



# City and County of San Francisco

## Meeting Agenda - Final

### Rules Committee

*Members: Jane Kim, Mark Farrell, David Campos*

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

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

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Thursday, July 19, 2012

1:30 PM

City Hall, Committee Room 263

### Regular Meeting

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## MEETING CONVENED

## REGULAR AGENDA

1. [120722](#) **[Appointment, San Francisco Sentencing Commission - Theshia Naidoo]**  
Hearing to consider appointing one member, term to be determined, to the San Francisco Sentencing Commission. (Clerk of the Board)

Vacant seat 1, new appointment, must be a sentencing expert, for a term to be determined.

**Attachments:** [Comm Packet\\_071912](#)  
[Legislation\\_Ver1](#)

6/26/12; RECEIVED AND ASSIGNED to the Rules Committee.

*1 seat/ 2 applicants*  
*Theshia Naidoo, seat 1 (Residency Waiver Required)*  
*Allen Hopper, seat 1 (Residency Waiver Required)*

**2. [120744](#) [Appointment, Board of Appeals - Ann Lazarus]****Sponsor: Mayor**

Motion approving/rejecting the Mayor's appointment of Ann Lazarus to the Board of Appeals for the term ending July 1, 2014.

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - June 25, 2012)

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

[Comm Packet 071912](#)

[Legislation Ver2](#)

[Board Packet 072412](#)

6/25/12; 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 July 24, 2012.*

**3. [120745](#) [Appointment, Board of Appeals - Frank Fung]****Sponsor: Mayor**

Motion approving/rejecting the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2016.

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - June 25, 2012)

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

[Comm Packet 071912](#)

[Legislation Ver2](#)

6/25/12; RECEIVED AND ASSIGNED to the Rules Committee.

4. [120746](#) **[Appointment, Board of Appeals - Kevin Cheng]**  
**Sponsor: Mayor**  
Motion approving/rejecting the Mayor's appointment of Kevin Cheng to the Board of Appeals for the term ending July 1, 2016.
- (Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - June 25, 2012)
- Attachments:** [Legislation Ver1](#)  
[Comm Packet 071912](#)
- 6/25/12; 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 July 24, 2012.*
5. [120743](#) **[Confirming Appointment, Port Commission - William Adams]**  
**Sponsor: Mayor**  
Motion confirming the appointment of William Adams to the Port Commission, term ending May 1, 2014.
- Attachments:** [Comm Packet 071912](#)
- 6/25/12; RECEIVED AND ASSIGNED to the Rules Committee.
6. [120668](#) **[Health Code - Reauthorizing Food Security Task Force]**  
**Sponsor: Mar**  
Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2 to: 1) to reauthorize the Food Security Task Force, which had expired on January 30, 2012; 2) create sunset provisions for the Food Security Task Force expiring on July 1, 2015, subject to extension; 3) identify the agencies and organizations from which members are appointed; and 4) set the number of members, and making findings, including environmental findings.
- Attachments:** [Legislation Ver1](#)  
[Leg Digest Ver1](#)  
[Comm Packet 071912](#)
- 6/12/12; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.
7. [120626](#) **[Hearing - Transfer of Local Business Enterprise Program]**  
**Sponsor: Campos**  
Hearing on proposed transfer of the Local Business Enterprise Program from Human Rights Commission to Office of the City Administrator or the Office of Economic Workforce Development.
- Attachments:** [Comm Packet 071912](#)
- 6/5/12; RECEIVED AND ASSIGNED 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.*

8. **120656** **[Settlement of Lawsuit - John and Virginia Lai - \$275,000]**  
Ordinance authorizing settlement of the lawsuit by John and Virginia Lai against the City and County of San Francisco for \$275,000; the lawsuit was filed on December 27, 2010, in San Francisco Superior Court, Case No. CGC-10-506691; entitled John and Virginia Lai, et al. v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Comm Packet 071912](#)  
[Board Packet 072412](#)  
  
6/5/12; RECEIVED FROM DEPARTMENT.  
  
6/19/12; 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 July 24, 2012.*
9. **120657** **[Settlement of Lawsuit - Michael Horan - \$250,000]**  
Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for \$250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Comm Packet 071912](#)  
  
6/5/12; RECEIVED FROM DEPARTMENT.  
  
6/19/12; 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 July 24, 2012.*

- 10. [120659](#) [Settlement of Lawsuit - Gerardo Gonzales Delgado - \$250,000]**  
Ordinance authorizing settlement of the lawsuit filed by Gerardo Gonzales Delgado against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 2, 2010, in San Francisco Superior, Case No. CGC-10-502105; entitled Gerardo Gonzales Delgado v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Comm Packet 071912](#)  
[Board Packet 072412](#)  
  
6/5/12; RECEIVED FROM DEPARTMENT.  
  
6/19/12; 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 July 24, 2012.*
- 11. [120684](#) [Settlement of Claim - Kimberly Wilson - \$35,000]**  
Resolution approving a settlement of the unlitigated claim filed by Kimberly Wilson against the City and County of San Francisco for \$35,000; claim was filed on April 11, 2011. (City Attorney)  
**Attachments:** [Comm Packet 071912](#)  
[Legislation Ver1](#)  
[Board Packet 072412](#)  
  
6/5/12; RECEIVED FROM DEPARTMENT.  
  
6/19/12; 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 July 24, 2012.*
- 12. [120748](#) [Settlement of Lawsuit - Maura Molyan and Anne Raskin - \$762,000]**  
Ordinance authorizing the settlement of a lawsuit filed by Maura Moylan and Anne Raskin against the City County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives for \$762,000; the lawsuit was filed on October 14, 2010, in United States District Court for the Northern District of California, Case No. C10-04700, entitled Maura Moylan and Anne Raskin v. City and County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives. (City Attorney)  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 071912](#)  
[Board Packet 072412](#)  
  
7/9/12; RECEIVED FROM DEPARTMENT.  
  
7/17/12; 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 July 24, 2012.*

**13. [120749](#)****[Settlement of Lawsuit - Candie Mattson - \$100,000]**

Ordinance authorizing the settlement of a lawsuit filed by Candie Mattson against the City and County of San Francisco, Parks & Recreation Department and Dennis Kern for \$100,000 reinstatement of sick leave in the amount of 100 hours, and reinstatement of vacation in the amount of 100 hours; the lawsuit was filed on June 14, 2010, in San Francisco Superior Court, Case NO. 10-50073, entitled Candie Mattson v. City and County of San Francisco, Parks & Recreation Department and Dennis Kern.

**Attachments:** [120749](#)

[Comm Packet 071912](#)

[Board Packet 072412](#)

7/9/12; RECEIVED FROM DEPARTMENT.

7/17/12; 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 July 24, 2012.*

*[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. Meetings are broadcast live on KPOO 89.5 FM. 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 Derek Evans (415) 554-7702.

**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>