



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

Thursday, December 5, 2013

1:30 PM

City Hall, Committee Room 263

Regular Meeting

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

MEETING CONVENED

The meeting convened at 1:39 p.m.

REGULAR AGENDA

131108 [Appointment, Treasury Oversight Committee - Charles Perl]

Hearing to consider appointing one member, term ending June 5, 2017, to the Treasury Oversight Committee. (Clerk of the Board)

Vacant seat 4, succeeding Todd Rydstrom, term expired, must represent the public at large and a nominee of the Treasurer, for the unexpired portion of a four-year term ending June 5, 2017.

Conditions for Membership:

1. A member of the Committee may not be employed by an entity that had contributed to a reelection campaign of the Treasurer or a member of the Board of Supervisors in the previous three years.
2. A Committee member may not directly or indirectly raise money for the County Treasurer or a member of the Board of Supervisors while a member of the Committee.
3. A Committee member may not secure employment with bond underwriters, bond counsel, security brokerages or dealers, or with financial services firms for three years after leaving the Committee.

11/08/13; RECEIVED AND ASSIGNED to Rules Committee.

11/21/13; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Greg Kato (Office of the Treasurer and Tax Collector); presented information concerning the matter and answered questions raised throughout the hearing.

Heard in Committee. Speakers: Greg Kato (Office of the Treasurer and Tax Collector); spoke in support of applicant Charles Perl. Charles Perl; spoke on his qualifications.

Appointment of Charles Perl, seat 4, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Charles Perl, term ending June 5, 2017, to the Treasury Oversight Committee. (Clerk of the Board)

Charles Perl, seat 4, succeeding Todd Rydstrom, term expired, must represent the public at large and a nominee of the Treasurer, for the unexpired portion of a four-year term ending June 5, 2017.

Conditions for Membership:

1. A member of the Committee may not be employed by an entity that had contributed to a reelection campaign of the Treasurer or a member of the Board of Supervisors in the previous three years.
2. A Committee member may not directly or indirectly raise money for the County Treasurer or a member of the Board of Supervisors while a member of the Committee.
3. A Committee member may not secure employment with bond underwriters, bond counsel, security brokerages or dealers, or with financial services firms for three years after leaving the Committee.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Yee, Breed

Absent: 1 - Cohen

131103 [Appointment, Child Care Planning Advisory Council - Deepa Mehta]

Hearing to consider appointing one member, term ending March 19, 2016, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Vacant seat 6, succeeding Deepa Mehta, term expired, must be a nominee of District 6 Supervisor, must be a consumer or a child care provider, for the unexpired portion of a three-year term ending March 19, 2016.

11/08/13; RECEIVED AND ASSIGNED to Rules Committee.

11/21/13; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Deepa Mehta; spoke on her qualifications. Erica Maybaum (Child Care Planning and Advisory Council); spoke in support of applicant Deepa Mehta.

Heard in Committee. Speakers: None.

Appointment of Deepa Mehta, seat 6, recommended, residency requirement waived.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Deepa Mehta, term ending March 19, 2016, to the Child Care Planning and Advisory Council, residency requirement waived. (Clerk of the Board)

Deepa Mehta, residency requirement waived, seat 6, succeeding herself, term expired, must be a nominee of District 6 Supervisor and a consumer or a child care provider, for the unexpired portion of a three-year term ending March 19, 2016.

RECOMMENDED by the following vote:

Ayes: 2 - Yee, Breed

Absent: 1 - Cohen

131166 [Appointment, Public Utilities Revenue Bond Oversight Committee - Marina Pelosi]

Hearing to consider appointing one member, term ending January 1, 2016, to the Public Utilities Revenue Bond Oversight Committee. (Clerk of the Board)

Vacant seat 2, succeeding Larry Liederman, term expired, must have expertise, skills and experience in economics, the environment, construction or project management, for the unexpired portion of a term ending January 1, 2016.

11/22/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Marina Pelosi; spoke on her qualifications.

Appointment of Marina Pelosi, seat 2, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Marina Pelosi, term ending January 1, 2016, to the Public Utilities Revenue Bond Oversight Committee. (Clerk of the Board)

Marina Pelosi, seat 2, succeeding Larry Liederman, term expired, must have expertise, skills and experience in economics, the environment, construction or project management, for the unexpired portion of a term ending January 1, 2016.

