



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

Thursday, July 18, 2013

1:30 PM

City Hall, Committee Room 263

Regular Meeting

AGENDA CHANGES

REGULAR AGENDA

- 1. 130738 [Appointment, Entertainment Commission]**
Hearing to consider appointing one member, term ending July 1, 2017, to the Entertainment Commission. (Clerk of the Board)

Vacant seat 3, succeeding Naomi Akers, term expired, must represent the interests of the public health community, for the unexpired portion of a four-year term ending July 1, 2017.

7/12/13; RECEIVED AND ASSIGNED to the Rules Committee.

1 seat/ 1 applicant
Naomi Akers, seat 3

2. **130642** **[Appointments, Commission of Animal Control and Welfare]**
Hearing to consider appointing four members, terms ending April 30, 2015, to the Commission of Animal Control and Welfare. (Clerk of the Board)

Vacant seat 3, succeeding Philip Gerrie, 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, 2015.

Vacant seat 4, succeeding Pam Hemphill, 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, 2015.

Vacant seat 5, succeeding Sally Stephen, 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, 2015.

Vacant seat 6, succeeding Ryan Young, 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, 2015.

6/14/13; RECEIVED AND ASSIGNED to the Rules Committee.

6/20/13; CONTINUED TO CALL OF THE CHAIR.

4 seats/ 8 applicants

Amy Nest, seats 3, 4, 5, 6

James Yorck, seats 3, 4, 5, 6

Jennifer Jameson, seats 3, 4, 5, 6

Laura Gretch, seats 3, 4, 5, 6

Russell Tenofsky, seats 3, 4, 5, 6

Zachary Marks, seats 3, 4, 5, 6

Sally Stephens, seat 5

Ryan Young, seat 6

3. **130622** **[Initiative Ordinance - Administrative Code - San Francisco Family Friendly Workplace Ordinance]**

Sponsors: Chiu; Cohen, Mar and Campos

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.

6/11/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

6/18/13; REFERRED TO DEPARTMENT.

7/10/13; RESPONSE RECEIVED.

7/11/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/11/13; CONTINUED AS AMENDED.

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.

- 4. 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.
- 6/6/13; CONTINUED TO CALL OF THE CHAIR.
- The chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2013.*
- 5. 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.
- 6/6/13; CONTINUED TO CALL OF THE CHAIR.
- The chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2013.*

- 6. 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 United States 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. (City Attorney's Office)
- 5/23/13; RECEIVED FROM DEPARTMENT.
- 6/4/13; 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 July 23, 2013.*
- 7. 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. (City Attorney's Office)
- 5/30/13; RECEIVED FROM DEPARTMENT.
- 6/11/13; 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 July 23, 2013.*
- 8. 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. (City Attorney's Office)
- 5/30/13; RECEIVED FROM DEPARTMENT.
- 6/11/13; 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 July 23, 2013.*
- 9. 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. (City Attorney's Office)
- 5/30/13; RECEIVED FROM DEPARTMENT.
- 6/11/13; 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 July 23, 2013.*

- 10. 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. (City Attorney)
- 7/8/13; RECEIVED FROM DEPARTMENT.
- 7/16/13; 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 July 23, 2013.*
- 11. 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. (Public Utilities Commission)
- 6/21/13; RECEIVED FROM DEPARTMENT.
- 7/9/13; 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 July 23, 2013.*
- 12. 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. (City Attorney)
- 6/10/13; RECEIVED FROM DEPARTMENT.
- 6/18/13; 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 July 23, 2013.*
- 13. 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. (City Attorney)
- 6/10/13; RECEIVED FROM DEPARTMENT.
- 6/18/13; 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 July 23, 2013.*

- 14. 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. (City Attorney)

7/8/13; RECEIVED FROM DEPARTMENT.

7/16/13; 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 July 23, 2013.

[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>