



# City and County of San Francisco

## Meeting Agenda - Final

### Rules Committee

*Members: Norman Yee, London Breed, Malia Cohen*

*Clerk: Linda Wong (415) 554-7719*

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

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Thursday, June 6, 2013

1:30 PM

City Hall, Committee Room 263

### Regular Meeting

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## AGENDA CHANGES

## REGULAR AGENDA

**1. 130519 [Appointment, Children and Families First Commission - Supervisor Malia Cohen]**

Motion appointing Supervisor Malia Cohen to the Children and Families First Commission, for an indefinite term. (Clerk of the Board)

5/31/13; RECEIVED AND ASSIGNED to the Rules Committee.

**2. 130409 [Appointment, Police Commission]**

Hearing to consider appointing one member, term ending April 30, 2017, to the Police Commission. (Clerk of the Board)

Vacant seat 3, succeeding Petra DeJesus, term expired, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a four-year term ending April 30, 2017.

5/10/13; RECEIVED AND ASSIGNED to the Rules Committee.

*1 seat/ 2 applicants  
Jonathan Frank, seat 3  
Petra DeJesus, seat 3*

**3. 130503 [Appointment, Entertainment Commission - Barbara Seymour Campagnoli]**

Motion approving the Mayor's nomination for appointment of Barbara Seymour Campagnoli to the Entertainment Commission, for a term ending July 1, 2014. (Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 5/14/13.)

5/31/13; RECEIVED AND ASSIGNED to the Rules Committee.

4. **130504** **[Confirming Reappointment, Port Commission - Kimberly Brandon]**  
**Sponsor: Mayor**  
Motion confirming the Mayor's reappointment of Kimberly Brandon to the Port Commission, for a term ending May 1, 2017.  
  
5/31/13; RECEIVED AND ASSIGNED to the Rules Committee.
5. **130505** **[Confirming Reappointment, Treasure Island Development Authority Board of Directors - Larry Del Carlo]**  
**Sponsor: Mayor**  
Motion confirming the Mayor's reappointment of Larry Del Carlo to the Treasure Island Development Authority Board of Directors, for a term ending February 26, 2017.  
  
(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (18)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - 4/25/13.)  
  
5/31/13; RECEIVED AND ASSIGNED to the Rules Committee.
6. **130225** **[Administrative Code - Bayview Hunters Point Citizens Advisory Committee]**  
**Sponsor: Cohen**  
Ordinance amending the Administrative Code to establish the Bayview Hunters Point Citizens Advisory Committee to provide policy advice to the City and County of San Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point Redevelopment Project Area.  
  
3/5/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.  
  
3/14/13; REFERRED TO DEPARTMENT.  
  
3/26/13; RECEIVED FROM DEPARTMENT.
7. **130501** **[Administrative Code - Assessment Appeals Boards - Modify Board No. 3 Membership and Function; Procedural Revisions]**  
Ordinance amending the Administrative Code, regarding Assessment Appeals Boards, to modify the structure of Assessment Appeals Board No. 3 to provide that the members of Board No. 3 are different than the members of Board No. 1; that the function of Board No. 3 is the same as Board No. 2; provide for staggered terms of initial Board No. 3 members; remove provisions regarding Board Members not meeting current State requirements; add a public comment timing option; and making nonsubstantive clarifying revisions. (Clerk of the Board)  
  
5/21/13; 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.*

*After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.*

8.     **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. (City Attorney's Office)  
  
4/12/13; RECEIVED FROM DEPARTMENT.  
  
4/23/13; RECEIVED AND ASSIGNED to the Rules Committee.
9.     **130360**     **[Settlement of Claim - Bank of San Francisco - \$32,246]**  
Resolution approving the proposed settlement of claim filed by Bank of San Francisco against the City and County of San Francisco for \$32,246; claim was filed on July 17, 2012, bearing claim number 13-00117. (City Attorney's Office)  
  
4/19/13; RECEIVED FROM DEPARTMENT.  
  
5/7/13; RECEIVED AND ASSIGNED to the Rules Committee.
10.    **130361**     **[Settlement of Claim - Stanford Group Company - \$63,292.52]**  
Resolution approving the proposed settlement of claim filed by Stanford Group Company against the City and County of San Francisco for \$63,292.52; claim was filed on July 25, 2012, bearing claim number 13-00190. (City Attorney's Office)  
  
4/18/13; RECEIVED FROM DEPARTMENT.  
  
5/7/13; RECEIVED AND ASSIGNED to the Rules Committee.
11.    **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. (City Attorney's Office)  
  
5/13/13; RECEIVED FROM DEPARTMENT.  
  
6/4/13; RECEIVED AND ASSIGNED to the Rules Committee.

