



City and County of San Francisco

Meeting Agenda

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, March 29, 2012

1:30 PM

City Hall, Committee Room 263

Special Meeting

AGENDA CHANGES

REGULAR AGENDA

1. 120172 **[Appointments, Workforce Investment Community Advisory Committee]**
Hearing to consider appointing four members, terms ending February 19, 2013 and February 19, 2014, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Vacant seat 1, succeeding Sheryl Davis, term expired, must be a staff and/or a Board member of 501(c)3 organizations. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for the unexpired portion of a two-year term ending February 19, 2014.

Vacant seat 2, succeeding Cameron McHenry, term expired, must be a staff and/or a Board member of 501(c)3 organizations. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for the unexpired portion of a two-year term ending February 19, 2014.

Vacant seat 3, succeeding Tracy Brown, term expired, must be a staff and/or a Board member of 501(c)3 organizations. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for the unexpired portion of a two-year term ending February 19, 2013.

Vacant seat 4, succeeding Jamie Brewster, term expired, must be a staff and/or a Board member of 501(c)3 organizations. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for the unexpired portion of a two-year term ending February 19, 2014.

2/22/12; RECEIVED AND ASSIGNED to the Rules Committee.

4 seats/ 10 applicants
Dion-Jay Brookter, seats 1, 2, 3, 4 (Residency Waiver Required)
Liz Jackson-Simpson, seats 1, 2, 3, 4
Matthew Poland, seats 1, 2, 3, 4
Winnie Yu, seats 1, 2, 3, 4
Doug Parrish, seat 3
Erris Edgerly, seat 3
Monique B. Allen, seat 3 (Residency Waiver Required)
Sheryl Davis, seat 3
Kai Wilson Forsley, seat 3
Jamie Brewster, seat 4 (Residency Waiver Required)

2. 120011 [Appointment, Children and Families First Commission]

Hearing to consider appointing one member, term ending April 29, 2014, to the Children and Families First Commission. (Clerk of the Board)

Vacant seat 5, succeeding Veronica Chavez, resigned, shall represent one or more of the following: children services, public health services; behavioral health services, social services, and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council, or another local child care coordinating group; representatives of a local organization for prevention, or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations, or societies, for the unexpired portion of a four-year term ending April 29, 2014.

1/10/12; RECEIVED AND ASSIGNED to the Rules Committee.

1/19/12; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

1 seat/ 2 applicants
Anda Kuo, seat 5
Carla Bryant, seat 5 (Residency Waiver Required)

3. 120215 [Appointments, In-Home Supportive Services Public Authority]

Hearing to consider appointing three members, terms ending March 1, 2015, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Vacant seat 5, succeeding Kenzi Robi, term expired, must be a consumer at-large between the ages of 18 and 60, for the unexpired portion of a three-year term ending March 1, 2015.

Vacant seat 7, succeeding Gustavo Serina, term expired, must be a member of the Commission on the Aging, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2015.

Vacant seat 11, succeeding Luis Calderon, term expired, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2015.

3/6/12; RECEIVED AND ASSIGNED to the Rules Committee.

3 seats/ 3 applicants
Kenzi Robi, seat 5
Gustavo Serina, seat 7
Luis Calderon, seat 11

