



City and County of San Francisco

Meeting Agenda - Final

Rules Committee

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

Members: David Campos, Michela Alioto-Pier, Eric Mar

Clerk: Linda Wong (415) 554-7719

Thursday, May 20, 2010

10:00 AM

City Hall, Committee Room 263

Regular Meeting

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

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

AGENDA CHANGES

REGULAR AGENDA

1. [100525](#) **[Reappointment, Police Commission - Joseph E. Marshall]**
Motion confirming the Mayor's nomination of, and reappointing, Joseph E. Marshall to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014. (Mayor)

(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - April 28, 2010.)

Attachments: [Legislation_Ver1](#)

[Comm Packet 052010](#)

4/28/10; RECEIVED AND ASSIGNED to the Rules Committee.

2. [100603](#) **[Appointment, Police Commission]**
Hearing to consider appointing one member, term ending April 30, 2014, to the Police Commission. (Clerk of the Board)
- Seat 2, succeeding Vincent Pan, term expired, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors for the unexpired portion of a four-year term ending April 30, 2014.
Attachments: [Comm Packet 052010](#)
- 5/13/10; RECEIVED AND ASSIGNED to the Rules Committee.
- 1 seat/ 3 applicants*
Angela Chan, seat 2
Phillip Hogan, seat 2
David Waggoner, seat 2
3. [100565](#) **[Appointments, Sunshine Ordinance Task Force]**
Hearing to consider appointing two members, terms ending April 27, 2012, to the Sunshine Ordinance Task Force. (Clerk of the Board)
- Vacant seat 6, succeeding James Knoebber, term expired, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2012.
Vacant seat 7, succeeding Doyle Johnson, term expired, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2012.
Attachments: [Comm Packet 052010](#)
- 5/11/10; RECEIVED AND ASSIGNED to the Rules Committee.
- 2 seats/ 2 applicants*
James Knoebber, seat 6
Nicholas Goldman, seats 6, 7
4. [100563](#) **[Appointments, Mental Health Board]**
Hearing to consider appointing three members, terms ending January 31, 2013, to the Mental Health Board. (Clerk of the Board)
- Vacant seat 13, succeeding Lara Arguelles, term expired, must be a family member, for a three-year term ending January 31, 2013.
Vacant seat 14, succeeding Thomas Purvis, term expired, must be a family member, for a three-year term ending January 31, 2013.
Vacant seat 15, succeeding Mary Ann Jones, term expired, must be a health professional, for a three-year term ending January 31, 2013.
Attachments: [Comm Packet 052010](#)
- 5/11/10; RECEIVED AND ASSIGNED to the Rules Committee.
- 3 seats/ 4 applicants*
M. Lara S. Arguelles, seat 13
Anidia Zabala, seat 14
Ellis Joseph, seat 14
Mary Ann Jones, seat 15

5. [100566](#) **[Appointments, Children and Families First Commission]**
Hearing to consider appointing two members, terms ending April 29, 2014, to the Children and Families First Commission. (Clerk of the Board)

Vacant seat 5, succeeding Kara Dukakis, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a four-year term ending April 29, 2014.

Vacant seat 8, succeeding Betty Robinson-Harris, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a four-year term ending April 29, 2014.

Attachments: [Comm Packet 052010](#)

5/11/10; RECEIVED AND ASSIGNED to the Rules Committee.

2 seats/ 4 applicants

Lynn Merz, seat 5 (Residency Waiver Required)

Betty Robinson-Harris, seats 5, 8 (Residency Waiver Required)

Candace Wong, seats 5, 8

Veronica Chavez, seats 5, 8

6. [100437](#) **[Standards of Care for City Shelters and Powers and Duties of the Shelter Monitoring Committee]**

Sponsors: Mar; Campos

Ordinance amending the San Francisco Administrative Code by amending Chapter 20, Sections 20.304, 20.401, 20.403, 20.404, and 20.405, to: 1) amend City requirements in the delivery of shelter services to, among other things, expand reservation capability at shelters; 2) provide additional training to shelter staff; and ensure case management services for shelter clients in need; and 3) require the Shelter Monitoring Committee to track refusals of shelter beds and authorize the Committee to initiate investigations into alleged violations of contractual obligations imposed by Chapter 20.

Attachments: [Comm Packet 052010](#)

4/6/10; ASSIGNED UNDER 30 DAY RULE to the Public Safety Committee.

4/19/10; TRANSFERRED to the Rules Committee.

4/22/10; REFERRED TO DEPARTMENT. To the Shelter Monitoring Committee and the Department of Public Health for comment and recommendation.

