

BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

## MEMORANDUM

### RULES COMMITTEE

#### SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Norman Yee, Chair  
Rules Committee

FROM: Linda Wong, Committee Clerk

DATE: July 23, 2013

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, July 23, 2013

The following files should be presented as **COMMITTEE REPORT** at the Board meeting today, July 23, 2013. These items were acted upon at a Committee Meeting on Thursday, July 18, 2013 at 1:30 p.m., by the votes indicated.

**Item No. 51            File No. 130336**

**[Settlement of Lawsuit - Rosemary Bosque - \$49,505.70]**

Ordinance authorizing settlement of the lawsuit filed by Rosemary Bosque against the City and County of San Francisco for \$49,505.70; the lawsuit was filed on May 14, 2010 in San Francisco Superior Court, Case No. CGC-10-499909, entitled Bosque v. City and County of San Francisco.

#### **RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Excused  
Breed – Aye  
Cohen – Aye

*(Pursuant to Rules of Order, Section 3.2, President David Chiu served as a committee member to vote on File No. 130449 due to lack of quorum.)*

**Item No. 52            File No. 130449**

**[Settlement of Lawsuit - Jesse J. Byrd - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by Jesse J. Byrd, Malik Britt, and Rashad Conley against the City and County of San Francisco for \$75,000; the lawsuit was filed on April 8, 2011, in U.S. District Court, Northern District of California, Case No. C11-1742-DMR; entitled Jesse J. Byrd, et al., v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
      Breed – Excused  
      Cohen – Excused  
      Chiu – Aye

**Item No. 53            File No. 130507**

**[Settlement of Lawsuit - Local Search Association - \$85,000]**

Ordinance authorizing settlement of the lawsuit filed by Local Search Association against the City and County of San Francisco for \$85,000; the lawsuit was filed on June 7, 2011, in the U.S. District Court for the Northern District of California, Case No. CV-11-2776 SBA; entitled Local Search Association v. City and County of San Francisco, et al.; other material terms of said settlement are that the parties shall stipulate to entry of a consent judgment against the City and County of San Francisco.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
      Breed – Aye  
      Cohen – Aye

**Item No. 54            File No. 130529**

**[Settlement of Lawsuit - Paulette Adams-Irving - \$350,000]**

Ordinance authorizing settlement of the lawsuit filed by Paulette Adams-Irving against the City and County of San Francisco for \$350,000.00; the lawsuit was filed on March 15, 2011, in San Francisco Superior Court, Case No. CGC 11-509216; entitled Paulette Adams-Irving v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
      Breed – Aye  
      Cohen – Aye

**Item No. 55**            **File No. 130530**

**[Settlement of Lawsuit - Maria Camacho - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Maria Camacho against the City and County of San Francisco for \$50,000; the lawsuit was filed on March 7, 2012, in San Francisco Superior Court, Case No. CGC 12-517261; entitled Maria Camacho, et al., v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 56**            **File No. 130643**

**[Settlement of Lawsuit - Maria D'Agostino - \$135,000]**

Ordinance authorizing settlement of the lawsuit filed by Maria D'Agostino against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 15, 2012, in San Francisco Superior Court, Case No. CGC-12-521615; entitled Maria D'Agostino, et al., v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 57**            **File No. 130644**

**[Settlement of Lawsuit - Wei Vivian Cui - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Wei Vivian Cui against the City and County of San Francisco for \$30,000; the lawsuit was filed on November 3, 2011, in San Francisco County Superior Court, Case No. CGC-11-515654; entitled Wei Vivian Cui v. City and County of San Francisco, et al.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 58**

**File No. 130531**

**[Settlement of Claim - Travelers Insurance Company and Connie Curran - \$42,876.54]**

Resolution approving the proposed settlement of claim filed by Travelers Insurance Company and Connie Curran against the City and County of San Francisco for \$42,876.54; claim was filed on November 15, 2011, bearing Claim No. 12-01124.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 59**

**File No. 130567**

**[Settlement of Unlitigated Claims - 300 Spear Realty Venture LLC]**

Resolution approving the settlement of the unlitigated claim in favor of 300 Spear Realty Venture LLC against the City and County of San Francisco; and the unlitigated claim in favor of the City and County of San Francisco against 300 Spear Realty Venture LLC.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 60**

**File No. 130634**

**[Settlement of Administrative Enforcement Action - \$51,000]**

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$51,000.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 61**

**File No. 130705**

**[Settlement of Unlitigated Claims - Donald Wiggam - \$125,000]**

Resolution approving the settlement of the unlitigated claims filed by Donald Wiggam against the City and County of San Francisco for \$125,000; claims were filed on October 22, 2011, August 9, 2012, and March 26, 2013.

**RECOMMENDED AS COMMITTEE REPORT**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**Item No. 62**

**File No. 130622**

**[Initiative Ordinance - Administrative Code - San Francisco Family Friendly Workplace Ordinance]**

Motion ordering submitted to the voters an ordinance amending the Administrative Code to: allow San Francisco-based employees to request flexible or predictable working arrangements to assist with caregiving responsibilities; subject to the employer's right to deny a request based on business reasons; prohibit adverse employment actions based on caregiver status; prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; require employers to post a notice informing employees of their rights under the Ordinance; require employers to maintain records regarding compliance with the Ordinance; authorize enforcement by the Office of Labor Standards Enforcement, including the imposition of remedies and penalties for a violation, and an appeal process for an employer to an independent hearing officer; authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings, to the voters of the City and County of San Francisco at an election to be held on November 5, 2013.