- 4. 120218 [Appointments, Sweatfree Procurement Advisory Group]**
Hearing to consider appointing two members, terms ending December 17, 2013, to the Sweatfree Procurement Advisory Group. (Clerk of the Board)
- Seat 1, succeeding Jason Oringer, term expired, must have significant experience representing employees in labor matters, for the unexpired portion of a two-year term ending December 17, 2013.
Seat 4, succeeding Julianne Fisher, term expired, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2013.
- 3/6/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 2 seats/ 2 applicants*
Jason Oringer, seat 1
Julianne Fisher, seat 4
- 5. 111082 [Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]**
Sponsors: Kim; Campos, Mar and Avalos
Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify funding of the City's public financing program, to increase expenditure ceilings for supervisorial candidates, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.
- 10/4/11; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.
- 10/12/11; REFERRED TO DEPARTMENT. Referred to the Ethics Commission for informational purposes.
- 1/24/12; SUBSTITUTED AND ASSIGNED to the Budget and Finance Committee.
- 1/31/12; REFERRED TO DEPARTMENT. Referred to Ethics for review and recommendation.
- 2/9/12; TRANSFERRED to the Rules Committee.
- 2/23/12; AMENDED. File Nos. 111082 and 120020 were heard together. Heard in Committee. Supervisors Jane Kim and David Campos (Board of Supervisors); presented information concerning the matters. John St. Croix (Ethics Commission); Andrew Shen (City Attorney's Office); Peg Stevenson (Controller's Office); presented information concerning the matters and answered questions raised throughout the hearing. Douglas Yep; David Gary; Chris O'Donnick; John Palmer; Greg Gillet; Male Speaker; Steven Hills; spoke in support of the matters. David Pilpel spoke neither in support nor opposition to the matters.
- 2/23/12; REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT AS AMENDED.
- 2/28/12; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Chu moved to divide the question relating to 'fiscal year starting balance' located on Page 3, Lines 3-5, and Page 4, Lines 2-8. The divided question PASSED by the following vote:
Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener
Noes: 3 - Chu, Elsbernd, Farrell
- 2/28/12; RE-REFERRED AS AMENDED to the Rules Committee.
- 3/6/12; REFERRED TO DEPARTMENT. Referred to Ethics Commission for review and recommendation.
- 3/13/12; SUBSTITUTED 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 April 3, 2012.*

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.

6. **120134** **[Settlement of Lawsuit - Timothy Hoyt - \$80,000]**
Ordinance authorizing settlement of the lawsuit filed by Timothy Hoyt against the City and County of San Francisco for \$80,000; the lawsuit was filed on April 26, 2010, in U.S. District Court, Case No. CV 10-01778 RS; entitled Timothy Hoyt v. the City and County of San Francisco, et al. (City Attorney)

2/1/12; RECEIVED FROM DEPARTMENT.

2/14/12; RECEIVED AND ASSIGNED to the Rules Committee.
7. **120238** **[Settlement of Lawsuit - Fonseca v. Fong, et al. - \$73,000]**
Ordinance authorizing settlement of the lawsuit filed by Charles Fonseca against the City and County of San Francisco for \$73,000 in attorney's fees and costs; the lawsuit was filed on May 4, 2007, in San Francisco Superior Court, Case No. CPF-07-507227; entitled Fonseca v. Heather Fong, et al. (City Attorney)

3/9/12; RECEIVED FROM DEPARTMENT.

3/20/12; RECEIVED AND ASSIGNED to the Rules Committee.
8. **120239** **[Settlement of Lawsuit - Preston, et al. v. CCSF, et al. - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Bonnie Preston against the City and County of San Francisco for \$100,000; the lawsuit was filed on June 16, 2010, in San Francisco Superior Court, Case No. CGC-10-499015; entitled Bonnie Preston, et al. v. City and County of San Francisco, et al. (City Attorney)

3/9/12; RECEIVED FROM DEPARTMENT.

3/20/12; RECEIVED AND ASSIGNED to the Rules Committee.
9. **120161** **[Settlement of Claim - Sally Bowman - \$70,000]**
Resolution approving the settlement of the unlitigated claim filed by Sally Bowman against the City and County of San Francisco for \$70,000; claim was filed on May 24, 2011. (City Attorney)

2/17/12; RECEIVED FROM DEPARTMENT.

2/28/12; RECEIVED AND ASSIGNED to the Rules Committee.

