller's audit of DBI and news reports of raves at 3Com Park, owned by Recreation and Park Department.

 6/11/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

3. **010640 [Children, Youth and Families]**
 Supervisors Daly, Sandoval
 Hearing to study the service coordination between various commissions and agencies serving children, youth and families, including the Delinquency Prevention Commission, Youth Commission, Children and Families Commission, Juvenile Probation Commission, and Department of Children, Youth and their Families.
- 4/9/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
 11/1/01, FILED PURSUANT TO RULE 5.38.
 12/17/01, ASSIGNED to Audit, Labor and Government Efficiency Committee.
 12/17/01, REACTIVATED PURSUANT TO RULE 5.24.
4. **011675 [Investigations and Grounds for Administrative Debarment]**
 Supervisor Peskin
 Ordinance amending Administrative Code Chapter 6 to clarify and update requirements for the solicitation of quotes under subsection 6.21(B); to clarify requirements for modifications to construction contracts under subsection 6.22(H); to add a nonabrogation clause to subsection 6.22(M); to correct the statutory references in section 6.40; to add a nonabrogation clause to subsection 6.42(E); to add a new section 6.8 severability clause; to add a new subsection 6.42(F), requiring that modifications for professional service contracts be in writing; to add an investigation requirement for violations of Chapter 6; and to extend the grounds upon which the City and County may determine a contractor to be nonresponsible to civil or criminal violations against any government entity relevant to the contractor's ability to comply with or perform under the terms and conditions of its contract with the City and County.
- 9/24/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/24/2001.
 10/11/01, TRANSFERRED to Audit, Labor and Government Efficiency Committee.
5. **012036 [Gift Acceptance from Friends and Foundation of the San Francisco Public Library]**
 Resolution authorizing the Public Library to accept and expend a gift in the amount of \$12,000 from the Friends and Foundation of the San Francisco Public Library to purchase materials related to the gay, lesbian, transgender and bisexual community. (Public Library)
- 11/15/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
6. **012140 [Grant - Juvenile Accountability Block Program]**
 Mayor
 Resolution authorizing the Mayor's Criminal Justice Council to retroactively accept and expend a grant in the amount of \$592,198 from the Office of Criminal Justice Planning (OCJP) for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Incentive Block Grant Program (JAIBG). (Mayor)
- 12/3/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

LITIGATION

Conference with City Attorney

Convene in Closed Session)

Motion that the Audit, Labor and Government Efficiency Committee of the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlements in the lawsuits or claims listed below.

7. **011940 [Settlement Of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Mirant Potrero L.L.C. on June 19, 2001 in United States District Court - Northern District of California, Case No. C-01-2356 PJH; entitled City and County of San Francisco, et al., v. Mirant Potrero L.L.C.; which settlement provides that Mirant will pay the City \$100,000, and that Mirant will not operate the Peaker units located at the Potrero Power Plant, known as Units 4, 5, and 6, beyond their permitted operational hours of 877 hours per year, except as expressly permitted by or pursuant to the Bay Area Air Quality Management District Rule 9-9, Mirant's permits, and all other applicable laws, rules, regulations and order. (City Attorney)

10/31/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
11/27/01, CONTINUED. Continued to December 18, 2001.
8. **012117 [Extension of Agreement for Additional 18-Month Tolling of Statute of Limitations Governing Administrative Proceeding or Suit]**
Resolution approving the City Attorney's entry into an Extension of Tolling Agreement governing administrative proceeding or suit by the United States Environmental Protection Agency and the Casmalia Resources Site Steering Committee. (City Attorney)

11/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Department requests this item be calendared at the December 11, 2001 meeting.
9. **012034 [Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Peter Roybal against the City and County of San Francisco for \$120,000, with Roybal agreeing to be barred from future City employment; the lawsuit was filed on February 9, 2000, in Superior Court, State of California, Case No. 309-821; entitled Roybal v. City and County of San Francisco, et al. (City Attorney)

11/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
10. **012077 [Settlement of Claim]**
Resolution approving the settlement of the unlitigated claim filed by Alma Taylor against San Francisco for \$75,000; claim was filed on 01-31-2001; additional material terms of said settlement are the signing of full and final release and dismissal of the City and County of San Francisco. (City Attorney)

11/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

11. 012136 [IBM Graffiti Settlement]**Supervisor Newsom**

Resolution approving settlement of San Francisco's potential claims for fines, penalties and damages against IBM, Ogilvy & Mather and Mindshare arising out of their participation in the stenciling of advertisements on City sidewalks. Under the settlement, the companies shall: (1) pay \$19,685.93 to San Francisco to reimburse the City for its out-of-pocket costs arising out of the incident; (2) make a \$100,000.00 payment to the San Francisco Clean City Program; (3) clean and remove any stenciled images found to be remaining on City property; and (4) refrain from participating in similar acts in the future. In exchange, San Francisco shall release the companies from potential claims arising out of the stencils and rescind a previous resolution relating to this subject.

12/3/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency 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 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.

There are no items now pending under the 30-day Rule.

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. Contact Ohn Myint at (415) 554-7704.

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.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

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 Ohn Myint 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 Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, 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>