

City and County of San Francisco

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



MEETING MINUTES
Thursday, September 17, 2009
10:00 AM
City Hall, Committee Room 263
Regular Meeting

Rules Committee

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

Clerk: Linda Wong (415) 554-7719

Members Present: *David Campos, Chris Daly, Michela Alioto-Pier.*

Members Excused: *None.*

Members Absent: *None.*

MEETING CONVENED

The meeting convened at 10:04 a.m.

REGULAR AGENDA

091048 [Appointment, Sunshine Ordinance Task Force]

Hearing to consider appointing one member, term ending April 27, 2011, to the Sunshine Ordinance Task Force.

Seat 1, succeeding Ketaki Gokhale, resigned, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for the unexpired portion of a two-year term ending April 27, 2011.

8/20/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Suzanne Manneh; Paul Claimet.

Appointment of Suzanne Manneh, seat 4, recommended, residency requirement waived.

PREPARED IN COMMITTEE AS A MOTION.

Motion appointing Suzanne Manneh, term ending April 27, 2011, to the Sunshine Ordinance Task Force, residency requirement waived.

Suzanne Manneh, seat 4, succeeding Ketaki Gokhale, resigned, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for the unexpired portion of a two-year term ending April 27, 2011, residency requirement waived.

RECOMMENDED.. by the following vote:

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

090877 [Confirming the reappointment of Kimberly K. Brandon to the San Francisco Port Commission] Mayor

Motion confirming the reappointment of Kimberly K. Brandon to the San Francisco Port Commission for a four-year term ending May 1, 2013.

7/13/09, RECEIVED AND ASSIGNED to Rules Committee.

8/6/09, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

Heard in Committee. Kimberly K. Brandon; Monique Moyer, Port of San Francisco; Diane Wesley Smith; London Breed; Lola Widow; Carmen Duke; Vincent McCary; Todd Clayter; Timothy Allen-Simon; Karen Clapton; Dr. Cesar Churchwall; Frankie Jacobs; M. Collin; Dr. Toye Moses.

RECOMMENDED by the following vote:

Ayes: 3 - Campos, Daly, Alioto-Pier

091060 [Confirming the appointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors] Mayor

Motion confirming the appointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors for a four-year term ending February 26, 2010.

(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 (17). 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 - August 24, 2009.)

8/24/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.
Continued to the next meeting.

CONTINUED by the following vote:

Ayes: 3 - Campos, Daly, Alioto-Pier

091065 [Appointment, Arts Commission - Greg Chew]

Motion approving the Mayor's appointment of Greg Chew to the Arts Commission, for the term ending January 15, 2013.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - August 24, 2009.)

8/24/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Greg Chew; Rachelle; Julie Soo; Jane Grafe; Emily Murase, Commission on the Status of Women.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

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

091066 [Appointment, Arts Commission - Greg Chew]

Motion rejecting the Mayor's appointment of Greg Chew to the Arts Commission, for the term ending January 15, 2013.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - August 24, 2009.)

8/24/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Greg Chew; Rachelle; Julie Soo; Jane Grafe; Emily Murase, Commission on the Status of Women.

TABLED by the following vote:

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

091049 [Appointments, Assessment Appeals Board No. 1 - Alec Lambie, Lawrence Lee, Hayes Miles and Scott Spertzel]

Hearing to consider appointing four members, terms ending September 7, 2012, to the Assessment Appeals Board No. 1.

Vacant seat, succeeding Alec Lambie, term expired, seat 2, for a three-year term ending September 7, 2012.

Must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board. *Pursuant to Section 1623 the three year term will end on the first Monday in September.

Vacant seat, succeeding Lawrence Lee, term expired, seat 5, for a three-year term ending September 7, 2012.

Must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have

8/20/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Alec Lambie; Lawrence Lee; Hayes Miles; Scott Spertzel; Walter Paulson.

Appointment of Alec Lambie, seat 2, recommended.
Appointment of Lawrence Lee, seat 5, recommended.
Appointment of Hayes Miles, seat 6, recommended.
Appointment of Scott Spertzel, seat 8, recommended.

PREPARED IN COMMITTEE AS A MOTION.

Motion appointing Alec Lambie, Lawrence Lee, Hayes Miles and Scott Spertzel, terms ending September 7, 2012, to the Assessment Appeals Board No. 1.

Alec Lambie, succeeding himself, term expired, seat 2, must meet the eligibility criteria set forth in

Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012.

