



City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: David Campos, Chris Daly, Michela Alioto-Pier

Clerk: Linda Wong (415) 554-7719

Thursday, January 7, 2010

10:00 AM

City Hall, Committee Room 263

Regular Meeting

MEETING CONVENED

The meeting convened at 10:04 a.m.

Present: 2 - David Campos and Chris Daly

Excused: 1 - Michela Alioto-Pier

REGULAR AGENDA

091459 [Appointment, Urban Counties Caucus - Supervisor Michela Alioto-Pier]

Motion appointing Supervisor Michela Alioto-Pier, term ending December 31, 2010, to the Urban Counties Caucus. (Clerk of the Board)

12/15/09; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

RECOMMENDED by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091427 [Appointments, Workforce Investment Community Advisory Committee - Tracy Brown and Jamie Brewster]

Hearing to consider appointing two members, terms to be determined, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Vacant seat 3, new appointment, must be staff and/or 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 a two-year term ending date to be determined.

Vacant seat 4, new appointment, must be staff and/or 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 a two-year term ending date to be determined.

12/15/09; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jamie Brewster; Joseph Ramirez-Forcier; Sheryl Davis; Sue Rosser; Toby Eastman; Tracy Brown; Female Speaker.

Appointment of Tracy Brown, seat 3, recommended.

Appointment of Jamie Brewster, seat 4, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Tracy Brown and Jamie Brewster, terms to be determined, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Tracy Brown, seat 3, new appointment, must be staff and/or 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 a two-year term ending date to be determined.

Jamie Brewster, seat 4, new appointment, must be staff and/or 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 a two-year term ending date to be determined.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091481 [Appointment, Veterans Affairs Commission - James Guglielmoni]

Hearing to consider appointing one member, term ending January 31, 2014, to the Veterans Affairs Commission. (Clerk of the Board)

Vacant seat 10, succeeding James Guglielmoni, term expiring on January 31, 2010, must be an at-large appointment, for a four-year term ending January 31, 2014.

12/29/09; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: James Guglielmoni; Male Speaker.

Appointment of James Guglielmoni, seat 10, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing James Guglielmoni, term ending January 31, 2014, to the Veterans Affairs Commission. (Clerk of the Board)

James Guglielmoni, seat 10, succeeding himself, term expiring on January 31, 2010, must be an at-large appointment, for a four-year term ending January 31, 2014.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091402 [Medical Cannabis Task Force]**Sponsors: Campos; Mirkarimi, Avalos and Daly**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.2-1 through 5.2-6, to establish a Medical Cannabis Task Force to advise the Board of Supervisors on medical cannabis issues.

12/08/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/7/2010.

12/16/09; REFERRED TO DEPARTMENT. To Office of City Administrator for comment and recommendation.

Heard in Committee. Speakers: Female Speaker, Access of Love SF; Michael Aubridge; Kathy Smith; Stephanie Tucker; Ms. Webster; Patrick Godgin; Greg Letbetter; Female Speaker.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091233 [Administrative Code Amendments Related to False Claims]**Sponsor: Alioto-Pier**

Ordinance amending Administrative Code Sections 6.22, 6.42, and 21.35 to clarify that the false claims provisions of Chapters 6 and 12 are statutory rather than contractual and to eliminate the requirement that such provisions be incorporated into public works contracts or professional services contracts.

10/27/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/26/2009.

Heard in Committee. Speaker: Cheryl Adams, City Attorney's Office.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091403 [Inclusion of Textiles in Sweatfree Contracting Ordinance]**Sponsors: Campos; Mar**

Ordinance adding Section 12U.5.1 of the Administrative Code to provide that contracts for textiles are within the coverage of the Sweatfree Contracting Ordinance.

12/08/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/7/2010.

Heard in Committee. Speaker: Elisa Colber, Sweatfree Procurement Advisory Group.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091446 [Modifying the Membership of the Food Security Task Force]**Sponsor: Maxwell**

Ordinance amending the San Francisco Health Code by amending Section 470.1, to modify the membership of the Food Security Task Force and to direct the Task Force to prepare an annual assessment of the state of hunger in San Francisco, and by amending Section 470.2, to extend the term of the Task Force.

Amendment of the Whole Bearing New Title.

12/15/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/14/2010. 12/18/09 - President Chiu waived the 30-day rule.

12/18/09; ASSIGNED to Rules Committee. 12/18/09 - President Chiu waived the 30-day rule.

