

City and County of San Francisco

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



MEETING MINUTES

Thursday, October 15, 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 10:08 a.m.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

091123 [Appointment, Bicycle Advisory Committee - Ariella Hyman]

Hearing to consider appointing one member, term ending November 19, 2010, to the Bicycle Advisory Committee.

Vacant seat, succeeding Andrew Bindman, term expired, seat 1, must be a nominee of District 1 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2010 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, 9/21/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

PREPARED IN COMMITTEE AS A MOTION.

Motion appointing Ariella Hyman, term ending November 19, 2010, to the Bicycle Advisory Committee.

Ariella Hyman, succeeding Andrew Bindman, term expired, seat 1, must be a nominee of District 1 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2010 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

RECOMMENDED..

091131 [Appointment, Children and Family First Commission - Maria Su]

Hearing to consider appointing one member, for an indefinite term, to the Children and Families First Commission.

Vacant seat, succeeding September Jarrett, resigned, seat 4, must be the Director of the Office of Children, Youth and Their Families or his or her designee, for an indefinite term.

9/21/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

PREPARED IN COMMITTEE AS A MOTION.

Motion appointing Maria Su, for an indefinite term, to the Children and Families First Commission.

Maria Su, succeeding September Jarrett, resigned, seat 4, must be the Director of the Office of Children, Youth and Their Families or his or her designee, for an indefinite term.

RECOMMENDED..

091130 [Appointment, Public Utilities Commission Rate Fairness Board - Donald Hilla]

Hearing to consider appointing one member, for an indefinite term, to the Public Utilities Commission Rate Fairness Board.

Vacant seat, succeeding William Wilkinson, resigned, seat 2, must be a small business city retail customer, for an indefinite term.

9/21/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

PREPARED IN COMMITTEE AS A MOTION.

Motion appointing Donald Hilla, for an indefinite term, to the Public Utilities Commission Rate Fairness Board.

Donald Hilla, succeeding William Wilkinson, resigned, seat 2, must be a small business city retail customer, for an indefinite term.

RECOMMENDED..

The foregoing items were acted upon 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.)

(Supervisor Daly dissented in Committee.)

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

9/17/09, CONTINUED. Heard in Committee. Speakers: None. Continued to the next meeting.

Heard in Committee. Speakers: Claudine Cheng; Jack Menk; Karen Knowles-Pearce; Marvin Castoff.

RECOMMENDED by the following vote:

Ayes: 2 - Campos, Alioto-Pier

Noes: 1 - Daly

091129 [Appointment, Entertainment Commission]

Hearing to consider appointing one member, term ending July 1, 2013, to the Entertainment Commission.

Vacant seat, succeeding Erik Joseph Pred, term expired, seat 3, shall represent the interests of the public health community, for the unexpired portion of a four-year term ending July 1, 2013.

9/21/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Neal Cavellini; Michael Kim; Bob Davis, Entertainment Commission.

Continued to the next meeting.

CONTINUED by the following vote:

Ayes: 3 - Campos, Daly, Alioto-Pier

091107 [Providing for additional public comment at committee meetings]

Supervisor Alioto-Pier

Motion repealing and adding Rule 1.4 to provide additional opportunities for public comment at committee meetings.

9/15/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Angela Calvillo, Office of the Clerk of the Board; Cheryl Adams, Office of the City Attorney; Eric Brooks; Joshua Arce; Male Speaker.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion amending Rule 1.4 to provide additional opportunities for public comment at committee meetings.

(Supervisor Alioto-Pier dissented in Committee.)

TABLED by the following vote:

Ayes: 2 - Campos, Daly

Noes: 1 - Alioto-Pier

090833 [Lobbyist Ordinance amendments] Supervisor Chiu

Ordinance amending Chapter I of Article II of the Campaign and Governmental Conduct Code by amending Sections 2.100, 2.105, 2.110, 2.115, 2.117, 2.130, 2.135, 2.140, 2.145 and 2.150, adding Section 2.116, and deleting Sections 2.125 and 2.160, to simplify registration requirements, adopt a more equitable fee structure, ease electronic filing of lobbyist disclosures, and establish an effective date for these amendments.

6/23/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/23/2009. Referred to the Ethics Commission for comment on July 15, 2009.

Heard in Committee. Speakers: Supervisor David Chiu; John St. Croix, Ethics Commission.