5/10/10 - Response recieved from the Department of Public Health.

7. [100472](#) **[Access Appeals Commission - Notice to the Mayor's Office of Disability]**
Sponsor: Alioto-Pier

Ordinance amending the San Francisco Building Code by adding Section 105A.3.10 to require that an agenda and packet of materials for each matter to be decided by the Access Appeals Commission shall be sent to the Mayor's Office of Disability at the same time and in the same manner as they are sent to the Commission members.

Attachments: [Legislation Ver1](#)

[Comm Packet 052010](#)

4/13/10; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

4/22/10; REFERRED TO DEPARTMENT. To the Access Appeals Commission for comment and recommendation.

5/4/10 - Response received from the Access Appeals Board indicating that the letter was forwarded to the Building Inspection Commission for comment.

LITIGATION

Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]
Motion that the Rules 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. 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 claims listed below.*

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

8. [100517](#) **[Settlement of Lawsuit - Susan Garduno - \$47,500]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$47,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation VER1](#)

[Comm Packet 052010](#)

5/5/10; RECEIVED AND ASSIGNED to the Rules Committee.

9. [100518](#) **[Settlement of Lawsuit - Linda Ho - \$88,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Linda Ho against the City and County of San Francisco for \$88,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation VER1](#)

[Comm Packet 052010](#)

5/5/10; RECEIVED AND ASSIGNED to the Rules Committee.

10. [100519](#) **[Settlement of Lawsuit - Victoria Sanchez - \$66,500]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for \$66,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation VER1](#)
[Comm Packet 052010](#)

5/18/10; RECEIVED AND ASSIGNED to the Rules Committee.
11. [100520](#) **[Settlement of Lawsuit - Sally Seid - \$48,500]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$48,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation VER1](#)
[Comm Packet 052010](#)

5/5/10; RECEIVED AND ASSIGNED to the Rules Committee.
12. [100521](#) **[Settlement of Lawsuit - Mary Anne Short and Robert Short - \$160,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Mary Anne Short/Robert Short against the City and County of San Francisco for \$160,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)
Attachments: [100521.DOC](#)
[Comm Packet 052010](#)

5/5/10; RECEIVED AND ASSIGNED to the Rules Committee.
13. [100559](#) **[Settlement of Lawsuit - SN Sands Corp. dba S&S Trucking - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by SN Sands Corp. dba S&S Trucking against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 10, 2009, in San Francisco Superior Court, Case No. CGC-09-487156; entitled SN Sands Corporation dba S&S Trucking v. City and County of San Francisco; other material terms of said settlement are term of five-year contract to run from December 20, 2008, to December 19, 2013. (City Attorney)
Attachments: [Legislation VER1](#)
[Comm Packet 052010](#)

5/5/10; RECEIVED AND ASSIGNED to the Rules Committee.

14. [100560](#) **[Settlement of Lawsuit - James A. Shotwell - \$167,500]**
Ordinance authorizing settlement of the lawsuit filed by James A. Shotwell against the City and County of San Francisco for \$167,500; the lawsuit was filed on September 26, 2008, in San Francisco Superior Court, Case No. CGC-08-480280; entitled James A. Shotwell v. City and County of San Francisco. (City Attorney)
Attachments: [Legislation_VER1](#)
[Comm Packet_052010](#)

5/5/10; RECEIVED AND ASSIGNED to the Rules Committee.
15. [100561](#) **[Settlement of Lawsuit – 609-611 Burnett Apartments LLC - \$128,700]**
Ordinance authorizing settlement of the lawsuit filed by 609-611 Burnett Apartments, LLC against the City and County of San Francisco for \$128,700; the lawsuit was filed on December 9, 2008, in San Francisco Superior Court, Case No. CGC-08-482803; entitled Burnett Apartments, LLC v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation_VER1](#)
[Comm Packet_052010](#)

5/5/10; RECEIVED AND ASSIGNED to the Rules Committee.
16. [100562](#) **[Settlement of Lawsuit - Melanie Wood and Timothy Wood - \$151,000]**
Ordinance authorizing settlement of the lawsuit filed by Melanie Wood and Timothy Wood against the City and County of San Francisco for \$151,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. CGC-07-463943; entitled Melanie Wood, et al. v. City and County of San Francisco, et al. (City Attorney)
Attachments: [100562.DOC](#)
[Comm Packet_052010](#)

5/10/10; RECEIVED AND ASSIGNED to the Rules Committee.

[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.

NOTE:

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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.

There are no items currently 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.

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.sfbos.org/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.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

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 F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

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 decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This 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 by mail 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

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.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 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics