



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: Jane Kim, Sean Elsbernd, Mark Farrell

Clerk: Linda Wong (415) 554-7719

Thursday, May 5, 2011

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Jane Kim, Sean Elsbernd, and Mark Farrell

MEETING CONVENED

The meeting convened at 1:35 p.m.

REGULAR AGENDA

110395 [Confirming Appointment, Port Commission - Doreen Woo Ho]

Sponsor: Mayor

Motion confirming the appointment of Doreen Woo Ho to the Port Commission, term ending May 1, 2014.

04/04/11; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Doreen Woo Ho; spoke on her qualifications. Willie Brown; Male Speaker; Scott Gable; spoke in support of the appointment.

RECOMMENDED by the following vote:

Ayes: 3 - Kim, Elsbernd, Farrell

110294 [Confirming Appointment, Municipal Transportation Agency Board of Directors - Joél Ramos]

Sponsor: Mayor

Motion confirming the appointment of Joél Ramos to the Municipal Transportation Agency Board of Directors, term ending March 1, 2015.

04/13/11; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Joél Ramos; spoke on his qualifications. Thea Selby; Cindy Wu; Jim Frank; Andy Thorn; Elizabeth Stern; Robert Bowen; spoke in support of the appointment.

RECOMMENDED by the following vote:

Ayes: 3 - Kim, Elsbernd, Farrell

110500 [Appointment, Pedestrian Safety Advisory Committee - Kenneth Frausto]

Hearing to consider appointing one member, term ending March 28, 2012, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Vacant seat 1, succeeding Catherine Liddell, resigned, must be a representative from a pedestrian safety organization, for the unexpired portion of a two-year term ending March 28, 2012.

04/26/11; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Kenneth Frausto; spoke on his qualifications. Elizabeth Stem; spoke in support of the appointment.

Appointment of Kenneth Frausto, seat 1, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Kenneth Frausto, term ending March 28, 2012, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Kenneth Frausto, seat 1, succeeding Catherine Liddell, resigned, must be a representative from a pedestrian safety organization, for the unexpired portion of a two-year term ending March 28, 2012.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Elsbernd, Farrell

110492 [Appointment, Eastern Neighborhood Citizens Advisory Committee - Oscar Grande]

Hearing to consider appointing one member, term ending October 19, 2011, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)

Vacant seat 9, succeeding Matthias Mormino, resigned, must be nominated by District 9 Supervisor and confirmed by the full Board, for the unexpired portion of a two-year term ending October 19, 2011.

04/26/11; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Oscar Grande; spoke on his qualifications. Jim Meko; Douglas Yep; spoke in support of the appointment.

Appointment of Oscar Grande, seat 9, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Oscar Grande, term ending October 19, 2011, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)

Oscar Grande, seat 9, succeeding Matthias Mormino, resigned, must be nominated by District 9 Supervisor and confirmed by the full Board, for the unexpired portion of a two-year term ending October 19, 2011.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Elsbernd, Farrell

110493 [Appointment, Commission on the Aging Advisory Council - Vera Haile]

Hearing to consider appointing one member, term ending March 31, 2013, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Vacant seat 8, succeeding Vera Haile, term expired, must be nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2013.

04/26/11; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Vera Haile; spoke on her qualifications.

Appointment of Vera Haile, seat 8, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Vera Haile, term ending March 31, 2013, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Vera Haile, seat 8, succeeding herself, term expired, must be nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2013.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Elsbernd, Farrell

110498 [Appointments, Local Homeless Coordinating Board - Wendy Phillips, Kim Armbruster and Erick Brown]

Hearing to consider appointing three members, terms ending October 21, 2014, to the Local Homeless Coordinating Board. (Clerk of the Board)

Vacant seat 2, succeeding Wendy Phillips, term expired, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a four-year term ending October 21, 2014.

Vacant seat 3, succeeding Barbara Blong, resigned, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a four-year term ending October 21, 2014.

Vacant seat 4, succeeding Erick Brown, term expired, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a four-year term ending October 21, 2014.

04/26/11; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Wendy Phillips; Kim Armbruster; Erick Brown; spoke on their qualifications. Thomas Picarello; Charles Pitts; spoke in opposition of the appointments. Oscar Grande; Alison Schlageter, Local Homeless Coordinating Board; spoke in support of the appointments.

Appointment of Wendy Phillips, seat 2, recommended.

Appointment of Kim Armbruster, seat 3, recommended.

Appointment of Erick Brown, seat 4, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Wendy Phillips, Kim Armbruster, and Erick Brown, terms ending October 21, 2014, to the Local Homeless Coordinating Board. (Clerk of the Board)

Wendy Phillips, seat 2, succeeding herself, term expired, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a four-year term ending October 21, 2014.

