



City and County of San Francisco Meeting Agenda

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

Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Wednesday, February 20, 2002

10:00 AM

Legislative Chambers, Second Floor

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Health and Human Services Committee on Thursday, May 2, 2002, at 1:00 p.m. HAS BEEN RESCHEDULED TO Thursday, May 2, 2002, at 4:00 p.m. and will be held at San Francisco General Hospital, Carr Auditorium, 1001 Potrero Avenue (between 22nd and 23rd Streets).

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.

Meeting Convened

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

1. **012046 [Instant Runoff Voting]**
Supervisor Gonzalez
Resolution supporting legislation recently introduced in the United States Congress by Representative Jesse Jackson Jr. regarding Instant Runoff Voting.

11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
12/17/01, REFERRED to Rules Committee. Supervisor Yee requested this matter be severed so it could be considered separately.
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

2. **011875 [Amendments to Conflict of Interest Code]**
Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-168, 3.1-218, 3.1-423 and 3.1-424, amending Sections 3.1-109, 3.1-110, 3.1-170, 3.1-215, 3.1-365 and 3.1-435, and repealing Section 3.1-355 to update the list of designated officials who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)

10/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/14/2001.
1/31/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

3. **020092 [Music Licensing Contracts; Chapter 21 Clean-Up]**
Ordinance authorizing Director of Administrative Services to enter into long term agreements for music licensing with performing rights societies as sole source agreements; amending Chapters 21 and 85 of the Administrative Code to correct certain references. (Administrative Services Department)

1/16/02, RECEIVED AND ASSIGNED to Rules Committee.
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

REGULAR AGENDA

4. **012288 [Appointment]**
Hearing to consider appointing four members to the Emergency Room Diversion Task Force.

4 Seats Being Considered:
Vacant seat, succeeding Steven Polevoi, resigned, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined;
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 16, must be the director of the Population, Health and Prevention Unit in the Department of Public Health, term to be determined.

12/20/01, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 012122.
12/24/01, RECEIVED AND ASSIGNED to Rules Committee.
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

4 Seats / 4 Applicants
Thomas Peitz (residency waiver required), seat 2.
Richard Shortall (residency waiver required), seat 10.
Rann Parker (residency waiver required), seat 13.
Barbara Garcia, seat 16.

5. **020159** **[Appointment to Telecommunications Commission]**
Mayor
Resolution approving the Mayor's appointment of Michael Rouan to the Telecommunications Commission, for the term ending July 1, 2002. (Mayor)

1/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
6. **020111** **[Appointment]**
Hearing to consider appointing two members to the Citizens Advisory Committee on Elections.

2 Seat Being Considered:
Vacant Seat, succeeding Richard Shadoian, resigned, seat 1, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 6, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

1/17/02, RECEIVED AND ASSIGNED to Rules Committee.
1/17/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 011826.
1/24/02, CLERICAL CORRECTION. Seat 1 added due to resignation.
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.
2 Seats / 11 Applicants
Dennis Lawlor, Barbara Boice, Edgar Parker, Karen Oleson, Elise Paylan Schoux, Elmo Wedderburn, William Duffey, Clement DeAmicis, Joseph Paul McGuire, Judith Berkowitz, and Marc Levin, seats 1 and 6.
7. **011941** **[Appointment]**
Hearing to consider appointing three members to the Juvenile Justice Advisory Committee.

3 Seats Being Considered:
Vacant seat, new appointment, seat 1, must have at least ten years experience working with at-risk youth, term ending September 1, 2002;
Vacant seat, new appointment, seat 2, must have an advance degree in law, criminal justice, public administration, social work or related field, and at least five years experience working as a juvenile justice consultant or administrator, term ending September 1, 2002;
Vacant seat, new appointment, seat 3, must have an advance degree in law, criminal justice, public administration, social work, or related field, and experience in working with young, at-risk women of color, term ending September 1, 2002.

10/22/01, RECEIVED AND ASSIGNED to Rules Committee.
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.
3 Seats / 3 Applicants
NTanya Lee and Edgar Parker, seat 1.
Whitney Leigh, seat 3.
Riva Enteen, seat number not indicated.

8. 012088 [Appointment]

Hearing to consider appointing one member to the Ethics Commission.

1 Seat Being Considered:

Vacant seat, new position, seat 1, must be a representative of the general public, term to be determined.

11/16/01, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

1 Seat / 1 Applicant

Michael Mooney, seat 1.

9. 011720 [Appointment]

Hearing to consider seven appointments to the Drug Abuse Advisory Board.

7 Seats Being Considered:

Vacant seat, succeeding Leon Winston, seat 3, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;

Vacant seat, succeeding Matonia Williams, seat 6, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1 2002;

Vacant seat, succeeding Victoria Hunt, seat 7, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1 2002;

Vacant seat, succeeding Nick Roomel, seat 8, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;

Vacant seat, succeeding Jackson Wong, seat 9, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;

Vacant seat, succeeding Frederick Hobson, seat 13, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2003;

Vacant seat, succeeding Walter Joseph Kennedy, seat 15, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2003.

9/20/01, CONTINUED TO CALL OF THE CHAIR. Divided from file 011604.

9/25/01, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

1/30/02, CLERICAL CORRECTION to Rules and Audits Committee. Seats 3, 6, 7, 8, and 13 added due to expiration of terms and resignations.

7 Seats / 7 Applicants

Robert Wood, Barbara Boice, Stephanie Hughes, Keith Fowler, Paul Aguilar (residency waiver required), Brian Haley, and Mary Louis Adlo-Robinson, seats 3, 6, 7, 8, 9, 13, and 15.

