



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, October 7, 2010

10:00 AM

City Hall, Committee Room 263

Regular Meeting

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

Excused: 1 - David Campos

MEETING CONVENED

The meeting convened at 10:06 a.m.

President Chiu appointed himself to the Rules Committee for October 7, 2010.

REGULAR AGENDA

101261 [Appointment, Association of Bay Area Governments Executive Board - Supervisor Eric Mar]

Motion appointing Supervisor Eric Mar, term ending June 30, 2012, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Heard in Committee. Speakers: None.

RECOMMENDED by the following vote:

Ayes: 2 - Alioto-Pier, Chiu

Excused: 1 - Campos

Absent: 1 - Mar

100995 [Appointment, City Hall Preservation Advisory Commission - Maureen "Pat" Kelley]

Resolution confirming the appointment of Maureen "Pat" Kelley to the City Hall Preservation Advisory Commission. (Mayor)

Heard in Committee. Speakers: Maureen "Pat" Kelley; Ellen Schumer, City Hall Preservation Advisory Commission.

RECOMMENDED by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

100778 [Reappointment, Public Utilities Commission - Anson Moran]

Motion confirming the Mayor's reappointment of Anson Moran to the Public Utilities Commission, Seat 4, term ending August 1, 2014.

(Charter Section 4.112(a) provides that the Board of Supervisors shall confirm appointment by a majority (six votes) of the Board of Supervisors; companion measure to File 100779. Transmittal date - August 9, 2010.) (Clerk of the Board)

Heard in Committee. Speaker: Anson Moran, Public Utilities Commission.

RECOMMENDED by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

100779 [Reappointment, Public Utilities Commission - Anson Moran]

Motion rejecting the Mayor's reappointment of Anson Moran to the Public Utilities Commission, Seat 4, term ending August 1, 2014. (Clerk of the Board)

(Charter Section 4.112(a) provides that the Board of Supervisors shall confirm appointment by a majority (six votes) of the Board of Supervisors; companion measure to File 100778. Transmittal date - August 9, 2010.)

Heard in Committee. Speaker: Anson Moran, Public Utilities Commission.

TABLED by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

100905 [Appointment, San Francisco Redevelopment Agency - Rosario Anaya]**Sponsor: Mayor**

Motion confirming the Mayor's appointment of Rosario Anaya to the San Francisco Redevelopment Agency for the unexpired portion of a four-year term ending September 3, 2011.

Heard in Committee. Speakers: Rosario Anaya; Miguel Bustos; Joe Solius; David Low.

RECOMMENDED by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

101264 [Appointments, San Francisco Health Authority - Randall Low and Maria Luz Torre]

Motion appointing Randall Low, term ending January 15, 2012, and Maria Luz Torre, term ending January 15, 2013, to the San Francisco Health Authority. (Clerk of the Board)

Vacant seat 7, succeeding Randall Low, term expired, must be physician, and nominee of SF Medical Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2012.

Vacant seat 10, succeeding Maria Luz Torre, term expired, must be a nominee of the Health Authority Beneficiary Advisory Committee who shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2013.

Heard in Committee. Speakers: Nina Maruyama, San Francisco Health Plan; Maria Luz Torre.

Appointment of Randall Low, seat 7, recommended.

Appointment of Maria Luz Torre, seat 10, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Randall Low, term ending January 15, 2012, and Maria Luz Torre, term ending January 15, 2013, to the San Francisco Health Authority. (Clerk of the Board)
Randall Low, seat 7, succeeding himself, term expired, must be physician, and nominee of SF Medica Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2012.

Maria Luz Torre, seat 10, succeeding herself, term expired, must be a nominee of the Health Authority Beneficiary Advisory Committee who shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2013.

RECOMMENDED..

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

101243 [Appointments, Treasure Island Development Authority Citizen Advisory Board - James Heid and Scott Vedro]

Motion appointing James Heid and Scott Vedro, for indefinite terms, to the Treasure Island Development Authority Citizen Advisory Board. (Clerk of the Board)

Vacant seat 2, succeeding Stephen Mattoon, resigned, must meet any of the following: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of Treasure Island Homeless Development Initiative; representative of Job Corps; representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for a term indefinite.

Vacant seat 11, succeeding Elizabeth Strahlstrom, resigned, must meet any of the following qualification: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of Treasure Island Homeless Development Initiative; representative of Job Corps; representative of Treasure Island Elementary School; representative of film production industry; or representative of residential tenants on Treasure Island, for a term indefinite.

Heard in Committee. Speakers: James Heid; Scott Vedro; Ryan Chamberlain.

Appointment of James Heid, seat 2, recommended.

