

City and County of San Francisco

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



MEETING MINUTES
Thursday, March 5, 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.*

FONTSIZE= +1**Meeting convened**

The meeting convened at 10:02 a.m.

FONTSIZE= +1**REGULAR AGENDA**

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**090207 [Appointment, Golden Gate Bridge, Highway and Transportation
District - Member of the Board of Supervisors]**

Motion appointing Supervisor Michela Alioto-Pier as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, term ending January 31, 2011.

2/24/09, RE-REFERRED to Rules Committee.

Heard in Committee. Speaker: Angela Calvillo, Clerk of the Board.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

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Motion appointing a member of the Board of Supervisors as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, term ending January 31, 2011.

(Supervisor Daly dissented in Committee.)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Chu, Campos

Noes: 1 - Daly

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090057 [Appointment, San Francisco Bay Conservation and Development Commission - David Chiu]

Motion appointing Supervisor Sophie Maxwell, Michela Alioto-Pier or David Chiu, for an indefinite term, to the San Francisco Bay Conservation and Development Commission.

Succeeding Aaron Peskin, seat 1, must be a member of the Board of Supervisors whose district includes within its boundaries lands lying within the San Francisco Bay (Districts 1, 2, 3, 6, and 10), for an indefinite term.

1/23/09, RECEIVED AND ASSIGNED to Rules Committee.

2/12/09, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Tracy Shephard. Amendment of the Whole

2/12/09, CONTINUED AS AMENDED.

2/19/09, AMENDED. Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney; Angela Calvillo, Clerk of the Board. Motion was amended to delete Chris Daly and Eric Mar from the title, line 3.

2/19/09, CONTINUED TO CALL OF THE CHAIR AS AMENDED.

Heard in Committee. Speaker: Angela Calvillo, Clerk of the Board.

AMENDED.

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Motion appointing Supervisor David Chiu, for an indefinite term, to the San Francisco Bay Conservation and Development Commission.

David Chiu, succeeding Aaron Peskin, seat 1, must be a member of the Board of Supervisors whose district includes within its boundaries lands lying within the San Francisco Bay (Districts 1, 2, 3, 6, and 10), for an indefinite term.

(Supervisor Chu dissented in Committee.)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Daly, Campos

Noes: 1 - Chu

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090151 [Appointments, Golden Gate Bridge, Highway and Transportation District - Janet Reilly and Lynne Newhouse Segal]

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

Seat 1, succeeding Janet Reilly, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

Seat 2, succeeding Sabrina Hernandez, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

Seat 3, succeeding Richard Grosboll, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

Seat 4, succeeding Lynne Newhouse Segal, term expired, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

2/3/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Lynne Newhouse Segal; Larry Mazzola, Jr.; David Synder; Tim Paulsman; Michael Terres; Sue Cauthen; male speaker; Mike Hardsman; John Rod; Dick Grosboll; female speaker; John Dorothy; Chris Synder; Jeff Thomas; Hunter Stern.

Appointment of Janet Reilly, seat 1, recommended.

Appointment of Lynne Newhouse Segal, seat 4, recommended.

Seats 2 and 3 were not filled.

PREPARED IN COMMITTEE AS A MOTION.

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Motion appointing Janet Reilly and Lynne Newhouse Segal, terms ending January 31, 2011, to the Golden Gate Bridge Highway and Transportation District.

Janet Reilly, succeeding herself, term expired, seat 1, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

Lynne Newhouse Segal, succeeding herself, term expired, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

RECOMMENDED by the following vote:

Ayes: 3 - Daly, Chu, Campos

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090245 [Appointment, Asthma Task Force - Rondell Lane, M.D.]

Hearing to consider appointment one member, term ending July 1, 2011, to the Asthma Task Force.

Vacant seat, succeeding Natasha Madaris, resigned, seat 1, must be a representative of a community-based organization that provides community-based research or advocacy related to asthma issues in San Francisco and is a voting member, for term ending July 1, 2011.

2/24/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

Appointment of Rondell Lane, M.D., seat 1, recommended.

PREPARED IN COMMITTEE AS A MOTION.

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Motion appointing Rondell Lane, M.D., term ending July 1, 2011, to the Asthma Task Force.

