



**City and County of San Francisco**  
**Meeting Minutes - Final**  
**Rules Committee**

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

*Members: Norman Yee, London Breed, Malia Cohen*

*Clerk: Linda Wong (415) 554-7719*

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Thursday, April 18, 2013

1:30 PM

City Hall, Committee Room 263

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**Regular Meeting**

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**Present:** 3 - Norman Yee, London Breed, and Malia Cohen

**MEETING CONVENED**

*The meeting convened at 1:41 p.m.*

**REGULAR AGENDA**

**121102 [Appointments, In-Home Supportive Services Public Authority - Patricia Webb, Kelly Dearman, and Tatiana Kostanian]**

Hearing to consider appointing four members, terms ending March 1, 2016, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Vacant seat 2, succeeding Patricia Webb, term expired, 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, 2016.

Vacant seat 4, succeeding Elva Moran Hernandez, term expired, must be a worker who provides personal assistance services to a consumer, for the unexpired portion of a three-year term ending March 1, 2016.

Vacant seat 6, succeeding Kelly Dearman, term expired, 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, 2016.

Vacant seat 9, succeeding Tatiana Kostanian, term expired, 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, 2016.

04/12/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Elva Hernandez; Tatiana Kostanian; spoke on their qualifications. Patrick Hoctel (In-Home Supportive Services Public Authority); spoke on Patricia Webb and Kelly Dearman's qualifications. Jon Givner (City Attorney's Office); answered questions raised throughout the hearing.*

*Appointment of Patricia Webb, seat 2, recommended.*

*Appointment of Kelly Dearman, seat 6, recommended.*

*Appointment of Tatiana Kostanian, seat 9, recommended.*

*Seat 4 was continued to the call of the Chair.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Patricia Webb, Kelly Dearman, and Tatiana Kostanian, terms ending March 1, 2016, to the In-Home Supportive Services Public Authority. (Clerk of the Board)  
Patricia Webb, seat 2, succeeding herself, term expired, 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, 2016.  
Kelly Dearman, seat 6, succeeding herself, term expired, 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, 2016.  
Tatiana Kostanian, seat 9, succeeding herself, term expired, 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, 2016.

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

Ayes: 3 - Yee, Breed, Cohen

**130330 [Appointment, SOMA Community Stabilization Fund Community Advisory Committee]**

Hearing to consider appointing one member, term ending April 27, 2015, to the SOMA Community Stabilization Fund Community Advisory Committee. (Clerk of the Board)  
Vacant seat 3, succeeding Jazzie Collins, term expired, must be a senior or disabled resident of SOMA, for a two-year term ending April 27, 2015.

04/12/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: None.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**090258 [Hearing - 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.

03/18/10; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Aram Havslaib, Shelter Monitoring Committee; Joyce Crum, Human Services Agency; Mr. Wright; Male Speaker; Charles Pitts.

10/21/10; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Bernice Casey, Shelter Monitoring Committee; Joyce Crum, Human Services Agency; Kathy Treggiari, San Francisco Episcopal Community Services; Svetlana Kaff; Walter Paulson; Jennifer Friedenbach, Coalition on Homelessness; L. J. Serrillo; Charles Pitts.

07/21/11; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: LJ Cirillo (Shelter Monitoring Committee); Joyce Crum (HSA); presented information concerning the matter and answered questions raised throughout the hearing. Tomas Picarello; spoke in opposition of the matter. Kathy Dudar; Kim Armbruster; Female Speaker; Marlon; Charles Pitts; spoke on the matter.

10/11/11; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Charles Pitts; spoke on the matter.

10/20/11; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Matt Luton (Shelter Monitoring Committee); Scott Walton (Human Services Agency); David Nakanishi (Department of Public Health); presented information concerning the matter and answered questions raised throughout the hearing. Walter Paulson; Female Speaker; Charles Pitts; Marlon Mende; Wayne Garnett; spoke neither in support nor against the matter.

03/01/12; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Matt Luton; Bernice Casey (Shelter Monitoring Committee); Bevan Dufty; Joyce Crum (HSA); Marta Rebolledo (DPH); presented information concerning the matter and answered questions raised throughout the hearing. Ken Donson; Male Speaker; spoke on the hearing.

10/18/12; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Ramon A. Lacayo, Matt Luton (Shelter Monitor Committee); Joyce Crum (HSA); presented information concerning the hearing matter. Will Daly; Charles Pitts; spoke on the hearing matter.

*Heard in Committee. Speakers: Nick Kimura, Keith Dennis, and Bernice Casey (Shelter Monitoring Committee); Joyce Crumm (Human Services Agency); presented information concerning the matter and answered questions raised throughout the hearing.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

**130329 [Appointments, Shelter Monitoring Committee - Deborah Muise and Raija Freeman]**

Hearing to consider appointing four members, terms ending November 23, 2014, to the Shelter Monitoring Committee. (Clerk of the Board)

Vacant seat 2, succeeding Jennie Parrilla, resigned, must be homeless or formerly homeless within the 3 years prior to appointment, with a disability, for the unexpired portion of a two-year term ending November 23, 2014.