RECOMMENDED by the following vote:

Ayes: 2 - Yee, Breed

Absent: 1 - Cohen

130910 [Appointment, SOMA Community Stabilization Fund Community Advisory Committee - John Elberling]

Hearing to consider appointing one member, term ending April 27, 2014, to the SOMA Community Stabilization Fund Community Advisory Committee. (Clerk of the Board)

Vacant seat 6, succeeding Bernadette Sy, term expired, must provide direct services to SOMA families, for the unexpired portion of a two-year term ending April 27, 2014.

09/20/13; RECEIVED AND ASSIGNED to Rules Committee.

10/31/13; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

Heard in Committee. Speakers: April Veneracion Ang (Office of Supervisor Jane Kim); spoke in support of applicant John Elberling. John Elberling; spoke on his qualifications. Appointment of John Elberling, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing John Elberling, term ending April 27, 2014, to the SOMA Community Stabilization Fund Community Advisory Committee. (Clerk of the Board)

John Elberling, seat 6, succeeding Bernadette Sy, term expired, must provide direct services to SOMA families, for the unexpired portion of a two-year term ending April 27, 2014.

RECOMMENDED by the following vote:

Ayes: 2 - Yee, Breed

Absent: 1 - Cohen

Supervisor Cohen was noted present at 1:54 p.m.

131101 [Appointment, Commission on the Aging Advisory Council - Diane Lawrence]

Hearing to consider appointing one member, term ending March 31, 2014, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Vacant seat 5, succeeding Gracia Wiarda, term expired, must be a nominee of District 4 Supervisor, for the unexpired portion of a two-year term ending March 31, 2014.

11/08/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Diane Lawrence; spoke on her qualifications. Appointment of Diane Lawrence, seat 5, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Diane Lawrence, term ending March 31, 2014, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Diane Lawrence, seat 5, succeeding Gracia Wiarda, term expired, must be a nominee of District 4 Supervisor, for the unexpired portion of a two-year term ending March 31, 2014.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Breed, Cohen

131107 [Appointments, In-Home Supportive Services Public Authority - Patricia Wooley and Judith Karshmer]

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

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

Vacant seat 8, succeeding James Illig, resigned, must be a member of the Health Commission, recommended to the Board by the Commission, for a three-year term ending March 1, 2016.

11/08/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Patricia Wooley; Judith Karshmer; spoke on their qualifications.

Patrick Hoctel (In-Home Supportive Services Public Authority); spoke in support of the applicants.

Appointment of Patricia Wooley, seat 4, recommended.

Appointment of Judith Karshmer, seat 8, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Patricia Wooley and Judith Karshmer, terms ending March 1, 2016, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

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

Judith Karshmer, seat 8, succeeding James Illig, resigned, must be a member of the Health Commission, recommended to the Board by the Commission, for a three-year term ending March 1, 2016.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Breed, Cohen

130741 [Appointments, Workforce Investment Community Advisory Committee - Douglas Parrish and Dion Jay Brookter]

Hearing to consider appointing two members, terms ending February 19, 2014, and February 19, 2015, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)
Vacant seat 3, succeeding Doug Parrish, term expired, must be a staff and/or Board member of a 501(c)3 organization, for the unexpired portion of a two-year term ending February 19, 2015. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment.

Vacant seat 4, succeeding Sheryl Davis, resigned, must be a staff and/or Board member of a 501(c)3 organization, for the unexpired portion of a two-year term ending February 19, 2014. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment.

07/12/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Douglas Parrish; Lai Yu Lily Wong; spoke on their qualifications. Tim Waters (Young Community Developers, Inc.); spoke on applicant Dion Jay Brookter's qualifications.

Appointment of Douglas Parrish, seat 3, recommended.

Supervisor Cohen moved to recommend the appointment of Dion Jay Brookter, seat 4, and to waive the residency requirement. The motion carried by the following vote:

Ayes: 2 - Breed, Cohen

No: 1 - Yee

Supervisor Breed moved to recind the previous vote. The motion carried by the following vote:

Ayes: 3 - Yee, Breed, Cohen

Supervisor Breed moved to waive the residency requirement for Dion Jay Brookter. The motion carried by the following vote:

Ayes: 2 - Breed, Cohen

No: 1 - Yee

Supervisor Breed moved to recommend the appointment of Dion Jay Brookter, seat 4. The motion carried by the following vote:

Ayes: 3 - Yee, Breed, Cohen

Appointment of Dion Jay Brookter, seat 4, recommended, residency requirement waived.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Doug Parrish, term ending February 19, 2015, and Dion Jay Brookter, term ending February 19, 2014, residency requirement waived, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Doug Parrish, seat 3, succeeding himself, term expired, must be a staff and/or Board member of a 501(c)3 organization, for the unexpired portion of a two-year term ending February 19, 2015. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment.