Heard in Committee. Speakers: Jon Lau, Office of Supervisor Sophie Maxwell; Female Speaker; Paul Jones, Department of Public Health; Female Speaker; Liam O'Farrell.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Health Code by amending Section 470.1, to modify the membership of the Food Security Task Force and to direct the Task Force to prepare an annual assessment of the state of hunger and food insecurity in San Francisco, and by amending Section 470.2, to extend the term of the Task Force.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

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.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091381 [Settlement of Lawsuit - Marco Maestrini - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Marco Maestrini against the City and County of San Francisco for \$40,000; the lawsuit was filed on June 6, 2007, in the United States District Court for the Northern District of California, Case No. C07-02941 PJH; entitled Marco Maestrini, et al., v. City and County of San Francisco, et al. (City Attorney)

11/18/09; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091382 [Settlement of Lawsuit - Ben H. Lyon - \$47,500]

Ordinance authorizing settlement of the lawsuit filed by Ben H. Lyon against the City and County of San Francisco for \$47,500; the lawsuit was filed on May 9, 2007, in San Francisco Superior Court, Case No. 463-228; entitled Ben H. Lyon, et al. v. City and County of San Francisco, et al. (City Attorney)

11/24/09; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091383 [Settlement of Lawsuit - Glynis Senegal and Joseph Senegal - \$158,000]

Ordinance authorizing settlement of the lawsuit filed by Glynis Senegal and Joseph Senegal against the City and County of San Francisco for \$158,000; the lawsuit was filed on May 5, 2006, in San Francisco Superior Court, Case No. 451-969; entitled Glynis Senegal and Joseph Senegal v. City and County of San Francisco, et al. (City Attorney)

11/24/09; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091384 [Settlement of Unlitigated Claim - David Cleary - \$225,000]

Resolution approving the settlement of the unlitigated claim filed by David Cleary against the City and County of San Francisco for \$225,000; claim was filed on May 22, 2009. (City Attorney)

11/24/09; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091387 [Settlement of Lawsuit - San Franciscans for Livable Neighborhoods - \$141,692.50]

Ordinance authorizing settlement of the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and County of San Francisco for \$141,692.50 for attorneys' fees; the lawsuit was filed on November 30, 2004, in San Francisco Superior Court, Case No. 504-780; entitled San Franciscans for Livable Neighborhoods v. City and County of San Francisco, et al.; other material terms of said settlement are that payment is to be made in two equal installments, one in calendar year 2010, one in calendar year 2011.

12/02/09; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091473 [Settlement of Department of Fair Employment and Housing Charge - Timothy Jones - \$83,251.89]

Resolution approving the settlement of the Department of Fair Employment and Housing (DFEH) and Equal Employment Opportunity Commission (EEOC) charges filed by Timothy Jones against the City and County of San Francisco for \$83,251.89; DFEH and EEOC charges were filed on November 13, 2008; DFEH Charge No. E200809A0330-00-pe and EEOC Charge No. 37AA904035 entitled Jones v. CCSF. (City Attorney)

12/28/09; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

091474 [Settlement of Claim - Devorah Joseph - \$49,000]

Resolution approving the settlement of the unlitigated claim filed by Devorah Joseph against San Francisco for \$49,000; claim was filed on July 28, 2008; additional material terms of said settlement are a full and final release. (City Attorney)

12/28/09; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Excused: 1 - Alioto-Pier

Deputy City Attorney Cheryl Adams reported that the Rules Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[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.

Unanimous vote not to disclose by the following vote:

Ayes: 2 - Campos, Daly
Excused: 1 - Alioto-Pier

091408 [Approving Settlement of Unlitigated Claim Against the City by Comcast]

Sponsor: Mirkarimi

Resolution approving settlement of an unlitigated claim made by Comcast Cable Communications, LLC, against the City and County of San Francisco.

12/08/09; RECEIVED AND ASSIGNED to Rules Committee.

Speakers: Chris S.; Jazmin Jones; Adam Shaening Pokrasso; Morgan Nixon; Tracy Rosenberg; David Miles; Ken Ilee; Wendy Levy; Velda Sullivan; Male Speaker; Moriah Ulinskas; Jen Gilomen; Jeffrey Green; Kazmi Torii; Elson Horn; Elizabeth Allen; Tony Shockgrass; Ace Swarn; Valerie Tuller; Arlene Campbell; Daisha Bolter; Supervisor Ross Mirkarimi.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Campos, Daly
Excused: 1 - Alioto-Pier

Unanimous vote to limited disclosure by the following vote:

Ayes: 2 - Campos, Daly
Excused: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 12:26 p.m.