



City and County of San Francisco

Committee Agenda - Final

Rules Committee

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

Members: David Campos, Chris Daly, Michela Alioto-Pier

Clerk: Linda Wong (415) 554-7719

Thursday, August 6, 2009

10:00 AM

City Hall, Committee Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

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.

MEETING CONVENED

CONSENT AGENDA

1. [090952](#) **[Appointment, California State Association of Counties - Supervisor Eric Mar]**
Motion appointing Supervisor Eric Mar, term ending November 28, 2009, to the California State Association of Counties.
7/27/09; RECEIVED AND ASSIGNED to the Rules Committee.

page break

REGULAR AGENDA

2. [090877](#) **[Confirming the reappointment of Kimberly K. Brandon to the San Francisco Port Commission]**
Sponsor(s): Mayor
Motion confirming the reappointment of Kimberly K. Brandon to the San Francisco Port Commission for a four-year term ending May 1, 2013.
7/13/09; RECEIVED AND ASSIGNED to the Rules Committee.
3. [090970](#) **[Reappointment, Recreation and Parks Commission - Larry Martin]**
Motion approving the Mayor's reappointment of Larry Martin to the Recreation and Parks Commission for the term ending June 27, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)
7/30/09; RECEIVED AND ASSIGNED to the Rules Committee.
The Chair intends to entertain a motion to send this item to Board as a Committee Report on August 11, 2009.
4. [090971](#) **[Reappointment, Recreation and Parks Commission - Larry Martin]**
Motion rejecting the Mayor's reappointment of Larry Martin to the Recreation and Parks Commission for the term ending June 27, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)
7/30/09; RECEIVED AND ASSIGNED to the Rules Committee.
The Chair intends to entertain a motion to send this item to Board as a Committee Report on August 11, 2009.
5. [090972](#) **[Reappointment, Recreation and Parks Commission - David Lee]**
Motion approving the Mayor's reappointment of David Lee to the Recreation and Parks Commission for the term ending June 27, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)
7/30/09; RECEIVED AND ASSIGNED to the Rules Committee.
The Chair intends to entertain a motion to send this item to Board as a Committee Report on August 11, 2009.

6. [090973](#) **[Reappointment, Recreation and Parks Commission - David Lee]**
Motion rejecting the Mayor's reappointment of David Lee to the Recreation and Parks Commission for the term ending June 27, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)
7/30/09; RECEIVED AND ASSIGNED to the Rules Committee.
The Chair intends to entertain a motion to send this item to Board as a Committee Report on August 11, 2009.
7. [090974](#) **[Appointment, Residential Rent Stabilization and Arbitration Board - Amelia D. Yaros]**
Sponsor(s): Elsbernd
Motion approving the Mayor's appointment of Amelia D. Yaros to the Residential Rent Stabilization and Arbitration Board for the term ending October 1, 2011.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – July 13, 2009.)
7/30/09; RECEIVED AND ASSIGNED to the Rules Committee.
The Chair intends to entertain a motion to send this item to Board as a Committee Report on August 11, 2009.
8. [090975](#) **[Appointment, Residential Rent Stabilization and Arbitration Board - Amelia D. Yaros]**
Motion rejecting the Mayor's appointment of Amelia D. Yaros to the Residential Rent Stabilization and Arbitration Board for the term ending October 1, 2011.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – July 13, 2009.)
7/30/09; RECEIVED AND ASSIGNED to the Rules Committee.
The Chair intends to entertain a motion to send this item to Board as a Committee Report on August 11, 2009.
9. [090976](#) **[Reappointment, Civil Service Commission - Dennis Normandy]**
Motion approving the Mayor's reappointment of Dennis Normandy to the Civil Service Commission for the term ending June 30, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)
7/30/09; RECEIVED AND ASSIGNED to the Rules Committee.
The Chair intends to entertain a motion to send this item to Board as a Committee Report on August 11, 2009.

10. [090977](#) **[Reappointment, Civil Service Commission - Dennis Normandy]**
Motion rejecting the Mayor's reappointment of Dennis Normandy to the Civil Service Commission for the term ending June 30, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)
7/30/09; RECEIVED AND ASSIGNED to the Rules Committee.
The Chair intends to entertain a motion to send this item to Board as a Committee Report on August 11, 2009.

