

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

City Hall, Room 263



**Meeting Agenda
Thursday, March 5, 2009
10:00 AM
Regular Meeting**

Members: Chris Daly, Carmen Chu, David Campos

Clerk: Linda Wong (415) 554-7719

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. 090207 **[Appointment, Golden Gate Bridge, Highway and Transportation District- Supervisor Michela Alioto-Pier]**
Motion appointing Supervisor Michela Alioto-Pier as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, term ending January 31, 2011.

2/24/09, RE-REFERRED to Rules Committee.
2. 090057 **[Appointment, San Francisco Bay Conservation and Development Commission]**

Motion appointing Supervisor Sophie Maxwell, Michela Alioto-Pier or David Chiu, for an indefinite term, to the San Francisco Bay Conservation and Development Commission.

Succeeding Aaron Peskin, seat 1, must be a member of the Board of Supervisors whose district includes within its boundaries lands lying within the San Francisco Bay (Districts 1, 2, 3, 6, and 10), for an indefinite term.

1/23/09, RECEIVED AND ASSIGNED to Rules Committee.

2/12/09, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Tracy Shephard. Amendment of the Whole

2/12/09, CONTINUED AS AMENDED.

2/19/09, AMENDED. Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney; Angela Calvillo, Clerk of the Board. Motion was amended to delete Chris Daly and Eric Mar from the title, line 3.

2/19/09, CONTINUED TO CALL OF THE CHAIR AS AMENDED.

3. 090151 [Appointments, Golden Gate Bridge, Highway and Transportation District]

Hearing to consider appointing four members, terms ending January 31, 2011, to the Golden Gate Bridge Highway Transportation District.

Seat 1, succeeding Janet Reilly, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

Seat 2, succeeding Sabrina Hernandez, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

Seat 3, succeeding Richard Grosboll, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

Seat 4, succeeding Lynne Newhouse Segal, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

2/3/09, RECEIVED AND ASSIGNED to Rules Committee.

4 seats/ 4 applicants

Janet Reilly, seat 1

Larry Mazzola, Jr., seat 2

Lynne Newhouse Segal, seats 1, 2, 3, 4

David Synder, seats 1, 2, 3, 4

4. 090245 [Appointment, Asthma Task Force]

Hearing to consider appointment one member, term ending July 1, 2011, to the Asthma Task Force.

Vacant seat, succeeding Natasha Madaris, resigned, seat 1, must be a representative of a community-based organization that provides community-based research or advocacy related to asthma issues in San Francisco and is a voting member, for term ending July 1, 2011.

2/24/09, RECEIVED AND ASSIGNED to Rules Committee.

1 seat/ 1 applicant

Rondell Lane, M. D., seat 1

5. 090244 [Appointments, Library Citizens Advisory Committee]

Hearing to consider appointing two members, terms ending July 18, 2010, to the Library Citizens Advisory Committee.

Vacant seat, succeeding Theodore Bamberger, term expired, seat 12, must be member from the community at large, representative of senior citizens for a two-year term ending July 18, 2010.

Vacant seat, succeeding Douglas Ryan, term expired, seat 14, must be a member from the community at large, representative of youth and children who shall be between the ages of thirteen and twenty-three at the time of appointment, for a two-year term ending July 18, 2010.

2/24/09, RECEIVED AND ASSIGNED to Rules Committee.

2 seats/ 2 applicants

Theodore Bamberger, seat 12

Houston Garcia, seat 14 (residency waiver required)

6. 081592 [Appointments, Voting Systems Task Force]

Hearing to consider appointing nine members, terms to be determined, to the Voting Systems Task Force.

9 seats being considered

Vacant seat, new assignment, seat 1, must represent good government groups, for two-year term to be determined.

Vacant seat, new assignment, seat 2, must represent good government groups, for two-year term to be determined.

Vacant seat, new assignment, seat 3, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Vacant seat, new assignment, seat 4, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Vacant seat, new assignment, seat 5, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Vacant seat, new assignment, seat 6, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Vacant seat, new assignment, seat 7, must have a background in or knowledge of election administration, for two-year term to be determined.

Vacant seat, new assignment, seat 8, must have a background in or knowledge of election administration, for two-year term to be determined.

Vacant seat, new assignment, seat 9, must have a background working in accommodation of persons with disabilities, for two-year term to be determined.

12/16/08, RECEIVED AND ASSIGNED to Rules Committee.

2/19/09, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Elizabeth Bergman; Brent Turner; Daniel Swartzman; Gregory Miller; Tim Mayer; Roger Donaldson.

