



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

Thursday, April 3, 2014

2:00 PM

City Hall, Committee Room 263

Regular Meeting

AGENDA CHANGES

REGULAR AGENDA

1. **140250** **[Confirming Appointment, Treasure Island Development Authority Board of Directors - Jean-Paul Samaha]**
 Sponsor: Mayor
 Motion confirming the appointment of Jean-Paul Samaha, term ending February 26, 2018, to the Treasure Island Development Authority Board of Directors.

 3/7/14; RECEIVED AND ASSIGNED to the Rules Committee.

2. **140251** **[Confirming Appointment, Treasure Island Development Authority Board of Directors - Vivian Fei Tsen]**
 Sponsor: Mayor
 Motion confirming the appointment of Vivian Fei Tsen, term ending February 28, 2018, to the Treasure Island Development Authority Board of Directors.

 3/7/14; RECEIVED AND ASSIGNED to the Rules Committee.

- 3. 140300 [Appointments, Citizen's Committee on Community Development]**
Hearing to consider appointing two members, terms ending February 23, 2016, to the Citizen's Committee on Community Development. (Clerk of the Board)
- Vacant seat 3, succeeding Eddie Ahn, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City and not be employed or serve on the governing body of any entity that has a Community Development Block Grant or Emergency Shelter Grant application pending with the City, for the unexpired portion of a two-year term ending February 23, 2016.
- Vacant seat 4, succeeding Miquel Penn, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City and not be employed or serve on the governing body of any entity that has a Community Development Block Grant or Emergency Shelter Grant application pending with the City, for the unexpired portion of a two-year term ending February 23, 2016.
- 3/21/14; RECEIVED AND ASSIGNED to the Rules Committee.
- 2 seats / 3 applicants*
Dallas Augustine, seats 3, 4
Eddie Ahn, seat 3
Miquel Penn, seat 4
- 4. 140301 [Appointments, Food Security Task Force]**
Hearing to consider appointing two members, for indefinite terms, to the Food Security Task Force. (Clerk of the Board)
- Vacant seat 12, succeeding Jessie Mandle, resigned, must be a representative from the Department of Children, Youth and Their Families, for an indefinite term.
- Vacant seat 14, succeeding Zetta Reicker, term sunsetted, must be a representative from the San Francisco Unified School District, for an indefinite term.
- 3/21/14; RECEIVED AND ASSIGNED to the Rules Committee.
- 2 seats / 2 applicants*
Heather Tufts, seat 12
Orla O'Keeffe, seat 14
- 5. 140302 [Appointments, Graffiti Advisory Board]**
Hearing to consider appointing two members, terms ending April 10, 2015, to the Graffiti Advisory Board. (Clerk of the Board)
- Vacant seat 12, succeeding Michael Grgich, resigned, must represent youth groups who provide services for juveniles involved in alternative programs for graffiti diversion, for the unexpired portion of a two-year term ending April 10, 2015.
- Vacant seat 16, Rebecca Delgado Rottman, term expired, must represent private schools or art schools who operate in San Francisco, for the unexpired portion of a two-year term ending April 10, 2015.
- 3/21/14; RECEIVED AND ASSIGNED to the Rules Committee.
- 2 seats / 2 applicants*
John Austin, seat 12
Rebecca Delgado Rottman, seat 16

6. 140303**[Appointments, Park, Recreation and Open Space Advisory Committee]**

Hearing to consider appointing one member, term ending February 1, 2015, and three members, terms ending February 1, 2016, to the Park, Recreation and Open Space Advisory Committee. (Clerk of the Board)

Vacant seat 1, succeeding Tom Valtin, term expired, must be nominated by the District 9 Supervisor from organizations listed in Resolution No. 391-13, for the unexpired portion of a two-year term ending February 1, 2016.

Vacant seat 2, succeeding Patricia Delgado, term expired, must be nominated by the District 9 Supervisor and from District 9, for the unexpired portion of a two-year term ending February 1, 2015.

Vacant seat 3, succeeding Nicholas Belloni, term expired, must be nominated by the District 4 Supervisor from the organizations listed in Resolution No. 391-13, for the unexpired portion of a two-year term ending February 1, 2016.

Vacant seat 13, succeeding Les Hilger, term expired, must be nominated by the District 1 Supervisor from the organizations listed in Resolution No. 391-13, for the expired portion of a two-year term ending February 1, 2016.

3/21/14; RECEIVED AND ASSIGNED to the Rules Committee.

4 seats / 4 applicants

Tom Valtin, seat 1

Patricia Delgado, seat 2

Nicholas Belloni, seat 3

Les Hilger, seat 13

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.

7. **140182** **[Settlement of Lawsuit - Michael Yaki - City to Receive \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by City Attorney Dennis J. Herrera against Michael Yaki for \$75,000; the lawsuit was filed on December 4, 2013, in San Francisco Superior Court, Case No. CGC-13-535880; entitled Dennis J. Herrera in his official capacity as San Francisco City Attorney v. Michael Yaki; other material terms of the settlement are that Yaki will register as a lobbyist with the San Francisco Ethics Commission, file monthly lobbyist disclosures for the period of July 2012 through August 2013, and complete a lobbyist training. (City Attorney)

2/28/14; RECEIVED FROM DEPARTMENT.

