



# City and County of San Francisco

## Meeting Agenda

### Rules Committee

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

*Members: Norman Yee, Katy Tang, David Campos*

*Clerk: Alisa Miller (415) 554-4447*

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Thursday, May 15, 2014

2:00 PM

City Hall, Committee Room 263

**Regular Meeting**

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## AGENDA CHANGES

## REGULAR AGENDA

- 1. 140498 [Appointment, Commission on Aging Advisory Council]**  
Hearing to consider appointing one member, term ending March 31, 2016, to the Commission on Aging Advisory Council. (Clerk of the Board)  
  
Vacant seat 1, succeeding Elinore Lurie, term expired, must be a nominee of the District 2 Supervisor, for the unexpired portion of a two-year term ending March 31, 2016.  
  
5/2/14; RECEIVED AND ASSIGNED to the Rules Committee.  
  
*1 seat / 1 applicant*  
*Elinore Lurie, seat 1*

**2. 140499 [Appointments, Commission of Animal Control and Welfare]**

Hearing to consider appointing one member, term ending April 30, 2015, and three members, terms ending April 30, 2016, to the Commission of Animal Control and Welfare. (Clerk of the Board)

Vacant seat 1, succeeding Annemarie Fortier, 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, 2016.

Vacant seat 2, succeeding Susanna Russo, 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, 2016.

Vacant seat 3, succeeding Zachary Marks, resigned, 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, 2015.

Vacant seat 7, succeeding Shari O'Neil, term expired, must be a licensed veterinarian practicing in San Francisco, for the unexpired portion of a two-year term ending April 30, 2016.

5/2/14; RECEIVED AND ASSIGNED to the Rules Committee.

*4 seats / 7 applicants**Amy Van Nest, seats 1, 2, 3**Nanci Haines, seats 1, 2, 3**James Yorck, seats 1, 2, 3**Davi Lang, seats 1, 2, 3**Amy Fuller, seats 1, 2, 3**Annemarie Fortier, seats 1, 2, 3**Shari O'Neill, seat 7*

**3. 140500 [Appointments, Sunshine Ordinance Task Force]**

Hearing to consider appointing two members, terms ending April 27, 2015, and nine members, terms ending April 27, 2016, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Vacant seat 1, succeeding David Snyder, term expired, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for the unexpired portion of a two-year term ending April 27, 2016.

Vacant seat 2, succeeding Richard Knee, term expired, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a Journalist, for the unexpired portion of a two-year term ending April 27, 2016.

Vacant seat 3, succeeding Kitt Grant, term expired, must be a member of the press or electronic media with an interest in citizen access, for the unexpired portion of a two-year term ending April 27, 2016.

Vacant seat 4, succeeding Suzanne Manneh, resigned, must be appointed from names submitted by New California Media and be a Journalist from a racial/ethnic-minority-owned news organization, for the unexpired portion of a two-year term ending April 27, 2015.

Vacant seat 5, succeeding Allyson Washburn, term expired, must be appointed from names submitted by the League of Women, for the unexpired portion of a two-year term ending April 27, 2016.

Vacant seat 6, succeeding David Pilpel, term expired, must be experienced in consumer advocacy, for the unexpired portion of a two-year term ending April 27, 2016.

Vacant seat 7, succeeding David Sims, term expired, must be experienced in consumer advocacy, for the unexpired portion of a two-year term ending April 27, 2016.

Vacant seat 8, succeeding Todd David, term expired, 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, 2016.

Vacant seat 9, succeeding Chris Hyland, term expired, 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, 2016.

Vacant seat 10, succeeding Louise Fischer, term expired, 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, 2016.

Vacant seat 11, succeeding Bruce Oka, term expired, 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, 2015.

5/2/14; RECEIVED AND ASSIGNED to the Rules Committee.

11 seats / 13 applicants  
 Mark Rumold, seat 1  
 Ali Winston, seat 2 (residency waiver required)  
 Josh Wolf, seats 3, 6, 7, 8, 9, 10, 11  
 Pixie (Rishi) Chopra, seat 4 (residency waiver required)  
 Allyson Washburn, seat 5  
 David Pilpel, seats 6, 7, 8, 9, 10, 11  
 Samuel McCormick, seats 6, 7, 8, 9, 10, 11  
 Lee Anthony Hepner, seats 6, 7, 8, 9, 10, 11  
 Louise Fischer, seats 8, 9, 10, 11  
 Chris Hyland, seats 6, 7, 8, 9, 10, 11  
 Bruce Wolfe, seats 8, 9, 10, 11  
 Todd David, seat 8, 9, 10, 11  
 Rodman Joseph Martin, seats 6, 7, 8, 9, 10, 11

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on May 20, 2014.

