

City and County of San Francisco

Rules Committee

City Hall, Room 263



Meeting Agenda

Thursday, July 26, 2007

10:00 AM

Special Meeting

Members: Tom Ammiano, Sean Elsbernd, Aaron Peskin

Clerk: Gail Johnson (415) 554-4445

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. 070984 [Appointment - Police Commission]

Motion confirming the Mayor's nomination of, and appointing, Thomas Mazzucco, term ending April 30, 2008, to the San Francisco Police Commission. (Mayor)

(Charter Section 4.109 - Board of Supervisors must act within 60 days from the date the nomination is transmitted from the Mayor to the Clerk of the Board's Office. If the Board fails to act on the Mayor's nomination within the 60 days the Mayor's nominee shall be deemed approved. Transmittal Date: 7/2/07.)

7/2/07, RECEIVED AND ASSIGNED to Rules Committee.

2. **071043** **[Appointment - Commission on the Aging Advisory Council]**
Resolution appointing Vera Haile, term ending March 31, 2009, to the Commission on the Aging Advisory Council.
- Vera Haile, succeeding herself, term expired, seat 8, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2009.
- 7/16/07, RECEIVED AND ASSIGNED to Rules Committee.
- 2 Seats/2 Applicants*
Lila McCarthy, Seat 1
Vera Haile, Seat 8
3. **071068** **[Appointment - Bicycle Advisory Committee]**
Resolution appointing Andrew Bindman, term ending November 19, 2008, to the Bicycle Advisory Committee.
- Andrew Bindman, succeeding Andrew Bindman, term expired, seat 1, must be a nominee of District 1 Supervisor. The member shall serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2008.
- 7/18/07, RECEIVED AND ASSIGNED to Rules Committee.
- 1 Seat/1 Applicant*
Andrew Bindman, Seat 1
4. **071044** **[Appointment - Ballot Simplification Committee]**
Resolution appointing June Fraps, Betty Packard and Suzanne Stassevitch, terms ending November 30, 2008, to the Ballot Simplification Committee.
- 3 seats being considered
June Fraps, succeeding herself, term expired, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2008.
Betty Packard, succeeding herself, term expired, seat 2, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2008.
Suzanne Stassevitch, succeeding herself, term expired, seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2008.
- 7/16/07, RECEIVED AND ASSIGNED to Rules Committee.
- 3 Seats/3 Applicants*
June M. Fraps, Seat 1
Betty J. Packard, Seat 2
Suzanne Stassevitch, Seat 3
5. **070666** **[Allowing for closed sessions of the Board of Supervisors to discuss information related to matters posing a threat to** **Supervisor Alioto-Pier**

public facilities]

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.

6. 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.

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.

7. 070976 [Settlement of Lawsuit - Edwin Macon, Sr.]

Ordinance authorizing settlement of the lawsuit filed by Edwin Macon, Sr. against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 14, 2006 in United States District Court, Northern District of California, Case No. C06-4904 SI; entitled Edwin Macon, Sr., et al., v. City and County of San Francisco, et al. (City Attorney)

(No Economic Impact)

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

8. 070977 [Settlement of Lawsuit - Pacific Bell Telephone Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$52,500.00; the lawsuit was filed on March 16, 2006 in San Francisco County Superior Court, Case No. 450-385; entitled Pacific Bell Telephone Company v. City and County of San Francisco, et al; there are no other material terms of said settlement. (City Attorney)

(No Economic Impact)

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

9. 070978 [Settlement of Lawsuit - Nawal Rizkallah]

Ordinance authorizing settlement of the lawsuit filed by Nawal Rizkallah against the City and County of San Francisco for \$100,000; the lawsuit was filed on April 3, 2006 in San Mateo Superior Court, Case No. 453874; entitled Nawal Rizkallah v. City and County of San Francisco, et al. (City Attorney)

(No Economic Impact)

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

10. 070979 [Settlement of Lawsuit - Ophelia Alvarez]

Ordinance authorizing settlement of the lawsuit filed by Ophelia Alvarez against the City and County of San Francisco for \$117,500; the lawsuit was filed on November 7, 2005 in San Francisco Superior Court, Case No. 446448; entitled Alvarez, et al., v. City and County of San Francisco, et al. (City Attorney)

(No Economic Impact)

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

11. 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.

12. 070994 [Settlement of Lawsuit - Dave Alba et al.]

Ordinance authorizing the settlement of a lawsuit filed by Dave Alba et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$625,000.00; the lawsuit was filed on April 22, 2005, in the United States District Court for the Northern District, Case No. C05-01667, entitled Dave Alba, et al., v. City and County of San Francisco. (City Attorney)

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

13. 070995 [Settlement of Claim - Alexa Internet]

Resolution approving the settlement of the unlitigated Claim No. 07-02244 filed by Alexa Internet on February 28, 2007 against the City and County of San Francisco for business payroll tax refund under the Federal Enclave Presidio Exemption in the amount of \$86,586.87. (City Attorney)

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

- 14. 071054 [Settlement of Claim - Pennie Sempell] Supervisor Elsbernd**
Resolution approving the settlement of the unlitigated claim filed by Pennie Sempell against San Francisco for \$350,000; claim was filed on December 19, 2006.

7/17/07, RECEIVED AND ASSIGNED to Rules Committee.

- 15. 071062 [Settlement of Lawsuit - Pacific Gas and Electric Company]**
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$818,000, plus interest through the date of entry of judgment; the lawsuit was filed on September 12, 2005 in San Mateo Superior Court, Case No. CGC-05-449522; entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation For Entry Of Judgment In Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071062. (City Attorney)

7/11/07, RECEIVED AND ASSIGNED to 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.

16. 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.

17. 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.

Agendas are available on the internet at www.sfgov.org/site/bos_meetings

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

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