- 12. 130450 [Offer to Compromise - Zeno Zimmerman - \$125,000]**  
Ordinance authorizing the service of a 998 Offer To Compromise in the lawsuit filed by Zeno Zimmerman against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 6, 2011, in San Francisco County Superior Court, Case No. CGC-11-516360; entitled Zeno Zimmerman, et al., v. City and County of San Francisco, et al. (City Attorney's Office)
- 5/13/13; RECEIVED FROM DEPARTMENT.  
6/4/13; RECEIVED AND ASSIGNED to the Rules Committee.
- 13. 130451 [Settlement of Claim - Magdaleno Rios - \$50,000]**  
Resolution approving the settlement of the unlitigated claim filed by Magdaleno Rios against the City and County of San Francisco for \$50,000; claim was filed on February 8, 2013. (City Attorney's Office)
- 5/13/13; RECEIVED FROM DEPARTMENT.  
6/4/13; RECEIVED AND ASSIGNED to the Rules Committee.
- 14. 130452 [Settlement of Claim - Sharon Prieto - \$40,000]**  
Resolution approving the proposed settlement of claim by Sharon Prieto against the City and County of San Francisco for \$40,000; the claim was filed on June 11, 2012, bearing Claim No. 12-02916. (City Attorney's Office)
- 5/13/13; RECEIVED FROM DEPARTMENT.  
6/4/13; RECEIVED AND ASSIGNED to the Rules Committee.

*[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

## LEGISLATION UNDER THE 30-DAY RULE

*NOTE: The following legislation will not be considered at this meeting. Board 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.*

### **130400 [Health Code - Massage Practitioners]**

Ordinance amending the Health Code to exempt massage practitioners who are certified by the State of California and massage establishments that employ only state-certified massage practitioners from requirements for obtaining a permit from the Health Department; and making environmental findings. (Public Health Department)

5/2/13; RECEIVED FROM DEPARTMENT.

5/14/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

### **130401 [Health Code - Hazardous Materials]**

Ordinance amending the Health Code to require electronic applications for registration of hazardous materials and for underground storage tanks be filed through the California Environmental Reporting System, to eliminate the requirement that registration of hazardous materials plans include a program for reduction of hazardous materials, and to provide for fee adjustment; and making environmental findings. (Public Health Department)

5/2/13; RECEIVED FROM DEPARTMENT.

5/14/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

### **130402 [Health, Business and Tax Regulations Codes - Safe Body Art]**

Ordinance amending the Health Code by repealing miscellaneous sections relating to tattooing and adding Article 40 to require body art practitioners to register with the Department of Public Health (DPH) and to annually renew registration, and to require permanent and temporary body art facilities to obtain and annually renew permits with DPH; amending the Business and Tax Regulations Code by adding fees relating to body art permits and licenses; and making environmental findings. (Public Health Department)

5/2/13; RECEIVED FROM DEPARTMENT.

5/14/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

### **130413 [Municipal Elections Code - Publication of Legal Text of Proposed Measures]**

**Sponsor: Chiu**

Ordinance amending the Municipal Elections Code to specify that the Voter Information Pamphlet will not include the legal text of any ballot measure that exceeds 100 pages.

(Fiscal Impact)

5/7/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

5/14/13; REFERRED TO DEPARTMENT.

**130434 [Municipal Elections Code - Publication of Legal Text of Proposed Measures]****Sponsor: Wiener**

Ordinance amending the Municipal Elections Code to specify that the Voter Information Pamphlet will not include the legal text of any ballot measure that exceeds 20 pages.

(Fiscal Impact)

5/7/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

5/14/13; REFERRED TO DEPARTMENT.

**130460 [Administrative Code - Airport Facilities Naming Advisory Committee]****Sponsors: Campos; Wiener, Avalos, Kim, Mar, Yee and Chiu**

Ordinance amending the Administrative Code to establish the Airport Facilities Naming Advisory Committee and to establish its powers and duties.

5/14/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

5/23/13; REFERRED TO DEPARTMENT.

**130481 [Charter Amendment - Retiree Health Care Trust Fund]****Sponsor: Farrell**

Charter Amendment (First Draft) to amend Charter, Sections 12.204 and A8.432, to limit Retiree Health Care Trust Fund payments to defray participating employer retiree health care costs until employer sub-trusts are fully funded; allow for payments from an individual employer's sub-trust if that employer's retiree health care costs are greater than ten percent (10%) of the employer's total payroll costs even if that employer's sub-trust is not fully funded; permit modifications to these funding guidelines if recommended by the Controller and the City's Governmental Accounting Standards Board actuary, and approved by the Mayor, two-thirds of the Board of Supervisors, and the Retiree Health Care Trust Fund Board; and make the Controller, the City Treasurer, and the Executive Director of the San Francisco Employees' Retirement System, or their designees, members of the Retiree Health Care Trust Fund Board.

5/21/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

### Agenda Item Information

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

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

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

### 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 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) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, 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.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. 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. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

**LAPTOP COMPUTER FOR PRESENTATIONS:** Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

**AGENDA PACKET:** Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. Meetings are broadcast live on KPOO 89.5 FM. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Requests 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 debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702.

**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, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. 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; phone at (415) 554-7724; fax at (415) 554-7854; or by email at [sotf@sfgov.org](mailto: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.sfbos.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 <http://www.sfgov.org/ethics>