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Daly, Alioto-Pier

090989 [Campaign Finance Reform Ordinance amendments] Supervisor Daly

Ordinance amending Article I, Chapter I of the Campaign & Governmental Conduct Code by amending sections 1.100, 1.104, 1.107, 1.108, 1.112, 1.113, 1.114, 1.118, 1.122, 1.128, 1.130, 1.134, 1.135, 1.136, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.156, 1.161, 1.161.5, 1.168, 1.170, deleting sections 1.134.5, 1.158, and 1.160, and adding sections 1.109, 1.143, 1.171, and 1.175 to refine and conform definitions; to eliminate and streamline reporting requirements; to authorize greater electronic filing; to adjust expenditure ceilings for inflation; to clarify the permissible uses of campaign funds; to provide that certain candidates are eligible to accept Voluntary Expenditure Ceilings; to set forth the instances in which the Ethics Commission will lift Voluntary Expenditure Ceilings; to modify how public funds are disbursed to eligible candidates; to clarify the requirements for third-party reporting; to amend the statute of limitations for administrative actions; and to impose record retention requirements on local committees.

8/4/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/4/2009. Referred to the Ethics Commission for comment on August 12, 2009.

Heard in Committee. Speakers: John St. Croix. Ethics Commission; Jon Givner, Office of the City Attorney; Male Speaker.

(Supervisor Alioto-Pier dissented in Committee.)

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Campos, Daly

Noes: 1 - Alioto-Pier

090795 [Prohibiting City employees and officers from raising funds for City departments] Supervisor Daly

Ordinance adding a new Chapter 5 to Article III of the Campaign and Governmental Conduct Code, by adding sections 3.500, 3.505, 3.510 and 3.515, to prohibit City employees and officers from soliciting donations to nonprofit organizations to fund City departments from persons doing business with those departments.

6/9/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/9/2009. Referred to Ethics Commission for comment on 6/15/09.

Heard in Committee. Speakers: Male Speaker; Phil Ginsburg, Recreation and Parks Department; Luis Herrera, Public Library; Alexis; Jon Givner, Office of the City Attorney; London Breed, Revelopment Agency; Karen Kidswell, San Francisco Park Trust; Donna Berro, Friends of the Public Library; Meridith Thomas; Barbara Arthur; Ann Wintroub, Friends of the Public Library.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Campos, Daly, Alioto-Pier

090523 [Eastern Neighborhoods Citizens Advisory Committee] Supervisor Daly

Ordinance amending the Administrative Code Section 10E.2 concerning the qualifications for and number of members on the Eastern Neighborhoods Citizens Advisory Committee.

4/28/09, RECEIVED AND ASSIGNED to Rules Committee. 5/14/09 - Referred to the Planning Commission for comment and recommendation. 6/8/09 - Received response from the Planning Department.

Heard in Committee. Speakers: Steve Wertheim, Planning Department; Jim Meko.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Campos, Daly, Alioto-Pier

091034 [Extending the term of the Joint City and School District Committee for one year] Supervisor Elsbernd

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.

8/18/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

RECOMMENDED.. by the following vote:

Ayes: 3 - Campos, Daly, 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: 3 - Campos, Daly, Alioto-Pier

091008 [Settlement of Grievance - Elina Sulimov - \$130,000]

Ordinance authorizing settlement of the lawsuit filed by Elina Sulimov against the City and County of San Francisco for \$130,000; the lawsuit was filed on December 26, 2008, Case No. 478007; entitled Elina Sulimov, v. City and County of San Francisco. (City Attorney)

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

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Campos, Daly, Alioto-Pier

for \$52,250; claim was filed on March 3, 2009. (City Attorney)

9/4/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Campos, Daly, Alioto-Pier

091140 [Settlement of Lawsuit - Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC] Supervisor Maxwell

Ordinance authorizing settlement of the lawsuit filed by Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC, against the City and County of San Francisco for a Writ of Mandate against the City and County of San Francisco to cease and desist from requiring a residential housing development commonly known as Bayside Vista, 2011 Bayshore Boulevard from compliance with the Visitacion Valley Community Facilities and Infrastructure Fee and Fund; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. CGC-08-478842; entitled Joseph Imbelloni; Imbelloni Construction Co., Inc.; Bayside Vista LLC v. City and County of San Francisco; Department of Building Inspection; Jose Cisneros, Treasurer of the City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 091140.

9/22/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Campos, Daly, 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: 3 - Campos, Daly, Alioto-Pier

ADJOURNMENT