



City and County of San Francisco

Meeting Agenda - Final

Rules Committee

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

Members: David Campos, Michela Alioto-Pier, Eric Mar

Clerk: Linda Wong (415) 554-7719

Thursday, February 4, 2010

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.

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

1. [100116](#) **[Appointment, Association of Bay Area Government Executive Board]**
Motion appointing Supervisor Chris Daly, as an alternate member, term ending June 30, 2011, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)
Attachments: [Legislation Ver1](#)
[Comm Packet 020410](#)

1/28/10; RECEIVED AND ASSIGNED to the Rules Committee.

2. [100115](#) [Appointments, Citizen's Committee on Community Development]

Hearing to consider appointing four members, terms to be determined, to the Citizen's Committee on Community Development. (Clerk of the Board)

Vacant seat 1, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City. No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a one-year term to be determined.

Vacant seat 2, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City. No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a one-year term to be determined.

Vacant seat 3, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City. No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a two-year term to be determined.

Vacant seat 4, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City. No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a two-year term to be determined.

Attachments: [Comm Packet 020410](#)

1/28/10; RECEIVED AND ASSIGNED to the Rules Committee.

4 seats/ 4 applicants

Charlie Sciammas, seat 1

Rene Cazenave, seat 2

Joshua Arce, seat 3

Gaylen Mohre, seat 4

REGULAR AGENDA

3. [091434](#) **[Setting Transit Operator Wages and Benefits Solely Through Collective Bargaining]**

Sponsor: Elsbernd

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.104, A8.409-1, A8.409-4 and A8.428 and deleting Section A8.404 of the Charter to eliminate the formula setting a floor for transit operator wages and providing that wages and benefits for transit operators shall be set through collective bargaining and that any impasse in collective bargaining shall be resolved through interest arbitration.

Attachments: [Legislation Ver1](#)

[Comm Packet 012110](#)

[Comm Packet 012810](#)

[Comm Packet 020410](#)

12/15/09; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

1/21/10; CONTINUED. Heard in Committee. Speakers: Supervisor Sean Elsbernd; Bob Muscat; Jim Lazzar; Walter Scott; Male Speaker; Irwin Lum.
Continued to January 28, 2010.

1/28/10; CONTINUED. Heard in Committee. Speakers: Supervisor Sean Elsbernd; Mike Casey; Bob Muscat; Irwin Lum; Barbara Brooks; John Hanley, Fire Fighters Union; Bob Planthole; Darin Maxwell; P.J. Liam; Rafael Herrera.
Continued to February 4, 2010.

4. [091433](#) [Reducing Employer Retirement Benefit Costs]**Sponsors: Elsbernd; Mayor**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System ("SFERS") set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010 who become members of the California Public Employees' Retirement System ("CalPERS"); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010 to include a three-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010 for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010 that modifies the average final compensation calculation from a one-year formula to a three-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010 that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula.

Attachments: [Legislation Ver1](#)

[Comm Packet 012110](#)

[Comm Packet 012810](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 020410](#)

12/15/09; ASSIGNED UNDER 30 DAY RULE to the Rules Committee. See Related File 100117

1/21/10; CONTINUED. Heard in Committee. Speakers: Supervisor Sean Elsbernd; Female Speaker; Bob Muscat.

Continued to January 28, 2010.

1/28/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Elsbernd; Gary Amelio, Employees' Retirement System; Andrew Shen, City Attorney's Office; Peg Stevenson, Controller's Office; Bob Muscat; Bob Planthole; Robert Holland; Kenneth Lucas; Jean Thomas; John Hanley, Fire Fighters Union; Male Speaker; Mike Casey; Emmanuel Andreous.

1/28/10; DUPLICATED AS AMENDED. See File No. 100117.

1/28/10; CONTINUED AS AMENDED. Continued to February 4, 2010.

5. [100117](#) [Reducing Employer Retirement Benefit Costs]**Sponsors: Elsbernd; Mayor**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System ("SFERS") set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010 who become members of the California Public Employees' Retirement System ("CalPERS"); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010 to include a three-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010 for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010 that modifies the average final compensation calculation from a one-year formula to a three-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010 that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula.

Attachments: [Commi Packet 020410](#)

1/28/10; RECEIVED AND ASSIGNED to the Rules Committee. 1/28/10 - Duplicate of File No. 091433

1/28/10; CONTINUED. Continued to February 4, 2010.

6. [091430](#) [Mandated Programming of and Expenditures for City services, Functions, or Programs Designated by the Board of Supervisors]**Sponsor: Avalos**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 9.103 and 9.104 to: allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, in an amount not to exceed the total value of expenditure reductions made by the Board at the same time; require the relevant City departments to report to the Board on their plans for expenditure of the money appropriated; and, allow the Mayor to reject or reduce an appropriation identified as mandatory and reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation.