Rondell Lane, M.D., succeeding Natasha Madaris, resigned, seat 1, must be a representative of a community-based organization that provides community-based research or advocacy related to asthma issues in San Francisco and is a voting member, for term ending July 1, 2011.

RECOMMENDED.. by the following vote:

Ayes: 3 - Daly, Chu, Campos

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090244 [Appointments, Library Citizens Advisory Committee - Theodore Bamberger and Houston Garcia]

Hearing to consider appointing two members, terms ending July 18, 2010, to the Library Citizens Advisory Committee.

Vacant seat, succeeding Theodore Bamberger, term expired, seat 12, must be member from the community at large, representative of senior citizens for a two-year term ending July 18, 2010.

Vacant seat, succeeding Douglas Ryan, term expired, seat 14, must be a member from the community at large, representative of youth and children who shall be between the ages of thirteen and twenty-three at the time of appointment, for a two-year term ending July 18, 2010.

2/24/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Theodore Bamberger; Houston Garcia; Sue Cauthen.

Appointment of Theodore Bamberger, seat 12, recommended.

Appointment of Houston Garcia, seat 14, recommended, residency requirement waived.

PREPARED IN COMMITTEE AS A MOTION.

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Motion appointing Theodore Bamberger and Houston Garcia, terms ending July 18, 2010, to the Library Citizens Advisory Committee, residency requirement waived.

Theodore Bamberger, succeeding himself, term expired, seat 12, must be member from the community at large, representative of senior citizens for a two-year term ending July 18, 2010.

Houston Garcia, succeeding Douglas Ryan, term expired, seat 14, must be a member from the community at large, representative of youth and children who shall be between the ages of thirteen and twenty-three at the time of appointment, for a two-year term ending July 18, 2010.

RECOMMENDED.. by the following vote:

Ayes: 3 - Daly, Chu, Campos

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081592 [Appointments, Voting Systems Task Force - Joanne Sanford, Brent Turner, Ka-Ping Yee, Gregory Miller, Beth Mazur, Tim Mayor, Elizabeth Bergman and Roger Donaldson]

Hearing to consider appointing nine members, terms to be determined, to the Voting Systems Task Force.

9 seats being considered

Vacant seat, new assignment, seat 1, must represent good government groups, for two-year term to be determined.

Vacant seat, new assignment, seat 2, must represent good government groups, for two-year term to be determined.

Vacant seat, new assignment, seat 3, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Vacant seat, new assignment, seat 4, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Vacant seat, new assignment, seat 5, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Vacant seat, new assignment, seat 6, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Vacant seat, new assignment, seat 7, must have a background in or knowledge of election

12/16/08, RECEIVED AND ASSIGNED to Rules Committee.

2/19/09, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Elizabeth Bergman; Brent Turner; Daniel Swarzman; Gregory Miller; Tim Mayer; Roger Donaldson.

Heard in Committee. Speakers: Chandra Friese; Beth Mazur; David Swarzman; Ka-Ping Yee; Brent Turner; Richard Matthews; James Soper; Joanne Sanford; Roger Donaldson.

Appointment of Joanne Sanford, seat 1, recommended.

Appointment of Brent Turner, seat 2, recommended, residency requirement waived.

Appointment of Ka-Ping Yee, seat 3, recommended, residency requirement waived.

Appointment of Gregory Miller, seat 4, recommended, residency requirement waived.

Appointment of Beth Mazur, seat 5, recommended.

Appointment of Tim Mayor, seat 6,

PREPARED IN COMMITTEE AS A MOTION.

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Motion appointing Joanne Sanford, Brent Turner, Ka-Ping Yee, Gregory Miller, Beth Mazur, Tim Mayor, Elizabeth Bergman and Roger Donaldson, terms to be determined, to the Voting Systems Task Force, residency requirement waived.

Joanne Sanford, new assignment, seat 1, must represent good government groups, for two-year term to be determined.

Brent Turner, new assignment, seat 2, must represent good government groups, for two-year term to be determined.

Ka-Ping Yee, new assignment, seat 3, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Gregory Miller, new assignment, seat 4, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Beth Mazur, new assignment, seat 5, must have substantial background in computer science or the software or computer industry, for two-year term to be determined.

