

**City and County of San Francisco
Rules Committee**

City Hall, Room 263



**Meeting Agenda
Thursday, January 15, 2009
10:00 AM
Regular Meeting**

Members: Chris Daly, Bevan Dufty

Clerk: Mary Red (415) 554-4442

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.

AGENDA CHANGES

REGULAR AGENDA

- 1. 081199 [Medical Cannabis Act Revisions] Mayor**
- Ordinance approving amendments to the Medical Cannabis Act to clarify that a medical cannabis dispensary shall be a cooperative or collective and shall operate as a non-profit.
- 9/9/08, RECEIVED AND ASSIGNED to Rules Committee.
- 9/17/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comments.
- 11/18/08, SUBSTITUTED. Mayor Newsom submitted a substitute ordinance bearing the same title.
- 11/18/08, ASSIGNED to Rules Committee.
- 11/21/08, RESPONSE RECEIVED. Small Business Commission has no comment on the item.

12/4/08, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Rajiv Bhatia, M.D., MPH, Medical Director, Department of Public Health; Male Speaker; Patrick; Michelle Algrich.

2. 090036 [Appointment, Metropolitan Transportation Commission - Chris Daly]

Motion appointing Supervisor Chris Daly, term ending February 10, 2011, to the Metropolitan Transportation Commission.

1/7/09, RECEIVED AND ASSIGNED to Rules Committee.

3. 081215 [Appointment, Transbay Joint Powers Authority - Carter R. Rohan]

Resolution confirming the appointment of Mr. Carter R. Rohan, R. A. (Senior Director of Transportation Planning and Development Division of the San Francisco Municipal Transportation Agency) to serve on the Transbay Joint Powers Authority as an Alternate Member when SFMTA Executive Director/CEO Nathaniel P. Ford, Sr. is unable to attend. (Municipal Transportation Agency)

9/12/08, RECEIVED AND ASSIGNED to Rules Committee.

4. 081482 [Appointments, Peak Oil Preparedness Task Force]

Hearing to consider appointing one member, term ending March 27, 2009, to the Peak Oil Preparedness Task Force.

Vacant seat succeeding Richard Katz, resigned, seat 2, must represent the public at-large, for unexpired portion of a one-year term expiring March 27, 2009.

12/3/08, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/6 applicants

Alice Friedemann, seat 2

Antoinetta Stadlman, seat 2

Woody Hastings, seat 2

Sean O'Halloran, seat 2

Christopher Swan, seat 2

Don Eichelberger, seat 2

5. 081403 [Appointments - Citizens General Obligation Bond Oversight Committee]

Resolution appointing Robert Muscat and Kristen Chu, terms ending 2010, to the Citizens General Obligation Bond Oversight Committee.

11/4/08, RECEIVED AND ASSIGNED to Rules Committee.

6. 081390 [Appointments, Shelter Monitoring Committee]

Hearing to consider appointing six members, terms ending November 23, 2010, to the Shelter

Monitoring Committee.

Vacant seat, new assignment, seat 1, must be homeless or formerly homeless within the 3 years prior to appointment and living with their homeless child under age 18, for two-year term ending November 23, 2010.

Vacant seat, new assignment, seat 2, must be homeless or formerly homeless within the 3 years prior to appointment with a disability, for two-year term ending November 23, 2010.

Vacant seat, succeeding Chris Callandrillo, seat 3. term expired, must have experience providing direct services to the homeless through a community setting, for two-year term ending November 23, 2010.

Vacant seat, succeeding Kim Clark, seat 4, term expired, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for two-year term ending November 23, 2010.

Vacant seat, succeeding Diana Greer, seat 5, term expired, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for two-year term ending November 23, 2010.

Vacant seat, succeeding Damian Ochoa, seat 6, term expired, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for two-year term ending November 23, 2010.

11/3/08, RECEIVED AND ASSIGNED to Rules Committee.

12/4/08, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Rita P. Lark; Kelly Knapp; Aubrey Moore; Diana Greer; Tomas Picarello; Charles Pitts; James Lennard; Jennifer Friedenbach; Quintin Mecke, Shelter Monitoring Committee; Joyce Crum, Director, Housing and Homeless Division, Human Services Agency

6 seats/15 applicants

William Crumedy, seats 1, 2

Charles Pitts, seats 2, 3

Rita P. Lark, seats 1, 3

William Masone, seats 1, 2, 3

Kelly Knapp, seat 3

David C. Harvey, seat 3

Maxine Pauson, seats 2, 4, 5

Aubrey Moore, seats 3, 4

Tomas Picarello, seat 4

Diana Greer, seat 5

Jenna Blue, seats 2, 5

Ramses Teon-Nichols, seats 3, 4, 5, 6

Elihu Hernandez, 1, 2, 3, 4, 5, 6,

Kyle Swafford, 1, 2, 4, 5, 6

Amanda Thompson, 3, 4, 5, 6

7. 081430 [Appointments, Children's Collaborative Task Force]

Hearing to consider appointing members to the Children's Collaborative Task Force.

