



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, November 1, 2012

1:30 PM

City Hall, Committee Room 263

Regular Meeting

AGENDA CHANGES

REGULAR AGENDA

1. **121059 [Appointment, Commission on the Aging Advisory Council]**
Hearing to consider appointing one member, term ending March 31, 2014, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Vacant seat 6, succeeding Catherine Rose Russo, term expired, must be a nominee of District 7 Supervisor, for the unexpired portion of a two-year term ending March 31, 2014.

10/25/12; RECEIVED AND ASSIGNED to the Rules Committee.

1 seat/ 1 applicant
Cathy Russo, seat 6

2. **121058 [Appointments, Veterans Affairs Commission]**
Hearing to consider appointing three members, terms ending January 31, 2016, to the Veterans Affairs Commission. (Clerk of the Board)

Vacant seat 3, succeeding Anthony Alfidi, resigned, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2016.
Vacant seat 6, succeeding George Gibbs, term expired, must be a veteran with a physical disability, for the unexpired portion of a four-year term ending January 31, 2016.
Vacant seat 9, succeeding Dara Wong, term expired, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2016.

10/24/12; RECEIVED AND ASSIGNED to the Rules Committee.

3 seats/ 8 applicants
Anthony Alfidi, seat 3
M. Lee Burnette, seat 3
Creighton Reed, seats 3, 9
David Adams, seats 3, 9
Mary Tramil, seats 3, 9
Mikel Matto, MD, seats 3, 9
John Gallagher, seat 6
Michael Maffei, seat 9

3. **120221 [Administrative Code - Extension of Public Utilities Revenue Bond Oversight Committee]**
Sponsor: Farrell
Ordinance amending the San Francisco Administrative Code Section 5A.36 to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee to January 1, 2016.

3/6/12; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

10/18/12; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/18/12; CONTINUED AS AMENDED.
4. **121057 [Board of Supervisors' Rules of Order Amendment]**
Sponsor: Elsbernd
Motion amending the Board of Supervisors' Rules of Order, in their entirety, to correct clerical corrections, proper placement of sections, and additional updates.

10/23/12; RECEIVED AND 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.

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.

9/6/12; CONTINUED.

9/20/12; CONTINUED TO CALL OF THE CHAIR.

10/4/12; CONTINUED TO CALL OF THE CHAIR.

- 6. 120976 [Settlement of Lawsuit - Rehab Financial Corporation - City to Receive \$164,099]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of \$164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al. (City Attorney)
9/21/12; RECEIVED FROM DEPARTMENT.
10/2/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 7. 121014 [Settlement of Lawsuit - Leslie Jones - \$197,500]**
Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for \$197,500.00; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)
10/15/12; RECEIVED FROM DEPARTMENT.
10/23/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 8. 121015 [Settlement of Lawsuit - Aquila Yeargin - \$27,500]**
Ordinance authorizing settlement of the lawsuit filed by Aquila Yeargin against the City and County of San Francisco for \$27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Aquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)
10/15/12; RECEIVED FROM DEPARTMENT.
10/23/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 9. 120993 [Settlement of Unlitigated Claim - Trico Construction - \$440,000]**
Resolution approving settlement of the unlitigated claim filed by Galliera, Inc., dba Trico Construction (Trico), against San Francisco for \$440,000. (City Attorney's Office)
10/4/12; RECEIVED FROM DEPARTMENT.
10/16/12; RECEIVED AND ASSIGNED to the Rules Committee.
- 10. 120994 [Settlement of Lawsuit - Christine McGuire - \$27,000]**
Ordinance authorizing settlement of the lawsuit filed by Christine McGuire against the City and County of San Francisco for \$27,000; the lawsuit was filed on January 6, 2011, in San Francisco Superior Court, Case No. CGC-11-507062, entitled McGuire v. City and County of San Francisco, et al. (City Attorney's Office)
10/4/12; RECEIVED FROM DEPARTMENT.
10/16/12; RECEIVED AND ASSIGNED to the Rules Committee.

- 11. 121036 [Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed \$320,000]**
Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemester, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed \$320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson et al. v. City and County of San Francisco. (City Attorney)

10/19/12; RECEIVED FROM DEPARTMENT.

10/30/12; 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

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.

120964 [Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]

Sponsor: Chiu

Ordinance amending the San Francisco Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code.

9/25/12; 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

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>