



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

Thursday, December 8, 2011

1:30 PM

City Hall, Committee Room 263

Special Meeting

AGENDA CHANGES

REGULAR AGENDA

1. [111245](#) **[Appointment, Treasury Oversight Committee - Peter Goldstein]**
Motion appointing Peter Goldstein, term ending June 5, 2013, to the Treasury Oversight Committee. (Treasurer-Tax Collector)

Attachments: [Legislation_Ver1](#)

[Comm_Packet_120811](#)

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

2. [111264](#) **[Appointment, Bicycle Advisory Committee]**
Hearing to consider appointing one member, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Vacant seat 5, succeeding Susan King, term expired, must be a nominee of District 5 Supervisor. The member shall serve a two-year term ending November 19, 2012, or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Attachments: [Comm Packet 120811](#)

11/21/11; RECEIVED AND ASSIGNED to the Rules Committee.

*1 seat/ 1 applicant
Jared Cohen, seat 5*

3. [111263](#) **[Appointments, Eastern Neighborhoods Citizens Advisory Committee]**
Hearing to consider appointing four members, terms ending October 19, 2013, to the Eastern Neighborhoods Citizens Advisory Committee. (Clerk of the Board)
- Vacant seat 5, succeeding Fernando Marti, term expired, must be nominated by District 6 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.
- Vacant seat 7, succeeding Chris Block, term expired, must be nominated by District 8 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.
- Vacant seat 8, succeeding Eric Quezada, term expired, must be nominated by District 9 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.
- Vacant seat 9, succeeding Oscar Grande, term expired, must be nominated by District 9 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.

Attachments: [Comm Packet 120811](#)

11/21/11; RECEIVED AND ASSIGNED to the Rules Committee.

4 seats/ 4 applicants
Fernando Marti, seat 5
Chris Block, seat 7
Wendy Phillips, seat 8
Oscar Grande, seat 9

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on December 13, 2011.

4. [111079](#) **[Administrative Code - Additional Pre-Approval Notice for Certain City Projects]**
Sponsor: Farrell
Ordinance amending San Francisco Administrative Code by adding Chapter 79A to expand upon the minimum notice requirements prior to approval of a City Project that are mandated by the Citizens' Right-to-Know Act of 1998.

Attachments: [Legislation Ver1](#)

[111079 Leg Digest.DOC](#)

[Comm Packet 120811](#)

10/4/11; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

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.*

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

5. [111174](#) **[Settlement of Unlitigated Claim - Janet O'Hara - \$100,000]**
Resolution approving the settlement of the unlitigated claim filed by Janet O'Hara against the City and County of San Francisco for \$100,000; claim was filed on March 11, 2011. (City Attorney)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_120811](#)

11/3/11; RECEIVED FROM DEPARTMENT.

11/15/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on December 13, 2011.

6. [111244](#) **[Settlement of Unlitigated Performance Bond Claim - Travelers Casualty and Surety Company of America - City to Receive \$250,000]**
Resolution authorizing settlement of an unlitigated performance bond claim by the San Francisco Airport Commission against Travelers Casualty and Surety Company of America relating to a lease default by Mexicana Airlines. (City Attorney)

Attachments: [Comm Packet 120811](#)

11/10/11; RECEIVED FROM DEPARTMENT.

11/22/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on December 13, 2011.

7. [111286](#) **[Settlement of Lawsuit - Patricia Sancinito - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Patricia Sancinito against the City and County of San Francisco and Laguna Honda Hospital for \$75,000; the lawsuit was filed on May 19, 2011, in San Francisco Superior Court, Case No. CGC-11-511076; entitled Patricia Sancinito v. City and County of San Francisco, Laguna Honda Hospital. (City Attorney)
Attachments: [Comm Packet 120811](#)

11/22/11; RECEIVED FROM DEPARTMENT.
12/6/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on December 13, 2011.
8. [111287](#) **[Settlement of Lawsuit - Mitchell Engineering/Obayashi Corporation, JV - \$14,950,000]**
Ordinance authorizing settlement of the lawsuit entitled Mitchell Engineering/Obayashi Corporation, JV (MEOC) v. City and County of San Francisco, et al., and related cross-actions.), Santa Clara County Superior Court Case No. 1-08-CV-116915 by payment of \$14,950,000 from the City to MEOC. (City Attorney)
Attachments: [Legislation Ver1](#)
[Comm Packet 120811](#)

11/22/11; RECEIVED FROM DEPARTMENT.
12/6/11; RECEIVED AND ASSIGNED to the Rules Committee.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on December 13, 2011.
9. [111297](#) **[Settlement of Lawsuit - Airis v. CCSF, et al. - \$7,500,000]**
Sponsor: Wiener
Ordinance authorizing settlement of the lawsuit filed by Airis SFO, LLC, Airis Holdings LLC, and Duane Morris LLP ("Airis") against the City and County of San Francisco (the "City") for \$7,500,000; the lawsuit was filed on July 15, 2005 in San Mateo Superior Court, Case No. 448274, entitled Airis SFO, LLC, et al. v. City and County of San Francisco, et al.; other material terms include a full and final release by Airis of all claims for attorneys' fees, costs, and postjudgment interest.
Attachments: [Legislation Ver1](#)
[Comm Packet 120811](#)

12/1/11; RECEIVED AND ASSIGNED to the Rules Committee.

Pending introduction at the full Board meeting on December 6, 2011.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on December 13, 2011.

[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

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

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>