## LITIGATION

### Conference with City Attorney

*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. Administrative Code Section 67.10(d) permits 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.*

4. **140315** **[Settlement of Claim - American Airlines, Inc. - Assumption of Lease Obligations and Allocation of Relocation Reimbursement Credits]**  
 Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco against American Airlines, Inc., and its affiliated entities in In re: American Airlines, Inc., et al., Case No. 11-15463 SHS, United States Bankruptcy Court for the Southern District of New York, pursuant to a Cure Stipulation; the Cure Stipulation resolves the claim filed by the City and provides for American's assumption of its leases, permits, and related agreement related to American's operations at San Francisco International Airport; under the Cure Stipulation, the Airport will apply certain credits owed by Airport related to American's interim relocation from Terminal 3 Boarding Area E to Terminal 2 Boarding Area D to the amounts owed by American under its leases, permits, and related obligations; further, the Airport will apply the remaining amount of the relocation related credits to American's future obligations; the Cure Stipulation further provides for American's assumption of an agreement related to environmental clean-up and monitoring costs at the Airport. (City Attorney)

3/28/14; RECEIVED FROM DEPARTMENT.

4/8/14; RECEIVED AND ASSIGNED to the Rules Committee.

5.     **140368**     **[Settlement of Lawsuit - Jacqueline Ortega - \$221,175]**  
Ordinance authorizing settlement of the lawsuit filed by Jacqueline Ortega against the City and County of San Francisco for \$221,175; the lawsuit was filed on November 15, 2012, San Francisco Superior Court, Case No. CGC-12-526188; entitled Jacqueline Ortega, et al. v. City and County of San Francisco, et al. (City Attorney)  
  
4/7/14; RECEIVED FROM DEPARTMENT.  
  
4/22/14; RECEIVED AND ASSIGNED to the Rules Committee.
6.     **140369**     **[Settlement of Lawsuit - Patricia MacDonald - \$125,000]**  
Ordinance authorizing settlement of the lawsuit filed by Patricia MacDonald against the City and County of San Francisco for \$125,000; the lawsuit was filed on July 16, 2010, in San Francisco Superior Court, Case No. CGC-10-501646; entitled Patricia MacDonald v. City and County of San Francisco, et al.  
  
4/7/14; RECEIVED FROM DEPARTMENT.  
  
4/22/14; RECEIVED AND ASSIGNED to the Rules Committee.
7.     **140370**     **[Settlement of Lawsuit - Iva Johnson - \$105,000]**  
Ordinance authorizing settlement of the lawsuit filed by Iva Johnson against the City and County of San Francisco for \$105,000; the lawsuit was filed on May 2, 2012, in San Francisco Superior Court, Case No. CGC-12-520470; entitled Iva Johnson v. City and County of San Francisco.  
  
4/7/14; RECEIVED FROM DEPARTMENT.  
  
4/22/14; RECEIVED AND ASSIGNED to the Rules Committee.
8.     **140371**     **[Settlement of Lawsuit - Contest Promotions, LLC - City to Receive \$375,000]**  
Ordinance authorizing settlement of the lawsuit filed by Contest Promotions, LLC, against the City and County of San Francisco for \$375,000; the lawsuit was filed on September 22, 2009, in the United States District Court for the Northern District of California, Case No. CV-09-4434 SI (MEJ); entitled Contest Promotions, LLC, v. City of San Francisco, et al.; other material terms of said settlement include resolution of Notices of Violation for unpermitted general advertising signs. (City Attorney)  
  
4/10/14; RECEIVED FROM DEPARTMENT.  
  
4/22/14; RECEIVED AND ASSIGNED to the Rules Committee.
9.     **140372**     **[Settlement of Claim - Public Communications Services, Inc., and Global Tel\*Link Corporation - City to Receive \$1,079,116]**  
Resolution approving the settlement of the unlitigated claim by City and County of San Francisco against Public Communications Services, Inc., and Global Tel\*Link Corporation for \$1,079,116. (City Attorney)  
  
4/7/14; RECEIVED FROM DEPARTMENT.  
  
4/22/14; RECEIVED AND ASSIGNED to the Rules Committee.