10. 012084 [Appointment]

Hearing to consider appointing eight members to the United Nations Plaza Working Group.

8 Seats Being Considered:

Vacant seat, new position, seat 1, must be a member of the United Nations Association, term to be determined;

Vacant seat, new position, seat 2, must be a member of the Market Street Association, term to be determined;

Vacant seat, new position, seat 3, must be a residential tenant in the proximity of United Nations Plaza, term to be determined;

Vacant seat, new position, seat 4, must be a vendor at the Farmer's Market held in the United Nations Plaza, term to be determined;

Vacant seat, new position, seat 5, must be a homeless advocate, term to be determined;

Vacant seat, new position, seat 6, must represent the public at large, term to be determined;

Vacant seat, new position, seat 7, must represent the public at large, term to be determined;

Vacant seat, new position, seat 8, must represent the public at large, term to be determined.

11/15/01, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

8 Seats / 10 Applicants

Roderick Kiracofe (residency waiver required), seat 2.

Christina Adams, seat 4.

Roderick Kiracofe (residency waiver required), Christopher Chow, Rev. William Cocrane (residency waiver required), Paul Leaman, Marvis Phillips, seats 6, 7, and 8.

John Di Donna (non-citizen), Nancy Hogan, Beverly Karwatz, Richard Allman, and Chris Braun (residency waiver required), seat numbers not indicated.

11. 011602 [Appointment]

Hearing to consider appointing three members to the Veterans Affairs Commission. (Clerk of the Board)

3 Seats Being Considered:

Vacant seat, succeeding Charles Coolidge, deceased, seat 7, must be a person who served in the Armed Forces of the United States of America and is suffering from a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration, unexpired portion of a four-year term ending January 31, 2003;

Vacant seat, succeeding Maceo May, seat 8, must be an at-large appointment, unexpired portion of a four-year term ending January 31, 2003;

Vacant, seat succeeding Robert De La Cruz, seat 11, must be an at-large appointment, unexpired portion of a four-year term ending January 31, 2003.

8/29/01, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

3 Seats / 3 Applicants

Vincent Rios (residency waiver required), seat 7.

Bud Wilson, Aaron Zeff, and Vincent Rios, seats 8, and 11.

- 12. 020087 [Auditor for November 7, 2000 and November 6, 2001 Elections]**
Supervisor Gonzalez
 Motion directing the Clerk of the Board of Supervisors, in consultation with the Elections Commission and California Secretary of State and subject to approval by the Board of Supervisors, to select an auditor to retally ballots cast in the November 7, 2000 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the November 6, 2001 Consolidated Municipal Election.
- 1/14/02, RECEIVED AND ASSIGNED to Rules Committee.
 1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.
- 13. 011680 [Continuum of Care Plan]**
Supervisor Gonzalez
 Resolution amending the Continuum of Care Plan to provide that the Board of Supervisors shall appoint a representative of the veteran's advocacy community and shall appoint all neighborhood/community representatives to the Local Homeless Coordinating Board.
- 9/24/01, RECEIVED AND ASSIGNED to Rules Committee.
 12/6/01, CONTINUED. Heard in Committee. Speakers: none.
- Continued to December 20, 2001.
 12/20/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Jennifer Friedenbach.
 12/20/01, CONTINUED AS AMENDED. Continued to January 9, 2001.
 1/9/02, CONTINUED. Heard in Committee. Speakers: none.
- Continued to February 7, 2002.
 1/28/02, TRANSFERRED to Health and Human Services Committee. Transferred pursuant to new committee structure.
- 14. 020017 [Whistleblowers]**
Supervisor Gonzalez
 Ordinance amending Sections 4.100, 4.105, 4.110 and 4.115 of the San Francisco Campaign and Governmental Conduct Code to: provide protection to whistleblowers who file a written complaint with the complainant's department regarding improper government activity by a City officer or employee; provide a list of the types of complaints of improper government activity; and clarify that protections for whistleblowers apply only when the whistleblower is subject to certain adverse employment actions.
- 1/7/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/6/2002.
 1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

LITIGATION

Conference with City Attorney

(Convene in Closed Session)

Motion that the Rules and Audits 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.

15. 020126 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Laura Williams against the City and County of San Francisco for \$37,500.00; the lawsuit was filed on July 11, 2000 in San Francisco Superior Court, Case No. 313-526; entitled Williams, et al., v. City and County of San Francisco, et al; other material terms of said settlement are BART will also contribute \$37,500.00. (City Attorney)

1/30/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

16. 020139 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by El Paso Energy Marketing Co. against the City and County of San Francisco for \$67,999.00; the lawsuit was filed on February 6, 2001 in San Francisco Superior Court, Case No. 318-666; entitled El Paso Energy Marketing Co. v. City and County of San Francisco. (City Attorney)

2/5/02, RECEIVED AND ASSIGNED to Rules and Audits 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 Rules and Audits 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.

**020114 [Requiring Early Voting in Each Supervisorial District]
Supervisor Gonzalez**

Ordinance amending the Municipal Elections Code to require the Department of Elections to establish at least three satellite locations in each Supervisorial district for early voting during the ten calendar days immediately preceding any election held in the City and County of San Francisco.

(Fiscal impact.)

1/22/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/21/2002.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

2/14/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 2/21/2002.

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@sfgov.org

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.sfgov.org/bdsupvrs/sunshine.htm>

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 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

