



City and County of San Francisco

Meeting Agenda

Rules Committee

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

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

Clerk: Linda Wong (415) 554-7719

Thursday, November 4, 2010

10:00 AM

City Hall, Committee Room 263

Regular Meeting

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

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

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

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

AGENDA CHANGES

REGULAR AGENDA

1. [101220](#) **[Appointment, San Francisco Public Utilities Commission - Art Torres]**
Motion confirming the Mayor's appointment of Art Torres to the San Francisco Public Utilities Commission, Seat 2, for the term ending August 1, 2014. (Clerk of the Board)

Attachments: [Legislation VER1](#)

[Comm Packet110410](#)

9/17/10; RECEIVED AND ASSIGNED to the Rules Committee.

2. [101221](#) **[Appointment, San Francisco Public Utilities Commission - Art Torres]**
Motion rejecting the Mayor's appointment of Art Torres to the San Francisco Public Utilities Commission, Seat 2, for the term ending August 1, 2014. (Clerk of the Board)

Attachments: [Legislation VER1](#)
[Comm Packet110410](#)

9/17/10; RECEIVED AND ASSIGNED to the Rules Committee.

3. [101377](#) **[Appointment, Small Business Commission - Robert Paterson]**
Motion approving the Mayor's appointment of Robert Paterson to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)

(Charter Section 3.100 (17) provides that the Board of Supervisors has the authority to reject the appointment by 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 - October 14, 2010.)

Attachments: [Legislation Ver1](#)
[Comm Packet110410](#)

10/29/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.

4. [101379](#) **[Appointment, Small Business Commission - Robert Paterson]**
Motion rejecting the Mayor's appointment of Robert Paterson to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)

(Charter Section 3.100 (17) provides that the Board of Supervisors has the authority to reject the appointment by 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 - October 14, 2010.)

Attachments: [Legislation Ver1](#)
[Comm Packet110410](#)

10/29/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.

5. [101332](#) **[Reappointment, Treasure Island Development Authority Board of Directors - Claudine Cheng]**

Motion approving the Mayor's reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Attachments: [Legislation_VER1](#)

[Comm_Packet110410](#)

10/12/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.

6. [101333](#) **[Reappointment, Treasure Island Development Authority Board of Directors - Claudine Cheng]**

Motion rejecting the Mayor's reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Attachments: [Legislation_VER1](#)

[Comm_Packet110410](#)

10/12/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.

7. [101334](#) **[Reappointment, Treasure Island Development Authority Board of Directors - John Elberling]**

Motion approving the Mayor's reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Attachments: [Legislation_VER1](#)

[Comm_Packet110410](#)

10/12/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.

8. [101335](#) **[Reappointment, Treasure Island Development Authority Board of Directors - John Elberling]**

Motion rejecting the Mayor's reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Attachments: [Legislation_VER1](#)

[Comm_Packet110410](#)

10/12/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.

9. [101336](#) **[Appointment, Treasure Island Development Authority Board of Directors - Linda Richardson]**

Motion approving the Mayor's appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Attachments: [Legislation_VER1](#)

[Comm_Packet110410](#)

10/12/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.

10. [101337](#) **[Appointment, Treasure Island Development Authority Board of Directors - Linda Richardson]**

Motion rejecting the Mayor's appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Attachments: [Legislation_VER1](#)

[Comm_Packet110410](#)

10/12/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.

11. [101338](#) **[Reappointment, Treasure Island Development Authority Board of Directors - Jean-Paul Samaha]**
Motion approving the Mayor's reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)
Attachments: [Legislation_VER1](#)
[Comm_Packet110410](#)

10/12/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.
12. [101339](#) **[Reappointment, Treasure Island Development Authority Board of Directors - Jean-Paul Samaha]**
Motion rejecting the Mayor's reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)
Attachments: [Legislation_VER1](#)
[Comm_Packet110410](#)

10/12/10; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to send this item to Board as Committee Report on November 9, 2010.
13. [101347](#) **[Confirming Appointments, Treasure Island Development Authority Board of Directors - Larry Del Carlo and Larry Mazzola, Jr.]**
Sponsor: Mayor
Motion confirming the appointments of Larry Del Carlo to succeed John Rahaim; term ending February 26, 2013; and Larry Mazzola, Jr. to succeed Owen Stephens, term ending April 28, 2014, to the Treasure Island Development Authority Board of Directors.
Attachments: [Comm_Packet110410](#)

10/12/10; RECEIVED AND ASSIGNED to the Rules Committee.

