

City and County of San Francisco

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



**MEETING MINUTES**  
**Thursday, December 4, 2008**  
**10:00 AM**  
**City Hall, Room 263**  
**Regular Meeting**

Rules Committee

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*Members: Chris Daly, Bevan Dufty*

*Clerk: Mary Red (415) 554-4442*

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**Members Present:** *Chris Daly, Bevan Dufty.*

**Members Excused:** *None.*

**Members Absent:** *None.*

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**Meeting convened**

The meeting convened at 10:05 a.m.

**REGULAR AGENDA**

**081424 [Appointment, Public Utilities Commission - Juliet Ellis]**

Motion confirming the Mayor's appointment of Juliet Ellis to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010. (Mayor)

11/14/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Juliet Ellis; Ed Harrington, General Manager, SFPUC; Judith Bell; Cedric Brown.

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 2 - Daly, Dufty

**081425 [Appointment, Public Utilities Commission - Juliet Ellis]**

Motion rejecting the Mayor's appointment of Juliet Ellis to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010. (Mayor)

11/14/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Juliet Ellis; Ed Harrington, General Manager, SFPUC; Judith Bell; Cedric Brown.

**TABLED by the following vote:**

Ayes: 2 - Daly, Dufty

**081308 [Confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors]**

Motion confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors for a four-year term ending September 11, 2010. (Mayor)

10/17/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Helen Nigg; Nathan Tyler; Mary Angela S.

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 2 - Daly, Dufty

**081475 [Appointments, Assessment Appeals Board No. 1 - Diane Robinson and Richard Lee]**

Hearing to consider appointing two members, terms ending September 5, 2011, to the Assessment Appeals Board No. 1.

Vacant seat, succeeding Diane Robinson, seat 3, 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 or Public Accountant; 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 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, for the three-year term ending September 5, 2011. Vacant seat, succeeding Stephen Wasserman, seat 7, 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

11/19/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Richard Lee; Howard Chung; John Emery; Joseph Tham; Diane Robinson; Peter Fatooh; Alec Lambie.

Appointment of Diane Robinson, seat 3, recommended.

Appointment of Richard Lee, seat 7, recommended.

**PREPARED IN COMMITTEE AS A MOTION.**

Motion appointing Diane Robinson and Richard Lee, terms ending September 5, 2011, to the Assessment Appeals Board No. 1.

Diane Robinson, succeeding herself, seat 3, 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 or Public Accountant; 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 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, for a three-year term ending September 5, 2011. Richard Lee, succeeding Stephen Wasserman, seat 7, 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

**RECOMMENDED by the following vote:**

Ayes: 2 - Daly, Dufty

**081474 [Appointment, Assessment Appeals Board No. 2 - Joseph Tham]**

Hearing to appoint one member, term ending September 5, 2011, to the Assessment Appeals Board No. 2.

Vacant seat, succeeding Joseph Tham, seat 8, 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 or Public Accountant; 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 is a current member of an assessment appeals board. ALTERNATE/HEARING OFFICER. \*Pursuant to Section 1623, the three year term will end on the first Monday in September, for the three-year term ending September 5, 2011.

11/19/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Richard Lee; Howard Chung; John Emery; Joseph Tham; Diane Robinson; Peter Fatooh; Alec Lambie.

Appointment of Joseph Tham, seat 8, recommended.

**PREPARED IN COMMITTEE AS A MOTION.**

Motion appointing Joseph Tham, term ending September 5, 2011, to the Assessment Appeals Board No. 2.

Joseph Tham, succeeding himself, seat 8, 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 or Public Accountant; 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 is a current member of an assessment appeals board. ALTERNATE/HEARING OFFICER. \*Pursuant to Section 1623, the three year term will end on the first Monday in September, for the three-year term ending September 5, 2011.

**RECOMMENDED by the following vote:**

Ayes: 2 - Daly, Dufty

**081427 [Appointments, Ballot Simplification Committee - June Fraps, Betty Packard and Adele Fasick]**

Hearing to consider appointing three members, terms ending November 30, 2010, to the Ballot Simplification Committee.

3 Seats being considered

Vacant seat, succeeding June Fraps, seat 1, term expired, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for a two year terms ending November 30, 2010.

Vacant seat, succeeding Betty Packard, seat 2, term expired, must represent the National Academy of

Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for a two year terms ending November 30, 2010.

Vacant seat, succeeding Adele Fasick, seat 3, must represent the League of Women Voters of San Francisco, for a two year terms ending November 30, 2010.

Heard in Committee. Speakers: Betty Packard; Adele Fasick.

Appointment of June Fraps, seat 1, recommended.

Appointment of Betty Packard, seat 2, recommended.

Appointment of Adele Fasick, seat 3, recommended.

**PREPARED IN COMMITTEE AS A MOTION.**

Motion appointing June Fraps, Betty Packard and Adele Fasick, terms ending November 30, 2010, to the Ballot Simplification Committee.

June Fraps, succeeding herself, seat 1, term expired, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for a two-year term ending November 30, 2010.

Betty Packard, succeeding herself, seat 2, term expired, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for a two-year term ending November 30, 2010.

Adele Fasick, succeeding herself, seat 3, must represent the League of Women Voters of San Francisco, for a two-year term ending November 30, 2010.

**RECOMMENDED.. by the following vote:**

No Vote Taken

**081483 [Appointment, Immigrant Rights Commission - Ana Perez]**

Hearing to consider appointing one member, term ending June 6, 2009, to the Immigrant Rights Commission.

(11/13/08, Continued to December 4, 2008)

Vacant seat succeeding Falguni Sheth, seat 10, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for unexpired portion of a two-year term ending June 6, 2009.

11/24/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Ana Perez.

Appointment of Ana Perez, seat 10, recommended, residency requirement waived.

**PREPARED IN COMMITTEE AS A MOTION.**

Motion appointing Ana Perez, term ending June 6, 2009, to the Immigrant Rights Commission, residency requirement waived.

Ana Perez, succeeding Falguni Sheth, seat 10, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for unexpired portion of a two-year term ending June 6, 2009.

**RECOMMENDED.. by the following vote:**

No Vote Taken

**081426 [Appointments, Market and Octavia Community Advisory Committee - Julian Davis, Carmela Gold, Peter Cohen, Brad Villers, Dennis Richards and Katherine Hodge]**

Hearing to consider appointing six members to the Market and Octavia Community Advisory Committee.

6 Seats being considered

Vacant seat, new assignment, seat 1, must be a resident renter and live or work within the Plan area, for a two-year term.

Vacant seat, new assignment, seat 2, must be a resident homeowner and live or work within the Plan area, for a two-year term.

Vacant seat, new assignment, seat 3, must be a low-income resident and live or work within the Plan area, for a two-year term.

Vacant seat, new assignment, seat 4, must be a local merchant and live or work within the Plan area, for a two-year term.

Vacant seat, new assignment, seat 5, must be a representative of established neighborhood groups and live or work within the Plan area, for a two-year term.

Vacant seat, new assignment, seat 6, must be a member at large and live or work within the Plan area, for a two-year term.

11/6/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Robin Levitt; Teresa Welborn; Dennis Richards; Carmela Gold; Julian Davis; Peter Cohen; Katherine Hodge; Brad Villers.

Appointment of Julian Davis, seat 1, recommended.

Appointment of Carmela Gold, seat 2, recommended.

Appointment of Peter Cohen, seat 3, recommended.

Appointment of Brad Villers, seat 4, recommended.

Appointment of Dennis Richards, seat 5, recommended.

Appointment of Katherine Hodge, seat 6, recommended.

**PREPARED IN COMMITTEE AS A MOTION.**

Motion appointing Julian Davis, Carmela Gold, Peter Cohen, Brad Villers, Dennis Richards and Katherine Hodge, for two-year terms, to the Market and Octavia Community Advisory Committee.

Julian Davis, new assignment, seat 1, must be a resident renter and live or work within the Plan area, for a two-year term, to be determined.

Carmela Gold, new assignment, seat 2, must be a resident homeowner and live or work within the Plan area, for a two-year term, to be determined.

Peter Cohen, new assignment, seat 3, must be a low-income resident and live or work within the Plan area, for a two-year term, to be determined.

Brad Villers, new assignment, seat 4, must be a local merchant and live or work within the Plan area, for a two-year term, to be determined.

Dennis Richards, new assignment, seat 5, must be a representative of established neighborhood groups and live or work within the Plan area, for a two-year term, to be determined.

Katherine Hodge, new assignment, seat 6, must be a member at large and live or work within the Plan area, for a two-year term, to be determined.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Daly, Dufty

**081430 [Appointments, Children's Collaborative Task Force]**

Hearing to consider appointing members to the Children's Collaborative Task Force.

(11/13/08, Continued to December 4, 2008)

Vacant seat, new appointment, seat 1, must be a teacher and/or an education professional currently employed by a public school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 2, must be a teacher and/or an education professional currently employed by a public school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 3, must be a teacher and/or an education professional currently employed by a public school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 5, must be the parent of a child currently enrolled in or attending a public school in San Francisco, for a two-year term commencing on the date the Task Force first convenes.

Vacant seat, new appointment, seat 6, must be the parent of a child currently enrolled in or attending  
11/13/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Rondall K. Lane, M.D.

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 2 - Daly, Dufty

**081112 [Appointment, Biodiesel Access Task Force - Shannon Devine]**

Hearing to consider appointing one member, term ending December 31, 2009, to the Biodiesel Access Task Force.

1 Seat being considered

Vacant seat, succeeding Adam Hagen, resigned, Seat 1, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer. Community members may include organizations. No organization may have more than one representative on the Task Force, for unexpired portion of term ending December 31, 2009.

8/6/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Shannon Devine; Wesley Caddell; Mark Westlund, Department of Environment; Vandana Bali, Department of Environment.  
Appointment of Shannon Devine, seat 1, recommended.

**PREPARED IN COMMITTEE AS A MOTION.**

Motion appointing Shannon Devine, term ending December 31, 2009, to the Biodiesel Access Task Force.

Shannon Devine, succeeding Adam Hagen, resigned, Seat 1, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer. Community members may include organizations. No organization may have more than one representative on the Task Force, for unexpired portion of term ending December 31, 2009.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Daly, Dufty

**081431 [Appointments, Urban Forestry Council - John Malcolm Hillan and Jocelyn Cohen]**

Hearing to consider appointing three members, terms ending November 18, 2010, to the Urban Forestry Council.

(11/13/08, Continued to December 4, 2008)

Vacant seat, new assignment, seat 1, must be representative from an educational organization involved with tree management (University of California Cooperative Extension, etc.), for two-year term ending November 18, 2010.

Vacant seat, new assignment, seat 3, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects), for two-year term ending November 18, 2010.

Vacant seat, new assignment, seat 7, must be member from the community, for two-year term ending November 18, 2010.

11/13/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Alex Friedman; Jocelyn Cohen; Terry Milne; Matt Czajkowski; Mei Ling Hui; Mike F.

Appointment of John Malcom Hillan, seat 1, recommended.

Appointment of Jocelyn Cohen, seat 3, recommended.

Seat 7 was not filled.

### **PREPARED IN COMMITTEE AS A MOTION.**

Motion appointing John Malcolm Hillan and Jocelyn Cohen, terms ending November 18, 2010, to the Urban Forestry Council.

John Malcolm Hillan, new assignment, seat 1, must be representative from an educational organization involved with tree management (University of California Cooperative Extension, etc.), for two-year term ending November 18, 2010.

Jocelyn Cohen, new assignment, seat 3, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects), for two-year term ending November 18, 2010.

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### **RECOMMENDED.. by the following vote:**

Ayes: 2 - Daly, Dufty

### **081390 [Appointments, Shelter Monitoring Committee]**

Hearing to consider appointing six members, terms ending November 23, 2010, to the Shelter Monitoring Committee.

6 seats being considered

Vacant seat, new assignment, seat 1, must be homeless or formerly homeless within the 3 years prior to appointment and living with their homeless child under age 18, for two-year term ending November 23, 2010.

Vacant seat, new assignment, seat 2, must be homeless or formerly homeless within the 3 years prior to appointment with a disability, for two-year term ending November 23, 2010.

Vacant seat, succeeding Chris Callandrillo, seat 3. term expired, must have experience providing direct services to the homeless through a community setting, for two-year term ending November 23, 2010.

Vacant seat, succeeding Kim Clark, seat 4, 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 two-year term ending November 23, 2010.

Vacant seat, succeeding Diana Greer, seat 5, term expired, must be selected from a list of candidates that are

11/3/08, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Rita P. Lark; Kelly Knapp; Aubrey Moore; Diana Greer; Tomas Picarello; Charles Pitts; James Lennard; Jennifer Friedenbach; Quintin Mecke, Shelter Monitoring Committee; Joyce Crum, Director, Housing and Homeless Division, Human Services Agency

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 2 - Daly, Dufty

**060377 [Shelter Monitoring Committee] Supervisor Mirkarimi**

Hearing to consider the quarterly reports of the Shelter Monitoring Committee.

(Originally heard under File No. 051713 sponsor, Supervisor Alioto-Pier).

3/21/06, RECEIVED AND ASSIGNED to Rules Committee.

3/30/06, CONTINUED. Heard in Committee. Speakers: Diana Valentine, Chair, Shelter Monitoring Committee; Wade Crowfoot, Mayor's Liaison to the Board of Supervisors; Joyce Crumm, Deputy Director of Homeless Emergency Services, Department of Human Services; James Chioncini, Secretary, Shelter Monitoring Committee; Hank Wilson; Bianka Newyar, Coalition on Homelessness; Shelley Riter, St. Boniface; Quintin Mecke; Jennifer Friederbach, Coalition on Homelessness; Male Speaker, Coalition on Homelessness. Continued to April 27, 2006.

4/27/06, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Wade Crowfoot, Mayor's Liaison to Board of Supervisors; Diana Valentine, Chair, Shelter Monitoring Committee; Dariush Cahun, Human Services Agency; Julie Runni, Shelter Monitoring Committee; Bernice Casey; Male Speaker.

7/13/06, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Bernice Casey, Shelter Monitoring Committee.

9/28/06, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Quintin Mecke, Shelter Monitoring Committee; Bernice Casey, Shelter Monitoring Committee; Judy Runni, Shelter Monitoring Committee.

1/25/07, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Quintin Mecke, Secretary, Shelter Monitoring Committee; Bernice Casey, Shelter Monitoring Committee; Hank Wilson, Shelter Monitoring Committee; Kim Clark, Shelter Monitoring Committee; Joyce Crum, Director, Housing and Homeless Division, Human Services Agency; David Oganshi, Shelter Monitoring; Linsey Coleman, Director, Next Door Shelter; Richard Robinson; Karen Parkins, Site Manager, Next Door Shelter.

4/5/07, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Damian Ocho, Shelter Monitoring Committee; Joyce Crumm, Human Services Agency; Tomas Picarella; Judy Iranyi, Member, Shelter Monitoring Committee; Male Speaker, Department of Public Health.

9/13/07, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Quintin Mecke, Shelter Monitoring Committee; Joyce Crumm, Director, Housing and Homeless Division, Human Services Agency; Bernice Casey, Shelter Monitoring Committee; Tomas Picarello, Shelter Monitoring Committee; Vivian Adams; Larry Holmes; Judi Iranyi, Shelter Monitoring Committee; Richard Robinson; David Nakanishi, Department of Public Health.

11/15/07, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

3/20/08, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Supervisor Daly; Quintin Mecke, Shelter Monitoring Committee; Joyce Crumm, Human Services Agency; Supervisor Dufty.

9/18/08, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Quintin Mecke, Chair, Shelter Monitoring Committee; Supervisor Ammiano; Charles Pace; Joyce Crumm, Human Services Department; David Nakanishi, Public Health.