Vacant seat, new appointment, seat 1, must be a teacher and/or an education professional currently employed by a public school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 2, must be a teacher and/or an education professional currently employed by a public school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 3, must be a teacher and/or an education professional currently employed by a public school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 5, must be the parent of a child currently enrolled in or attending a public school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 6, must be the parent of a child currently enrolled in or attending a public school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 8, must be an at large representative of public schools in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 10, must be a teacher and/or an education professional currently employed by a private school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 11, must be a teacher and/or an education professional currently employed by a private school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 15, must be teachers and/or education professionals currently employed by a parochial school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 16, must be teachers and/or education professionals currently employed by a parochial school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 17, must be teachers and/or education professionals currently employed by a parochial school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 20, must be the parent of a child currently enrolled in or attending a parochial school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

11/13/08, RECEIVED AND ASSIGNED to Rules Committee.

12/4/08, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Rondall K. Lane, M.D.

12 seats/6 applicants

Nina A. D'Amato, seats 1, 2, 3

Sharon Olken, seats 1, 2, 3

Leslie Trook, seats 1, 2, 3

Dr. Rondall Lane, 1, 2, 3

Pavlos Politopoulos, seats 5, 6

Markus Hunt, 10, 11 - Residency Waiver Required

8. 081534 [Appointments, Bicycle Advisory Committee]

Hearing to consider appointing three members, terms ending November 19, 2010, to the Bicycle Advisory Committee.

Vacant seat succeeding Richard Tilles, seat 2, term expired, must be nominee of District 2 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 two-year term ending November 19, 2010.

Vacant seat succeeding Lisa Estrella, seat 4, term expired, must be nominee of District 4 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 two-year term ending November 19,

2010.

Vacant seat succeeding Elbert Hill, seat 7, term expired, must be nominee of District 7 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 two-year term ending November 19, 2010.

12/2/08, RECEIVED AND ASSIGNED to Rules Committee.

3 seats/3 applicants

Richard Tilles, seat 2

Jared Washkowitz, seat 4

Elbert Hill, seat 7

9. 081481 [Appointments, Pedestrian Safety Advisory Committee]

Hearing to consider appointing one member, term ending March 28, 2009, to the Pedestrian Safety Advisory Committee.

Vacant seat succeeding Joy Oganeku, term expired, seat 3, must be a representative from senior or disability organizations, for term ending March 28, 2009.

12/3/08, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/1 applicant

Richard Rothman, seat 3

10. 081511 [Reentry Council]

Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by modifying Section 5.1-3 to clarify that the Board of Supervisors shall appoint four, rather than three, of the members of the Reentry Council who are former inmates, and to exempt all members of the Reentry Council from the requirement that they be electors of the City and County.

11/25/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/25/2008.

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.

11. 081618 [Settlement Of Lawsuit - Xiaomei Ma v. CCSF - \$115,000]

Ordinance authorizing settlement of Xiaomei Ma's claims in the lawsuit filed by Xiaomei Ma against the City and County of San Francisco for \$115,000.00; the lawsuit was filed on April 6,

2007, in the San Francisco Superior Court, Case No. 07-462106, entitled Ma v. City and County of San Francisco. (City Attorney)

12/29/08, RECEIVED AND ASSIGNED to Rules Committee.

12. 081395 [Settlement of Lawsuit - Denise Caicedo - \$47,500.00]

Ordinance authorizing settlement of the lawsuit filed by Denise Caicedo against the City and County of San Francisco for \$47,500.00; the lawsuit was filed on September 22, 2006 in Superior, Case No. 456-426; entitled Denise Caicedo v. City and County of San Francisco, et al. (City Attorney)

11/24/08, RECEIVED AND ASSIGNED to Rules Committee.

Motion that 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 settlement of threatened litigation by the IRS related to the interest rate on the proceeds of bonds issued by Airport for construction of the General Aviation Terminal. Government Code Section 54956.9(b) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably

13. 081363 [Settlement of Unlitigated Tax-Related Matter with Internal Revenue Service]

Resolution authorizing settlement of unlitigated tax-related matter with the Internal Revenue Service regarding potential tax liability. (City Attorney)

10/24/08, RECEIVED AND ASSIGNED to Rules Committee.

12/4/08, CONTINUED TO CALL OF THE CHAIR.

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 Committee 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.

090007 [Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors] Supervisors Elsbernd, Chu

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

1/6/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/5/2009.

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.**

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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