



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, January 15, 2015

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 2:03 p.m.

REGULAR AGENDA

140353 [Hearing - Shelter Monitoring Committee Reports]

Sponsor: Yee

Hearing to consider the quarterly reports of the Shelter Monitoring Committee.

04/08/14; RECEIVED AND ASSIGNED to Rules Committee.

05/01/14; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Bernice Casey (Department of Public Health); Scott Walton (Human Services Agency); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speakers: Nicholas Kimura, Chairperson (Shelter Monitoring Committee); Jeff Simbe and Charles Morimoto (Department of Public Health); Joyce Crum (Human Services Agency); presented information and answered questions raised throughout the discussion. Charles Pitts; spoke on various concerns relating to the hearing matter.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Yee, Tang, Campos

141319 [Appointments, Balboa Park Station Community Advisory Committee - Mark Kress, Rita Evans, Alexander Mullaney, Gwynn Kaliher-Mackellen, Daniel Weaver, Chuck Burwell, Aaron Goodman, and Robert Muehlbauer]

Hearing to consider appointing nine members, for two-year terms yet to be determined, to the Balboa Park Station Community Advisory Committee. (Rules Committee)

Vacant seat 1, succeeding Nicole Agbayani, resigned, must represent Muni riders' interests in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Vacant seat 2, succeeding Rita Evans, term expiring on January 9, 2015, must represent BART riders' interests in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Vacant seat 3, succeeding David Mauroff, resigned, must represent pedestrians' and bicyclists' interests in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Vacant seat 4, succeeding William Walker, resigned, must represent students, faculty, and staff (particularly from City College or other area schools) in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Vacant seat 5, succeeding Daniel Weaver, term expiring on January 9, 2015, must represent the senior and disabled community in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Vacant seat 6, succeeding Gwynn Kaliher-Mackell, term expiring on January 9, 2015, must represent community and development in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Vacant seat 7, succeeding Scott Falcone, term expiring on January 9, 2015, must be from a land use and housing group that has a stake in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Vacant seat 8, succeeding Veronica Garcia, resigned, must represent youth and families in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Vacant seat 9, succeeding Robert Muehlbauer, term expiring on January 9, 2015, must represent neighborhood resident interests in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

12/26/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Mark Kress; Alexander Mullaney; Aaron Goodman; Robert Muehlbauer; Chuck Burwell; Daniel Weaver; Gwynn Kaliher-Mackellen; spoke on their qualifications.

Appointment of Mark Kress, seat 1, recommended.

Appointment of Rita Evans, seat 2, recommended.

Appointment of Alexander Mullaney, seat 3, recommended.

Appointment of Gwynn Kaliher-Mackellen, seat 4, recommended.

Appointment of Daniel Weaver, seat 5, recommended.

Appointment of Chuck Burwell, seat 6, recommended.

Seat 7 was Continued to the Call of the Chair.

Appointment of Aaron Goodman, seat 8, recommended.

Appointment of Robert Muehlbauer, seat 9, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Mark Kress, Rita Evans, Alexander Mullaney, Gwynn Kaliher-Mackellen, Daniel Weaver, Chuck Burwell, Aaron Goodman, and Robert Muehlbauer, for two-year terms yet to be determined, to the Balboa Park Station Community Advisory Committee. (Rules Committee)

Mark Kress, seat 1, succeeding Nicole Agbayani, resigned, must represent Muni riders' interests in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Rita Evans, seat 2, succeeding Rita Evans, term expiring on January 9, 2015, must represent BART riders' interests in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Alexander Mullaney, seat 3, succeeding David Mauroff, resigned, must represent pedestrians' and bicyclists' interests in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Gwynn Kaliher-Mackellen, seat 4, succeeding William Walker, resigned, must represent students, faculty, and staff (particularly from City College or other area schools) in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Daniel Weaver, seat 5, succeeding Daniel Weaver, term expiring on January 9, 2015, must represent the senior and disabled community in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Chuck Burwell, seat 6, succeeding Gwynn Kaliher-Mackell, term expiring on January 9, 2015, must represent community and development in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Aaron Goodman, seat 8, succeeding Veronica Garcia, resigned, must represent youth and families in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

Robert Muehlbauer, seat 9, succeeding Robert Muehlbauer, term expiring on January 9, 2015, must represent neighborhood resident interests in the neighborhoods served by the Balboa Park Station, for a two-year term yet to be determined.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

150023 [Appointments, Urban Forestry Council]

Hearing to consider appointing six members, terms ending November 18, 2016, to the Urban Forestry Council. (Clerk of the Board)

Vacant seat 1, succeeding J. Malcolm Hillan, term expired, must represent an educational organization involved with tree management (University of California Cooperative Extension, etc.), for the unexpired portion of a two-year term ending November 18, 2016.

Vacant seat 2, succeeding Andrew Sullivan, term expired, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects), for the unexpired portion of a two-year term ending November 18, 2016.

Vacant seat 3, succeeding Dan Kida, term expired, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects), for the unexpired portion of a two-year term ending November 18, 2016.

Vacant seat 4, succeeding Dan Flanagan, term expired, must be a member of a non-profit organization involved in urban forestry or other environmentally-related issues, for the unexpired portion of a two-year term ending November 18, 2016.

Vacant seat 5, succeeding Sandy Sherwin, term expired, must be a member of a non-profit organization involved in urban forestry or other environmentally-related issues, for the unexpired portion of a two-year term ending November 18, 2016.