11/13/08, CONTINUED. Heard in Committee. Speakers: Damian Ochoa; Thomas Picarella; Jenny Riley;



James; Male Speaker; Joyce Crumm. Continued to December 4, 2008.

Heard in Committee. Speakers: Quintin Mecke, Shelter Monitoring Committee; Joyce Crum, Director, Housing and Homeless Division, Human Services Agency; Jenny Riley; Jennifer Friedenbach. New file to be opened to consider quarterly reports.

**FILED by the following vote:**

Ayes: 2 - Daly, Dufty

**081230 [Medical Cannabis Dispensary Permits] Supervisor Daly**

Ordinance amending Section 3308 of the San Francisco Health Code to include the installation of platform lifts under the minimum disability access standards for Medical Cannabis Dispensaries. 9/16/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2008.

Heard in Committee. Speakers: Charlie; Michael Aldrich; Female Speaker; David Goldman; Michelle Aldrich.

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 2 - Daly, Dufty

**081199 [Medical Cannabis Act Revisions] Mayor**

Ordinance approving amendments to the Medical Cannabis Act to clarify that a medical cannabis dispensary shall be a cooperative or collective and shall operate as a non-profit.

9/9/08, RECEIVED AND ASSIGNED to Rules Committee.

9/17/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comments.

11/18/08, SUBSTITUTED. Mayor Newsom submitted a substitute ordinance bearing the same title.

11/18/08, ASSIGNED to Rules Committee.

11/21/08, RESPONSE RECEIVED. Small Business Commission has no comment on the item.

Heard in Committee. Speakers: Rajiv Bhatia, M.D., MPH, Medical Director, Department of Public Health; Male Speaker; Patrick; Michelle Algrich.

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 2 - Daly, Dufty

**LITIGATION**

**Conference with City Attorney**

*[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]  
Motion that the Rules Committee 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. Government Code Section 54956.9(a) and San Francisco 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/or claims listed below.*

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

Ayes: 2 - Daly, Dufty

**081363 [Settlement of Unlitigated Tax-Related Matter with Internal Revenue Service]**

Resolution authorizing settlement of unlitigated tax-related matter with the Internal Revenue Service regarding potential tax liability. (City Attorney)

10/24/08, RECEIVED AND ASSIGNED to Rules Committee.

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 2 - Daly, Dufty

**081477 [Settlement of Lawsuit - Laurent Katgely, et al. v. CCSF, et al. (C. Spencer) - \$67,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Chez Spencer, a partnership, against the City and County of San Francisco for \$67,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436942; entitled Laurent Katgely, et al. v. City and County of San Francisco, et al. (City Attorney)

11/17/08, RECEIVED AND ASSIGNED to Rules Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Daly, Dufty

**081478 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (IMG Home) - \$500,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by IMG Home Corporation against the City and County of San Francisco for \$500,000; 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)

11/17/08, RECEIVED AND ASSIGNED to Rules Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Daly, Dufty

**081479 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (N. Quimson) - \$45,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Noreen Quimson against the City and County of San Francisco for \$45,000; 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)

11/17/08, RECEIVED AND ASSIGNED to Rules Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Daly, Dufty

**081480 [Settlement of Claim - SFD Union Square, LLC - \$40,000]**

Resolution Approving the settlement of unlitigated claim of SFD Union Square, LLC dba Sir Francis Drake Hotel against San Francisco for \$40,000; claim was filed on August 25, 2008. (City Attorney)

11/17/08, RECEIVED AND ASSIGNED to Rules Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Daly, Dufty

**081501 [Settlement of Administrative Civil Liability Complaint - \$64,000]**

**Supervisor Peskin**

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$64,000; and alternatively approving an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed \$32,000, plus payment of a \$32,000 penalty.

11/25/08, RECEIVED AND ASSIGNED to Rules Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Daly, Dufty

### **Report on Closed Session.**

*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 discussion to the public by the following vote:**

Ayes: 2 - Daly, Dufty

### **ADJOURNMENT**