Vacant seat 4, succeeding Andrew Mendes, resigned, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for the unexpired portion of a two-year term ending November 23, 2014.

Vacant seat 5, succeeding Isaac Langford, 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 and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2014.

Vacant seat 6, succeeding Will Daley, 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, 2014.

04/12/13; RECEIVED AND ASSIGNED to Rules Committee.

*Heard in Committee. Speakers: Deborah Muise; Manai Burgin; Raija Freeman; spoke on their qualifications. Male Speaker; spoke in support of applicants Raija Freeman and Deborah Muise.*

*Joyce Crum (Human Services Agency); spoke in support of applicant Raija Freeman.*

*Appointment of Deborah Muise, seat 2, recommended.*

*Appointment of Raija Freeman, seat 6, recommended, residency requirement waived.*

*Seats 4 and 5 were continued to the call of the Chair.*

**PREPARED IN COMMITTEE AS A MOTION**

Motion appointing Deborah Muise and Raija Freeman, terms ending November 23, 2014, to the Shelter Monitoring Committee, residency requirement waived. (Clerk of the Board)

Deborah Muise, seat 2, succeeding Jennie Parrilla, resigned, must be homeless or formerly homeless within the 3 years prior to appointment, with a disability, for the unexpired portion of a two-year term ending November 23, 2014.

Raija Freeman, seat 6 (residency requirement waived), succeeding Will Daley, 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, 2014.

**RECOMMENDED by the following vote:**

Ayes: 3 - Yee, Breed, Cohen

## LITIGATION

*Public Comment: Harry Lehmann; Dr. Devra Davis; Leslie de Toullandier; James R. Johnson; Maya Cain; Lloyd Morgan; Toni Stein; Rosemary Bensko; Stephanie Thomas; Ellie Marks; Steven Krolik; Brian D.; spoke on File No. 130315.*

### **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 - Yee, Breed, Cohen

#### **130312 [Settlement of Claim - Kerry MacRae - \$275,000]**

Resolution approving the settlement of the unlitigated claim filed by Kerry MacRae against the City and County of San Francisco for \$275,000; claim was filed on April 27, 2012. (Public Works Department)

04/03/13; RECEIVED FROM DEPARTMENT.

04/16/13; RECEIVED AND ASSIGNED to Rules Committee.

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

Ayes: 3 - Yee, Breed, Cohen

#### **130313 [Settlement of Lawsuit - Carlos Benavides Arroliga v. CCSF, et al. - \$250,000]**

Ordinance authorizing settlement of the lawsuit filed by Carlos Benavides Arroliga against the City and County of San Francisco for \$250,000; the lawsuit was filed on September 13, 2011, in San Francisco Superior Court, Case No. CGC-11-514165; entitled Carlos Benavides Arroliga, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney's Office)

04/03/13; RECEIVED FROM DEPARTMENT.

04/16/13; RECEIVED AND ASSIGNED to Rules Committee.

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

Ayes: 3 - Yee, Breed, Cohen

**130314 [Settlement of Lawsuit - Lloyds and Zurich North America v. CCSF - \$80,000]**

Ordinance authorizing settlement of the lawsuit by Zurich American Insurance Company, against the City and County of San Francisco for \$80,000; the lawsuit was filed on January 17, 2013, in San Francisco Superior Court, Case No. CGC-13-528071; entitled Zurich American Insurance Company v. City and County of San Francisco, et al. (City Attorney's Office)

04/03/13; RECEIVED FROM DEPARTMENT.

04/16/13; RECEIVED AND ASSIGNED to Rules Committee.

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

Ayes: 3 - Yee, Breed, Cohen

**130315 [Settlement of Lawsuit - CTIA - The Wireless Association]**

Ordinance authorizing settlement of a lawsuit filed by CTIA against the City and County of San Francisco; the lawsuit was filed on July 23, 2010, in United States District Court, Northern District of California, Case No. 3:10-cv-03224 (WHA); entitled CTIA - The Wireless Association v. City and County of San Francisco; the material terms of said settlement are that: CTIA and the City will enter into a stipulated Final Judgment for the CTIA, including declaratory relief and a permanent injunction against enforcement of the Cell Phone Right-to-Know Law; the City will cease all litigation over the Cell Phone Right-to-Know Law; and, CTIA will waive its claims for attorney's fees. (City Attorney's Office)

04/05/13; RECEIVED FROM DEPARTMENT.

04/16/13; RECEIVED AND ASSIGNED to Rules Committee.

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

Ayes: 3 - Yee, Breed, Cohen

*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, Breed, Cohen

**ADJOURNMENT**

*The meeting adjourned at 3:33 p.m.*