9 seats/ 15 applicants

Brent Turner, seats 1, 2 (Residency Waiver Required)

Chandra Friese, seats 1, 2

Joanne Sanford, seats 1, 2
Kristin Chu, seats 1, 2, 3, 4, 5, 6
Roger D. Donaldson, seats 1, 2, 3, 4, 5, 6, 7, 8
A. Lee Munson, seats 1, 2, 3, 4, 5, 6, 7, 8
James Soper, seats 1, 2, 3, 4, 5, 6, 9 (Residency Waiver Required)
Elizabeth Bergman, seats 1, 2, 7, 8 (Residency Waiver Required)
Richard Matthews, seats 1, 2, 7, 8
Gregory A. Miller, seats 3, 4, 5, 6 (Residency Waiver Required)
Tim Mayer, seats 3, 4, 5, 6
Beth Mazur, seats 3, 4, 5, 6
Ka-Ping Yee, seats 3, 4, 5, 6 (Residency Waiver Required)
Daniel Swarzman, seats 3, 4, 5, 6 (Residency Waiver Required)
Noel Runyan, seat 9 (Residency Waiver Required)

7. 090037 [Appointments, Mental Health Board]

Hearing to consider appointing three members, terms ending January 31, 2010 and January 31, 2012, to the Mental Health Board.

Vacant seat, succeeding John Hines, term expired, seat 12, must be a consumer, for a three-year term ending January 31, 2012.

Vacant seat, succeeding Rebecca Anne Turner, resigned, seat 15, must be health professional, for unexpired portion of a three-year term ending January 31, 2010.

Vacant seat, succeeding Virginia Wright, term expired, seat 16, must be a family member, for a three-year term ending January 31, 2012.

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

3 seats/ 8 applicants

Christine James, seat 12

Errol Wishom, seat 12

Mary Ann Jones, Ph. D., seat 15

Lena Miller, seat 15

Sandra Tellers, seat 15

Katherine Keon, seat 15

Amber Robinson Green, seat 15

Virginia Wright, seat 16

8. 081597 [Rainy Day Reserve]

Supervisor Daly

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 9.113.5, to: (1) allow the City to withdraw up to 100 percent of the current balance in the Rainy Day Reserve, not to exceed 20 percent of the projected deficit, in years in which a budgetary deficit of \$250 million or more is projected; (2) require the City to also appropriate to the School District an amount equal to 33 percent of any such withdrawals for the City's benefit, in years in which the School District faces a loss of revenues and significant layoffs; and, (3) eliminate obsolete provisions.

12/16/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/15/2009.

1/26/09, Digest received, 30-day Rule ends February 25, 2009.

1/27/09, ASSIGNED to Rules Committee.

1/27/09, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new

title. Response received from Planning Department and Youth Commission on February 9, 2009.
2/19/09, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Robert Harlen; Walter.
2/19/09, CONTINUED TO CALL OF THE CHAIR AS AMENDED. `

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.

9. 090117 **[Settlement of Lawsuit - Antia Lelaind - \$175,000]**
Ordinance authorizing settlement of the lawsuit filed by Antia Lelaind against the City and County of San Francisco et al. for \$175,000; the lawsuit was filed on September 22, 2006, in the United States District Court of the Northern District of California, Case No. C06-05870 MHP; entitled Antia Lelaind v. City and County of San Francisco, et al. (City Attorney)

2/10/09, RECEIVED AND ASSIGNED to Rules Committee.
10. 090155 **[Settlement of Claim - Deo Dutt - \$98,443.83]**
Resolution approving the settlement of unlitigated claim of State Farm Insurance Company as subrogee for Deo Dutt against the City and County of San Francisco for \$98,443.83; claim was filed on October 21, 2008. (City Attorney)

2/10/09, RECEIVED AND ASSIGNED to Rules Committee.
11. 090158 **[Settlement of Lawsuit - Mark Boyd - \$85,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Mark Boyd against the City and County of San Francisco for \$85,000; 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)

2/11/09, RECEIVED AND ASSIGNED to Rules Committee.
12. 090172 **[Settlement of complaint before the Federal Energy**

Regulatory Commission and approval of Revised Procedures]

Ordinance authorizing settlement of proceedings before the Federal Energy Regulatory Commission in FERC Dockets No. ER05-516-000, et al, initiated by the City against Pacific Gas & Electric Company contesting costs and terms and conditions for the interconnection of City facilities under the Interconnection Agreement with PG&E and approving the Revised Procedures for interconnection of City facilities. (Public Utilities Commission)

2/9/09, 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 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.

090199 **[Conflict of Interest Code Amendments]**

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-110, 3.1-120, 3.1-145, 3.1-155, 3.1-165, 3.1-175, 3.1-195, 3.1-207, 3.1-218, 3.1-251, 3.1-253, 3.1-267, 3.1-275, 3.1-280, 3.1-285, 3.1-315, 3.1-320, 3.1-340, 3.1-345, 3.1-362, 3.1-365, 3.1-395, 3.1-410, 3.1-415, 3.1-420, 3.1-422, 3.1-435, 3.1-460, deleting sections 3.1-193, 3.1-300, 3.1-350, 3.1-425, and adding sections 3.1-158, 3.1-268, 3.1-350 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories. (Clerk of the Board)

2/12/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/26/2009.

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.

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