

**City and County of San Francisco**

**Rules Committee**

*City Hall, Room 263*



**Meeting Agenda**

**Thursday, August 2, 2007**

**10:00 AM**

**Regular Meeting**

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***Members: Tom Ammiano, Sean Elsbernd, Aaron Peskin***

***Clerk: Gail Johnson (415) 554-4445***

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*Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation 2) Budget Analyst report 3) Legislative Analyst report*

*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.*

**MEETING CONVENED**

**REGULAR AGENDA**

**1. 071103 [Appointment - Commission on the Aging Advisory Council]**

Resolution appointing Lila McCarthy, term ending March 31, 2008, to the Commission on the Aging Advisory Council.

Lila McCarthy, succeeding Robert Lipman, term expired, seat 1, must be a nominee of District 2 Supervisor, for the unexpired portion of a two-year term ending March 31, 2008.

7/24/07, RECEIVED AND ASSIGNED to Rules Committee.

*1 Seat/1 Applicant*

**2. 071110 [Appointment - SRO Task Force]**

Resolution appointing Jorge Portillo, term ending December 31, 2009, to the SRO Task Force.

Jorge Portillo, succeeding Christina Olague, resigned, seat 5, must be a representative of the Mission SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2009.

7/27/07, RECEIVED AND ASSIGNED to Rules Committee.

*1 Seat/1 Applicant*

*Jorge Portillo, Seat 5*

**3. 071106 [Reappointment, Airport Commission - Eleanor Johns]**

Motion approving the Mayor's reappointment of Eleanor Johns to the Airport Commission, for the term ending August 31, 2011. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as reappointed.

Transmittal date – July 20, 2007.)

7/27/07, RECEIVED AND ASSIGNED to Rules Committee.

**4. 071107 [Reappointment, Airport Commission - Eleanor Johns]**

Motion rejecting the Mayor's reappointment of Eleanor Johns to the Airport Commission, for the term ending August 31, 2011. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as reappointed.

Transmittal date – July 20, 2007.)

7/27/07, RECEIVED AND ASSIGNED to Rules Committee.

**5. 071108 [Reappointment, Airport Commission - Eleanor Johns]**

Motion taking no position concerning the Mayor's reappointment of Eleanor Johns to the Airport Commission, for the term ending August 31, 2011. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as reappointed.

Transmittal date – July 20, 2007.)

7/27/07, RECEIVED AND ASSIGNED to Rules Committee.

**6. 071109 [Appointment - SOMA Community Stabilization Fund Community Advisory Committee]**

Resolution appointing Jazzie Collins, Ada Chan, and Angelica Cabande, terms ending April 27, 2009, to the SOMA Community Stabilization Fund Community Advisory Committee, San Francisco elector requirement waived.

Jazzie Collins, succeeding herself, term expired, seat 3, must be a senior or disabled resident of SOMA, for the unexpired portion of a two-year term ending April 27, 2009.

Ada Chan (San Francisco elector requirement waived), succeeding herself, term expired, seat 4, must have affordable housing expertise and familiarity with the SOMA neighborhood, for the unexpired portion of a two-year term ending April 27, 2009.

Angelica Cabande (San Francisco elector requirement waived), succeeding Donald Frazier, resigned, seat 5, must represent a community-based organization in SOMA, for the unexpired portion of a two-year term ending April 27, 2009.

7/27/07, RECEIVED AND ASSIGNED to Rules Committee.

*3 Seats/3 Applicants*

*Jazzie Collins, Seat 3*

*Ada Chan, Seat 4 (Residency Waiver Required)*

*Angelica Cabande, Seat 5 (Residency Waiver Required)*

**7. 071042 [Appointment - Immigrant Rights Commission]**

Resolution appointing Christopher Punongbayan, Angus McCarthy, Felix Fuentes, Falguni Sheth, and Toye Moses, terms ending June 6, 2009, to the Immigrant Rights Commission.

Christopher Punongbayan, succeeding Deborah Escobedo, term expired, seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Angus McCarthy, succeeding himself, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Felix Fuentes, succeeding Samira McCoy, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Falguni Sheth, succeeding Phu Nguyen, term expired, seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Toye Moses, succeeding himself, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment

issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

7/12/07, RECEIVED AND ASSIGNED to Rules Committee.

