



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

Thursday, March 18, 2010

10:00 AM

City Hall, Committee Room 263

Regular Meeting

MEETING CONVENED

The meeting convened at 10:23 a.m.

Present: 2 - David Campos and Eric Mar

Excused: 1 - Michela Alioto-Pier

REGULAR AGENDA

100259 [Appointments, Pedestrian Safety Advisory Committee - Catherine Liddell, Pi Ra, Richard Rothman, Mari Hunter, Howard Strassner, Dahianna Lopez and Paul Supawanich]

Hearing to consider appointing seven members, terms ending March 28, 2011, and March 28, 2012, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Vacant seat 1, succeeding Catherine Liddell, term expired, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2012.

Vacant seat 2, succeeding Pi Ra, term expired, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2011.

Vacant seat 3, succeeding Richard Rothman, term expired, must be a representative from senior or disability organizations, for the unexpired portion of a two-year term ending March 28, 2011.

Vacant seat 5, succeeding Catherine Liddle, term expired, must be a representative from bicycle or other non-motorized wheeled personal transport organization, for the unexpired portion of a two-year term ending March 28, 2011.

Vacant seat 6, succeeding Howard Strassner, term expired, must be a representative from transit or environmental organization, for the unexpired portion of a two-year term ending March 28, 2012.

Vacant seat 8, succeeding Shirley Bierly, term expired, must be representative from a public health organization, for the unexpired portion of a two-year term ending March 28, 2012.

Vacant seat 10, succeeding William Riggs, term expired, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2012.

03/09/10; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Pi Ra; Richard Rothman; Mari Hunter; Howard Strassner; Paul Supawanich; Dahianna Lopez.

Appointment of Catherine Liddell, seat 1 recommended.

Appointment of Pi Ra, seat 2, recommended.

Appointment of Richard Rothman, seat 3, recommended.

Appointment of Mari Hunter, seat 5, recommended.

Appointment of Howard Strassner, seat 6, recommended.

Appointment of Paul Supawanich, seat 10, recommended.

Appointment of Dahianna Lopez, seat 8, recommended, residency requirement waived.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Catherine Liddell, Pi Ra, Richard Rothman, Mari Hunter, Howard Strassner, Dahianna Lopez and Paul Supawanich, terms ending March 28, 2011, and March 28, 2012, to the Pedestrian Safety Advisory Committee, residency requirement waived. (Clerk of the Board)

Catherine Liddell, seat 1, succeeding herself, term expired, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2012.

Pi Ra, seat 2, succeeding himself, term expired, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2011.

Richard Rothman, seat 3, succeeding himself, term expired, must be a representative from senior or disability organizations, for the unexpired portion of a two-year term ending March 28, 2011.

Mari Hunter, seat 5, succeeding Catherine Liddell, term expired, must be a representative from bicycle or other non-motorized wheeled personal transport organization, for the unexpired portion of a two-year term ending March 28, 2011.

Howard Strassner, seat 6, succeeding himself, term expired, must be a representative from transit or environmental organization, for the unexpired portion of a two-year term ending March 28, 2012.

Dahianna Lopez (residency requirement waived), seat 8, succeeding Shirley Bierly, term expired, must be representative from a public health organization, for the unexpired portion of a two-year term ending March 28, 2012.

Paul Supawanich, seat 10, succeeding William Riggs, term expired, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2012.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

100260 [Appointments, In-Home Supportive Services Public Authority - Patricia Webb, Elva Hernandez, Kelly Dearman, James Illig, Tatiana Kostanian and Ethel Richardson]

Hearing to consider appointing seven members, terms ending March 1, 2012, and March 1, 2013, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Vacant seat 2, succeeding Patricia Webb, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 4, succeeding Elva Hernandez, must be a worker who provides personal assistance services to a consumer, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 5, succeeding Mike Boyd, term expired, must be consumer at-large between the ages of 18 and 60, for the unexpired portion of a three-year term ending March 1, 2012.

Vacant seat 6, succeeding Kelly Dearman, must be a member of the Human Services Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 8, succeeding James Illig, must be a member of the Health Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 9, succeeding Tatiana Kostanian, must be a member of the Mayor's Disability Council, recommended to the Board by the Council, for the unexpired portion of a three-year term ending March 1, 2013.

Vacant seat 10, succeeding Ethel Richardson, must be a consumer over the age of 55, authorized to represent organizations that advocate for aging people with disabilities, for the unexpired portion of a three-year term ending March 1, 2013.

