



# City and County of San Francisco

## Meeting Agenda

### Rules and Audits Committee

*Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval*

*Clerk: Deborah Muccino*

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

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Tuesday, April 16, 2002

1:00 PM

City Hall, Room 263

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### Regular Meeting

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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*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

*These items will be available for review at City Hall, Room 244, Reception Desk.*

*Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.*

## AGENDA CHANGES

## REGULAR AGENDA

1. 020347 [Campaign and Governmental Conduct Code]

**Supervisors Peskin, Gonzalez**

Ordinance amending Article I, Chapter 1 of the Campaign and Governmental Conduct Code by amending sections 1.100 and 1.104 and adding section 1.119 to define net debt outstanding; prohibit fundraising by candidates after an election in amounts greater than the net debt outstanding on the date of the election; and require that candidates file a statement with the Ethics Commission disclosing the net debt outstanding on the date of an election.

2/25/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 3/27/2002.

4/3/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Wade Crowfoot, aide to Supervisor Aaron Peskin; John Kennedy, Deputy City Attorney.

Amendment of the whole bearing the same title.

4/3/02, CONTINUED AS AMENDED. Continued to April 16, 2002.

2.       **020484    [Appointment]**  
Hearing to consider appointing two members to the United Nations Plaza Working Group.
- 2 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 4, must be a vendor at the Farmer's Market held in the United Nations Plaza, term to be determined.
- 3/19/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 020337.  
3/20/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.  
*2 Seats / 1 Applicant*  
*Nancy Peterson, Seat 1.*
3.       **020524    [Appointment - Public Utilities Commission]**  
Motion approving the Mayor's appointment of Frank Cook to the Public Utilities Commission, for the term ending January 15, 2004. (Mayor)
- (Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.) (Transmittal date - March 28, 2002.)
- 4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
4.       **020525    [Appointment - Public Utilities Commission]**  
Motion rejecting the Mayor's appointment of Frank Cook to the Public Utilities Commission. (Mayor)
- (Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.) (Transmittal date - March 28, 2002.)
- (Supervisor Hall dissenting in Committee.)
- 4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
5.       **020526    [Appointment - Public Utilities Commission]**  
Motion taking no position concerning the Mayor's appointment of Frank Cook to the Public Utilities Commission, for term ending January 15, 2004. (Mayor)
- (Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.) (Transmittal date - March 28, 2002.)
- 4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

6.       **020527**    **[Appointment - Public Utilities Commission]**  
Motion approving the Mayor's appointment of E. Dennis Normandy to the Public Utilities Commission, for the term ending January 15, 2006. (Mayor)
- (Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.) (Transmittal date - March 28, 2002.)
- 4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
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7.       **020528**    **[Appointment - Public Utilities Commission]**  
Motion rejecting the Mayor's appointment of E. Dennis Normandy to the Public Utilities Commission. (Mayor)
- (Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.) (Transmittal date - March 28, 2002.)
- 4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
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8.       **020529**    **[Appointment - Public Utilities Commission]**  
Motion taking no position concerning the Mayor's appointment of E. Dennis Normandy to the Public Utilities Commission, for term ending January 15, 2006.
- (Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.) (Transmittal date - March 28, 2002.)
- 4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**9. 020580 [Appointment]**

Hearing to consider appointing four members to the San Francisco Health Authority.

4 Seats Being Considered:

Vacant seat, succeeding Sophie Wong, term expired, seat 6, must be a nominee of SF Community Clinic Consortium, for a three-year term ending January 15, 2004;

Vacant seat, succeeding Maria Luz Torres, term expired, seat 10, must be a nominee of Health Authority Beneficiary Advisory Committee, for a three-year term ending January 15, 2004;

Vacant seat, succeeding Steve Fields, term expired, seat 12, must be nominee of Health Authority Program Advisory Committee, for a three-year term ending January 15, 2003;

Vacant seat, succeeding Kate O'Malley, term expired, seat 13, must be nominee of Health Authority Program Advisory Committee, for a three-year term ending January 15, 2004.

4/8/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

*4 Seats / 4 Applicants*

*Sophie Wong, Seat 6.*

*Maria Luz Torres, Seat 10.*

*Steve Fields, Seat 12.*

*Kate O'Malley, Seat 13.*

**10. 020336 [Appointment]**

Hearing to consider appointing four members to the Drug Abuse Advisory Board.

4 Seats Being Considered:

Vacant seat, succeeding Gennie Nunley-Thompson, resigned, seat 2, must represent law enforcement, for the unexpired portion of a three-year term ending October 1, 2002;

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

2/20/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 011720.

2/21/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

*4 Seats / 7 Applicants*

*Dina Santana, Seat 2.*

*Phillip Bauer, Eric Carmichael, Kevin Sharps, Barbara Boice, Mary Louise Adlo-Robinson and Stephanie Hughes, Seats 6, 7, and 15.*

**11. 020579 [Appointment]**

Hearing to consider three appointments to the Animal Control and Welfare Commission.