*5 Seats/11 Applicants*

*Michael A. Lim, All Seats*

*Christian J. Martinez, All Seats*

*S. Marisela Sookraj, All Seats*

*Christopher Punongbayan, All Seats*

*Joan Kubota, All Seats (Residency Waiver Required)*

*Felix Fuentes, All Seats*

*Angus McCarthy, Seat 7*

*Phu Nguyen, Seat 10*

*Timothy Toye Moses, Seat 11*

*Falguni A. Sheth, All Seats*

*Edem Elvis Akpokli, All Seats (Residency Waiver Required)*

**8. 071104 [Appointment - Assessment Appeals Board No. 1]**

Resolution appointing Jeffrey Morris, term ending September 6, 2010, to Assessment Appeals Board No. 1.

Jeffrey Morris, succeeding Peter Fatooh, term expiring September 3, 2007, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 6, 2010.

(Supervisor Elsbernd Dissenting in Committee)

7/24/07, RECEIVED AND ASSIGNED to Rules Committee.

*2 Seats/4 Applicants*

*Gregory Blaine, Seats 1 and 4*

*Peter Fatooh, Seat 1*

*Jeffrey Morris, Seats 1 and 4*

*Carol Ruth Silver, Seat 4*

**9. 071105 [Appointment - Assessment Appeals Board No. 2]**

Resolution appointing Margaret Ruxton, Mervin Conlan, and Richard Lee, terms ending September 6, 2010, to Assessment Appeals Board No. 2.

Margaret Ruxton, succeeding herself, term expiring September 3, 2007, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a new three-year term ending September 6, 2010.

Mervin Conlan, succeeding himself, term expiring September 3, 2007, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a new three-year term ending September 6, 2010.

Richard Lee, succeeding himself, term expiring September 3, 2007, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a new three-year term ending September 6, 2010.

*3 Seats/6 Applicants*

*Gregory Blaine, Seats 2, 3 and 4*

*Mervin Conlan, Seat 3*

*Richard Lee, Seat 4*

*Jeffrey Morris, Seats 2, 3 and 4*

*Alfredo Perez, Seats 2, 3 and 4*

*Margaret Ruxton, Seat 2*

- 10. 070666 [Allowing for closed sessions of the Board of Supervisors to discuss information related to matters posing a threat to public facilities] Supervisor Alioto-Pier**

Motion amending Rule 1.8 of the Rules of Order to allow for closed sessions of the Board of Supervisors to discuss information related to matters posing a threat to the security of public buildings or a threat to the public's right of access to public services or public facilities.

5/15/07, RECEIVED AND ASSIGNED to Rules Committee.

7/26/07, CONTINUED. Heard in Committee. Speakers: Supervisor Alioto-Pier; Richard Knee, National Writers Union. Continued to August 2, 2007.

- 11. 070946 [Amending the Rules of Order Governing the Board of Supervisors] Supervisors Alioto-Pier, Dufty**

Motion to amend the Rules of Order Governing the Board of Supervisors.

(No Economic Impact)

6/26/07, RECEIVED AND ASSIGNED to Rules Committee.

7/26/07, CONTINUED. Heard in Committee. Speakers: Supervisor Alioto-Pier; Cheryl Adams, Deputy City Attorney; Jeff. Continued to August 2, 2007.

- 12. 070884 [Reorganization of the Family Violence Council to concentrate on child abuse and elder abuse in addition to domestic violence] Mayor, Supervisors Maxwell, Alioto-Pier**

Ordinance amending Article XIX of the San Francisco Administrative Code to change the focus of the Family Violence Council to include child abuse and senior/adult dependent abuse in addition to domestic violence; reducing the membership of the Council's steering committee from ten members to three members (the three co-chairs of the Council); reducing the membership of the Council from 45 members (35 of whom are selected by the Steering Committee and 10 of whom are specified public officials or directors of nonprofit agencies, or their designees) to 19 members (17 required members who are specified public officials or directors of nonprofit agencies, or their designees, and 2 of whom are optional, at-large members appointed by the Steering Committee); eliminating the advisory committee to the Council and assigning the duties currently performed by the advisory committee to the Council as a whole; and deleting that portion of the Ordinance that allows the Council to establish an Interagency Domestic Violence Death Review Team.

