



# City and County of San Francisco

## Meeting Agenda

### Rules Committee

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

*Members: Jane Kim, Sean Elsbernd, Mark Farrell*

*Clerk: Linda Wong (415) 554-7719*

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Thursday, November 17, 2011

2:00 PM

City Hall, Committee Room 263

**Rescheduled Meeting**

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## AGENDA CHANGES

## REGULAR AGENDA

1. [111050](#) **[Administrative Code - San Francisco Sentencing Commission and Recidivism Reduction Ordinance of 2011]**  
**Sponsors: Wiener; Farrell and Cohen**  
Ordinance amending the San Francisco Administrative Code by adding Article XXV, Sections 5.250 through 5.250-4 to: 1) establish the San Francisco Sentencing Commission; 2) set forth the Commission's purpose, powers and duties; and 3) establish membership criteria.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 110311](#)  
[Comm Packet 111711](#)

9/27/11; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

11/3/11; CONTINUED. Heard in Committee. Speaker: Walter Paulson; spoke neither in support nor opposition to the matter.

**2. [111178](#) [Appointments, Medical Cannabis Task Force]**

Hearing to consider appointing six members, terms ending December 31, 2012, to the Medical Cannabis Task Force. (Clerk of the Board)

Vacant seat 2, succeeding David Goldman, resigned, must be a representative of a local patient advocacy organization with a background in working to protect the interests of medical cannabis patients, for a term ending December 31, 2012.

Vacant seat 4, succeeding Mary Schroeder, resigned, must be a representative of a hospice or a residential care facility with a background as an employee or volunteer in direct services working with medical cannabis patients or as a nurse or physician with a background in working with or treating of medical cannabis patients, for a term ending December 31, 2012.

Vacant seat 6, succeeding Martin Olive, term expired, must be a person with a background in the management of a medical cannabis dispensary, for a term ending December 31, 2012.

Vacant seat 8, succeeding Sarah Shrader, term expired, must be a representative of a drug policy organization working specifically on medical cannabis issues, for a term ending December 31, 2012.

Vacant seat 10, succeeding Albert Blais, resigned, must be a person with a background in providing medical cannabis to low-income patients, for a term ending December 31, 2012.

Vacant seat 15, new appointment, must be a licensed or an accredited health care practitioner practicing in San Francisco with a background in medical cannabis and familiarity with the laws and regulations governing medical cannabis, for a term ending December 31, 2012.

**Attachments:** [Comm Packet 110311](#)

[Comm Packet 111711](#)

10/26/11; RECEIVED AND ASSIGNED to the Rules Committee.

11/3/11; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Marguis Ausby; Kenneth Lima; Leonard Watkins; spoke on their qualifications. Maureen Burns; spoke in support of applicant Marguis Ausby. Mrs. Watkins; spoke in support of applicant Leonard Watkins. Walter Paulson; spoke neither in support nor opposition of the applicants.

*6 seats/ 8 applicants*

*Hunter Holliman, seat 2*

*Marquis Ausby, seat 2*

*Kenneth Lima, seats 2, 10*

*Leonard Watkins, seat 4 (Residency Waiver Required)*

*Martin Olive, seat 6*

*Sarah Shrader, seat 8*

*Brent Saupe, seat 10*

*Jean Talleyrand, seat 15*

## 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.*

3. [111135](#) **[Settlement of Lawsuit - Diane Bauer - \$35,000]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Diane Bauer against the City and County of San Francisco for \$35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
4. [111136](#) **[Settlement of Lawsuit - David Cheung - \$80,000]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually and dba Kwok Shing Hong against the City and County of San Francisco for \$80,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
5. [111137](#) **[Settlement of Lawsuit - Elaine Choy - \$28,850]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Elaine Choy against the City and County of San Francisco for \$28,850; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.

6. [111138](#) **[Settlement of Lawsuit - Shonna Cook - \$27,785]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Shonna Cook against the City and County of San Francisco for \$27,785; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation\\_Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
7. [111139](#) **[Settlement of Lawsuit - James Cordova/Maria Morales - \$26,965]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for \$26,965; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation\\_Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
8. [111140](#) **[Settlement of Lawsuit - Brenda Dickson - \$28,000]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Brenda Dickson against the City and County of San Francisco for \$28,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [111140.DOC](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
9. [111141](#) **[Settlement of Lawsuit - Susan Garduno - \$25,730]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$25,730; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation\\_Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.

10. [111142](#) **[Settlement of Lawsuit - KLW, LLC - \$110,000]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by KLW, LLC, against the City and County of San Francisco for \$110,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation\\_Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
11. [111143](#) **[Settlement of Lawsuit - Lawrence LaBianca - \$34,965]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Lawrence LaBianca against the City and County of San Francisco for \$34,965; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation\\_Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
12. [111144](#) **[Settlement of Lawsuit - Jane Martin and David Baker - \$50,000]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Jane Martin and David Baker against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation\\_Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
13. [111145](#) **[Settlement of Lawsuit - Pat Moore/Tom Moore - \$30,000]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore/Tom Moore against the City and County of San Francisco for \$30,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation\\_Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.

14. [111146](#) **[Settlement of Lawsuit - James Ramsey/Patricia Carazo Ramsey - \$33,000]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by James Ramsey/Patricia Carazo Ramsey against the City and County of San Francisco for \$33,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
15. [111147](#) **[Settlement of Lawsuit - Sally Seid - \$27,815]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$27,815; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
16. [111148](#) **[Settlement of Lawsuit - Angela Sinicropi/Martin Takigawa - \$26,820]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Angela Sinicropi/Martin Takigawa against the City and County of San Francisco for \$26,820; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.
17. [111149](#) **[Settlement of Lawsuit - Sunday Bazaar/2170 Folsom, LLC - \$60,000]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday Bazaar/2170 Folsom, LLC, against the City and County of San Francisco for \$60,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 111711](#)  
  
10/17/11; RECEIVED FROM DEPARTMENT.  
  
11/1/11; RECEIVED AND ASSIGNED to the Rules Committee.

**18. [111150](#) [Settlement of Claim - James Christian - \$200,000]**

Resolution approving the settlement of the unlitigated claim filed by James Christian against the City and County of San Francisco for \$200,000; claim was filed on May 31, 2011. (City Attorney)

**Attachments:** [Legislation Ver1](#)

[Comm Packet 111711](#)

10/17/11; RECEIVED FROM DEPARTMENT.

11/1/11; 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

*NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

## LEGISLATION UNDER THE 30-DAY RULE

*NOTE: The following legislation will not be considered at this meeting. Board 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.*

### 111189

#### **[Administrative Code - Right to Counsel In Civil Matters]**

##### **Sponsors: Chiu; Kim, Wiener and Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Article 58, Sections 58.1 through 58.3 to: 1) declare San Francisco to be a Right to Civil Counsel City; and 2) declare the intent of the Board of Supervisors to create a one-year San Francisco Right to Civil Counsel pilot program.

11/1/11; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.



### Agenda Item Information

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, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

### 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; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, 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.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. 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. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

**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, 1 Dr. Carlton B Goodlett Place, or 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, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. 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; phone at (415) 554-7724; 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 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 <http://www.sfgov.org/ethics>