



**City and County of San Francisco**  
**Meeting Minutes - Final**  
**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*

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Thursday, November 21, 2013

1:30 PM

City Hall, Committee Room 263

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**Regular Meeting**

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

**MEETING CONVENED**

*The meeting convened at 1:34 p.m.*

**REGULAR AGENDA**

**130787 [Administrative Code - Timelines and Procedures for Releasing Open Data]**

**Sponsor: Farrell**

Ordinance amending the Administrative Code to modify open data standards and set deadlines for releasing open data.

07/30/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

09/03/13; REFERRED TO DEPARTMENT. Referred to various departments for informational purposes.

*Heard in Committee. Speakers: Supervisor Mark Farrell (Board of Supervisors); Jay Nath (Mayor's Office); presented information concerning the matter and answered questions raised throughout the hearing. Yoyo Shita; Corey Marshall; Catherine Johnson; Male Speaker; Brian Perchia; Ruben Garcia; spoke in support of the matter.*

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

Ayes: 3 - Yee, Breed, Cohen

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

File No. 131088 was heard before File No. 131018

**131018 [Confirming Appointment, Treasure Island Development Authority Board of Directors - Vivian Fei Tsen]**

Motion confirming the Mayor's appointment of Vivian Fei Tsen, term ending February 26, 2014, to the Treasure Island Development Authority Board of Directors. (Mayor)  
(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 - 10/16/13.)

10/18/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Vivan Fel Tsen; spoke on her qualifications. Philp Chin (Community of Better Parks); Rev. Norman Fong (Chinatown Community Development Center); spoke in support of the Mayor's appointment.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**131100 [Appointments, Airport Facilities Naming Advisory Committee]**

Hearing to consider appointing two members, for indefinite terms, to the Airport Facilities Naming Advisory Committee. (Clerk of the Board)

Vacant seat 8, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

Vacant seat 9, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

11/08/13; 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

**131103 [Appointment, Child Care Planning Advisory Council]**

Hearing to consider appointing one member, term ending March 19, 2016, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Vacant seat 6, succeeding Deepa Mehta, term expired, must be a nominee of District 6 Supervisor, must be a consumer or a child care provider, for the unexpired portion of a three-year term ending March 19, 2016.

11/08/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Deepa Mehta; spoke on her qualifications. Erica Maybaum (Child Care Planning and Advisory Council); spoke in support of applicant Deepa Mehta.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**131102 [Appointment, Bicycle Advisory Committee - Micah Allen]**

Hearing to consider appointing one member, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Vacant seat 10, succeeding Rufus Davis, Jr., resigned, must be a nominee of District 10 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2014, or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

11/08/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: None.*

*Appointment of Micah Allen, seat 10, recommended.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Micah Allen, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Micah Allen, seat 10, succeeding Rufus Davis, Jr., resigned, must be a nominee of District 10 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2014, or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**131108 [Appointment, Treasury Oversight Committee]**

Hearing to consider appointing one member, term ending June 5, 2017, to the Treasury Oversight Committee. (Clerk of the Board)

Vacant seat 4, succeeding Todd Rydstrom, term expired, must represent the public at large, for the unexpired portion of a four-year term ending June 5, 2017.

Conditions for Membership:

1. A member of the Committee may not be employed by an entity that had contributed to a reelection campaign of the Treasurer or a member of the Board of Supervisors in the previous three years.
2. A Committee member may not directly or indirectly raise money for the County Treasurer or a member of the Board of Supervisors while a member of the Committee.
3. A Committee member may not secure employment with bond underwriters, bond counsel, security brokerages or dealers, or with financial services firms for three years after leaving the Committee.

11/08/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speaker: Greg Kato (Office of the Treasurer and Tax Collector); presented information concerning the matter and answered questions raised throughout the hearing.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**131110 [Appointment, Citizen's Committee on Community Development - Miquel Penn]**

Hearing to consider appointing one member, term ending February 23, 2014, to the Citizen's Committee on Community Development. (Clerk of the Board)

Vacant seat 4, succeeding Charlie Sciammas, resigned, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the unexpired portion of a two-year term ending February 23, 2014.

11/08/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Miquel Penn; spoke on his qualifications. Kerry M.; Joshua Arce; Stella; spoke in support of applicant Miquel Penn.*

*Appointment of Miquel Penn, seat 4, recommended.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Miquel Penn, term ending February 23, 2014, to the Citizen's Committee on Community Development. (Clerk of the Board)  
Miquel Penn, seat 4, succeeding Charlie Sciammas, resigned, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the unexpired portion of a two-year term ending February 23, 2014.

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**131088 [Appointment, Director of the San Francisco Bay Area Regional Water System Financing Authority - Harlan L. Kelly, Jr.]**

**Sponsor: Mayor**

Resolution appointing Harlan L. Kelly, Jr., for a four-year term, to commence upon Board of Supervisors' approval, as a Director of the San Francisco Bay Area Regional Water System Financing Authority.

11/05/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speaker: Harlan L. Kelly, Jr.; spoke on his qualifications.*

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**Severed from Conference with City Attorney**

*Supervisor Yee requested that File No. 131058 be severed so that it may be considered separately.*

**131058 [Tax Collector Attorney - File Suit Against Responsible Relatives to Recover Value of Services Rendered at Hospital Facilities]**

Resolution authorizing the Tax Collector Attorney to file suit against responsible relatives to recover value of services rendered at hospital facilities operated by the Department of Public Health. (Treasurer-Tax Collector)

10/25/13; RECEIVED FROM DEPARTMENT.

11/05/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speaker: Jon Givner (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

## 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: 3 - Yee, Breed, Cohen

**130695 [Settlement of Lawsuit - Larry Jacobs - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by Larry Jacobs against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 27, 2011, in the California Superior Court, San Francisco Branch, Case No. CGC-11-507691, entitled Larry Jacobs v. City and County of San Francisco. (City Attorney's Office)

07/22/13; RECEIVED FROM DEPARTMENT.

07/30/13; RECEIVED AND ASSIGNED to Rules Committee.

09/19/13; CONTINUED TO CALL OF THE CHAIR.

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**131078 [Settlement of Lawsuit - Yekaterina Gayza - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Yekaterina Gayza against the City and County of San Francisco for \$50,000; the lawsuit was filed on July 27, 2012, in San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and County of San Francisco will satisfy any lien asserted by Healthy San Francisco for treatment related to Yekaterina Gayza's injury from her fall that provided the basis for San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al. (City Attorney's Office)

10/31/13; RECEIVED FROM DEPARTMENT.

11/19/13; RECEIVED AND ASSIGNED to Rules Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**131079 [Settlement of Claim - Pacific Gas and Electric Company - \$35,000]**

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for \$35,000; claim was filed on June 17, 2013. (City Attorney's Office)

10/31/13; RECEIVED FROM DEPARTMENT.

11/19/13; 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 2:44 p.m.*