- 10. 140373 [Settlement of Claim - Junelle Johannah Estacio Taguas - \$30,000]**  
Resolution approving the settlement of the unlitigated claim filed by Junelle Johannah Estacio Taguas against the City and County of San Francisco for \$30,000; claim was filed on December 9, 2013. (City Attorney)
- 4/7/14; RECEIVED FROM DEPARTMENT.
- 4/22/14; RECEIVED AND ASSIGNED to the Rules Committee.
- 11. 140375 [Tolling and Standstill Agreement - Yosemite Slough Environmental Claims]**  
Resolution approving a Tolling and Standstill Agreement to toll the statute of limitations and forbear the City and other parties that are potentially responsible for environmental contamination at Yosemite Slough from taking action with respect to claims related to costs or expenses arising from the Yosemite Slough Superfund Site. (City Attorney)
- 4/10/14; RECEIVED FROM DEPARTMENT.
- 4/22/14; RECEIVED AND ASSIGNED to the Rules Committee.
- 12. 140402 [Settlement of Lawsuit - Jon Gatto - \$26,000]**  
Ordinance authorizing settlement of the lawsuit filed by Jon Gatto against the City and County of San Francisco for \$26,000; the lawsuit was filed on December 10, 2012, in San Francisco Superior Court, Case No. CGC-12-518200; entitled Jon Gatto v. City and County of San Francisco. (City Attorney)
- 4/18/14; RECEIVED FROM DEPARTMENT.
- 4/29/14; ASSIGNED to the Rules Committee.
- 13. 140403 [Settlement of Lawsuit - Jameson Ashley - \$150,000]**  
Ordinance authorizing settlement of the lawsuit filed by Jameson Ashley against the City and County of San Francisco for \$150,000; the lawsuit was filed on January 26, 2012, in the United States District Court for the Northern District of California, Case No. C-12-0045-JST; entitled Jameson Ashley v. City and County of San Francisco, et al. (City Attorney)
- 4/18/14; RECEIVED FROM DEPARTMENT.
- 4/29/14; ASSIGNED to the Rules Committee.
- 14. 140404 [Settlement of Lawsuit - Stantec Consulting Services, Inc. - City to Receive \$15,285,000]**  
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Stantec Consulting Services, Inc., and Stantec Architecture, Inc., for \$15,285,000; the lawsuit was filed on December 12, 2011, in Alameda County Superior Court, Case No. RG13679711; entitled City and County of San Francisco v. Stantec Consulting Services Inc., et al. (City Attorney)
- 4/18/14; RECEIVED FROM DEPARTMENT.
- 4/29/14; RECEIVED AND ASSIGNED to the Rules Committee.

- 15. 140405 [Settlement of Lawsuit - Chris Escher - \$40,000]**  
Ordinance authorizing settlement of the lawsuit filed by Chris Escher against the City and County of San Francisco for \$40,000; the lawsuit was filed on August 14, 2012, in San Francisco Superior Court, Case No. CGC-12-523236; entitled Chris Escher v. City and County of San Francisco, et al. (City Attorney)
- 4/18/14; RECEIVED FROM DEPARTMENT.
- 4/29/14; RECEIVED AND ASSIGNED to the Rules Committee.
- 16. 140406 [Settlement of Lawsuit - LaVaughan Butler-Moore - \$43,000]**  
Ordinance authorizing settlement of the lawsuit filed by LaVaughan Butler-Moore against the City and County of San Francisco for \$43,000; the lawsuit was filed on April 2, 2009, in San Francisco Superior Court, Case No. CGC-09-486869; entitled LaVaughan Butler-Moore v. City and County of San Francisco, et al. (City Attorney)
- 4/18/14; RECEIVED FROM DEPARTMENT.
- 4/29/14; RECEIVED AND ASSIGNED to the Rules Committee.
- 17. 140407 [Settlement of Claim - Barbara Kay Hamblin - \$250,000]**  
Resolution approving the settlement of the unlitigated claim filed by Barbara Kay Hamblin against the City and County of San Francisco for \$250,000; claim was filed on June 5, 2013. (City Attorney)
- 4/18/14; RECEIVED FROM DEPARTMENT.
- 4/29/14; 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 3.22 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.*

### **140441 [Charter Amendment - Children and Youth Fund; Commission on Children, Youth, and Their Families]**

**Sponsors: Avalos; Campos, Cohen, Kim, Mar, Yee and Breed**

Charter Amendment (First Draft) to amend the Charter, Section 16.108, adding a new Section 4.133, and repealing former Section 4.133, to: 1) renew and rename the Children's Fund and eliminate the Fund's expiration date; 2) increase the property tax set-aside for the Fund from three cents per \$100 of assessed valuation to five cents; 3) provide for services for at-risk youth 18 to 24 years old; 4) revise and expand the planning process for expenditures from the Fund; 5) modify the advisory committee for the Fund; 6) create a Commission on Children, Youth and Their Families; and 7) repeal an obsolete section of the Charter.

4/29/14; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

5/6/14; REFERRED TO DEPARTMENT.

### **140442 [Charter Amendment - Public Education Enrichment Fund]**

**Sponsors: Kim; Yee, Avalos, Campos, Mar and Cohen**

Charter Amendment (First Draft) to amend the Charter, Sections 16.123-2, 16.123-4, 16.123-5, 16.123-6, and 16.123-8, and repealing Sections 16.123-7 and 16.123-10, to: 1) renew the Public Education Enrichment Fund and eliminate its expiration date; 2) change the allocation for universal preschool, overseen by the First Five Commission, to an allocation for universal early education, overseen by the Office of Early Care and Education, and create a citizens advisory committee; 3) eliminate the City's ability to use in-kind services to satisfy its obligations to the Fund; and 4) modify certain technical requirements for the Fund and delete obsolete provisions.

4/29/14; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

5/6/14; REFERRED TO DEPARTMENT.

### **140443 [Charter Amendment - Children and Families Council; San Francisco Children and Families Plan]**

**Sponsors: Yee; Avalos, Kim, Mar, Campos, Cohen and Breed**

Charter Amendment (First Draft) to amend the Charter, by adding Section 16.126, to create a Children and Families Council, which shall prepare and maintain a San Francisco Children and Families Plan for making the City more supportive of children and families.

4/29/14; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

5/6/14; REFERRED TO DEPARTMENT.



### 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>