03/09/10; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Patrick Hoctel, In-Home Supportive Services Public Authority; Elva Hernandez; Kelly Dearman; James Illig; Tatiana Kostanian; Ethel Richardson.

Appointment of Patricia Webb, seat 2, recommended.

Appointment of Elva Hernandez, seat 4, recommended, residency requirement waived.

Appointment of Kelly Dearman, seat 6, recommended.

Appointment of James Illig, seat 8, recommended.

Appointment of Tatiana Kostanian, seat 9, recommended.

Appointment of Ethel Richardson, seat 10, recommended.

Seat 5, continued to the call of the chair.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Patricia Webb, Elva Hernandez, Kelly Dearman, James Illig, Tatiana Kostanian and Ethel Richardson, terms ending March 1, 2013, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Patricia Webb, seat 2, succeeding herself, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2013.

Elva Hernandez (residency requirement waived), seat 4, succeeding herself, must be a worker who provides personal assistance services to a consumer, for the unexpired portion of a three-year term ending March 1, 2013.

Kelly Dearman, seat 6, succeeding herself, must be a member of the Human Services Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2013.

James Illig, seat 8, succeeding himself, must be a member of the Health Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2013.

Tatiana Kostanian, seat 9, succeeding herself, must be a member of the Mayor's Disability Council, recommended to the Board by the Council, for the unexpired portion of a three-year term ending March 1, 2013.

Ethel Richardson, seat 10, succeeding herself, must be a consumer over the age of 55, authorized to represent organizations that advocate for aging people with disabilities, for the unexpired portion of a three-year term ending March 1, 2013.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

100261 [Appointment, Urban Forestry Council - Rose Hillson]

Hearing to consider appointing one member, term ending November 18, 2010, to the Urban Forestry Council. (Clerk of the Board)

Vacant seat 6, succeeding Carolyn Blair, resigned, must be a representative of the community, for the unexpired portion of a two-year term ending November 18, 2010.

03/09/10; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Rose Hillson; Matt Czajkowski.

Appointment of Rose Hillson, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Rose Hillson, term ending November 18, 2010, to the Urban Forestry Council. (Clerk of the Board)

Rose Hillson, seat 6, succeeding Carolyn Blair, resigned, must be a representative of the community, for the unexpired portion of a two-year term ending November 18, 2010.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

100293 [Appointments, Shelter Monitoring Committee - Mary Howe and Robert Weber]

Hearing to consider appointing two members, terms ending November 23, 2010, to the Shelter Monitoring Committee. (Clerk of the Board)

Vacant seat 3, succeeding Aubrey Moore, resigned, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2010.

Vacant seat 6, succeeding Amanda Thompson, resigned, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2010.

03/10/10; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Charles Pitts; Male Speaker; Robert Weber; Mr. Wright; Tom Picarello.

Appointment of Mary Howe, seat 3, recommended, residency requirement waived.

Appointment of Robert Weber, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Mary Howe and Robert Weber, terms ending November 23, 2010, to the Shelter Monitoring Committee, residency requirement waived. (Clerk of the Board)

Mary Howe (residency requirement waived), seat 3, succeeding Aubrey Moore, resigned, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2010.

Robert Weber, seat 6, succeeding Amanda Thompson, resigned, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2010.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

090258 [Reports, Shelter Monitoring Committee]

Hearing to consider the quarterly reports of the Shelter Monitoring Committee. (Clerk of the Board) (Pursuant to Article 12-20 of the San Francisco Administrative Code, Ord. No. 283-04, the Committee shall prepare and submit quarterly reports. Original reports are in File No. 051713 and File No. 060377).

02/26/09; RECEIVED AND ASSIGNED to Rules Committee.

08/06/09; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: John Smith.

09/17/09; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Henry Tom, Shelter Monitoring Committee; Bernice Casey; Joanna Fraguli, Mayor's Office of Disability; David Nakanishi, Department of Public Health; Michael D.; Frank Perez; Male Speaker; Quintin Meckie; Male Speaker; Moe Kauff.

Heard in Committee. Speakers: Aram Havslaib, Shelter Monitoring Committee; Joyce Crum, Human Services Agency; Mr. Wright; Male Speaker; Charles Pitts.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

091444 [Creating an Energy Efficiency Steering Committee]**Sponsors: Mar; Campos**

Ordinance amending the San Francisco Administrative Code by adding Article II to Chapter 5, Sections 5.2-1 through 5.2-8, to: create an Energy Efficiency Steering Committee to advise the Board of Supervisors on planning and decision-making regarding energy efficiency projects; provide for the Committee's membership, organization, and duties; and set a sunset date for the Committee.

