



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, Katy Tang, David Campos

Clerk: Alisa Somera (415) 554-4447

Wednesday, December 3, 2014

2:00 PM

City Hall, Committee Room 263

Special Meeting

Present: 3 - Norman Yee, Katy Tang, and David Campos

MEETING CONVENED

The meeting convened at 2:04 p.m.

REGULAR AGENDA

141123 [Administrative Code - Establishing the Duties of the Office of Early Care and Education and Creating the Office of Early Care and Education Citizens' Advisory Committee]

Sponsors: Yee; Avalos and Kim

Ordinance amending the Administrative Code to establish the duties of the Office of Early Care and Education and to create the Office of Early Care and Education Citizens' Advisory Committee.

10/28/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/27/2014.

11/03/14; REFERRED TO DEPARTMENT. Referred to the Youth Commission for review and recommendation; and Department of Children, Youth, and Their Families, Children and Families (First Five) Commission, Human Services Agency, and San Francisco Unified School District for informational purposes.

11/19/14; RESPONSE RECEIVED. 11/17/2014 - The Youth Commission voted to support the proposed legislation and provided comments.

Heard in Committee. Speakers: Female Speaker; Laura Klomook; Candace Wong; Sandee Blechman; Monica Walters; Rosie Kennedy; September Jared; Kim Garcia Mesa; Sara Senskilday; Michelle Lundy; spoke in support of the hearing matter. Male Speaker; spoke neither in support nor against the hearing matter.

Vice Chair Tang, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 3 - Yee, Tang, Campos

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

141105 [Supporting the Creation of Open Source Voting Systems - Studying New Models of Voting System Development]**Sponsors: Wiener; Mar**

Resolution committing the City and County of San Francisco to work with the California Association of Voting Officials and other jurisdictions and organizations to create new voting systems using open source software; and to study the feasibility of the City and County of San Francisco developing and using a new voting system, either whole or in part, through a collaborative model like the Los Angeles County Voting Systems Assessment Project.

10/21/14; RECEIVED AND ASSIGNED to Rules Committee.

10/28/14; REFERRED TO DEPARTMENT. Referred to the Department of Elections for informational purposes.

11/25/14; SUBSTITUTED AND ASSIGNED to Rules Committee. Supervisor Wiener submitted a substitute Resolution.

11/26/14; REFERRED TO DEPARTMENT. Re-referred the substitute legislation (version 2) to the Department of Elections for informational purposes.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140884 [Administrative Code - Establishing the Gun Violence Prevention Task Force]**Sponsors: Cohen; Avalos and Chiu**

Resolution establishing the Gun Violence Prevention Task Force to actively work to reduce gun violence in the City and County of San Francisco; and setting forth the membership and duties of the Task Force.

07/29/14; RECEIVED AND ASSIGNED to Rules Committee.

08/05/14; REFERRED TO DEPARTMENT. Referred to Mayor's Office, District Attorney, Public Defender, Sheriff's Department, Police Department, Human Services Agency, SF Unified School District, and Department of Public Health for informational purposes.

11/25/14; SUBSTITUTED AND ASSIGNED to Rules Committee. Supervisor Cohen submitted a substitute Ordinance to replace the Resolution.

11/26/14; REFERRED TO DEPARTMENT. Re-referred substitute Ordinance (version 2) to Mayor's Office, District Attorney, Public Defender, Sheriff's Department, Police Department, Human Services Agency, SF Unified School District, and Department of Public Health for informational purposes.

Heard in Committee. Speaker: Male Speaker; spoke neither in support nor against the hearing matter.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Yee, Tang, Campos

141222 [Extending the Term for the Balboa Park Station Community Advisory Committee]**Sponsor: Avalos**

Resolution extending the term for the Balboa Park Station Area Plan Community Advisory Committee to provide continued input and community oversight to area transportation and other public improvements.

11/25/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Danielle Harris (Municipal Transportation Agency); presented information and answered questions raised throughout the discussion.

AMENDED on Page 3, Lines 12-14, by changing 'That appointment of voting members shall be through the Board of Supervisor's Rules Committee, with input from Supervisors of neighborhoods served by the station, and the Rules Committee' to 'That the Board of Supervisors shall appoint members. The Board', by the following vote:

Ayes: 3 - Yee, Tang, Campos

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

141205 [Appointments, Market and Octavia Community Advisory Committee - Krute Singa, Joshua Marker, Raymond Gary McCoy, Kenneth Wingard, Paul Olsen, and Jason Henderson]

Hearing to consider appointing six members, terms ending December 16, 2016, to the Market and Octavia Community Advisory Committee. (Rules Committee)

Vacant seat 1, succeeding Krute Singa, term expiring on December 16, 2014, must be a resident renter and live or work within the Plan area, for a two-year term ending December 16, 2016.

Vacant seat 2, succeeding Joshua Marker, term expiring on December 16, 2014, must be a resident homeowner and live or work within the Plan area, for a two-year term ending December 16, 2016.

Vacant seat 3, succeeding R Gary McCoy, term expiring on December 16, 2014, must be a low-income resident and live or work within the Plan area, for a two-year term ending December 16, 2016.

Vacant seat 4, succeeding Kenneth Wingard, term expiring on December 16, 2014, must be a local merchant and live or work within the Plan area, for a two-year term ending December 16, 2016.

Vacant seat 5, succeeding Dennis Richards, resigned, must be a representative of established neighborhood groups and live or work within the Plan area, for a two-year term ending December 16, 2016.