Appointment of Scott Vedro, seat 11, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing James Heid and Scott Vedro, for indefinite terms, to the Treasure Island Development Authority Citizen Advisory Board. (Clerk of the Board)

James Heid, seat 2, succeeding Stephen Mattoon, resigned, must meet any of the following: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of Treasure Island Homeless Development Initiative; representative of Job Corps; representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for a term indefinite.

Scott Vedro, seat 11, succeeding Elizabeth Strahlstrom, resigned, must meet any of the following qualification: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of Treasure Island Homeless Development Initiative; representative of Job Corps; representative of Treasure Island Elementary School; representative of film production industry; or representative of residential tenants on Treasure Island, for a term indefinite.

RECOMMENDED.. by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

101101 [Election Day Voter Registration Procedures]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Municipal Elections Code by adding Article X, Sections 1000-1030 to establish procedures for Election Day Voter Registration and Late Voter Registration.

(Fiscal Impact.)

Heard in Committee. Speaker: Debra Newman, Office of the Budget and Legislative Analyst.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Alioto-Pier, Chiu

Excused: 1 - Campos

Absent: 1 - Mar

101008 [Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]**Sponsors: Chiu; Chu, Alioto-Pier and Mar**

Ordinance amending the San Francisco Administrative Code by adding Sections 1.57-1 through 1.57-5, to provide for the establishment and maintenance of a centralized and publicly accessible online database of information concerning appointments made by Appointing Authorities to City and County of San Francisco advisory bodies.

Supervisors Alioto-Pier and Mar requested to be added as co-sponsors.

Heard in Committee. Anu Menon, Department on the Status of Women; Angela Calvillo, Office of the Clerk of the Board of Supervisors; Amy B.; Kimberly Ellis; Jessica T.; Linda Young, Office of the City Administrator.

Supervisors Alioto-Pier and Mar requested to be added as co-sponsors.

RECOMMENDED by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

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 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

101222 [Settlement of Unlitigated Claim - Lily Martene Baxter - \$45,000]

Resolution approving the settlement of the unlitigated claim filed by Lily Martene Baxter against the City and County of San Francisco for \$45,000; claim was filed on February 10, 2010. (City Attorney)

RECOMMENDED.. by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

101223 [Settlement of Unlitigated Claim - Adam Feibelman - \$55,000]

Resolution approving the settlement of the unlitigated claim filed by Adam Feibelman against the City and County of San Francisco for \$55,000; claim was filed on February 10, 2010. (City Attorney)

RECOMMENDED.. by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

101224 [Settlement of Unlitigated Claim - McLarens Young International - \$70,000]

Resolution approving the settlement of the unlitigated claim filed by McLarens Young International against the City and County of San Francisco for \$70,000; claim was filed on May 25, 2010. (City Attorney)

RECOMMENDED.. by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

101231 [Settlement of Lawsuit - Galliera, Inc. dba Trico Construction - \$700,000]

Ordinance authorizing settlement of the lawsuit filed by Galliera, Inc. dba Trico Construction against the City and County of San Francisco for \$700,000; the lawsuit was filed on December 29, 2008, in San Francisco Superior Court, Case No. CGC-08-483555, entitled Galliera, Inc. dba Trico Construction v. City and County of San Francisco, et al.; other material terms of the settlement are: (1) the settlement includes the consolidated action Cal Centurian Construction, Inc. dba RWR Construction v. Galliera, Inc. dba Trico Construction, et al., San Francisco Superior Court, Case No. CGC-09-485849, (2) the settlement includes all cross-complaints, (3) mutual releases except for warranties, guarantees, latent defects, and personal injury, (4) dismissal of all complaints and cross-complaints with prejudice, and (5) each party to bear its own attorneys fees and costs. (City Attorney)

RECOMMENDED.. by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

101232 [Settlement of Lawsuit - Jeri D. Sessler - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Jeri D. Sessler against the City and County of San Francisco for \$75,000; the lawsuit was filed on June 3, 2009, in San Francisco Superior Court, Case No. CGC-09-488998; entitled Jeri D. Sessler, et al. v. City and County of San Francisco, et al. (City Attorney)

RECOMMENDED.. by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

101233 [Settlement of Unlitigated Claim - Danielle J. Rinsler - \$215,000]

Resolution approving the settlement of the unlitigated claim filed by Danielle J. Rinsler against the City and County of San Francisco for \$215,000; Government Code Claim was filed on November 24, 2009, (Govt. Claim No. 10-01422) and California Department of Fair Employment & Housing charge was filed on January 11, 2010, (Charge No. E200910A0351-rsc). (City Attorney)

RECOMMENDED.. by the following vote:

Ayes: 3 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

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 - Alioto-Pier, Mar, Chiu

Excused: 1 - Campos

ADJOURNMENT

The meeting adjourned at 11.40 a.m.