



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: Jane Kim, Mark Farrell, David Campos

Clerk: Linda Wong (415) 554-7719

Thursday, September 6, 2012

1:30 PM

City Hall, Committee Room 263

Regular Meeting

AGENDA CHANGES

REGULAR AGENDA

1. **120879 [Reappointment, Peninsula Corridor Joint Powers Board - Supervisor Malia Cohen]**

Motion reappointing Supervisor Malia Cohen, term ending June 30, 2014, to the Peninsula Corridor Joint Powers Board. (Clerk of the Board)

8/29/12; RECEIVED AND ASSIGNED to the Rules Committee.

2. **120871 [Reappointment, Board of Appeals - Arcelia Hurtado]**

Motion approving/rejecting the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2016. (Clerk of the Board)

(Section 4.106 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 - August 29, 2012)

8/29/12; RECEIVED AND ASSIGNED to the Rules Committee.

The chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on September 11, 2012.

3. 120847 **[Appointment, Sunshine Ordinance Task Force]**
Hearing to consider appointing one member, term ending April 27, 2013, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Vacant seat 11, succeeding Jackson West, resigned, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2013.

8/21/12; RECEIVED AND ASSIGNED to the Rules Committee.

1 seat/ 3 applicants
Bruce Wolfe, seat 11
Francine Simon, seat 11
Kai (Wilson) Forsley, seat 11

4. 120870 [Appointments, Lesbian, Gay, Bisexual and Transgender (LGBT) Seniors Task Force]

Hearing to consider appointing 15 members, for indefinite terms, to the Lesbian, Gay, Bisexual and Transgender (LGBT) Seniors Task Force. (Clerk of the Board)

Vacant seat 1, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 2, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 3, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 4, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 5, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 6, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 7, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 8, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 9, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 10, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 11, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 12, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 13, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 14, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.
Vacant seat 15, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

8/28/12; RECEIVED AND ASSIGNED to the Rules Committee.

15 seats/ 44 applicants
Aaron Parness
Alex Kinney
Alyssa Nickell, Ph. D. (Residency Waiver Required)
Ashley McCumber
Carl "Stokes"
Connell Persico
Cynthia Davis (Residency Waiver Required)
Daniel Redman
Emerald O'Leary
Felicia Elizondo
Frank Strona
Helene Wenzel
James Illig
Jazzie Collins
Jerome Cuffey
Jorge Rodriguez
Kathleen Hentges
Kaushik Roy
Kim Schoen NP (Residency Waiver Required)
Larry Saxxon
Laurence Michael Costa
Lawrence Nelson
Marcy Adezman
Maria Cora
Marilyn Hayward
Mark Burns
Michael Smith
Michelle Alcedo
Mitchell Marks
Moll Steinert
Nikos Diaman
Perry Lang
Ray Rudolph
Richard Appleby
Rick Crane
Robert Connors
Scott Haitsuka
Stuart Smith
Tommi Mecca
Valerie Agostino (Residency Waiver Required)
Veronica Fimbres
William "Bill" Ambrunn
William Kirkpatrick
William Lipsky

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.

5. **120657** **[Settlement of Lawsuit - Michael Horan - \$250,000]**
Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for \$250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney)

6/5/12; RECEIVED FROM DEPARTMENT.

6/19/12; RECEIVED AND ASSIGNED to the Rules Committee.

7/19/12; CONTINUED TO CALL OF THE CHAIR.
6. **120845** **[Settlement of Lawsuit - Brian Navarro - \$225,000]**
Ordinance authorizing settlement of the lawsuit filed by Brian Navarro against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 1, 2011, in Brian Navarro vs. City and County of San Francisco, Case No. CGC-11-508644; entitled Brian Navarro, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

8/16/12; RECEIVED FROM DEPARTMENT.

9/4/12; RECEIVED AND ASSIGNED to the Rules Committee.
7. **120846** **[Settlement of Lawsuit - Fred Broussard - \$125,000]**
Ordinance authorizing settlement of the lawsuit filed by Fred Broussard against the City and County of San Francisco for \$125,000; the lawsuit was filed on October 4, 2010, in the United States District Court for the Northern District of California, Case No. CV10-4997 WHA; entitled Fred Broussard, et al. v. City and County of San Francisco, et al. (City Attorney)

9/4/12; RECEIVED FROM DEPARTMENT.

9/4/12; RECEIVED AND ASSIGNED to the Rules Committee.

- 8. 120853 [Settlement of Lawsuit - Raymond Quinn - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Raymond Quinn against the City and County of San Francisco for \$75,000; the lawsuit was filed on February 16, 2012, in US District Court, Case No. CV-12-0766 DMR; entitled Raymond Quinn v. City and County of San Francisco, et al. (City Attorney)

8/16/12; RECEIVED FROM DEPARTMENT.

9/4/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 9. 120855 [Settlement of Lawsuit - Yim Bing Kwong - \$60,000]**
Ordinance authorizing settlement of the lawsuit filed by Yim Bing Kwong against the City and County of San Francisco for \$60,000; the lawsuit was filed on October 27, 2010, in the United States District Court for the Northern District of California, Case No. C-10-4860, entitled Yim Bing Kwong v. City and County of San Francisco. (City Attorney)

8/16/12; RECEIVED FROM DEPARTMENT.

9/4/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 10. 120856 [Settlement of Lawsuit - James Wilson - \$77,072.75]**
Ordinance authorizing settlement of the lawsuit filed by James Wilson, against the City and County of San Francisco for \$77,072.75; the lawsuit was filed on February 20, 2007, in United States District Court, Case No. C-07-01016 PJH; entitled James Wilson, et al., v. City and County of San Francisco, et al. (City Attorney)

8/16/12; RECEIVED FROM DEPARTMENT.

9/4/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 11. 120838 [Settlement of Claim - Adam Holm - \$34,154.27]**
Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for \$34,154.27; claim was filed on April 30, 2012. (City Attorney)

8/9/12; RECEIVED AND ASSIGNED to the Rules Committee.

8/9/12; RECEIVED FROM DEPARTMENT.
- 12. 120837 [Settlement of Lawsuit - Lepakshi Nadh Jilakara - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Lepakshi Nadh Jilakara against the City and County of San Francisco for \$40,000; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510513; entitled Lepakshi Nadh Jilakara, et al., v. City and County of San Francisco, et al. (City Attorney)

8/9/12; RECEIVED AND ASSIGNED to the Rules Committee.

8/9/12; RECEIVED FROM DEPARTMENT.
- 13. 120836 [Settlement of Lawsuit - Saeed Ibrahim - \$35,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Saeed Ibrahim against the City and County of San Francisco for \$35,000.00; the lawsuit was filed on February 17, 2011, in U.S. District Court, Case No. CV 11-1695-RS; entitled Saeed Ibrahim v. City and County of San Francisco, et al. (City Attorney)

8/9/12; RECEIVED AND ASSIGNED to the Rules Committee.

8/9/12; RECEIVED FROM DEPARTMENT.

[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

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

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>