Dion Jay Brookter, seat 4, residency requirement waived, succeeding Sheryl Davis, resigned, must be a staff and/or Board member of a 501(c)3 organization, for the unexpired portion of a two-year term ending February 19, 2014. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment.

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Breed, Cohen

131165 [Appointments, Immigrant Rights Commission - Kathleen Coll, Mario Paz, Celine Kennelly, Felix Fuentes, Melba Maldonado, and T. Toye Moses]

Hearing to consider appointing six members, terms ending June 6, 2015, to the Immigrant Rights Commission. (Clerk of the Board)

Vacant seat 4, succeeding Kathleen Coll, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

Vacant seat 6, succeeding Mario Paz, term expired, shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

Vacant seat 7, succeeding Celine Kennelly, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

Vacant seat 8, succeeding Felix Fuentes, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

Vacant seat 10, succeeding Melba Maldonado, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

Vacant seat 11, succeeding Toye Moses, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

11/22/13; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Adrienne Pon (Immigrant Rights Commission); Jon Givner (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing. Kathleen Coll; Phil Asgedom; Mario Paz; Celine Kennelly; Felix Fuentes; Melba Maldonado; T. Toye Moses; spoke on their qualifications. Linda Richardson; Everett Brandon; Carl Williams; spoke in support of applicant T. Toye Moses. Andy McCarthy; spoke in support of various applicants.

Appointment of Kathleen Coll, seat 4, recommended.

Appointment of Mario Paz, seat 6, recommended, residency requirement waived.

Appointment of Celine Kennelly, seat 7, recommended.

Appointment of Felix Fuentes, seat 8, recommended.

Appointment of Melba Maldonado, seat 10, recommended, residency requirement waived.

Appointment of T. Toye Moses, seat 11, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Kathleen Coll, Mario Paz, Celine Kennelly, Felix Fuentes, Melba Maldonado, and T. Toye Moses, terms ending June 6, 2015, to the Immigrant Rights Commission, residency requirement waived. (Clerk of the Board)

Kathleen Coll, seat 4, succeeding herself, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

Mario Paz, seat 6, residency requirement waived, succeeding himself, term expired, shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

Celine Kennelly, seat 7, succeeding herself, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

Felix Fuentes, seat 8, succeeding himself, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

Melba Maldonado, seat 10, residency requirement waived, succeeding himself, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

T. Toye Moses, seat 11, succeeding himself, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2015.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Breed, Cohen

LITIGATION

Speaker: Male Speaker; spoke neither in support nor opposition to File No. 131112.

Conference with City Attorney

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. Administrative Code Section 67.10(d) permits 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

131058 [Tax Collector Attorney - File Suit Against Responsible Relatives to Recover Value of Services Rendered at Hospital Facilities]

Resolution authorizing the Tax Collector Attorney to file suit against responsible relatives to recover value of services rendered at hospital facilities operated by the Department of Public Health. (Treasurer-Tax Collector)

10/25/13; RECEIVED FROM DEPARTMENT.

11/05/13; RECEIVED AND ASSIGNED to Rules Committee.

11/21/13; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Jon Givner (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing.

Heard in Closed Session. Speakers: Stephanie Profitt and Debra Lew (Treasurer and Tax Collector's Office); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Breed, Cohen

131112 [Settlement of Unlitigated Claim - United States of America (U.S. Coast Guard) - \$973,287.38]

Resolution approving the settlement of the unlitigated claim by the United States of America (U.S. Coast Guard) against the City and County of San Francisco for \$973,287.38; claim was served on June 5, 2012. (City Attorney's Office)

11/15/13; RECEIVED FROM DEPARTMENT.

11/26/13; RECEIVED AND ASSIGNED to Rules Committee.

CONTINUED TO CALL OF THE CHAIR 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 4:27 p.m.