14. [101191](#) [Administrative Code - Publication Requirements]**Sponsor: Mirkarimi**

Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article XII, Sections 2.96 through 2.100, to define "published" as required by San Francisco Charter Article XVII to: (1) establish requirements for publishing notices; (2) establish standards for and define the "City's Official Website Homepage;" (3) establish procedures for standardizing and defining notice and publication requirements for future proposed ordinances; and (4) authorize the Clerk of the Board of Supervisors to adopt regulations to implement this Article.

Attachments: [Legislation_VER1](#)

[Comm_Packet110410](#)

9/21/10; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

9/29/10; REFERRED TO DEPARTMENT. 9/29/10 - To the Department of Technology and Public Library for comment and recommendation.

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.*

15. [101288](#) **[Settlement of Lawsuit - Cheryl Austin - \$268,452]**
Ordinance authorizing settlement of the lawsuit filed by Cheryl Austin against the City and County of San Francisco for \$268,452, inclusive of attorneys' fees and costs; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498110; entitled Cheryl Austin v. City and County of San Francisco. (City Attorney)
Attachments: [Legislation VER1](#)
[Comm Packet110410](#)

10/6/10; RECEIVED AND ASSIGNED to the Rules Committee.
16. [101289](#) **[Settlement of Lawsuit - Nyree Monroe - Up to \$31,000]**
Ordinance authorizing settlement of the lawsuit filed by Nyree Monroe against the City and County of San Francisco for up to \$31,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498109; entitled Nyree Monroe v. City and County of San Francisco; other material terms of said settlement are reinstatement. (City Attorney)
Attachments: [Legislation VER1](#)
[Comm Packet110410](#)

10/6/10; RECEIVED AND ASSIGNED to the Rules Committee.
17. [101290](#) **[Settlement of Lawsuit - Edward Kriete - \$575,000]**
Ordinance authorizing settlement of the lawsuit filed by Edward Kriete against the City and County of San Francisco for \$575,000; the lawsuit was filed on April 17, 2009, in the San Francisco Superior Court, Case No. CGC 09-487483, entitled Edward Kriete v. City and County of San Francisco. (City Attorney)
Attachments: [Legislation VER1](#)
[Comm Packet110410](#)

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

18. [101303](#) **[Settlement of Lawsuit - Viz Media, LLC - \$219,000]**
Ordinance authorizing settlement of the lawsuit filed by Viz Media, LLC, against the City and County of San Francisco for \$219,000; the lawsuit was filed on August 10, 2010, in San Francisco Superior Court, Case No. CGC-10-502460; entitled Viz Media, LLC v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_VER1](#)
[Comm_Packet110410](#)

10/18/10; RECEIVED AND ASSIGNED to the Rules Committee.

19. [101340](#) **[Settlement of Lawsuit - Regal Stone, Ltd. - City to Receive \$3,717,096.52]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Regal Stone, Ltd, et al. for the sum of \$3,717,096.52, including previous initial payment of \$2,000,000; the lawsuit was filed on December 10, 2007, in San Francisco Superior Court, Case No. CGC-07-469876 (transferred to Monterey County Superior Court, Case No. M98173); entitled City and County of San Francisco, et al., v. Regal Stone, Ltd., et al. (City Attorney)

Attachments: [Legislation_VER1](#)
[Comm_Packet110410](#)

10/21/10; RECEIVED AND ASSIGNED to the Rules Committee.

20. [101341](#) **[Settlement of Lawsuit - Toni Battle - \$150,000]**
Ordinance authorizing settlement of the lawsuit filed by Toni Battle against the City and County of San Francisco for \$150,000; the lawsuit was filed on October 16, 2009, in San Francisco Superior Court, Case No. CGC 09-493489, entitled Battle v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_VER1](#)
[Comm_Packet110410](#)

10/21/10; RECEIVED AND ASSIGNED to the Rules 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 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.

101272

[Conflict of Interest Code Amendments]

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending Sections 3.1-107, 3.1-140, 3.1-150, 3.1-155, 3.1-175, 3.1-190, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-240, 3.1-245, 3.1-250, 3.1-251, 3.1-267, 3.1-275, 3.1-312, 3.1-315, 3.1-320, 3.1-325, 3.1-355, 3.1-362, 3.1-365, 3.1-390, 3.1-422, 3.1-445, 3.1-450 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories and deleting Section 3.1-235 to reflect the current composition of City departments. (Clerk of the Board)

Attachments: [Legislation VER1](#)

10/5/10; 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, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness,

multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics