



City and County of San Francisco

Meeting Agenda

Rules Committee

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

Members: Jane Kim, Sean Elsbernd, Mark Farrell

Clerk: Linda Wong (415) 554-7719

Thursday, July 21, 2011

1:30 PM

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. [110823](#) **[Appointment, Eastern Neighborhood Citizens Advisory Committee]**
Hearing to consider appointing one member, term ending October 19, 2013, to the Eastern Neighborhood Citizen Advisory Committee. (Clerk of the Board)

Vacant seat 3, succeeding Susan Eslick, resigned, must be nominated by District 10 Supervisor and confirmed by the full Board, for the unexpired portion of a four-year term ending October 19, 2013.

Attachments: [Comm Packet 072111](#)

7/12/11; RECEIVED AND ASSIGNED to the Rules Committee.

1 seat/ 1 applicant
L Joseph Boss, seat 3

2. [110829](#) **[Appointment, Mental Health Board]**
Hearing to consider appointing one member, term ending January 31, 2013, to the Mental Health Board. (Clerk of the Board)

Vacant seat 15, succeeding Mary Ann Jones, must be a mental health professional, for the unexpired portion of a three-year term ending January 31, 2013.

Attachments: [Comm Packet 072111](#)

7/13/11; RECEIVED AND ASSIGNED to the Rules Committee.

1 seat/ 1 applicant
Terence Patterson, seat 15

3. [110824](#) **[Appointments, Child Care Planning and Advisory Council]**
Hearing to consider appointing three members, terms to be determined, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Vacant seat 1, succeeding Margaret Jerene, term expired, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for a three-year term to be determined.

Vacant seat 7, succeeding Juanita Santana, term expired, must be a nominee of District 7 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "community representative," for a three-year term to be determined.

Vacant seat 11, succeeding Pamela Tate-Roger, resigned, must be a nominee of District 11 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for a three-year term to be determined.

Attachments: [Comm Packet 072111](#)

7/12/11; RECEIVED AND ASSIGNED to the Rules Committee.

3 seats/ 3 applicants
Karen Burch, seat 1
Marjorie Weiss, seat 7
Barbara Manzanares, seat 11

4. [110830](#) **[Appointments, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area]**

Hearing to consider appointing five members, terms to be determined, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Clerk of the Board)

Vacant seat 4, new appointment, must be a senior or disabled resident of the Central Market Street and Tenderloin Area or in District 6 bounded on the southern side by 13th Street and Townsend Street, for a term to be determined.

Vacant seat 6, new appointment, must represent a community-based organization or provide direct services to the Central Market Street and Tenderloin Area or in District 6, bounded on the southern side by 13th Street and Townsend Street, for a term to be determined.

Vacant seat 7, new appointment, must have small business expertise and familiarity with the Central Market Street and Tenderloin Area, for a term to be determined.

Vacant seat 8, new appointment, must have expertise on homelessness, transitional age youth, or supportive housing and familiarity with the Central Market Street and Tenderloin Area or in District 6, bounded on the southern side by 13th Street and Townsend Street bounded, for a term to be determined.

Vacant seat 9, new appointment, must have expertise in commercial real estate and leasing within the Central Market Street and Tenderloin Area, for a term to be determined.

Attachments: [Comm Packet 072111](#)

7/13/11; RECEIVED AND ASSIGNED to the Rules Committee.

5 seats/ 5 applicants

Nella Manuel, seat 4

Robert Marquez, seat 6

Dina Hilliard, seat 7

LJ Cirillo, seat 8

Diep Do, seat 9 (Residency Waiver Required)

5. [090258](#) **[Reports, Shelter Monitoring Committee]**
Hearing to consider the quarterly reports of the Shelter Monitoring Committee. (Clerk of the Board)

(Pursuant to Article 12-20 of the San Francisco Administrative Code, Ord. No. 283-04, the Committee shall prepare and submit quarterly reports. Original reports are in File No. 051713 and File No. 060377).

Attachments: [Comm Packet 031810](#)
[Comm Report 102110](#)
[Comm Packet 072111](#)

2/26/09; RECEIVED AND ASSIGNED to the Rules Committee.

8/6/09; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: John Smith.

9/17/09; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Henry Tom, Shelter Monitoring Committee; Bernice Casey; Joanna Fraguli, Mayor's Office of Disability; David Nakanishi, Department of Public Health; Michael D.; Frank Perez; Male Speaker; Quintin Meckie; Male Speaker; Moe Kauff.

3/18/10; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Aram Havslab, Shelter Monitoring Committee; Joyce Crum, Human Services Agency; Mr. Wright; Male Speaker; Charles Pitts.

10/21/10; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Bernice Casey, Shelter Monitoring Committee; Joyce Crum, Human Services Agency; Kathy Treggiari, San Francisco Episcopal Community Services; Svetlana Kaff; Walter Paulson; Jennifer Friedenbach, Coalition on Homelessness; L. J. Serrillo; Charles Pitts.

6. [101574](#) **[Elections Code - E-mailing the Voter Information Pamphlet]**

Sponsor: Mirkarimi

Ordinance amending the San Francisco Municipal Elections Code by amending Section 500, and adding Section 502, to require the Director of Elections to establish a process that permits voters to choose to receive the San Francisco Voter Information Pamphlet and associated materials by electronic means instead of by paper mail.