(No Economic Impact)

7/10/07, RECEIVED AND ASSIGNED to Rules Committee.

7/10/07, SUBSTITUTED. Mayor submitted a substitute ordinance bearing the same title.

7/10/07, ASSIGNED to Rules Committee.

**13. 070593 [SRO Voter Education and Registration] Supervisor Mirkarimi**

Resolution urging increased voter education and registration outreach to SRO residents by the Department of Elections and urging SRO managers and owners to facilitate access for these purposes.

5/1/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/8/07, REFERRED to Land Use and Economic Development Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee.

7/25/07, TRANSFERRED to Rules Committee.

**14. 070590 [Requiring that individuals be provided access to Residential Hotels as visitors of guests and occupants to assist in "get out the vote" activities] Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Section 41D.4, to require that individuals engaged in "get out the vote" activities be provided access to Residential Hotels as visitors of guests and occupants, on the same basis as any other visitor under the Uniform Visitor Policy.

(Supervisor Elsbernd Dissenting in Committee)

5/1/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/31/2007.

7/25/07, TRANSFERRED to Rules Committee.

**15. 070505 [Expanding Post-Employment Restrictions For Senior Mayoral Staff and Board Aides] Supervisor Peskin**

Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to prohibit individuals who have served as senior staff members to either the Mayor or a

member of the Board of Supervisors from communicating with any representative of the City with the intent to influence a government decision for one year after they terminate employment with the City.

4/17/07, RECEIVED AND ASSIGNED to Rules Committee.

## LITIGATION

### Conference with City Attorney

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant] Motion that the Rules Committee 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. Government Code Section 54956.9(a) and San Francisco 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/or claims listed below.*

#### 16. 070993 [Settlement of Lawsuit - Francisco Moreno, et al.]

Ordinance authorizing settlement of the lawsuit filed by Francisco Moreno, Maria Govea, Mauricio Moreno and Nancy Moreno against the City and County of San Francisco for \$112,000; the lawsuit was filed on November 18, 2005 in United States District Court, Case No. C05-4752; entitled Francisco Moreno, et al. v. City and County of San Francisco, et al. (City Attorney)

7/9/07, RECEIVED AND ASSIGNED to Rules Committee.

7/26/07, CONTINUED. Continued to August 2, 2007.

*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 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.*

17. **071051** [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records] **Supervisor Alioto-Pier**
- Charter Amendment (Third Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.
- 7/17/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/16/2007.
18. **071056** [Centralization of Workforce Development Efforts Under the Department of Economic and Workforce Development] **Supervisors Mirkarimi, Peskin, Ammiano, Maxwell**
- Ordinance amending the San Francisco Administrative Code by adding a new Chapter 30, Sections 30.1 through 30.8, to: 1) centralize the City's workforce development policy and oversight under the Department of Economic and Workforce Development (DEWD), or successor department; 2) require the Director of Economic and Workforce Development to manage all general fund expenditures on workforce development, create City-wide workforce development policy, develop a Funding Allocation Plan for workforce development funds and annually report on workforce development policies to the Board of Supervisors; 3) require City departments to enter into Memoranda of Understanding with DEWD as a condition of administering workforce development dollars; 4) require the Mayor to submit the names of prospective appointees to the Local Work Force Investment Board to the Board of Supervisors for approval or to appoint two members of the Board of Supervisors to the Local Workforce Investment Board; 5) create a community advisory



committee to the Local Workforce Investment Board; and, 6) require that the Workforce Investment Act Local Plan be submitted for review and comment to the Board of Supervisors, and by amending Administrative Code Section 83.6 to place the administration of the First Source Hiring Program under the DEWD.

7/17/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/16/2007.  
(Referred to Small Business Commission)

### **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.**

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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.



### **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 J, K, L, M, N, and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 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. 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 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 Frank Darby by mail to 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](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.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 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)