Vacant seat 7, succeeding Rose Hillson, term expired, must be a representative of the community, for the unexpired portion of a two-year term ending November 18, 2016.

01/02/15; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Yee, Tang, Campos

140884 [Administrative Code - Establishing the Gun Violence Prevention Task Force]**Sponsors: Cohen; Avalos and Breed**

Ordinance amending the Administrative Code to establish the Gun Violence Prevention Task Force to advise City departments and policymakers on methods to reduce gun violence in the City; and setting forth the membership and duties of the Task Force.

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

08/05/14; REFERRED TO DEPARTMENT. Referred to Mayor's Office, District Attorney, Public Defender, Sheriff's Department, Police Department, Human Services Agency, SF Unified School District, and Department of Public Health for informational purposes.

11/25/14; SUBSTITUTED AND ASSIGNED to Rules Committee. Supervisor Cohen submitted a substitute Ordinance to replace the Resolution.

11/26/14; REFERRED TO DEPARTMENT. Re-referred substitute Ordinance (version 2) to Mayor's Office, District Attorney, Public Defender, Sheriff's Department, Police Department, Human Services Agency, SF Unified School District, and Department of Public Health for informational purposes.

12/03/14; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Male Speaker; spoke neither in support nor against the hearing matter.

Heard in Committee. Speakers: Supervisor Malia Cohen (Board of Supervisors); Diana Oliva-Aroche, Director (Office of Violence Prevention Services); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Barbara Ockel (Bayview Opera House); David Augmenya; Daniel Landry; Matte Scott (Healing 4 Our Families); Eli Crawford (Raw Talk 4 Life); Carletta Jackson-Lane (Sojourner Truth Foster Family Service Agency); DJ Brookter; Rico Hamilton; Shawn Richard (Brothers Against Guns); Robert Cowan; Rev. Arelious Walker; Gwendolyn Brown; Female Speaker; Brenda Barros; spoke in support of the hearing matter.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 3 - Yee, Tang, Campos

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

141215 [Administrative Code - Establishing the Children, Youth and Their Families Oversight and Advisory Committee and a Service Provider Working Group]

Sponsor: Avalos

Ordinance amending the Administrative Code to establish a Children, Youth and Their Families Oversight and Advisory Committee, and a Service Provider Working Group, as provided in Charter, Section 16.108-1.

11/25/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/24/2014.

12/01/14; REFERRED TO DEPARTMENT. Referred to the Youth Commission for review and recommendation; and Department of Children, Youth and Their Families and San Francisco Unified School District for informational purposes.

12/03/14; RESPONSE RECEIVED. 12/1/2014 - The Youth Commission voted unanimously to support the Ordinance and made an additional recommendation.

12/09/14; SUBSTITUTED AND ASSIGNED to Rules Committee.

12/15/14; REFERRED TO DEPARTMENT. Re-referred substitute legislation (version 2) to the Youth Commission for review and recommendation; and Department of Children, Youth and Their Families and San Francisco Unified School District for informational purposes.

Heard in Committee. Speakers: Beth Rubenstein (Office of Supervisor John Avalos); Maria Su, Director (Department of Children, Youth and Their Families); presented information and answered questions raised throughout the discussion. Chelsea Boilard (Coleman Advocates); Sandee Blechman (Children's Council); Erica Maybaum (Child Care Planning and Advisory Council); Jose; Molly Brown (Huckleberry Youth Program); spoke in support of the hearing matter.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 3 - Yee, Tang, Campos

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Yee, Tang, Campos

LITIGATION

Supervisor Campos, seconded by Vice Chair Tang, moved to convene in closed session. The motion carried 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).

141236 [Settlement of Lawsuit - Colleen Sullivan, Silvia David, and Gordon Clark - \$360,753.71]

Ordinance authorizing partial settlement of the lawsuit filed against the City and County of San Francisco for \$360,753.71; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. 12-02584 JCS; currently entitled Colleen Sullivan, Silvia David, and Gordon Clark v. City and County of San Francisco. (City Attorney)

11/21/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

141254 [Settlement of Claim - Liam Ford, Simone Ford and the Estate of Lynne Spalding Ford - \$2,941,000]

Resolution approving the settlement of the unlitigated claim filed by Liam Ford, Simone Ford, and the Estate of Lynne Spalding Ford against the City and County of San Francisco for \$2,941,000; claim was filed on March 4, 2014. (City Attorney)

12/04/14; RECEIVED FROM DEPARTMENT.

12/16/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

141255 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - City to Receive \$759,000]

Resolution approving settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for \$759,000. (City Attorney)

12/08/14; RECEIVED FROM DEPARTMENT.

12/16/14; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

150005 [Settlement or Policy Limits Demand of Unlitigated Claim - Precision Engineering, Inc. - City to Demand or Receive \$11,000,000]

Resolution approving settlement of the unlitigated claim of the City and County of San Francisco against Precision Engineering, Inc., and its carriers for \$11,000,000; or alternatively authorizing the City Attorney to make a binding policy limits demand.

12/22/14; RECEIVED FROM DEPARTMENT.

01/07/15; 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.

Vice Chair Tang, seconded by Supervisor Campos, moved to not disclose the closed session deliberations. The motion carried by the following vote:

Ayes: 3 - Yee, Tang, Campos

ADJOURNMENT

The meeting adjourned at 4:59 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.