Attachments: [Comm Packet 070711](#)
[Comm Packet 072111](#)

12/14/10; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

1/10/11; REFERRED TO DEPARTMENT. 1/10/11 - To the Department of Elections for comment and recommendation.

1/13/11 - Respond received from the Department of Elections.

7/7/11; CONTINUED. Heard in Committee. Speakers: None.

7. [110622](#) **[Administrative Code - Allowing Paid Administrative Leave in Certain Circumstances]**

Ordinance amending the San Francisco Administrative Code by adding Section 16.10 to allow the City and County of San Francisco to use time-limited paid administrative leave for its employees under certain circumstances. (Human Resources Department)

Attachments: [Legislation_Ver1](#)
[Comm Packet 072111](#)

5/9/11; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

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. [110582](#) **[Settlement of Claim - Weintraub Capital Management, LP - \$117,470.45]**
Resolution approving the settlement of the unlitigated claim filed by Weintraub Capital Management, LP against the City and County of San Francisco for refund of payroll taxes for the 2009 tax year in the amount of \$117,470.45; claim was filed on January 25, 2011. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 072111](#)

6/10/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on July 26, 2011.

9. [110591](#) **[Settlement of Lawsuit - T-Mobile West Corporation]**
Sponsor: Elsbernd
Ordinance authorizing settlement of the lawsuit filed by T-Mobile West Corporation against the City and County of San Francisco on July 8, 2010, in the United States District Court for the Northern District of California, Case No. C-10-03011-CW; entitled T-Mobile West Corporation v. City and County of San Francisco, according to the terms set forth in the Settlement Agreement and subject to court approval of the parties' Stipulated Judgment; approving as part of the settlement a conditional use authorization enabling T-Mobile West Corporation to construct a wireless facility at 725 Taraval Street containing substantially fewer antennas than originally proposed and subject to all City required conditions; and making environmental findings.

Attachments: [Legislation Ver1](#)
[Comm Packet 072111](#)

6/14/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on July 26, 2011.

10. [110596](#) **[Settlement of Claim - Shatese Stewart - \$250,000]**
Ordinance authorizing settlement of all claims in the lawsuit filed by Shatese Stewart against the City and County of San Francisco for \$250,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC-09-494967; entitled Shatese Stewart v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation_Ver1](#)
[Comm_Packet_072111](#)

6/27/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on July 26, 2011.
11. [110694](#) **[Settlement of Lawsuit - Jorei Enterprises, LLC - \$125,000]**
Ordinance authorizing settlement of the lawsuit filed by Jorei Enterprises, LLC, against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 21, 2010, in San Francisco Superior Court, Case No. CGC-10-506527; entitled Jorei Enterprises, LLC v. City and County of San Francisco; other material terms of said settlement are mutual releases of liability in connection with the conveyance of 351 California Street, San Francisco. (City Attorney)
Attachments: [Legislation_Ver1](#)
[Comm_Packet_072111](#)

7/5/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on July 26, 2011.
12. [110713](#) **[Settlement of Unlitigated Claim - Ned Bresnahan - \$265,000]**
Resolution approving the settlement of the unlitigated claim filed by Ned Bresnahan against San Francisco for \$265,000; claim was filed on March 28, 2011.
Attachments: [Legislation_Ver1](#)
[Comm_Packet_072111](#)

7/6/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on July 26, 2011.
13. [110714](#) **[Settlement of Lawsuit - Arash Ghanadan - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Arash Ghanadan against the City and County of San Francisco for \$50,000; the lawsuit was filed on December 18, 2009, in San Francisco Superior Court, Case No. CGC-09-495308; entitled Arash Ghanadan, et al. v. City and County of San Francisco, et al. (City Attorney)
Attachments: [110714.DOC](#)
[Comm_Packet_072111](#)

7/11/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on July 26, 2011.

14. [110715](#) **[Settlement of Unlitigated Claims - Pearl Howell - \$80,000]**
Resolution approving the settlement of unlitigated claims (DFEH No. E201011M0352 and EEOC Charge No. 550-2010-01808) filed by Pearl Howell against the City and County of San Francisco for \$80,000; claims were filed on September 15 and 16, 2010. (City Attorney)

Attachments: [Legislation_Ver1](#)
[Comm Packet 072111](#)

7/11/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on July 26, 2011.

[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.

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.

110806**[Administrative Code - Deleting Outdated References to Telecommunications Commission]**

Ordinance repealing section 11.84 of the San Francisco Administrative Code, thereby dissolving the Telecommunications Commission. (Clerk of the Board)

Attachments: [Legislation Ver1](#)

6/28/11; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

110809**[Administrative Code – Dissolving Drug Abuse and City-Wide Alcoholism Advisory Boards]**

Ordinance repealing sections 15.17 and 15.19 of the San Francisco Administrative Code, thereby dissolving the Drug Abuse Advisory Board and the City-Wide Alcoholism Advisory Board, respectively. (Clerk of the Board)

Attachments: [Legislation Ver1](#)

6/28/11; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

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 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) bringing in or displaying signs in the meeting room; 4) standing in the meeting room.

The public is encouraged to testify at Committee meetings and to write letters to the Clerk of the Board or to Supervisors: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests 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 debe recibirse antes de mediodía 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, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. 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. 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 by mail the 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 soft@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