Kim Armbruster, seat 3, succeeding Barbara Blong, resigned, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a four-year term ending October 21, 2014.

Erick Brown, seat 4, succeeding himself, term expired, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a four-year term ending October 21, 2014.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Elsbernd, Farrell

110535 [Appointments, Western SoMa Citizens Planning Task Force - Jim Tatarazuk and Michael Ferara]

Hearing to consider appointing two members, terms ending December 31, 2011, to the Western SoMa Citizens Planning Task Force. (Clerk of the Board)

Vacant seat 15, succeeding Tom Radulovich, resigned, must be a transportation advocate, for the unexpired portion of a three-year term ending December 31, 2011.

Vacant seat 22, succeeding Lynn Valente, resigned, must be a resident of the area defined as "SoMa West" by the Planning Department, for the unexpired portion of a three-year term ending December 31, 2011.

04/27/11; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Jim Meko, Western SoMa Citizens Planning Task Force; spoke in support of the appointments.

Appointment of Jim Tatarazuk, seat 15, recommended.

Appointment of Michael Ferara, seat 22, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Jim Tatarazuk and Michael Ferara, terms ending December 31, 2011, to the Western SoMa Citizens Planning Task Force. (Clerk of the Board)

Jim Tatarazuk, seat 15, succeeding Tom Radulovich, resigned, must be a transportation advocate, for the unexpired portion of a three-year term ending December 31, 2011.

Michael Ferara, seat 22, succeeding Lynn Valente, resigned, must be a resident of the area defined as "SoMa West" by the Planning Department, for the unexpired portion of a three-year term ending December 31, 2011.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Elsbernd, Farrell

110023 [Campaign and Governmental Conduct Code - Allowing Former Appointed Mayor to Obtain City Employment]

Sponsors: Chiu; Elsbernd, Mar, Chu, Cohen, Kim, Wiener and Farrell

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 3.234 to allow a former appointed Mayor to obtain full-time City employment within one year after leaving office

01/11/11; RECEIVED AND ASSIGNED to Rules Committee.

04/26/11; SUBSTITUTED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Judson True, Office of Supervisor David Chiu; spoke in support of the matter. Thomas Picarello; spoke in opposition of the matter. Douglas Yup; spoke on the matter.

RECOMMENDED by the following vote:

Ayes: 3 - Kim, Elsbernd, Farrell

110435 [Business and Tax Regulations Code - Citizen's Advisory Committee - Central Market Street and Tenderloin Area]**Sponsors: Kim; Chiu**

Ordinance amending Article 12-A of the San Francisco Business and Tax Regulations Code by adding Section 906.3-1 to establish a Citizen's Advisory Committee for the Central Market Street and Tenderloin Area.

04/12/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

04/14/11; ASSIGNED to Rules Committee. The President waived 30 Day Rule.

Heard in Committee. Speakers: Milly; Ara; Steve Wu; Therasita; Female Speaker; Lawrence; Jim Meko; Jesus Perez; Male Speaker; Angelica; Deana; Bernadette Sai; spoke in support of the matter.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**CONTINUED AS AMENDED to the next meeting by the following vote:**

Ayes: 3 - Kim, Elsbernd, Farrell

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 - Kim, Elsbernd, Farrell

110333 [Settlement of Lawsuit - Michael Pinkston - \$30,000]

Ordinance authorizing the settlement of lawsuit filed by Michael Pinkston against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 24, 2010, in San Francisco Superior Court, Case No. CGC-10-498074, entitled Michael Pinkston v. City and County of San Francisco, et al. (City Attorney)

03/22/11; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Kim, Elsbernd

Absent: 1 - Farrell

110480 [Settlement of Unlitigated Claim - Alain Jimenez - \$105,000]

Resolution approving the settlement of the unlitigated claim filed by Alain Jimenez against the City and County of San Francisco for \$105,000; claim was filed on June 11, 2010. (City Attorney)

04/12/11; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Kim, Elsbernd

Absent: 1 - Farrell

110481 [Settlement of Lawsuit - Da Ren Kuang, et al. - \$1,556,000]

Ordinance authorizing settlement of the lawsuit filed by Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate Of Xiu Fang Huang against the City and County of San Francisco for \$1,556,000; the lawsuit was filed on July 30, 2010, in San Francisco Superior Court, Case No. CGC 10-502052; entitled Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate Of Xiu Fang Huang v. City and County of San Francisco, et al. (City Attorney)

04/12/11; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Kim, Elsbernd

Absent: 1 - Farrell

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 - Kim, Elsbernd

Absent: 1 - Farrell

ADJOURNMENT

The meeting adjourned at 4:08 p.m.