11. [090953](#) **[Appointments, Commission of Animal and Welfare - Philip Gerrie, Pam Hemphill, Sally Stephens and Andrea Brooks]**
Hearing to consider appointing four members, terms ending April 30, 2011, to the Commission of Animal Control and Welfare.
Seat 3, succeeding Philip Gerrie, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2011.
Seat 4, succeeding Pam Hemphill, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2011.
Seat 5, succeeding Sally Stephens, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2011.
Seat 6, succeeding Andrea Brooks, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2011.
7/28/09; RECEIVED AND ASSIGNED to the Rules Committee.
4 seats/ 9 applicants
Justin Pinkerton, seat 3
Philip Gerrie, seat 3
Jennifer Jameson, seats 3, 4, 5, 6
Karen Tomcala, seats 3, 4, 5, 6
Laura Fairbanks, seats 3, 4, 5, 6
Pam Hemphill, seats 3, 4, 5, 6
Sally Stephens, seat 5
Mark Ennis, seats 5, 6

12. [090954](#) **[Appointments, Immigrant Rights Commission - Lorena Melgarejo, Felix Fuentes and Ana Perez]**

Hearing to consider appointing four members, terms ending June 6, 2011, to the Immigrant Rights Commission.

Seat 4, succeeding Christopher Punongbayan, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.

Seat 6, succeeding Rael Silva, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.

Seat 8, succeeding Felix Fuentes, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.

Seat 10, succeeding Ana Perez, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.

Seat 11, succeeding Toye Moses, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.

7/28/09; RECEIVED AND ASSIGNED to the Rules Committee.

5 seats, 4 applicants

Lorena Melgarejo, seats 4, 6

Felix Fuentes, seat 8

Ana Perez, seat 10 (Residency Waiver Required)

Toye Moses, seat 11

13. [090120](#) **[Appointments, Community Oversight Committee Regarding Enforcement of Marijuana Offenses - Gregory Ledbetter, Catherine Smith and Michael Barbitta]**

Hearing to consider appointing three members, terms ending January 1, 2011, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Seat 1, succeeding Mira Ingram, term expired, must be a medical cannabis patient, for the unexpired portion of a two-year term ending January 1, 2011.

Seat 3, succeeding Catherine Smith, term expired, must be representative of a medical cannabis dispensary operating in San Francisco, for the unexpired portion of a two-year term ending January 1, 2011.

Seat 5, succeeding Patt Denning, resigned, must be a harm reduction practitioner, for the unexpired portion of a two-year term ending January 1, 2011.

2/2/09; RECEIVED AND ASSIGNED to the Rules Committee.

3 seats/ 6 applicants

Anthony Renzo, seat 1

Lucifer Chesar, seat 1

Gregory Ledbetter, seat 1

Rosaura Kenyon, seats 1, 5

Catherine Smith, seat 3

Michael Barbitta, seats 1, 3, 5

14. [090258](#) **[Reports, Shelter Monitoring Committee]**
Hearing to consider the quarterly reports of the Shelter Monitoring Committee. (Clerk of the Board)
(Pursuant to Article 12-20 of the San Francisco Administrative Code, Ord. No. 283-04, the Committee shall prepare and submit quarterly reports. Original reports are in File 051713 and File 060377).
2/26/09; RECEIVED AND ASSIGNED to the Rules Committee.
15. [090219](#) **[Amendment to post-employment restrictions]**
Sponsor(s): Elsbernd
Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to extend the one-year restriction on communicating with one's former department to employees and officers who have transferred departments within the City, and to provide that an employee or officer may not be employed by a party to a City contract within one year after the contract date if the employee or officer participated personally and substantially in the award of the contract.
2/24/09; 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.*

16. [090895](#) **[Settlement of Lawsuit - Linda Caratti - \$80,000]**
Ordinance authorizing settlement of the lawsuit filed by Linda Caratti against the City and County of San Francisco for \$80,000; the lawsuit was filed on August 28, 2008, in San Francisco Superior Court, Case No. 479214; entitled Linda Caratti, v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and San Francisco Zoological Society agree to a mutual release of claims for indemnification. (City Attorney)
7/7/09; RECEIVED AND ASSIGNED to the Rules Committee.
7/30/09; CONTINUED. Continued to August 6, 2009.
Suprvisors Daly and Chu requested to be added as co-sponsors.
The Chair intends to entertain a motion to send this item to Board as a Committee Report on August 11, 2009.

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

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.

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.

**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 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