



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: David Campos, Michela Alioto-Pier, Eric Mar

Clerk: Linda Wong (415) 554-7719

Thursday, May 20, 2010

10:00 AM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - David Campos, Michela Alioto-Pier and Eric Mar

MEETING CONVENED

The meeting convened at 10:04 a.m.

REGULAR AGENDA

100525 [Reappointment, Police Commission - Joseph E. Marshall]

Motion confirming the Mayor's nomination of, and reappointing, Joseph E. Marshall to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014. (Mayor)

(Section 4.109 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 - April 28, 2010.)

04/28/10; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Joseph E. Marshall; H. Brown; Rev. Harst; Mr. Wright; Ana Perez; Steven R. Currier; Male Speaker.

CONTINUED to June 3, 2010, by the following vote:

Ayes: 2 - Campos, Mar

Noes: 1 - Alioto-Pier

100603 [Appointment, Police Commission - Angela Chan]

Hearing to consider appointing one member, term ending April 30, 2014, to the Police Commission. (Clerk of the Board)

Seat 2, succeeding Vincent Pan, 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, 2014.

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

Heard in Commttee. Speakers: David Waggoner; Angela Chan; Mr. Wright; Phillip Hogan; H. Brown; Ana Perez.

Appointment of Angela Chan, seat 2, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion confirming the Rules Committee's nomination of, and appointing, Angela Chan, term ending April 30, 2014, to the San Francisco Police Commission. (Clerk of the Board)
Angela Chan, seat 2, succeeding Vincent Pan, 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, 2014.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100565 [Appointments, Sunshine Ordinance Task Force - James Knoebber and Nicholas Goldman]

Hearing to consider appointing two members, terms ending April 27, 2012, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Vacant seat 6, succeeding James Knoebber, term expired, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2012.

Vacant seat 7, succeeding Doyle Johnson, term expired, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2012.

05/11/10; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Nicholas Goldman; Male Speaker; Mr. Wright; Walter Paulson. Appointment of James Knoebber, seat 6, recommended. Appointment of Nicholas Goldman, seat 7, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing James Knoebber and Nicholas Goldman, terms ending April 27, 2012, to the Sunshine Ordinance Task Force. (Clerk of the Board)

James Knoebber, seat 6, succeeding himself, term expired, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2012.

Nicholas Goldman, seat 7, succeeding Doyle Johnson, term expired, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2012.

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100563 [Appointments, Mental Health Board - Lara Arguelles, Ellis Joseph and Mary Ann Jones]

Hearing to consider appointing three members, terms ending January 31, 2013, to the Mental Health Board. (Clerk of the Board)

Vacant seat 13, succeeding Lara Arguelles, term expired, must be a family member, for a three-year term ending January 31, 2013.

Vacant seat 14, succeeding Thomas Purvis, term expired, must be a family member, for a three-year term ending January 31, 2013.

Vacant seat 15, succeeding Mary Ann Jones, term expired, must be a health professional, for a three-year term ending January 31, 2013.

05/11/10; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Lara Arguelles; Ellis Joseph; Helynna Brooke, Mental Health Board; Male Speaker.

Appointment of Lara Arguelles, seat 13, recommended.

Appointment of Ellis Joseph, seat 14, recommended.

Appointment of Mary Ann Jones, seat 15, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Lara Arguelles, Ellis Joseph and Mary Ann Jones, terms ending January 31, 2013, to the Mental Health Board. (Clerk of the Board)

Lara Arguelles, seat 13, succeeding herself, term expired, must be a family member, for a three-year term ending January 31, 2013.

Ellis Joseph, seat 14, succeeding Thomas Purvis, term expired, must be a family member, for a three-year term ending January 31, 2013.

Mary Ann Jones, seat 15, succeeding herself, term expired, must be a health professional, for a three-year term ending January 31, 2013.

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100566 [Appointments, Children and Families First Commission - Veronica Chavez and Betty Robinson-Harris]

Hearing to consider appointing two members, terms ending April 29, 2014, to the Children and Families First Commission. (Clerk of the Board)

Vacant seat 5, succeeding Kara Dukakis, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a four-year term ending April 29, 2014.

Vacant seat 8, succeeding Betty Robinson-Harris, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a four-year term ending April 29, 2014.

05/11/10; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Lynn Merz; Betty Robinson-Harris; Candace Wong; Female Speaker; Donna Cahill.

Appointment of Veronica Chavez, seat 5, recommended.

Appointment of Betty Robinson-Harris, seat 8, recommended, residency requirement waived.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Veronica Chavez and Betty Robinson-Harris, terms ending April 29, 2014, to the Children and Families First Commission, residency requirement waived. (Clerk of the Board) Veronica Chavez, seat 5, succeeding Kara Dukakis, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a four-year term ending April 29, 2014.

Betty Robinson-Harris (residency requirement waived), seat 8, succeeding herself, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a four-year term ending April 29, 2014.