3 Seats Being Considered:

Vacant Seat, succeeding Catherine Tchen-Kenna, seat 1, term expired, must be a public-at-large appointment, for a new two-year term ending April 30, 2004;

Vacant Seat, succeeding Frederick Hobson, seat 2, term expired, must be a public-at-large appointment, for a new two-year term ending April 30, 2004;

Vacant Seat, succeeding Kelly Jensen, seat 7, term expired, must be licensed veterinarian, for a new two-year term ending April 30, 2004.

4/8/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

*3 Seats / 11 Applicants*

*Christine Garcia, Randy Allgaier, Laurie Kennedy, Gina Eichler, Emma Clifford, Bruce Engle, Jamal James Modica, and Robert Harris, Seats 1 and 2.*

*John Acdrige, Seats 1, 2, and 7.*

*Kelly Jensen and John Aldridge, Seat 7.*

**12. 011395 [Appointment]**

Hearing to consider appointing nine members to the Sunshine Ordinance Task Force.

9 Seat Being Considered:

Vacant Seat, succeeding Joshua Koltun, term expired, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for a new 2-year term ending April 27, 2004;

Vacant Seat, succeeding Bruce Brugmann, term expired, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a Journalist, for a new 2-year term ending April 27, 2004;

Vacant Seat, succeeding Vince Courtney, term expired, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a new 2-year term ending April 27, 2004;

Vacant Seat, succeeding Heather Sterner, term expired, seat 5, must be appointed from names submitted by the League of Women Voters, for a new 2-year term ending April 27, 2004;

Vacant Seat, succeeding Hilda Bernstein, term expired, seat 6, must be experienced in Consumer Advocacy, for a new 2-year term ending April 27, 2004;

Vacant Seat, succeeding Ted Kowalczyk, term expired, seat 7, must be experienced in Consumer Advocacy, for a new 2-year term ending April 27, 2004;

Vacant Seat, succeeding Robert Planthold, resigned, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government (Previously fulfilled requirement that one member must be physically handicapped), for a new 2-year term ending April 27, 2004;

Vacant Seat, succeeding Daniel Guillory, term expired, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new 2-year term ending April 27, 2004;

Vacant Seat, succeeding Paul Hogan, term expired, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new 2-year term ending April 27, 2004.

7/23/01, RECEIVED AND ASSIGNED to Rules Committee.

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

*9 Seats / 13 Applicants*

*Joshua Koltun, Seat 1.*

*Bruce Brugmann, Seat 2.*

*Sue Cauthen and Gilbert Criswell, Seat 3, 6, 7, 8, 9, and 10.*

*Heather Sterner, Seat 5.*

*Doug Comstock, Seat 6 and 7.*

*Garrett Jenkins, Seat 8.*

*Edgar Parker, Seat 9 and 10.*

*Richard Knee, Seat 10.*

*Alexandra Nickliss, Christine Linnenbach, Maria Crispi, and Julie Wang, Seat No. not indicated.*

**13. 020406 [Settlement of Lawsuits and Claims]**

**Mayor**

Ordinance approving a settlement between the International Federation of Professional and Technical Engineers, Local 21, the Municipal Executives' Association, and the City and County of San Francisco of litigation and administrative claims concerning the assignment of classifications to bargaining units and related disputes. (Mayor)

3/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**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.*

**14. 020474 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Homes Not Jails, Robert Haaland, Ted Gullicksen, Mara Raider, Cathleen Gray, David Acquino, Allison Lum and Miguel Wooding against the City and County of San Francisco, Sergeant Frederick Schiff and Captain John Newlin for \$22,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Homes Not Jails, et al., v. City and County of San Francisco, et al; the City and County of San Francisco, Sergeant Frederick Schiff and Captain John Newlin joined in the removal of this case to the United States District Court on September 14, 1999, Case No. C99-4204 TEH; other material terms of said settlement are that the \$22,500 is the total to plaintiffs plus reasonable attorneys fees to be determined by the Court, but not less than \$35,000 and not more than \$100,000. (City Attorney)

4/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**15. 020478 [Settlement of Lawsuit]**

Ordinance approving settlement of the lawsuit filed by Aeroground, Inc. against City and County of San Francisco, et al., by payment by City and County of San Francisco to Aeroground, Inc. in the amount of \$400,000 and other terms; the lawsuit was filed on August 25, 2001, in the United States District Court, Case No. C 01-1628VRW, entitled Aeroground, Inc., vs. City and County of San Francisco; San Francisco Airport Commission; and John L. Martin, in his official capacity as Director of the San Francisco International Airport. (Airport Commission)

4/3/02, 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.*

**020492 [Redevelopment Agency Board - Term Limit]  
Supervisor Peskin**

Ordinance amending Administrative Code Section 24.1-1 to provide that a Member may not consecutively serve for more than two four-year terms on the Redevelopment Agency Board, and that a Member shall be deemed to have served one full term if the Member serves 24 months or more of an uncompleted term or if the Member resigns after serving 24 months or more of a term; this changes the current Administrative Code provisions, which do not provide a term limit.

3/25/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 4/24/2002.



## 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](http://www.ci.sf.ca.us/bdsupvrs.bos.htm).

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. 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](mailto: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](http://www.sfgov.org/ethics)

