



# 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*

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Tuesday, November 13, 2001

10:00 AM

Legislative Chamber

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### Rescheduled Meeting

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#### Meeting Convened

*NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Audit, Labor & Government Efficiency Committee on Tuesday, November 13, 2001 at 1:00 P.M. HAS BEEN RESCHEDULED TO Tuesday, November 13, 2001 at 10:00 A.M. and will be held in the Legislative Chamber.*

*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.     **011406**     **[Board of Appeals Videotape of Meetings]**  
                  **Supervisors Leno, McGoldrick**  
                  Ordinance amending the San Francisco Business and Tax Regulations Code by adding a new section 11.1 to require that the Board of Appeals videotape meetings and make the meetings available for broadcast on the City's government access channel.  
  
                  7/30/01, ASSIGNED UNDER 30 DAY RULE to Audit, Labor and Government Efficiency Committee, expires on 8/29/2001.  
                  10/23/01, CONTINUED. Continued to November 13, 2001.

2.       **011216    [Long-term Power Contract with Calpine Energy]**  
          **Supervisors Peskin, Daly**  
          Hearing to examine the long-term contract entered into by the City and County of San Francisco and Calpine Energy on May 7, 2001.
- 6/25/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.  
          10/9/01, CONTINUED. Continued to October 23, 2001.  
          10/23/01, CONTINUED. Continued to November 13, 2001.
3.       **011629    [Exotic Dance Establishments]**  
          **Supervisor Peskin**  
          Hearing to address the safety conditions within San Francisco's exotic dance establishments, the working conditions for dancers and other club employees, and to explore how public agencies can ensure a safe and healthy working environment within these establishments.
- 9/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.  
          10/23/01, CONTINUED. Continued to November 13, 2001.
4.       **011843    [MOU - Fighters, Local 798, Unit 1]**  
          **Mayor, Supervisors Daly, Newsom, Ammiano, Leno, Peskin**  
          Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO Unit 1 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)
- (Fiscal impact.)
- 10/15/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
5.       **011868    [MOU - Fire Fighters, Local 798, Unit 2]**  
          **Mayor, Supervisors Daly, Newsom, Ammiano, Leno, Peskin**  
          Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO Unit 2 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)
- (Fiscal impact.)
- 10/15/01, 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.*

6.       **011876**    **[Settlement of Lawsuit]**  
Ordinance authorizing settlement of the lawsuit filed by A. Ruiz Construction Company against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on July 10, 2000, in San Francisco Superior Court, Case No. 312-041; entitled A. Ruiz Construction Company v. City and County of San Francisco. (City Attorney)  
  
10/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
7.       **011877**    **[Settlement of Lawsuit]**  
Ordinance authorizing settlement of the lawsuit filed by 111 Chestnut Street Condominium Homeowners Association, 220 Lombard Street Condominium Homeowners Association, 240 Lombard Street Condominium Homeowners Association, Lombard Plaza Owners Association, associations representing property owners of the Parc Telegraph development, against the City and County of San Francisco for \$41,500, monitoring services of Frank Rollo, Sr., and debris removal; the lawsuit was filed on November 13, 1997 in the Superior Court of San Francisco, Case No. 991-050; entitled 111 Chestnut Condominium Homeowners Association, et al v. City and County of San Francisco, et al. (City Attorney)  
  
10/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
8.       **011902**    **[Settlement of Claim]**  
Resolution approving the settlement of the unlitigated claim filed by Luis Lazaro against San Francisco for \$30,000; claim was filed on 06-16-2000; additional material terms of said settlement are the signing of full and final release, minor compromise and dismissal of the City and County of San Francisco. (City Attorney)  
  
10/22/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
9.       **011904**    **[Settlement Of Lawsuit]**  
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the Environmental Law Foundation against the United States Tobacco Company, other manufacturers of smokeless tobacco products, and major retail chains that sell smokeless tobacco in California, for \$2,750,000; the lawsuit was filed on March 31, 1998 in San Francisco Superior Court, Case No. 993-992; entitled City and County of San Francisco and Environmental Law Foundation v. United States Tobacco Co., et al.; other material terms of said settlement are that the smokeless tobacco manufacturers shall distribute warning signs required by Proposition 65 to their retailers throughout the state, and that the retailer defendants shall post those signs. (City Attorney)  
  
10/23/01, 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](http://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.

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 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 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](mailto: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>