Vacant seat 6, succeeding Jason Henderson, term expiring on December 16, 2014, must be a member at large and live or work within the Plan area, for a two-year term ending December 16, 2016.

11/21/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Krute Singa; Raymond Gary McCoy; Jason Henderson (speaking on behalf of Paul Olsen); Jason Henderson; spoke on their qualifications. Vallie Brown (Office of Supervisor London Breed); spoke in support of Paul Olsen.

Appointment of Krute Singa, seat 1, recommended.

Appointment of Joshua Marker, seat 2, recommended.

Appointment of Raymond Gary McCoy, seat 3, recommended.

Appointment of Kenneth Wingard, seat 4, recommended.

Appointment of Paul Olsen, seat 5, recommended.

Appointment of Jason Henderson, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Krute Singa, Joshua Marker, Raymond Gary McCoy, Kenneth Wingard, Paul Olsen, Jason Henderson, terms ending December 16, 2016, to the Market and Octavia Community Advisory Committee. (Rules Committee)

Krute Singa, seat 1, succeeding herself, term expiring on December 16, 2014, must be a resident renter and live or work within the Plan area, for a two-year term ending December 16, 2016.

Joshua Marker, seat 2, succeeding himself, term expiring on December 16, 2014, must be a resident homeowner and live or work within the Plan area, for a two-year term ending December 16, 2016.

Raymond Gary McCoy, seat 3, succeeding himself, term expiring on December 16, 2014, must be a low-income resident and live or work within the Plan area, for a two-year term ending December 16, 2016.

Kenneth Wingard, seat 4, succeeding himself, term expiring on December 16, 2014, must be a local merchant and live or work within the Plan area, for a two-year term ending December 16, 2016.

Paul Olsen, seat 5, succeeding Dennis Richards, resigned, must be a representative of established neighborhood groups and live or work within the Plan area, for a two-year term ending December 16, 2016.

Jason Henderson, seat 6, succeeding himself, term expiring on December 16, 2014, must be a member at large and live or work within the Plan area, for a two-year term ending December 16, 2016.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

141206 [Appointments, Shelter Monitoring Committee - Nicholas Kimura, Kendra Amick, and Michael Kirkland]

Hearing to consider appointing four members, terms ending November 23, 2016, to the Shelter Monitoring Committee. (Rules Committee)

Vacant seat 3, succeeding Nicholas Kimura, term expired, must have experience providing direct services to the homeless through a community setting, for a two-year term ending November 23, 2016.

Vacant seat 4, succeeding Amanda Reichmuth, term expired, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for a two-year term ending November 23, 2016.

Vacant seat 5, succeeding Michael Kirkland, term expired, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for a two-year term ending November 23, 2016.

Vacant seat 6, succeeding Raija Freeman, resigned, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for a two-year term ending November 23, 2016.

11/21/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Nicholas Kimura; Kendra Amick; spoke on their qualifications.

Appointment of Nicholas Kimura, seat 3, recommended.

Appointment of Kendra Amick, seat 4, recommended.

Appointment of Michael Kirkland, seat 5, recommended.

Appointment of seat 6 was Continued to the Call of the Chair.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Nicholas Kimura, Kendra Amick, and Michael Kirkland, terms ending November 23, 2016, to the Shelter Monitoring Committee. (Rules Committee)

Nicholas Kimura, seat 3, succeeding himself, term expired, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2016.

Kendra Amick, seat 4, succeeding Amanda Reichmuth, term expired, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for the unexpired portion of a two-year term ending November 23, 2016.

Michael Kirkland, seat 5, succeeding himself, term expired, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2016.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

LITIGATION

Speaker: Paul Haynes spoke on various concerns regarding File No. 141174.

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

Ayes: 3 - Yee, Tang, Campos

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.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

Persons in attendance: Jon Givner (Office of the City Attorney) and Alisa Somera (Office of the Clerk of the Board).

140375 [Tolling and Standstill Agreement - Yosemite Slough Environmental Claims]

Resolution approving a Tolling and Standstill Agreement to toll the statute of limitations and forbear the City and other parties that are potentially responsible for environmental contamination at Yosemite Slough from taking action with respect to claims related to costs or expenses arising from the Yosemite Slough Superfund Site. (City Attorney)

04/10/14; RECEIVED FROM DEPARTMENT.

04/22/14; RECEIVED AND ASSIGNED to Rules Committee.

05/15/14; RECOMMENDED...

06/03/14; RE-REFERRED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

141138 [Settlement of Lawsuit - Elvis Taouil - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Elvis Taouil against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 8, 2013, in the United States District Court, Case No. C13-3674 DMR; entitled Elvis Taouil v. City and County of San Francisco, et al. (City Attorney)

10/31/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

141160 [Settlement of Claims - Wells Fargo - \$248,565.92]

Resolution approving the settlement of four unlitigated claims filed by Wells Fargo against the City and County of San Francisco for \$248,565.92; claims were filed on April 25, 2014. (City Attorney)

11/06/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

141174 [Settlement of Lawsuit - Paul Haynes - \$110,000]

Ordinance authorizing settlement of the lawsuit filed by Paul Haynes against the City and County of San Francisco, Andrew Guillory, Lenida Reyes and Stephen Yeung, for \$110,000; the lawsuit was filed on April 8, 2013, in United States District Court for the Northern District of California, Case No. 13-1567 MEJ; entitled Paul Haynes v. City and County of San Francisco, et al. (City Attorney)

11/17/14; RECEIVED FROM DEPARTMENT.

11/25/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

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, Tang, Campos

ADJOURNMENT

The meeting adjourned at 3:53 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Rules Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.