

City and County of San Francisco

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



MEETING MINUTES
Thursday, March 19, 2009
10:00 AM
City Hall, Room 263
Regular Meeting

Rules Committee

Members: Chris Daly, Carmen Chu, David Campos

Clerk: Linda Wong (415) 554-7719

Members Present: *Chris Daly, Carmen Chu, David Campos.*
Members Excused: *None.*
Members Absent: *None.*

Meeting convened

The meeting convened at 10:02 a.m.

REGULAR AGENDA

090304 [Appointment, Voting Systems Task Force - James Soper]

Hearing to consider appointing one member to the Voting Systems Task Force.

Seat 9, new assignment, must have a background working in accommodation of persons with disabilities, for two-year term to be determined.

3/13/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none

Appointment of James Soper, seat 9, recommended.

Motion appointing James Soper, term to be determined, to the Voting Systems Task Force, residency requirement waived.

James Soper, seat 9, new assignment, must have a background working in accommodation of persons with disabilities, for two-year term to be determined.

RECOMMENDED.. by the following vote:

Ayes: 3 - Daly, Chu, Campos

090259 [Reappointment, Municipal Transportation Agency Board of Directors - Tom Nolan]

Motion confirming the reappointment of Tom Nolan to the Municipal Transportation Agency Board of Directors, term ending March 1, 2013. (Mayor)

At least four of the Directors must be regular riders of the Municipal Railway and must continue to be regular riders during their terms. The directors must possess significant knowledge of, or professional experience in, one or more of the fields of government, finance or labor relations. At least two of the directors must possess significant knowledge of or professional experience in, the field of public transportation. During their terms, all directors shall be required to ride the Municipal Railway on the average once a week.

2/26/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Tom Nolan

RECOMMENDED.. by the following vote:

Ayes: 3 - Daly, Chu, Campos

090302 [Appointment, Golden Gate Bridge, Highway and Transportation District - Richard Grosboll]

Hearing to consider appointing two members, terms ending January 31, 2011, to the Golden Gate Bridge, Highway and Transportation District.

Seat 2, succeeding Sabrina Hernandez, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year.

Seat 3, succeeding Richard Grosboll, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year.

3/11/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Richard Grosboll; David Synder; Larry Mazzola, Jr.; male speaker; Amand Kilijian; Stanley Smith; Esther Marks; Eric Wolfe; Jazzie Collins; Mike Brown; Dan Huff; Jeffrey Phillips; Michael Theriault; Dave Figweroa; Chris Synder; Eve Myer; John Hanley; Tony Rodriguz; Charlie Lavery; Dan Hellerig; Tim Paulson; Philip Farrelly; Mark Solomon; Walter Paulson; Mike Garcia; John; Don Marvey; Steve Tucker; male speaker; David Altori; Bob Morelas; George Brown; Gilbert; Dan Barbe.

Appointment of Richard Grosboll, seat 3,

Motion appointing Richard Grosboll, term ending January 31, 2011, to the Golden Gate Bridge, Highway and Transportation District.

Richard Grosboll, seat 3, succeeding himself, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors.

RECOMMENDED.. by the following vote:

Ayes: 3 - Daly, Chu, Campos

090153 [Appointment, Police Commission - Vincent Pan]

Hearing to consider appointing one member, term ending April 30, 2010, to the Police Commission.

Succeeding David Campos, resigned, seat 2, 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, 2010.

2/4/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Amanda Inocencio; Morgan Gorrondo; Craig Peters; John Caldera; Vincent Pan; Arthur Tom, III; Hanely Chan; Lucifer Chesar; Randy Burns; Anthony; female speaker; David Chan; Liam Wood Smith; Gilbert C.; Vince Turner; Patricia Casady; Greg; Marti Downing; Morningstar Vancil.

Appointment of Vincent Pan, seat 2, recommended.

Motion confirming the Rules Committee's nomination of, and appointing, Vincent Pan, term ending April 30, 2010, to the San Francisco Police Commission.

Vincent Pan, succeeding David Campos, resigned, seat 2, 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, 2010.

RECOMMENDED.. by the following vote:

Ayes: 3 - Daly, Chu, Campos

090303 [Appointment, Child Care Planning and Advisory Council - Maria Luz Torre]

Hearing to consider appointing one member, term ending December 31, 2010, to the Child Care Planning and Advisory Council.

Succeeding Maria Luz Torre, term expired, seat 10, must be a nominee of District 10 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative" for unexpired portion of a three-year term ending December 31, 2010.

3/11/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

Appointment of Maria Luz Torre, seat 10, recommended.

Motion appointing Maria Luz Torre, term ending December 31, 2010, to the Child Care Planning and Advisory Council.

Maria Luz Torre succeeding herself, term expired, seat 10, must be a nominee of District 10 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative" for unexpired portion of a three-year term ending December 31, 2010.

RECOMMENDED.. by the following vote:

Ayes: 3 - Daly, Chu, 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 - Daly, Chu, Campos

090212 [Settlement of Lawsuit - State of California v. Foley, City and County of San Francisco, et al.]

Ordinance authorizing settlement of the lawsuit filed by State of California, acting through the Department of Transportation ("Caltrans") against the City and County of San Francisco in exchange for the provision of an easement modification agreement relocating certain access rights and otherwise preserving the pre-existing easement rights of the City and County of San Francisco and making environmental findings; the lawsuit was filed on June 29, 2006 in Alameda County Superior Court, Case No. RG06277087, entitled State of California v. Foley, City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation For Judgment in Condemnation and [Proposed] Judgment (and exhibits thereto), contained in Board of Supervisors File No. 090212. (City Attorney)

2/19/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Daly, Chu, Campos

090261 [Settlement of Lawsuit - Estenoz v. First American Title Insurance Company, et al.]

Ordinance authorizing settlement of the lawsuit entitled Estenoz v. First American Title Insurance Company, et al., filed on November 26, 2007 by Ernesto Estenoz, Administrator With Will Annexed of the Estate of Guillermo Crosbie-Grimaldo, aka G. Crosbie-Grimaldo, aka Guillermo Crosbie, deceased, against the City and County of San Francisco, in San Francisco Superior Court Case No. CGC 07-469460 ; settlement in exchange for plaintiff's waiver of the right to appeal the order granting summary judgment and judgment entered thereon, and on such further terms set forth in the Settlement Agreement dated as of January 31, 2009, contained in Board of Supervisors File No. 090261, or as shall be negotiated and approved by the City Attorney's Office. (City Attorney)

2/26/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Daly, Chu, Campos

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 by the following vote:

Ayes: 3 - Daly, Chu, Campos

ADJOURNMENT