12/15/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/14/2010.

Heard in Committee. Speakers: Male Speaker; Jean O'Share; Johnny S.; Joshua Arce; Dorsy Nobb.

Supervisor Campos requested to be added as a co-sponsor.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ordinance amending the San Francisco Administrative Code by adding Article II to Chapter 5, Sections 5.2-1 through 5.2-8, to: (1) create an Energy Efficiency Steering Committee to advise the Board of Supervisors on planning and decision-making regarding energy efficiency projects; (2) provide for the Committee's membership, organization, and duties; and (3) set a sunset date for the Committee.

RECOMMENDED by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

100262 [Removal of Tommy Escarcega from the Reentry Council]**Sponsor: Campos**

Motion removing Tommy Escarcega from the Reentry Council.

03/09/10; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jessica Flintoft, Reentry Council; Cheryl Adams, City Attorney's Office; Tommy Escarcega, Reentry Council; Joaquin Diaz de Leon, Reentry Council; Elson Moorme.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

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: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

100178 [Settlement of Lawsuit - F & I Management and D & J Parking, Inc. - \$25,750]

Ordinance authorizing settlement of the lawsuit filed by F & I Management and D & J Parking, Inc., against the City and County of San Francisco for \$25,750; the lawsuit was filed on December 17, 2008, in San Francisco Superior Court, Case No. CGC08-483121; entitled F & I Management and D & J Parking, Inc., et al. v. City and County of San Francisco, et al. (City Attorney)

02/23/10; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

100179 [Settlement of Lawsuit - Vincente V. Vista - \$35,000]

Ordinance authorizing settlement of the lawsuit filed by Vincente V. Vista against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 29, 2008, in San Francisco Superior Court, Case No. 08-478001; entitled Vista v. City and County of San Francisco, et al. (City Attorney)

02/23/10; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

100180 [Settlement of Lawsuit - Thomas Barnes - \$135,000]

Ordinance authorizing settlement of the lawsuit filed by Thomas Barnes against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 13, 2008, in San Francisco Superior Court, Case No. 476-339; entitled Thomas Barnes, et al. v. City and County of San Francisco, et al. (City Attorney)

02/25/10; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

100181 [Settlement of Lawsuit - Elbert Harris - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Elbert Harris, III against the City and County of San Francisco, Robert Thomas, and Larry Bevan for \$100,000 plus reinstatement of Harris as a Certified Nursing Assistant assigned to San Francisco General Hospital; the lawsuit was filed on May 7, 2008, in United States District Court, Case No. CV 08-2353 PJH; entitled Elbert Harris, III v. City and County of San Francisco, et al. (City Attorney)

02/25/10; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar
Excused: 1 - Alioto-Pier

100182 [Settlement of Class Action Lawsuit - Western Regional Advocacy Project, et al.]

Ordinance authorizing settlement of the class action lawsuit entitled Western Regional Advocacy Project et al. v. Mayor Gavin Newsom et al., filed on August 27, 2008, in the United States District Court for the Northern District of California, Case No. CV 08-4087-MMC. Pursuant to the proposed settlement, the City will make revisions to current policies of its single adult emergency shelter system in order to improve services to homeless people with disabilities. (City Attorney)

02/25/10; RECEIVED AND ASSIGNED to Rules Committee.

Speakers: Joyce Crum and Scott Walton.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar
Excused: 1 - Alioto-Pier

100249 [Settlement of Unlitigated Claim – Marlon Miranda - \$75,000]

Resolution approving the settlement of the unlitigated claim filed by Marlon Miranda against the City and County of San Francisco for \$75,000; claim was filed on June 18, 2009. (City Attorney)

03/01/10; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Campos, Mar
Excused: 1 - Alioto-Pier

100250 [Settlement of Unlitigated Claim – Thelma Jefferson - \$200,000]

Resolution approving the settlement of the unlitigated claim filed by Thelma Jefferson against the City and County of San Francisco for \$200,000; claim was filed on September 28, 2009. (City Attorney)

03/01/10; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED..

Ayes: 2 - Campos, Mar
Excused: 1 - Alioto-Pier

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: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 2:09 p.m.