



The General Government Committee met on November 14, 2005, at 10:38 a.m., with the following members present: Supervisors Smith and Colfax; Committee Chairperson Smith presiding. Also present: Ms. Kristi Furman, Clerk of the Board; Ms. Jeanine Nadel, County Counsel; Ms. Alison Glassey, Assistant Chief Executive Officer; Mr. Tony Shaw, County Executive Office; and Mr. John Ball, Chief Executive Officer.

Others present: Ms. Linda Moore, Human Resources Analyst; Ms. Stephanie Kentala, Human Resources Director; Dr. Dean Wolbach, Air Pollution Control Officer; Mr. Pete Halstad, General Services Director; Undersheriff Gary Hudson; Ms. Carol Mordhorst, Public Health Director; and Mr. John Rogers, Environmental Health Director. Numerous members of the public were in attendance for various Committee topics.

(1) DISCUSSION AND POSSIBLE ACTION REGARDING DEFINING THE CRITERIA FOR THE DEVELOPMENT OF A COUNTY FLAG BY A LOCAL 4-H PROGRAM
(Referred from the October 19, 2004, Board of Supervisors Meeting)

Presenter/s: Chairperson Smith invited staff to introduce the subject matter, referencing the Committee's previous review and discussion.

Mr. Tony Shaw, Economic Development Coordinator, referenced the Committee's previous review of this matter, expressing his interpretation of the Committee's acceptance of the recommendations pertaining to the 4-H Club's use of the County seal, while not pursuing development of a "County flag" at this time.

Counsel Nadel distributed a draft ordinance for Committee consideration pertaining to the use of the County Seal, noting that a few details remain to be verified prior to presentation/consideration of the draft ordinance by the full Board.

In response to Committee inquiry, Mr. Shaw referenced past practice of allowing the 4-H Club use of the County seal, suggesting "overall" permission be granted so long as it was used solely for events as authorized.

Committee members were supportive of the concept of introducing an ordinance, and of allowing authorization to be granted by the CEO and/or via a Board resolution in granting use of the County seal.

Committee Directive: GENERAL CONSENSUS OF THE COMMITTEE:

- To endorse the proposed ordinance for the use of the County Seal, directing staff to schedule a draft ordinance before the full Board;
- To support staff's recommendation granting authorization for the 4-H Club use of the County Seal as presented, following adoption of the subject ordinance; with a recommendation to the full Board that no County flag be developed by the 4-H program at this time;
- To direct staff to present a report of the Committee's findings associated with this matter to the Board of Supervisors, thereby clearing this item from Committee.

(2) DISCUSSION AND DIRECTION REGARDING A SUCCESSION PLAN FOR THE AIR POLLUTION CONTROL OFFICER

(Referred from the July 26, 2005, Board of Supervisors Meeting)

Presenter/s: Following Chairperson Smith's request for an update on the matter, Counsel Nadel distributed a staff report pertaining to the Air Quality Management District.

Dr. Wolbach referenced the three previous options presented by staff to move forward, noting progress made working with the Human Resources Department in development of a position description for a Deputy Air Pollution Officer, seeking adoption of the proposed classification for the District, and authorization to proceed with the recruitment and selection. Dr. Wolbach also noted that this position has been budgeted for in this year's budget.

In consideration of the material distributed by Counsel Nadel, Supervisor Colfax referenced the nature of the referral, specifically that it would be an action of the Air District Governing Board, suggesting the matter be cleared from Committee and referred to the full Board for a determination. Dr. Wolbach expressed his understanding that the matter would be considered by the full Board following the preliminary review by the Committee.

Ms. Glassey referenced the implementation of the Chief Executive Officer (CEO) ordinance, noting the Board's endorsement of the CEO performing organizational/structural reviews, suggesting staff is awaiting similar direction by the Board should there be an interest in conducting a review of the Air Quality Management District organizational structure.

