



**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*

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Thursday, November 4, 2010

10:00 AM

City Hall, Committee Room 263

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**Regular Meeting**

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

**MEETING CONVENED**

*The meeting convened at 10:13 a.m.*

**REGULAR AGENDA**

**101220 [Appointment, San Francisco Public Utilities Commission - Art Torres]**

Motion confirming the Mayor's appointment of Art Torres to the San Francisco Public Utilities Commission, Seat 2, for the term ending August 1, 2014. (Clerk of the Board)

09/17/10; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Art Torres; Eric Brooks.*

*RECOMMENDED AS COMMITTEE REPORT by the following vote:*

*Ayes: 3 - Campos, Alioto-Pier, Mar*

*This item was not scheduled to be heard as Committee Report; therefore, it will be heard by the full Board on November 16, 2010.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101221 [Appointment, San Francisco Public Utilities Commission - Art Torres]**

Motion rejecting the Mayor's appointment of Art Torres to the San Francisco Public Utilities Commission, Seat 2, for the term ending August 1, 2014. (Clerk of the Board)

09/17/10; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Art Torres; Eric Brooks.*

**TABLED by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101377 [Appointment, Small Business Commission - Robert Paterson]**

Motion approving the Mayor's appointment of Robert Paterson to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)  
(Charter Section 3.100 (17) provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 14, 2010.)

10/29/10; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Robert Paterson; Supervisor David Chiu; Jerry Gianni; Chris Schulman; Kevin Westyle.*

**TABLED by the following vote:**

Ayes: 2 - Campos, Mar

Noes: 1 - Alioto-Pier

**101379 [Appointment, Small Business Commission - Robert Paterson]**

Motion rejecting the Mayor's appointment of Robert Paterson to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)  
(Charter Section 3.100 (17) provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 14, 2010.)

(Supervisor Alioto-Pier dissented in Committee)

10/29/10; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Robert Paterson; Supervisor David Chiu; Jerry Gianni; Chris Schulman; Kevin Westyle.*

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

Ayes: 2 - Campos, Mar

Noes: 1 - Alioto-Pier

**101332 [Reappointment, Treasure Island Development Authority Board of Directors - Claudine Cheng]**

Motion approving the Mayor's reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(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 - October 12, 2010.)

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

*Heard in Committee. Speakers: Claudine Cheng; John Elberling; Linda Richardson; Jean-Paul Samaha; Larry Del Carlo; Larry Mazzola, Jr.; Mirian Saez, Island Operation; Rich Hillis, Mayor's Office of Workforce and Economic Development; Male Speaker; Mark Connors; Eric Brooks, SF Green Party; Walter Paulson; Jim Salinas, Sr.; Saye Woo Lee, Human Rights Commission; Julie Soo; Cathy Davis; Frank Williams; Marvin Hall; Tim Paulson; Rev. Arnold Townsend; Greg Richardson; Male Speaker; John Doherty; Kevin Hughes; Al Williams; Olga Miranda; Male Speaker; Sal Bloom; Ruth Rubanous.*

**REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101333 [Reappointment, Treasure Island Development Authority Board of Directors - Claudine Cheng]**

Motion rejecting the Mayor's reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(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 - October 12, 2010.)

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

*Heard in Committee. Speakers: Claudine Cheng; John Elberling; Linda Richardson; Jean-Paul Samaha; Larry Del Carlo; Larry Mazzola, Jr.; Mirian Saez, Island Operation; Rich Hillis, Mayor's Office of Workforce and Economic Development; Male Speaker; Mark Connors; Eric Brooks, SF Green Party; Walter Paulson; Jim Salinas, Sr.; Saye Woo Lee, Human Rights Commission; Julie Soo; Cathy Davis; Frank Williams; Marvin Hall; Tim Paulson; Rev. Arnold Townsend; Greg Richardson; Male Speaker; John Doherty; Kevin Hughes; Al Williams; Olga Miranda; Male Speaker; Sal Bloom; Ruth Rubanous.*

**TABLED by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101334 [Reappointment, Treasure Island Development Authority Board of Directors - John Elberling]**

Motion approving the Mayor's reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board) (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 - October 12, 2010.)

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

*Heard in Committee. Speakers: Claudine Cheng; John Elberling; Linda Richardson; Jean-Paul Samaha; Larry Del Carlo; Larry Mazzola, Jr.; Mirian Saez, Island Operation; Rich Hillis, Mayor's Office of Workforce and Economic Development; Male Speaker; Mark Connors; Eric Brooks, SF Green Party; Walter Paulson; Jim Salinas, Sr.; Saye Woo Lee, Human Rights Commission; Julie Soo; Cathy Davis; Frank Williams; Marvin Hall; Tim Paulson; Rev. Arnold Townsend; Greg Richardson; Male Speaker; John Doherty; Kevin Hughes; Al Williams; Olga Miranda; Male Speaker; Sal Bloom; Ruth Rubanous.*

**REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101335 [Reappointment, Treasure Island Development Authority Board of Directors - John Elberling]**

Motion rejecting the Mayor's reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board) (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 - October 12, 2010.)

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

*Heard in Committee. Speakers: Claudine Cheng; John Elberling; Linda Richardson; Jean-Paul Samaha; Larry Del Carlo; Larry Mazzola, Jr.; Mirian Saez, Island Operation; Rich Hillis, Mayor's Office of Workforce and Economic Development; Male Speaker; Mark Connors; Eric Brooks, SF Green Party; Walter Paulson; Jim Salinas, Sr.; Saye Woo Lee, Human Rights Commission; Julie Soo; Cathy Davis; Frank Williams; Marvin Hall; Tim Paulson; Rev. Arnold Townsend; Greg Richardson; Male Speaker; John Doherty; Kevin Hughes; Al Williams; Olga Miranda; Male Speaker; Sal Bloom; Ruth Rubanous.*

**TABLED by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101336 [Appointment, Treasure Island Development Authority Board of Directors - Linda Richardson]**

Motion approving the Mayor's appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board) (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 - October 12, 2010.)

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

*Heard in Committee. Speakers: Claudine Cheng; John Elberling; Linda Richardson; Jean-Paul Samaha; Larry Del Carlo; Larry Mazzola, Jr.; Mirian Saez, Island Operation; Rich Hillis, Mayor's Office of Workforce and Economic Development; Male Speaker; Mark Connors; Eric Brooks, SF Green Party; Walter Paulson; Jim Salinas, Sr.; Saye Woo Lee, Human Rights Commission; Julie Soo; Cathy Davis; Frank Williams; Marvin Hall; Tim Paulson; Rev. Arnold Townsend; Greg Richardson; Male Speaker; John Doherty; Kevin Hughes; Al Williams; Olga Miranda; Male Speaker; Sal Bloom; Ruth Rubanous.*

**REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101337 [Appointment, Treasure Island Development Authority Board of Directors - Linda Richardson]**

Motion rejecting the Mayor's appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board) (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 - October 12, 2010.)

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

*Heard in Committee. Speakers: Claudine Cheng; John Elberling; Linda Richardson; Jean-Paul Samaha; Larry Del Carlo; Larry Mazzola, Jr.; Mirian Saez, Island Operation; Rich Hillis, Mayor's Office of Workforce and Economic Development; Male Speaker; Mark Connors; Eric Brooks, SF Green Party; Walter Paulson; Jim Salinas, Sr.; Saye Woo Lee, Human Rights Commission; Julie Soo; Cathy Davis; Frank Williams; Marvin Hall; Tim Paulson; Rev. Arnold Townsend; Greg Richardson; Male Speaker; John Doherty; Kevin Hughes; Al Williams; Olga Miranda; Male Speaker; Sal Bloom; Ruth Rubanous.*

**TABLED by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101338 [Reappointment, Treasure Island Development Authority Board of Directors - Jean-Paul Samaha]**

Motion approving the Mayor's reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(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 - October 12, 2010.)

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

*Heard in Committee. Speakers: Claudine Cheng; John Elberling; Linda Richardson; Jean-Paul Samaha; Larry Del Carlo; Larry Mazzola, Jr.; Mirian Saez, Island Operation; Rich Hillis, Mayor's Office of Workforce and Economic Development; Male Speaker; Mark Connors; Eric Brooks, SF Green Party; Walter Paulson; Jim Salinas, Sr.; Saye Woo Lee, Human Rights Commission; Julie Soo; Cathy Davis; Frank Williams; Marvin Hall; Tim Paulson; Rev. Arnold Townsend; Greg Richardson; Male Speaker; John Doherty; Kevin Hughes; Al Williams; Olga Miranda; Male Speaker; Sal Bloom; Ruth Rubanous.*

**REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101339 [Reappointment, Treasure Island Development Authority Board of Directors - Jean-Paul Samaha]**

Motion rejecting the Mayor's reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(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 - October 12, 2010.)

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

*Heard in Committee. Speakers: Claudine Cheng; John Elberling; Linda Richardson; Jean-Paul Samaha; Larry Del Carlo; Larry Mazzola, Jr.; Mirian Saez, Island Operation; Rich Hillis, Mayor's Office of Workforce and Economic Development; Male Speaker; Mark Connors; Eric Brooks, SF Green Party; Walter Paulson; Jim Salinas, Sr.; Saye Woo Lee, Human Rights Commission; Julie Soo; Cathy Davis; Frank Williams; Marvin Hall; Tim Paulson; Rev. Arnold Townsend; Greg Richardson; Male Speaker; John Doherty; Kevin Hughes; Al Williams; Olga Miranda; Male Speaker; Sal Bloom; Ruth Rubanous.*

**TABLED by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101347 [Confirming Appointments, Treasure Island Development Authority Board of Directors - Larry Del Carlo and Larry Mazzola, Jr.]****Sponsor: Mayor**

Motion confirming the appointments of Larry Del Carlo to succeed John Rahaim; term ending February 26, 2013; and Larry Mazzola, Jr. to succeed Owen Stephens, term ending April 28, 2014, to the Treasure Island Development Authority Board of Directors.

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

*Heard in Committee. Speakers: Claudine Cheng; John Elberling; Linda Richardson; Jean-Paul Samaha; Larry Del Carlo; Larry Mazzola, Jr.; Mirian Saez, Island Operation; Rich Hillis, Mayor's Office of Workforce and Economic Development; Male Speaker; Mark Connors; Eric Brooks, SF Green Party; Walter Paulson; Jim Salinas, Sr.; Saye Woo Lee, Human Rights Commission; Julie Soo; Cathy Davis; Frank Williams; Marvin Hall; Tim Paulson; Rev. Arnold Townsend; Greg Richardson; Male Speaker; John Doherty; Kevin Hughes; Al Williams; Olga Miranda; Male Speaker; Sal Bloom; Ruth Rubanous.*

**REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors, by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

**101191 [Administrative Code - Publication Requirements]****Sponsor: Mirkarimi**

Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article XII, Sections 2.96 through 2.100, to define "published" as required by San Francisco Charter Article XVII to: (1) establish requirements for publishing notices; (2) establish standards for and define the "City's Official Website Homepage;" (3) establish procedures for standardizing and defining notice and publication requirements for future proposed ordinances; and (4) authorize the Clerk of the Board of Supervisors to adopt regulations to implement this Article.

09/21/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/21/2010.

09/29/10; REFERRED TO DEPARTMENT. 9/29/10 - To the Department of Technology and Public Library for comment and recommendation.

11/2/10 - Response received from the Department of Technology.

*Heard in Committee. Speaker: Rick Galbreath, Office of Supervisor Ross Mirkarimi.*

**CONTINUED to December 2, 2010 by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar



## 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, Alioto-Pier, Mar

#### **101288 [Settlement of Lawsuit - Cheryl Austin - \$268,452]**

Ordinance authorizing settlement of the lawsuit filed by Cheryl Austin against the City and County of San Francisco for \$268,452, inclusive of attorneys' fees and costs; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498110; entitled Cheryl Austin v. City and County of San Francisco. (City Attorney)

10/06/10; RECEIVED AND ASSIGNED to Rules Committee.

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

Ayes: 3 - Campos, Alioto-Pier, Mar

#### **101289 [Settlement of Lawsuit - Nyree Monroe - Up to \$31,000]**

Ordinance authorizing settlement of the lawsuit filed by Nyree Monroe against the City and County of San Francisco for up to \$31,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498109; entitled Nyree Monroe v. City and County of San Francisco; other material terms of said settlement are reinstatement. (City Attorney)

10/06/10; RECEIVED AND ASSIGNED to Rules Committee.

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

Ayes: 3 - Campos, Alioto-Pier, Mar

#### **101290 [Settlement of Lawsuit - Edward Kriete - \$575,000]**

Ordinance authorizing settlement of the lawsuit filed by Edward Kriete against the City and County of San Francisco for \$575,000; the lawsuit was filed on April 17, 2009, in the San Francisco Superior Court, Case No. CGC 09-487483, entitled Edward Kriete v. City and County of San Francisco. (City Attorney)

10/06/10; RECEIVED AND ASSIGNED to Rules Committee.

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

Ayes: 3 - Campos, Alioto-Pier, Mar



**101303 [Settlement of Lawsuit - Viz Media, LLC - \$219,000]**

Ordinance authorizing settlement of the lawsuit filed by Viz Media, LLC, against the City and County of San Francisco for \$219,000; the lawsuit was filed on August 10, 2010, in San Francisco Superior Court, Case No. CGC-10-502460; entitled Viz Media, LLC, v. City and County of San Francisco, et al. (City Attorney)

10/18/10; RECEIVED AND ASSIGNED to Rules Committee.

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

Ayes: 3 - Campos, Alioto-Pier, Mar

**101340 [Settlement of Lawsuit - Regal Stone, Ltd. - City to Receive \$3,717,096.52]**

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Regal Stone, Ltd, et al. for the sum of \$3,717,096.52, including previous initial payment of \$2,000,000; the lawsuit was filed on December 10, 2007, in San Francisco Superior Court, Case No. CGC-07-469876 (transferred to Monterey County Superior Court, Case No. M98173); entitled City and County of San Francisco, et al., v. Regal Stone, Ltd., et al. (City Attorney)

10/21/10; RECEIVED AND ASSIGNED to Rules Committee.

*Speaker: Donald Margolis, City Attorney's Office.*

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

Ayes: 3 - Campos, Alioto-Pier, Mar

**101341 [Settlement of Lawsuit - Toni Battle - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Toni Battle against the City and County of San Francisco for \$150,000; the lawsuit was filed on October 16, 2009, in San Francisco Superior Court, Case No. CGC 09-493489, entitled Battle v. City and County of San Francisco, et al. (City Attorney)

10/21/10; RECEIVED AND ASSIGNED to Rules Committee.

**TABLED by the following vote:**

Ayes: 3 - Campos, Alioto-Pier, Mar

*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, Alioto-Pier, Mar

**ADJOURNMENT**

*The meeting adjourned at 1:19 p.m.*