- 10. 120162 [Settlement of Unlitigated Claim - James Murray - \$43,500]**
Resolution approving the settlement of the unlitigated claim filed by James Murray against the City and County of San Francisco for \$43,500; claim was filed on April 06, 2011. (City Attorney)
- 2/17/12; RECEIVED FROM DEPARTMENT.
- 2/28/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 11. 120163 [Settlement of Lawsuit - Patricia Banks - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Patricia Banks against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 5, 2009, in San Francisco Superior Court, Case No. CGC-09-491089; entitled Patricia Banks, et al. v. City and County of San Francisco, et al. (City Attorney)
- 2/17/12; RECEIVED FROM DEPARTMENT.
- 2/28/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 12. 120164 [Settlement of Lawsuit - Pacific States Environmental Contractors, Inc. - \$425,000]**
Ordinance authorizing settlement of the lawsuit filed by Pacific States Environmental Contractors, Inc., against the City and County of San Francisco for \$425,000; the lawsuit was filed on November 20, 2009, in San Mateo County Superior Court and subsequently transferred to San Francisco County Superior Court, Case No. CGC-10-501403, entitled Pacific States Environmental Contractors, Inc. v. City and County of San Francisco, et al.; other material terms of the settlement are: 1) mutual releases except for latent defects, 2) dismissal of the complaint with prejudice, and 3) each side to bear its own attorneys fees and costs. (City Attorney)
- 2/17/12; RECEIVED FROM DEPARTMENT.
- 2/28/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 13. 120181 [Settlement of Lawsuit - Christine Peterson - \$34,000]**
Ordinance authorizing settlement of the lawsuit filed by Christine Peterson against the City and County of San Francisco for \$34,000; the lawsuit was filed on November 25, 2009, in San Francisco Superior Court, Case No. CGC-09-494798 (Consolidated with Case No. CGC-10-500217); entitled Christine Peterson, et al. v. City and County of San Francisco, et al. (City Attorney)
- 2/29/12; RECEIVED FROM DEPARTMENT.
- 3/13/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 14. 120182 [Settlement of Lawsuit - Wilma Espinosa - \$275,000]**
Ordinance authorizing settlement of the lawsuit filed by Wilma Espinosa against the City and County of San Francisco for \$275,000; the lawsuit was filed on March 9, 2011, in San Francisco Superior Court, Case No. CGC-11-508999; entitled Wilma Espinosa, et al. v. City and County of San Francisco, et al. (City Attorney)
- 3/5/12; RECEIVED FROM DEPARTMENT.
- 3/13/12; RECEIVED AND ASSIGNED to the Rules Committee.

- 15. 120187 [Settlement of Lawsuit - Airis v. CCSF, et al. - \$7,500,000]**
Ordinance authorizing settlement of the lawsuit filed by Airis SFO, LLC, Airis Holdings, LLC, and Duane Morris LLP ("Airis") against the City and County of San Francisco (the "City") for \$7,500,000; the lawsuit was filed on July 15, 2005, in San Mateo Superior Court, Case No. 448274, entitled Airis SFO, LLC, et al. v. City and County of San Francisco, et al.; other material terms include a full and final release by Airis of all claims for attorneys' fees, costs, and post judgment interest. (City Attorney)
- 2/27/12; RECEIVED FROM DEPARTMENT.
- 3/6/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 16. 120258 [Settlement of Lawsuit - Bigeleisen v. CCSF - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by David Bigeleisen against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507900; entitled David Bigeleisen, v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)
- 3/16/12; RECEIVED FROM DEPARTMENT.
- 3/21/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 17. 120259 [Settlement of Lawsuit - Donna Murray v. CCSF - \$245,000]**
Ordinance authorizing settlement of the lawsuit filed by Donna Murray against the City and County of San Francisco for \$245,000; the lawsuit was filed on September 22, 2010, in San Francisco Superior Court, Case No. CGC-10-503853; entitled Donna Murray v. City and County of San Francisco, et al. (City Attorney)
- 3/16/12; RECEIVED FROM DEPARTMENT.
- 3/27/12; 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

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. 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 Erasmo Vazquez (415) 554-4909.

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>