



City and County of San Francisco
Meeting Minutes - Final
Rules Committee

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

Members: Jane Kim, Mark Farrell, David Campos

Clerk: Linda Wong (415) 554-7719

Thursday, November 1, 2012

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Jane Kim, Mark Farrell, and David Campos

MEETING CONVENED

The meeting convened at 1:40 p.m.

REGULAR AGENDA

121059 [Appointment, Commission on the Aging Advisory Council - Catherine Rose Russo]

Hearing to consider appointing one member, term ending March 31, 2014, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Vacant seat 6, succeeding Catherine Rose Russo, term expired, must be a nominee of District 7 Supervisor, for the unexpired portion of a two-year term ending March 31, 2014.

10/25/12; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Catherine Rose Russo; spoke on her qualifications.

Appointment of Catherine Rose Russo, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Catherine Rose Russo, term ending March 31, 2014, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Catherine Rose Russo, seat 6, succeeding herself, term expired, must be a nominee of District 7 Supervisor, for the unexpired portion of a two-year term ending March 31, 2014.

RECOMMENDED.. by the following vote:

Ayes: 2 - Kim, Farrell

Absent: 1 - Campos

121058 [Appointments, Veterans Affairs Commission]

Hearing to consider appointing three members, terms ending January 31, 2016, to the Veterans Affairs Commission. (Clerk of the Board)

Vacant seat 3, succeeding Anthony Alfidi, resigned, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2016.

Vacant seat 6, succeeding George Gibbs, term expired, must be a veteran with a physical disability, for the unexpired portion of a four-year term ending January 31, 2016.

Vacant seat 9, succeeding Dara Wong, term expired, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2016.

10/24/12; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: M. Lee Burnette; David Adams; Mary Tramil; John Gallagher; Michael Maffei; spoke on their qualifications. Jon Givner (City Attorney's Office); answered questions raised throughout the hearing. Stephen Noetzel; Wallace Levin; Eduardo Ramirez; Terrence Jones; Raymond Wong; spoke in support of various applicants.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120221 [Administrative Code - Extension of Public Utilities Revenue Bond Oversight Committee]**Sponsor: Farrell**

Ordinance amending the San Francisco Administrative Code Section 5A.36 to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee to January 1, 2016.

03/06/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/4/2012.

10/18/12; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Supervisor Mark Farrell (Board of Supervisors); Kevin Cheng (Public Utilities Revenue Bond Oversight Committee); presented information concerning the hearing matter. Tony Hall; Ernestine Weiss; Male Speaker; Male Speaker; spoke in opposition of hearing matter. John Ummel; David Pilpel; spoke in support of the hearing matter. Jon Givner (City Attorney's Office); answered questions regarding the hearing matter.

10/18/12; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Supervisor Mark Farrell, Victor Young (Board of Supervisors); Todd Rystrom (Public Utilities Commission); presented information concerning the hearing matter. David Pilpel; spoke in support of the hearing matter.

RECOMMENDED by the following vote:

Ayes: 3 - Kim, Farrell, Campos

121057 [Board of Supervisors' Rules of Order Amendment]**Sponsor: Elsbernd**

Motion amending the Board of Supervisors' Rules of Order, in their entirety, to correct clerical corrections, proper placement of sections, and additional updates.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Sean Elsbernd, Angela Calvillo, Clerk of the Board, Kay Gulbengay (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. David Pilpel; spoke in support of the hearing matter.

AMENDED on Page 1, Line 15, by adding 'and be it' and Line 16, by adding 'FURTHER MOVED, That the effective date for the amended Board of Supervisors' Rules of Order shall be January 8, 2013.'

CONTINUED AS AMENDED to November 15, 2012, by the following vote:

Ayes: 3 - Kim, Farrell, 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 - Kim, Farrell, Campos

120657 [Settlement of Lawsuit - Michael Horan - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for \$250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney)

06/05/12; RECEIVED FROM DEPARTMENT.

06/19/12; RECEIVED AND ASSIGNED to Rules Committee.

07/19/12; CONTINUED TO CALL OF THE CHAIR.

09/06/12; CONTINUED.

09/20/12; CONTINUED TO CALL OF THE CHAIR.

10/04/12; CONTINUED TO CALL OF THE CHAIR.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120976 **[Settlement of Lawsuit - Rehab Financial Corporation - City to Receive \$164,099]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of \$164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al. (City Attorney)

09/21/12; RECEIVED FROM DEPARTMENT.

10/02/12; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

121014 **[Settlement of Lawsuit - Leslie Jones - \$197,500]**
Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for \$197,500.00; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

121015 **[Settlement of Lawsuit - Acquila Yeargin - \$27,500]**
Ordinance authorizing settlement of the lawsuit filed by Acquila Yeargin against the City and County of San Francisco for \$27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Acquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120993 **[Settlement of Unlitigated Claim - Trico Construction - \$440,000]**
Resolution approving settlement of the unlitigated claim filed by Galliera, Inc., dba Trico Construction (Trico), against San Francisco for \$440,000. (City Attorney's Office)

10/04/12; RECEIVED FROM DEPARTMENT.

10/16/12; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120994 [Settlement of Lawsuit - Christine McGuire - \$27,000]

Ordinance authorizing settlement of the lawsuit filed by Christine McGuire against the City and County of San Francisco for \$27,000; the lawsuit was filed on January 6, 2011, in San Francisco Superior Court, Case No. CGC-11-507062, entitled McGuire v. City and County of San Francisco, et al. (City Attorney's Office)

10/04/12; RECEIVED FROM DEPARTMENT.

10/16/12; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

121036 [Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed \$320,000]

Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemeister, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed \$320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson et al. v. City and County of San Francisco. (City Attorney)

10/19/12; RECEIVED FROM DEPARTMENT.

10/30/12; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

Deputy City Attorney Jon Givner 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 - Kim, Farrell, Campos

ADJOURNMENT

The meeting adjourned at 2:54 p.m.