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100437 [Standards of Care for City Shelters and Powers and Duties of the Shelter Monitoring Committee]

Sponsors: Mar, Campos and Alioto-Pier

Ordinance amending the San Francisco Administrative Code by amending Chapter 20, Sections 20.304, 20.401, 20.403, 20.404, and 20.405, to: 1) amend City requirements in the delivery of shelter services to, among other things, expand reservation capability at shelters; 2) provide additional training to shelter staff; and ensure case management services for shelter clients in need; and 3) require the Shelter Monitoring Committee to track refusals of shelter beds and authorize the Committee to initiate investigations into alleged violations of contractual obligations imposed by Chapter 20.

04/06/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 5/5/2010.

04/19/10; TRANSFERRED to Rules Committee.

04/22/10; REFERRED TO DEPARTMENT. To the Shelter Monitoring Committee and the Department of Public Health for comment and recommendation.

5/10/10 - Response recieved from the Department of Public Health.

Heard in Commtee. Speakers: Joyce Crum, Human Services Agency; Jennifer Friedenbach, Coalition on Homelessness; Bernice Casey, Shelter Monitoring Committee; Mrs. Bowie; Mr. Wright; Rebecca Nichols; Katherine Fuentus; Wendy Phillips; Bryce Allison; Marlon Mendieta; David John Harness; Elihu Hernandez; Erika Samiento; Willie Warren; Jenny Wiley; Wayne Garnet; Scott Linnenbringer; L.J. Cirilo; Jazzie Collins; Thomas Correl.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Supervisor Alioto-Pier requested to be added as a co-sponsor.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100472 [Access Appeals Commission - Notice to the Mayor's Office of Disability]**Sponsor: Alioto-Pier**

Ordinance amending the San Francisco Building Code by adding Section 105A.3.10 to require that an agenda and packet of materials for each matter to be decided by the Access Appeals Commission shall be sent to the Mayor's Office of Disability at the same time and in the same manner as they are sent to the Commission members.

04/13/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/12/2010.

04/22/10; REFERRED TO DEPARTMENT. To the Access Appeals Commission for comment and recommendation.

5/4/10 - Response received from the Access Appeals Board indicating that the letter was forwarded to the Building Inspection Commission for comment.

7/22/10 - Response received from the Building Inspection Commission.

Heard in Committee. Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

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 - Campos, Alioto-Pier, Mar

100517 [Settlement of Lawsuit - Susan Garduno - \$47,500]

Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$47,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

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

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100518 [Settlement of Lawsuit - Linda Ho - \$88,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Linda Ho against the City and County of San Francisco for \$88,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

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

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100519 [Settlement of Lawsuit - Victoria Sanchez - \$66,500]

Ordinance authorizing settlement of the portion of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for \$66,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/18/10; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100520 [Settlement of Lawsuit - Sally Seid - \$48,500]

Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$48,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

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

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100521 [Settlement of Lawsuit - Mary Anne Short and Robert Short - \$160,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Mary Anne Short/Robert Short against the City and County of San Francisco for \$160,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

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

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100559 [Settlement of Lawsuit - SN Sands Corp. dba S&S Trucking - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by SN Sands Corp. dba S&S Trucking against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 10, 2009, in San Francisco Superior Court, Case No. CGC-09-487156; entitled SN Sands Corporation dba S&S Trucking v. City and County of San Francisco; other material terms of said settlement are term of five-year contract to run from December 20, 2008, to December 19, 2013. (City Attorney)

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

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100560 [Settlement of Lawsuit - James A. Shotwell - \$167,500]

Ordinance authorizing settlement of the lawsuit filed by James A. Shotwell against the City and County of San Francisco for \$167,500; the lawsuit was filed on September 26, 2008, in San Francisco Superior Court, Case No. CGC-08-480280; entitled James A. Shotwell v. City and County of San Francisco. (City Attorney)

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

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100561 [Settlement of Lawsuit - 609-611 Burnett Apartments, LLC - \$128,700]

Ordinance authorizing settlement of the lawsuit filed by 609-611 Burnett Apartments, LLC, against the City and County of San Francisco for \$128,700; the lawsuit was filed on December 9, 2008, in San Francisco Superior Court, Case No. CGC-08-482803; entitled Burnett Apartments, LLC, v. City and County of San Francisco, et al. (City Attorney)

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

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

100562 [Settlement of Lawsuit - Melanie Wood and Timothy Wood - \$151,000]

Ordinance authorizing settlement of the lawsuit filed by Melanie Wood and Timothy Wood against the City and County of San Francisco for \$151,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. CGC-07-463943; entitled Melanie Wood, et al. v. City and County of San Francisco, et al. (City Attorney)

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

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Alioto-Pier, Mar

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: 3 - Campos, Alioto-Pier, Mar

ADJOURNMENT

The meeting adjourned at 2:21 p.m.