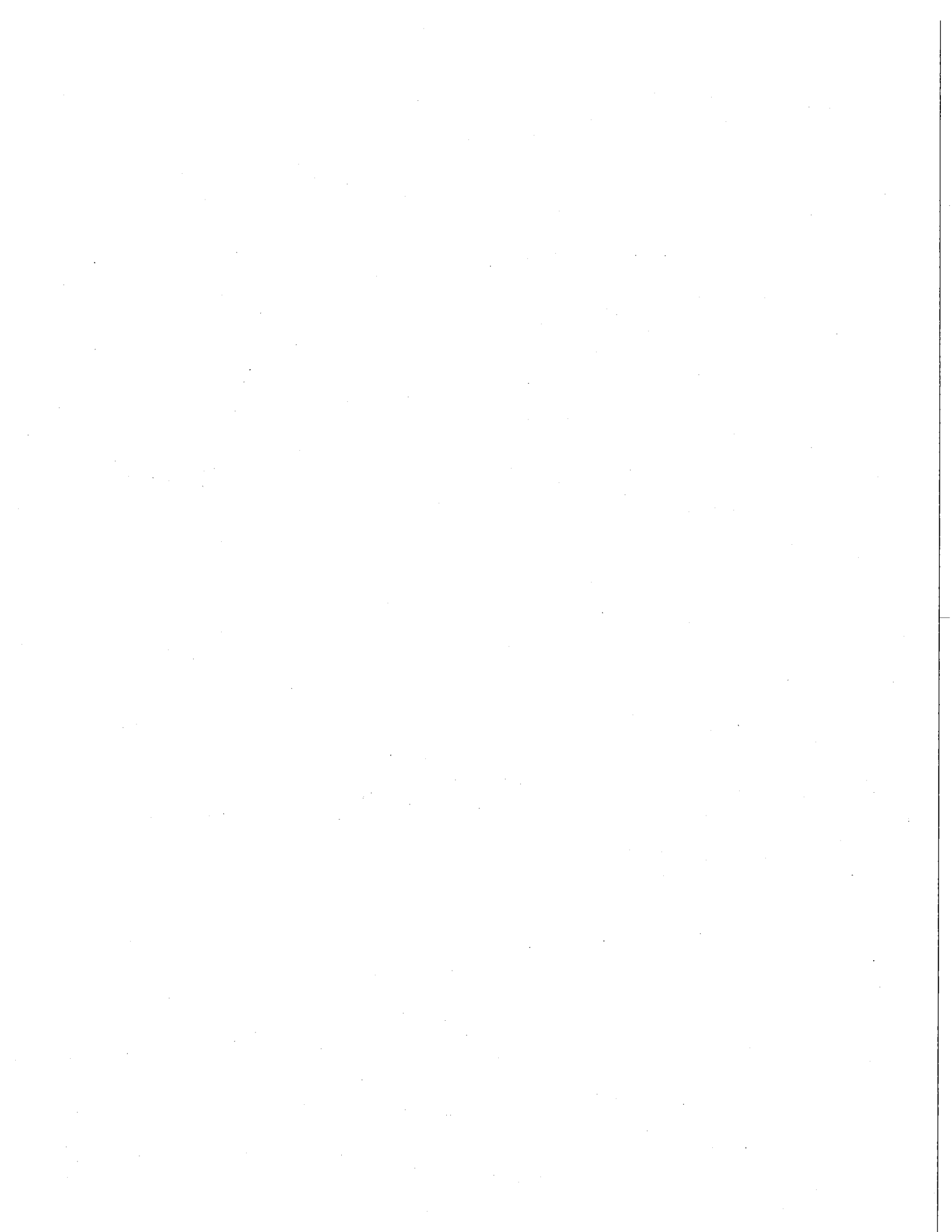
**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

**CONTINUED AS AMENDED to July 23, 2013.**

Vote: Yee – Aye  
Breed – Aye  
Cohen – Aye

c: Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Jon Givner, Deputy City Attorney  
Rick Caldeira, Legislative Deputy Director



File No. 130336

Committee Item No. 4  
Board Item No. 51

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 7/18/13

Board of Supervisors Meeting

Date 7/23/13

**Cmte Board**

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**OTHER**

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Completed by: Linda Wong

Date 7/15/13

Completed by: L.W.

Date 7/23/13

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

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[Settlement of Lawsuit - Rosemary Bosque - \$49,505.70]

**Ordinance authorizing settlement of the lawsuit filed by Rosemary Bosque against the City and County of San Francisco for \$49,505.70; the lawsuit was filed on May 14, 2010 in San Francisco Superior Court, Case No. CGC-10-499909, entitled Bosque v. City and County of San Francisco.**

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled Bosque v. City and County of San Francisco, et al., San Francisco Superior Court Case No. CGC-10-499909, by the payment of \$49,505.70.

Section 2. The above-named action was filed in San Francisco Superior Court of California on May 14, 2010, and the following parties were named in the lawsuit: Rosemary Bosque, plaintiff; City and County of San Francisco, defendant.

APPROVED AS TO FORM AND RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

See File for Signature  
ELIZABETH S. SALVESON  
Chief Labor Attorney

FUNDS AVAILABLE:

See File for Signature  
BEN ROSENFELD  
Controller

RECOMMENDED:

DEPARTMENT OF BUILDING INSPECTION

See File for Signature  
TOM HUI  
Acting Director