3/11/14; RECEIVED AND ASSIGNED to the Rules Committee.
8. **140185** **[Settlement of Lawsuit - Syncora Guarantee, Inc., formerly XL Capital Assurance, Inc. - City to Receive \$180,000]**
Ordinance authorizing a settlement of the lawsuit filed by the City and County of San Francisco against Syncora Guarantee, Inc. (formerly known as XL Capital Assurance, Inc.) for \$180,000; the lawsuit was filed on October 8, 2008, in San Francisco Superior Court, Case No. CGC-08-480708; entitled City and County of San Francisco v. AMBAC Financial Group Inc., et al.; this partial settlement applies only to claims against Syncora Guarantee; other material terms of the settlement are that Syncora will waive its claim for attorneys fees and costs and cooperate in future discovery. (City Attorney)

2/28/14; RECEIVED FROM DEPARTMENT.

3/11/14; RECEIVED AND ASSIGNED to the Rules Committee.

9. **140277** **[Settlement of Lawsuit - Daniel Dallabrida - \$150,000]**
Ordinance authorizing settlement of the lawsuit filed by Daniel Dallabrida against the City and County of San Francisco for \$150,000; the lawsuit was filed on October 19, 2011, in San Francisco Superior Court, Case No. CGC 11-515117; entitled Daniel Dallabrida v. City and County of San Francisco, et al. (City Attorney)

3/19/14; RECEIVED FROM DEPARTMENT.

4/1/14; RECEIVED AND ASSIGNED to the Rules Committee.

This matter is scheduled pending introduction at the full Board on April 1, 2014.
10. **140278** **[Settlement of Lawsuit - Fletcher Ranch Road Properties, LLC - Grant of Access Easements]**
Ordinance authorizing settlement of the lawsuit filed by Fletcher Ranch Road Properties, a Limited Liability Company, Robert N. Fletcher as Trustee Of The Robert N. And Patricia A. Fletcher Living Trust, Richard S. Fletcher as Trustee Of The Richard S. And Linda K. Fletcher Revocable Inter Vivos Trust, and C. Nelson Fletcher As Trustee Of The C. Nelson And Betty S. Fletcher Revocable Inter Vivos Trust against the City and County of San Francisco by granting limited access easements benefitting four parcels owned by plaintiffs; the lawsuit was filed on April 22, 2010, in Alameda County Superior Court, Case No.VG10510699; entitled Fletcher Ranch Road Properties, LLC, et al. v. City and County of San Francisco; other material terms of said settlement are that plaintiffs agree to waive all other claims of access over property owned by City and County of San Francisco and to permanently restrict their use of the easements. (City Attorney)

3/19/14; RECEIVED FROM DEPARTMENT.

4/1/14; ASSIGNED to the Rules Committee.

This matter is scheduled pending introduction at the full Board on April 1, 2014.
11. **140279** **[Settlement of Lawsuit - California Coastal Protection Network - \$125,000]**
Ordinance authorizing settlement of the lawsuit filed by California Coastal Protection Network against the City and County of San Francisco for \$125,000; the lawsuit was filed on August 9, 2011, in San Francisco County Superior Court, Case No. CGC-11-513176; entitled California Coastal Protection Network v. City and County of San Francisco; other material terms of said settlement include implementation of long-term adaptive management plan for the South Reach of Ocean Beach; and making environmental findings. (City Attorney)

3/24/14; RECEIVED FROM DEPARTMENT.

3/27/14; REFERRED TO DEPARTMENT.

3/27/14; RESPONSE RECEIVED.

4/1/14; ASSIGNED to the Rules Committee.

This matter is scheduled pending introduction at the full Board on April 1, 2014.

- 12. 140280 [Settlement of Unlitigated Claim - Rajiv Bhatia - \$155,000]**
Resolution approving settlement of the unlitigated claim asserted by Dr. Rajiv Bhatia against the City and County of San Francisco on September 10, 2013, for \$155,000. (City Attorney)
- 3/19/14; RECEIVED FROM DEPARTMENT.
- 4/1/14; ASSIGNED to the Rules Committee.
- This matter is scheduled pending introduction at the full Board on April 1, 2014.*
- 13. 140281 [Settlement of Lawsuit - Thomas Cooke, III - \$650,000]**
Ordinance authorizing settlement of the lawsuit filed by Thomas Cooke, III against the City and County of San Francisco for \$650,000; the lawsuit was filed on August 31, 2011, in San Francisco Superior Court, Case No. CGC-11-515143; entitled Thomas Cooke, III, et al. v. City and County of San Francisco. (City Attorney)
- 4/1/14; RECEIVED FROM DEPARTMENT.
- 4/1/14; ASSIGNED to the Rules Committee.
- This matter is scheduled pending introduction at the full Board on April 1, 2014.*
- 14. 140282 [Settlement of Lawsuit - 2342 Broadway, LLC - \$37,500]**
Ordinance authorizing settlement of the lawsuit filed by 2342 Broadway, LLC, against Phil Ting in his official capacity as the Assessor-Recorder of the City and County of San Francisco; the City and County of San Francisco, a California chartered city and county; and DOES 1 through 20, inclusive, in settlement of \$37,500 to Twentythree Fortytwo, LLC; the lawsuit was filed on April 10, 2012, in San Francisco Superior Court, Case No. CGC 12-519888; entitled 2342 Broadway, LLC, v. Phil Ting, et al. (City Attorney)
- 3/24/14; RECEIVED FROM DEPARTMENT.
- 4/1/14; ASSIGNED to the Rules Committee.
- This matter is scheduled pending introduction at the full Board on April 1, 2014.*
- [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.

140226 [Various Codes - Nonsubstantive Clean-Up Ordinance]

Ordinance amending the Administrative, Business and Tax Regulations, Campaign and Governmental Conduct, Environment, Health, Municipal Elections, Park, Police, and Subdivision Codes, to make nonsubstantive changes. (City Attorney's Office)

3/10/14; RECEIVED FROM DEPARTMENT.

3/18/14; 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>