Attachments: [Legislation_Ver1](#)

[Comm Packet 012810](#)

[Comm Packet 020410](#)

12/15/09; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

1/28/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee.
Speakers: Supervisor John Avalos; Ben Rosenfield, Office of the Controller; Starr Terrell, Mayor's Office.
Continued to February 4, 2010.

1/28/10; CONTINUED AS AMENDED. Continued to February 4, 2010.

7. [091431](#) [Setting Minimum 52-Hour Work Week for Firefighters]**Sponsors: Avalos; Daly and Campos**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section A8.452 to: (1) eliminate the 48.7-hour limitation on the work week for uniformed officers and member of the Fire Department, (2) establish a work week of at least 52 hours, on an annualized basis, for uniformed officers and members assigned to fire fighting companies and units, with the minimum 52-hour work week requirement to be effective for any amendment or extension to the current Memorandum of Understanding (MOU) between the City and County of San Francisco (City) and the San Francisco Fire Fighters Union Local 798 (Union) in effect July 1, 2007 through June 30, 2011, and for the successor MOU and each MOU between the City and Union thereafter, and (3) eliminate superseded language regarding holiday schedules and compensation; and by adding Section A8.590-9 to provide that the minimum work week for firefighters assigned to fire fighting companies and units shall be governed by Section A8.452 and not be subject to binding interest arbitration under Charter Section A8.590-5.

Attachments: [Legislation_Ver1](#)

[Comm Packet 012810](#)

[Comm Packet 020410](#)

12/15/09; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

1/28/10; CONTINUED. Heard in Committee. Speakers: Supervisor John Avalos; Mike Casey; Gary Massetani, on behalf of Joanne Hayes-White, Fire Department; John Hanely, Fire Fighters Union; Erwin Lum; Kevin S., Sean Beaver; Leo Tangens; John L.; Peg Stevenson, Controller; Mary Hao, Department of Human Resources; Nathan Shepero; Female Speaker; Laura Taga; Tom O'Conner; Pat Darcey; P. J. Williams; Andy Gracia; Adrienne Sims; Michael Wash; Marilyn Chavez; Anthony Volerio; Male Speaker; Male Speaker. Continued to February 4, 2010.

8. [100075](#) [Transbay Transit Center - Under Construction at First and Mission to be the Northern Terminus for California High Speed Rail]**Sponsors: Daly; Campos, Mirkarimi and Avalos**

Hearing to consider proposed initiative declaration of policy to be submitted by four or more Supervisors to the voters at the June 8, 2010, election entitled "Declaration of Policy concerning the Transbay Transit Center - Under Construction at First and Mission to be the Northern Terminus for California High Speed Rail."

Attachments: [Comm Packet 020410](#)

1/19/10; RECEIVED AND ASSIGNED to the Rules Committee.

9. [100077](#) [Ordinance Amending Administrative Code Chapter 37 Relating to "Tenant Financial Hardship Applications"]**Sponsors: Daly; Campos, Chiu, Avalos and Mirkarimi**

Hearing to consider proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the June 8, 2010, election entitled "Ordinance amending Chapter 37 of the San Francisco Administrative Code - the Residential Rent Stabilization and Arbitration Ordinance relating to Tenant Financial Hardship Applications."

Attachments: [Comm Packet 020410](#)

1/19/10; RECEIVED AND ASSIGNED to the Rules Committee.

10. [100078](#) **[Ordinance Relating to "Park Sunlight Protection"]**
Sponsors: Chiu; Maxwell, Mirkarimi, Mar and Campos
Hearing to consider proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the June 8, 2010, election entitled "Ordinance relating to Park Sunlight Protection."
Attachments: [Comm Packet 020410](#)

1/19/10; RECEIVED AND ASSIGNED to the Rules Committee.

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.

- [100095](#) **[Citywide Coordination of Information and Communications Technology]**
Sponsor: Chiu
Ordinance amending Department of Technology and Committee on Information Technology responsibilities, establishing the position and duties of the Chief Information Officer, eliminating the Telecommunications Commission, adding San Francisco Administrative Code Chapter 22A, Sections 22A.1, 22A.2, 22A.3, 22A.4, 22A.5, 22A.6 and 22A.7, and deleting San Francisco Administrative Code Sections 3.24, 3.25, 3.27, 11.85, 11.86, 11.87, 11.88 and 11.89 to implement these changes.
Attachments: [Legislation VER1](#)
[Leg Digest Ver1](#)

1/26/10; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

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 F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. 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, 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 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 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics