



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: Norman Yee, Katy Tang, David Campos

Clerk: Alisa Somera (415) 554-4447

Thursday, September 18, 2014

2:00 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Norman Yee, Katy Tang, and David Campos

MEETING CONVENED

The meeting convened at 2:08 p.m.

REGULAR AGENDA

140897 [Confirming Appointment, Treasure Island Development Authority Board of Directors - Jeff Kositsky]

Sponsor: Mayor

Motion confirming the Mayor's appointment of Jeff Kositsky to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending April 28, 2018.

08/08/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jeff Kositsky; spoke on his qualifications. Sherry Williams (Treasure Island Homeless Development Initiative); Bevan Dufty; spoke in support of the nominee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140961 [Reappointment, Peninsula Corridor Joint Powers Board - Supervisor Malia Cohen]

Motion reappointing Supervisor Malia Cohen to the Peninsula Corridor Joint Powers Board, for the unexpired portion of a two-year term ending June 30, 2016. (Clerk of the Board)

09/09/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Yee, Tang, Campos

140968 [Appointment, Urban Forestry Council - Michael Sullivan]

Hearing to consider appointing one member, term ending November 18, 2016, to the Urban Forestry Council. (Rules Committee)

Vacant seat 6, succeeding William Most, resigned, must be a representative of the community, for a two-year term ending November 18, 2016.

09/05/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Carolyn Johnston; Michael Sullivan; spoke on their qualifications. Dee Selifman (Concerned Citizens for the Maintenance Alternative); Anastasia Glikshtern; spoke in support of Carolyn Johnston. Kelaine Ravdin (Urban Ecos); Amber Bieg (Green Ideas & Urban Forest Map); Charlie Starbuck (Friends of the Urban Forest); Ellyn Shea; spoke in support of Michael Sullivan.

Appointment of Michael Sullivan, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Michael Sullivan, term ending November 18, 2016, to the Urban Forestry Council. (Rules Committee)

Michael Sullivan, seat 6, succeeding William Most, resigned, must be a representative of the community, for a two-year term ending November 18, 2016.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Yee, Tang, Campos

140965 [Appointment, Commission on Aging Advisory Council]

Hearing to consider appointing one member, term ending March 31, 2015, to the Commission on Aging Advisory Council. (Clerk of the Board)

Vacant seat 10, succeeding Patricia Webb, must be a nominee of the District 5 Supervisor, for the unexpired portion of a two-year term ending March 31, 2015.

09/05/14; RECEIVED AND ASSIGNED to Rules Committee.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Yee, Tang, Campos

140966 [Appointment, Park, Recreation and Open Space Advisory Committee - Jane Weil]

Hearing to consider appointing one member, term ending February 1, 2015, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Vacant seat 18, succeeding Catherine Judge, resigned, must be nominated by the District 6 Supervisor and from District 6, for the unexpired portion of a two-year term ending February 1, 2015.

09/05/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jane Weil; spoke on her qualifications. Sunny Angulo (Office of Supervisor Jane Kim); spoke in support of Jane Weil.

Appointment of Jane Weil, seat 18, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Jane Weil, term ending February 1, 2015, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Jane Weil, seat 18, succeeding Catherine Judge, resigned, must be nominated by the District 6 Supervisor and from District 6, for the unexpired portion of a two-year term ending February 1, 2015.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140967 [Appointment, In-Home Supportive Services Public Authority - Rita Semel]

Hearing to consider appointing one member, term ending March 1, 2016, to the In-Home Supportive Services Public Authority. (Rules Committee)

Vacant seat 6, succeeding Kelly Dearman, term expired, must be a member of the Human Services Commission and recommended to the Board of Supervisors by the Commission, for the unexpired portion of a three-year term ending March 1, 2016.

09/05/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Rita Semel; spoke on her qualifications. Patrick Hoctel (In-Home Supportive Services Public Authority); spoke in support of Rita Semel.

Appointment of Rita Semel, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Rita Semel, term ending March 1, 2016, to the In-Home Supportive Services Public Authority. (Rules Committee)

Rita Semel, seat 6, succeeding Kelly Dearman, term expired, must be a member of the Human Services Commission and recommended to the Board of Supervisors by the Commission, for the unexpired portion of a three-year term ending March 1, 2016.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Yee, Tang, Campos

140969 [Appointment, Commission of Animal Control and Welfare - Julene Johnson]

Hearing to consider appointing one member, term ending April 30, 2015, to the Commission of Animal Control and Welfare. (Rules Committee)

Vacant seat 6, succeeding Jennifer Jameson, deceased, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2015.

09/05/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Amy Van Nest; Julene Johnson; spoke on their qualifications.

Appointment of Julene Johnson, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Julene Johnson, term ending April 30, 2015, to the Commission of Animal Control and Welfare. (Rules Committee)

Julene Johnson, seat 6, succeeding Jennifer Jameson, deceased, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2015.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

LITIGATION

Speakers: None.

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

Ayes: 3 - Yee, Tang, Campos

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.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

Persons in attendance: Jon Givner and Cheryl Adams (Office of the City Attorney); and Alisa Somera (Office of the Clerk of the Board).

140845 [Settlement of Lawsuit - Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr., against the City and County of San Francisco for \$175,000; the lawsuit was filed on May 2, 2011, in United States District Court, Case No. C11-02162 LB; entitled Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. v. City and County of San Francisco, et al. (City Attorney)

07/21/14; RECEIVED FROM DEPARTMENT.

07/29/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140867 [Settlement of Grievance - Pamela Arons - \$130,000]

Resolution approving settlement of the unlitigated grievance (ERD No. 45-08-1876) of Pamela Arons against the City and County of San Francisco for \$130,000; Service Employees International Union, Local 1021, notified the City of the grievance entitled Grievance of Pamela Arons, on June 30, 2008. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140868 [Settlement of Claim - Isa and Vegar Svanemyr - \$15,130,000]

Resolution approving the settlement of the unlitigated claims filed by Isa and Vegar Svanemyr against the City and County of San Francisco for \$15,130,000 to be paid in three installments; claim was filed on November 8, 2013. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140869 [Settlement of Claim - Wendy and Johnny Tseng - \$114,074.63]

Resolution approving the settlement of the unlitigated claim filed by Wendy and Johnny Tseng against the City and County of San Francisco for \$114,074.63; claim was filed on January 21, 2014. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140870 [Settlement of Claim - Lisa Howe - \$35,000]

Resolution approving the settlement of the unlitigated claim filed by Lisa Howe against the City and County of San Francisco for \$35,000; claim was filed on October 17, 2013. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140892 [Settlement of Lawsuit - Margarita Herrera - \$475,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for \$475,000; the lawsuit was filed on June 5, 2013, in San Francisco Superior Court, Case No. CGC 13-531901; entitled Herrera v. City and County of San Francisco, et al. (City Attorney)

08/04/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140893 [Settlement of Claim - Janie Vargas and Stanley E. Pond - \$55,000]

Resolution approving the settlement of the unlitigated claim filed by Janie Vargas and Stanley E. Pond, Esq. against the City and County of San Francisco for \$55,000; claim was filed on March 3, 2014. (City Attorney)

08/04/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140904 [Settlement of Lawsuit - Justin Neisuler - \$63,000]

Ordinance authorizing settlement of the lawsuit filed by Justin Neisuler against the City and County of San Francisco for \$63,000; the lawsuit was filed on December 4, 2012, in San Francisco Superior Court, Case No. CGC-12-526598; entitled Justin Neisuler v. City and County of San Francisco. (City Attorney)

08/25/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140905 [Settlement of Lawsuit - Sean Alexander Hold - \$210,000]

Ordinance authorizing settlement of the lawsuit filed by Sean Alexander Hold against the City and County of San Francisco for \$210,000; the lawsuit was filed on December 16, 2013, in the United States District Court for the Northern District of California, Case No. C13-5814 CW; entitled Sean Alexander Hold v. City and County of San Francisco, et al. (City Attorney)

08/25/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

140906 [Settlement of Lawsuit - Eduardo Alegrett - \$285,000]

Ordinance authorizing settlement of the lawsuit filed by Eduardo Alegrett against the City and County of San Francisco for \$285,000; the lawsuit was filed on October 29, 2012, in the United States District Court for the Northern District of California, Case No. C-12-5538-MEJ; entitled Eduardo Alegrett v. City and County of San Francisco, et al. (City Attorney)

08/25/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Tang, 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 - Yee, Tang, Campos

ADJOURNMENT

The meeting adjourned at 3:39 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Rules Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.