Supervisor Smith inquired whether a report was prepared by the Human Resources Department pertaining to this topic, to which Dr. Wolbach referenced the work on the classification specification.

Following discussion on the matter, Counsel Nadel suggested the Board consider clarification of the Board's Committee structure and its applicability to the AQMD function.

Committee Directive: GENERAL CONSENSUS OF THE COMMITTEE:

- To direct staff to refer the matter back to the full Board for review, thereby clearing this item from Committee.

(3) DISCUSSION AND REVIEW OF THE PRECAUTIONARY PRINCIPLE FOR A 90-DAY STUDY AND RECOMMENDATION – PUBLIC HEALTH

(Referred from the September 20, 2005, Board of Supervisors Meeting)

Presenter/s: Chairperson Smith referenced the Committee's previous direction, providing a recap of the last discussion pertaining to the Precautionary Principle.

Ms. Britt Bailey, Consultant, sought input from County departments as to how the Precautionary Principle may be implemented in the organization, citing the elements which include:

- Preventing harm
- Encouraging transparency
- Performing cost-accounting
- Encouraging public participation in decision-making

Discussion ensued relative to current practices within various County departments and the applicability of the principle “in concept,” while recognizing that the same may not be apparent in practice.

Public Comment: Ms. Linda Helen; Ms. Sara O’Donnell; Ms. Marcella Reese; Mr. Doug Hammerstrom; Ms. Els Cooperider; Undersheriff Gary Hudson; Mr. Dean Wolbach; Mr. Rick Radcliffe, Field Representative, Carpenter’s Union; Mr. Pete Halstad; Mr. John Rogers; Ms. Carol Mordhorst.

Following comment on the matter, Ms. Bailey sought input with regard to the potential value of the County adopting an ordinance to enact the Precautionary Principle, which was followed by additional input with regard to the current practice “in concept” in many departments while also referencing restrictions on resources. Concern was expressed in having an ordinance “mandate” this concept and the potential challenges and difficulties County departments may experience as a result of this mandate.

In consideration of the potential “next steps,” discussion focused on “framework and steps” in identifying the need to be clear in pursuing Board direction to institute some type of ordinance, also looking at the particulars – the guiding philosophy; acquisition of grant funding, and potential evaluation. Those present concurred that an ordinance would become the foundation in how decisions are made, followed by implementation.

Counsel Nadel offered to obtain a copy of the ordinance as adopted by the City and County of San Francisco and distribute to Committee members by early December, followed by Ms. Mordhorst’s recommendation to create a subcommittee to review the materials prior to the next review session.

In view of the procedural constraints of Committee referrals being concluded by the end of the calendar year, and the group’s interest in further review of the matter, Committee members directed staff to prepare a recommendation for Board consideration, to create an ad-hoc committee, comprised of Supervisors Smith and Colfax, for continuation of the review process in 2006. Further, should the Board accept the recommendation, that an ad-hoc committee convene its first meeting in January 2006 (date to be determined).

Committee Directive: GENERAL CONSENSUS OF THE COMMITTEE:

- To direct staff to schedule a recommendation for Board consideration to create an ad-hoc committee, comprised of Supervisors Smith and Colfax, for continuation of the review process in 2006;
- To direct staff to notify interested parties upon a determination of future scheduling of the matter in January 2006;
- To support the concept of a subcommittee to review the San Francisco ordinance prior to the next formal review;
- To direct that this matter be cleared from Committee.

- (4) **OTHER BUSINESS:**
- a. **Public Expression**
None presented.
 - b. **Announcements/Other Business**
No December Committee meeting is anticipated.
 - c. **Matters from Staff**
None presented.
 - d. **Adjournment**

THERE BEING NOTHING FURTHER TO COME BEFORE THE GENERAL GOVERNMENT COMMITTEE, THE MEETING ADJOURNED AT 11:59 A.M.

Respectfully Submitted,

Kristi Furman, Clerk of the Board

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