Lawrence Lee, succeeding himself, term expired, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Alioto-Pier

091050 [Appointments, Assessment Appeals Board No. 2 - Louisa Mendoza, John McGary, Donna Crowder and Arthur Tom]

Hearing to consider appointing four members, terms ending September 7, 2012, to the Assessment Appeals Board No. 2.

Vacant seat, succeeding Louisa Mendoza, term expiring on September 7, 2009, seat 1, for a three-year term ending September 7, 2012.

Must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board. *Pursuant to Section 1623 the three year term will end on the first Monday in September.

Vacant seat, succeeding John McGary, term expiring on September 7, 2009, seat 5, for a three-year term ending September 7, 2012.

Must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and 8/20/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Louisa Mendoza; John McGary; Donna Crowder; Arthur Tom; Colin Gallagher; Howard Chung; Ilse Cordoni.

Appointment of Louisa Mendoza, seat 1, recommended.

Appointment of John McGary, seat 5, recommended.

Appointment of Donna Crowder, seat 6, recommended.

Appointment of Arthur Tom, seat 7, recommended.

PREPARED IN COMMITTEE AS A MOTION.

Motion appointing Louisa Mendoza, John McGary, Donna Crowder and Arthur Tom, terms ending September 7, 2012, to the Assessment Appeals Board No. 2.

Louisa Mendoza, succeeding herself, term expired, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012.

John McGary, succeeding himself, term expired, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Daly, Alioto-Pier

090258 [Reports, Shelter Monitoring Committee]

Hearing to consider the quarterly reports of the Shelter Monitoring Committee. (Clerk of the Board)

(Pursuant to Article 12-20 of the San Francisco Administrative Code, Ord. No. 283-04, the Committee shall prepare and submit quarterly reports. Original reports are in File Nos. 051713 and 060377).

2/26/09, RECEIVED AND ASSIGNED to Rules Committee.

8/6/09, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: John Smith.

Heard in Committee. Speakers: Henry Tom, Shelter Monitoring Committee; Bernice Casey; Joanna Fraguli, Mayor's Office of Disability; David Nakanishi, Department of Public Health; Michael D.; Frank Perez; Male Speaker; Quintin Meckie; Male Speaker; Moe Kauff.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Alioto-Pier

090983 [Shelter Reservation Extension Policy]

Supervisor Daly

Hearing to discuss the amended changes to the Shelter Reservation Extension Policy.

8/4/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

8/21/09, TRANSFERRED to Rules Committee.

Heard in Committee. Speakers: Jennifer Friedenbach, Coalition on Homelessness; La Tonya Davis; Lindsey Parkinson; Michael Wright; Reginald Upshaw; Hollister Wilson; Frank Reyes; L. J. Cirillo; Henry Brown; Joe Tormos; Ruth Stolks; Charles Polly; Marlon Mendueta; Francisco Jinenez; Eliho Hernandez; Ceceila; Joyce Crum, Human Service Agency; Calvin Davis; Rick Resir MD; Mr. Weslore; Jose Cruz; Lungung Yang; Jasmine; Mary Ellen Rowe; Calvin Davis; Rebecca Nichols; Carolyn Charez; Rick Riesermd.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Campos, Daly

Absent: 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

Absent: 1 - Alioto-Pier

090955 [Settlement of Administrative Enforcement Action]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$115,000.

8/4/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Alioto-Pier

091005 [Settlement of Unlitigated Claim - Rajitha Sangha - \$30,000]

Resolution approving the settlement of unlitigated claim of Rajitha Sangha against the City and County of San Francisco for \$30,000; claim was filed on July 7, 2008. (City Attorney)

8/7/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Alioto-Pier

091006 [Settlement of Unlitigated Claim - Ferry Building Associates - \$107,798.50]

Resolution approving the settlement of the unlitigated claim filed by Ferry Building Associates against the City and County of San Francisco for \$107,798.50; claim was filed on January 26, 2009. (City Attorney)

8/7/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 1 - Alioto-Pier

091009 [Settlement of Unlitigated Claim - Rose Dennis - \$90,670.20]

Resolution approving settlement of the unlitigated claim submitted by Rose Dennis against the City and County of San Francisco for \$90,670.20; claim was submitted on April 2, 2009. (City Attorney)

8/7/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Daly

Absent: 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

Absent: 1 - Alioto-Pier

ADJOURNMENT