Tim Mayor, new assignment, seat 6, must have substantial background in computer science or the software or computer industry, for two-year term to be

RECOMMENDED.. by the following vote:

Ayes: 3 - Daly, Chu, Campos

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090037 [Appointments, Mental Health Board - Errol Wishom, Mary Ann Jones and Virginia Wright]

Hearing to consider appointing three members, terms ending January 31, 2010 and January 31, 2012, to the Mental Health Board.

Vacant seat, succeeding John Hines, term expired, seat 12, must be a consumer, for a three-year term ending January 31, 2012.

Vacant seat, succeeding Rebecca Anne Turner, resigned, seat 15, must be health professional, for unexpired portion of a three-year term ending January 31, 2010.

Vacant seat, succeeding Virginia Wright, term expired, seat 16, must be a family member, for a three-year term ending January 31, 2012.

1/7/09, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Amber Robinson Green; Errol Wishom; Mary Ann Jones; Helynn Brooke, Executive Director, Mental Health Board.

PREPARED IN COMMITTEE AS A MOTION.

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Motion appointing Errol Wishom, Mary Ann Jones and Virginia Wright, terms ending January 31, 2010 and January 31, 2012, to the Mental Health Board.

Errol Wishom, succeeding John Hines, term expired, seat 12, must be a consumer, for a three-year term ending January 31, 2012.

Mary Ann Jones, succeeding Rebecca Anne Turner, resigned, seat 15, must be health professional, for unexpired portion of a three-year term ending January 31, 2010.

Virginia Wright, succeeding herself, term expired, seat 16, must be a family member, for a three-year term ending January 31, 2012.

RECOMMENDED.. by the following vote:

Ayes: 3 - Daly, Chu, Campos

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081597 [Rainy Day Reserve] Supervisor Daly

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 9.113.5, to: (1) allow the City to withdraw up to 100 percent of the current balance in the Rainy Day Reserve, not to exceed 20 percent of the projected deficit, in years in which a budgetary deficit of \$250 million or more is projected; (2) require the City to also appropriate to the School District an amount equal to 33 percent of any such withdrawals for the City's benefit, in years in which the School District faces a loss of revenues and significant layoffs; and, (3) eliminate obsolete provisions.

12/16/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/15/2009. 1/26/09, Digest received, 30-day Rule ends February 25, 2009.

1/27/09, ASSIGNED to Rules Committee.

1/27/09, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new title. Response received from Planning Department and Youth Commission on February 9, 2009.

2/19/09, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Robert Harlen; Walter.

2/19/09, CONTINUED TO CALL OF THE CHAIR AS AMENDED. `

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Daly, Chu, Campos

FONTSIZE= +1LITIGATION

FONTSIZE= +1Conference 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

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090117 [Settlement of Lawsuit - Antia Lelaind - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Antia Lelaind against the City and County of San Francisco et al. for \$175,000; the lawsuit was filed on September 22, 2006, in the United States District Court of the Northern District of California, Case No. C06-05870 MHP; entitled Antia Lelaind v. City and County of San Francisco, et al. (City Attorney)

2/10/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Daly, Chu, Campos

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090155 [Settlement of Claim - Deo Dutt - \$98,443.83]

Resolution approving the settlement of unlitigated claim of State Farm Insurance Company as subrogee for Deo Dutt against the City and County of San Francisco for \$98,443.83; claim was filed on October 21, 2008. (City Attorney)

2/10/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Daly, Chu, Campos

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090158 [Settlement of Lawsuit - Mark Boyd - \$85,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Mark Boyd against the City and County of San Francisco for \$85,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

2/11/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Daly, Chu, Campos

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090172 [Settlement of complaint before the Federal Energy Regulatory Commission and approval of Revised Procedures]

Ordinance authorizing settlement of proceedings before the Federal Energy Regulatory Commission in FERC Dockets No. ER05-516-000, et al, initiated by the City against Pacific Gas & Electric Company contesting costs and terms and conditions for the interconnection of City facilities under the Interconnection Agreement with PG&E and approving the Revised Procedures for interconnection of City facilities. (Public Utilities Commission)

2/9/09, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Daly, Chu, Campos

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

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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.

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[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 discussion to the public by the following vote:

Ayes: 3 - Daly, Chu, Campos

FONTSIZE= +1**ADJOURNMENT**