



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: Norman Yee, London Breed, Malia Cohen

Clerk: Linda Wong (415) 554-7719

Thursday, June 6, 2013

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Norman Yee, London Breed, and Malia Cohen

MEETING CONVENED

The meeting convened at 1:35 p.m.

REGULAR AGENDA

Supervisor Breed moved to excuse Supervisor Cohen from voting on File No. 130519. The motion carried by the following vote:

Ayes: 2 - Yee, Breed

Excused: 1 - Cohen

130519 [Appointment, Children and Families First Commission - Supervisor Malia Cohen]

Motion appointing Supervisor Malia Cohen to the Children and Families First Commission, for an indefinite term. (Clerk of the Board)

05/31/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

RECOMMENDED by the following vote:

Ayes: 2 - Yee, Breed

Excused: 1 - Cohen

130409 [Appointment, Police Commission]

Hearing to consider appointing one member, term ending April 30, 2017, to the Police Commission. (Clerk of the Board)

Vacant seat 3, succeeding Petra DeJesus, term expired, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a four-year term ending April 30, 2017.

05/10/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130503 [Approving Appointment, Entertainment Commission - Barbara Seymour Campagnoli]

Motion approving the Mayor's nomination for appointment of Barbara Seymour Campagnoli to the Entertainment Commission, for a term ending July 1, 2014. (Clerk of the Board)
(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 5/14/13.)

05/31/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Barbara Seymour Campagnoli; spoke on her qualifications. Al Casiado; David Heller; Janet Netto; spoke in support of the Mayor's nomination for appointment of Barbara Seymour Campagnoli to the Entertainment Commission.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130504 [Confirming Reappointment, Port Commission - Kimberly Brandon]**Sponsor: Mayor**

Motion confirming the Mayor's reappointment of Kimberly Brandon to the Port Commission, for a term ending May 1, 2017.

05/31/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Kimberly Brandon; spoke on her qualifications. Scott Williams; Tyra Pynell; Karen Clapton; Dr. Toye Moses; Mr. Butler; Everett Brandon; Vincent McCarthy; Timothy Simon; Male Speaker; Monique Moyer, Executive Director (Port Commission); spoke in support of the Mayor's reappointment of Kimberly Brandon to the Port Commission.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130505 [Confirming Reappointment, Treasure Island Development Authority Board of Directors - Larry Del Carlo]**Sponsor: Mayor**

Motion confirming the Mayor's reappointment of Larry Del Carlo to the Treasure Island Development Authority Board of Directors, for a term ending February 26, 2017.

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (18)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - 4/25/13.)

05/31/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Larry Del Carlo; spoke on his qualifications. Larry Del Torro; Male Speaker; Vince Courtney; Joshua Arce; spoke in support of the Mayor's reappointment of Larry Del Carlo to the Treasure Island Development Authority Board of Directors.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130225 [Administrative Code - Bayview Hunters Point Citizens Advisory Committee]**Sponsor: Cohen**

Ordinance amending the Administrative Code to establish the Bayview Hunters Point Citizens Advisory Committee to provide policy advice to the City and County of San Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point Redevelopment Project Area.

03/05/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

03/14/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

03/26/13; RECEIVED FROM DEPARTMENT. Received environmental evaluation stamp from the Planning Department.

Heard in Committee. Speakers: Supervisor Malia Cohen (Board of Supervisors); Kimia Haddadan (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing.

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

Ayes: 3 - Yee, Breed, Cohen

CONTINUED TO CALL OF THE CHAIR AS AMENDED by the following vote:

Ayes: 3 - Yee, Breed, Cohen

Supervisor Cohen was noted absent at 3:10 p.m.

130501 [Administrative Code - Assessment Appeals Boards - Modify Board No. 3 Membership and Function; Procedural Revisions]

Ordinance amending the Administrative Code, regarding Assessment Appeals Boards, to modify the structure of Assessment Appeals Board No. 3 to provide that the members of Board No. 3 are different than the members of Board No. 1; that the function of Board No. 3 is the same as Board No. 2; provide for staggered terms of initial Board No. 3 members; remove provisions regarding Board Members not meeting current State requirements; add a public comment timing option; and making nonsubstantive clarifying revisions. (Clerk of the Board)

05/21/13; ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Deborah Landis (Board of Supervisors); Dawn Duran (Assessment Appeals Board); Trisha Prashad (Office of the Assessor-Recorder); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 2 - Yee, Breed

Absent: 1 - Cohen

LITIGATION

Public Comment: None.

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 - Yee, Breed

Absent: 1 - Cohen

Supervisor Cohen was noted present at 3:15 p.m.

Supervisor Breed moved to excuse Supervisor Yee from voting on File No. 130336. The motion carried by the following vote:

Ayes: 2 - Breed, Cohen

Excused: 1 - Yee

130336 [Settlement of Lawsuit - Rosemary Bosque - \$49,505.70]

Ordinance authorizing settlement of the lawsuit filed by Rosemary Bosque against the City and County of San Francisco for \$49,505.70; the lawsuit was filed on May 14, 2010 in San Francisco Superior Court, Case No. CGC-10-499909, entitled Bosque v. City and County of San Francisco. (City Attorney's Office)

04/12/13; RECEIVED FROM DEPARTMENT.

04/23/13; RECEIVED AND ASSIGNED to Rules Committee.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Breed, Cohen

Excused: 1 - Yee

130360 [Settlement of Claim - Bank of San Francisco - \$32,246]

Resolution approving the proposed settlement of claim filed by Bank of San Francisco against the City and County of San Francisco for \$32,246; claim was filed on July 17, 2012, bearing claim number 13-00117. (City Attorney's Office)

04/19/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130361 [Settlement of Claim - Stanford Group Company - \$63,292.52]

Resolution approving the proposed settlement of claim filed by Stanford Group Company against the City and County of San Francisco for \$63,292.52; claim was filed on July 25, 2012, bearing claim number 13-00190. (City Attorney's Office)

04/18/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130449 [Settlement of Lawsuit - Jesse J. Byrd - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Jesse J. Byrd, Malik Britt, and Rashad Conley against the City and County of San Francisco for \$75,000; the lawsuit was filed on April 8, 2011, in U. S. District Court, Northern District of California, Case No. C11-1742-DMR; entitled Jesse J. Byrd, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

05/13/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Rules Committee.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130450 [Offer to Compromise - Zeno Zimmerman - \$125,000]

Ordinance authorizing the service of a 998 Offer To Compromise in the lawsuit filed by Zeno Zimmerman against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 6, 2011, in San Francisco County Superior Court, Case No. CGC-11-516360; entitled Zeno Zimmerman, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

05/13/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Rules Committee.

TABLED by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130451 [Settlement of Claim - Magdaleno Rios - \$50,000]

Resolution approving the settlement of the unlitigated claim filed by Magdaleno Rios against the City and County of San Francisco for \$50,000; claim was filed on February 8, 2013. (City Attorney's Office)

05/13/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130452 [Settlement of Claim - Sharon Prieto - \$40,000]

Resolution approving the proposed settlement of claim by Sharon Prieto against the City and County of San Francisco for \$40,000; the claim was filed on June 11, 2012, bearing Claim No. 12-02916. (City Attorney's Office)

05/13/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Breed, Cohen

Deputy City Attorney Jon Givner 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: 3 - Yee, Breed, Cohen

ADJOURNMENT

The meeting adjourned at 3:15 p.m.