



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 Miller (415) 554-4447

Thursday, January 16, 2014

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Norman Yee, Katy Tang, and David Campos

MEETING CONVENED

The meeting convened at 1:35 p.m.

REGULAR AGENDA

130402 [Health, Business and Tax Regulations Codes - Safe Body Art]

Ordinance amending the Health Code by repealing miscellaneous sections relating to tattooing and adding Article 40 to require body art practitioners to register with the Department of Public Health (DPH) and to annually renew registration, and to require permanent and temporary body art facilities to obtain and annually renew permits with DPH; amending the Business and Tax Regulations Code by adding fees relating to body art permits and licenses; and making environmental findings. (Public Health Department)

05/02/13; RECEIVED FROM DEPARTMENT.

05/14/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

05/14/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/01/13; RESPONSE RECEIVED. Response received from the Planning Department.

10/03/13; RECOMMENDED. Heard in Committee. Speakers: Richard Lee (Department of Public Health); Jon Givner (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing. Paul Stoll (Body Manipulations); spoke in opposition to the hearing matter.

(Note: Per Richard Lee, Department of Public Health, a fee ad is not required for this Ordinance.)

10/22/13; RE-REFERRED to Rules Committee.

Heard in Committee. Speaker: Dr. Johnson Ojo (Department of Public Health); presented information concerning the matter and answered questions raised throughout the hearing.

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

Ayes: 3 - Yee, Tang, Campos

CONTINUED AS AMENDED to February 6, 2014, by the following vote:

Ayes: 3 - Yee, Tang, Campos

131100 [Appointments, Airport Facilities Naming Advisory Committee - Alex Walker and Nick Smith]

Hearing to consider appointing two members, for indefinite terms, to the Airport Facilities Naming Advisory Committee. (Clerk of the Board)

Vacant seat 8, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

Vacant seat 9, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

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

11/21/13; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

Heard in Committee. Speakers: Alex Walker; Nick Smith; spoke on their qualifications.

Appointment of Alex Walker, seat 8, recommended.

Appointment of Nick Smith, seat 9, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Alex Walker and Nick Smith, for indefinite terms, to the Airport Facilities Naming Advisory Committee. (Clerk of the Board)

Alex Walker, seat 8, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

Nick Smith, seat 9, new appointment, must be a member of the public, and must not be a member of any other board or commission of the City, for an indefinite term.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

131109 [Appointment, San Francisco Health Authority - John Gressman]

Hearing to consider appointing two members, terms ending January 15, 2015, to the San Francisco Health Authority. (Clerk of the Board)

Vacant seat 5, succeeding Allen Meyer, resigned, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the San Francisco Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2015.

Vacant seat 11, succeeding Tracey Faulkner, term expired, must be a nominee of the Health Authority Beneficiary Advisory Committee, at least one of whom shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2015.

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

Heard in Committee. Speaker: Sumi Sousa (Department of Public Health); presented information concerning the matter and answered questions raised throughout the hearing.

Appointment of John Gressman, seat 5, recommended.

Seat 11 was Continued to the Call of the Chair.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing John Gressman, term ending January 15, 2015, to the San Francisco Health Authority. (Clerk of the Board)

John Gressman, seat 5, succeeding Allen Meyer, resigned, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the San Francisco Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2015.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

140004 [Appointment, Small Business Commission - Kathleen Dooley]

Hearing to consider appointing one member, term ending January 6, 2018, to the Small Business Commission. (Clerk of the Board)

Vacant seat 2, succeeding Kathleen Dooley, term expired, must be an owner, operator, or officer of a San Francisco small business, for the the unexpired portion of a four-year term ending January 6, 2018.

01/03/14; ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Kathleen Dooley; spoke on her qualifications. John Todgya (B&B Pet Supplies); Kiernan; Susan Landry; Shell Thomas; Marsha Garland; Stephanie Greenberg; Pam Able; spoke in support of Kathleen Dooley. Stephen Castellano; Walter Paulson; spoke on various concerns regarding the appointment.

Appointment of Kathleen Dooley, seat 2, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Kathleen Dooley, term ending January 6, 2018, to the Small Business Commission. (Clerk of the Board)

Kathleen Dooley, seat 2, succeeding Kathleen Dooley, term expired, must be an owner, operator, or officer of a San Francisco small business, for the the unexpired portion of a four-year term ending January 6, 2018.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

140005 [Appointment, Balboa Park Station Community Advisory Committee - Gwynn Kaliher-Mackellen]

Hearing to consider appointing two members, terms ending January 9, 2015, to the Balboa Park Station Community Advisory Committee. (Clerk of the Board)

Vacant seat 1, succeeding Nicole Agbayani, resigned, must represent Muni riders' interests in the neighborhoods served by Balboa Park Station, for the unexpired portion of a two-year term ending January 9, 2015.

Vacant seat 6, succeeding Catherine Hicken, resigned, must represent community and economic development in the neighborhoods served by Balboa Park Station, for the unexpired portion of a two-year term ending January 9, 2015.

01/03/14; ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor John Avalos (Board of Supervisors); spoke in support of Gwynn Kaliher-Mackellen. Walter Paulson; spoke on various concerns regarding the appointments.

Appointment of Gwynn Kaliher-Mackellen, seat 6, recommended.

Seat 1 was Continued to the Call of the Chair.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Gwynn Kaliher-Mackellen, term ending January 9, 2015, to the Balboa Park Station Community Advisory Committee. (Clerk of the Board)

Gwynn Kaliher-Mackellen, seat 6, succeeding Catherine Hicken, resigned, must represent community and economic development in the neighborhoods served by Balboa Park Station, for the unexpired portion of a two-year term ending January 9, 2015.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

140006 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Julie Leadbetter]

Hearing to consider appointing one member, term ending October 19, 2015, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)

Vacant seat 8, succeeding Wendy Phillips, term expired, must be nominated by District 9 Supervisor and confirmed by the full Board, for the unexpired portion of a two-year term ending October 19, 2015.

01/03/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Julie Leadbetter; spoke on her qualifications. Walter Paulson; spoke on various concerns regarding the appointments.

Appointment of Julie Leadbetter, seat 8, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Julie Leadbetter, term ending October 19, 2015, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)

Julie Leadbetter, seat 8, succeeding Wendy Phillips, term expired, must be nominated by District 9 Supervisor and confirmed by the full Board, for the unexpired portion of a two-year term ending October 19, 2015.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

140007 [Appointment, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - Robert Marquez]

Hearing to consider appointing one member, term ending August 2, 2017, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Clerk of the Board)

Vacant seat 6, succeeding Robert Marquez, term expired, must represent a community-based organization or provide direct services to the Central Market Street and Tenderloin Area or adjacent area, for the unexpired portion of a four-year term ending August 2, 2017.

01/03/14; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Robert Marquez; spoke on his qualifications. Walter Paulson; spoke on various concerns regarding the appointments.

Appointment of Robert Marquez, seat 6, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Robert Marquez, term ending August 2, 2017, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Clerk of the Board)

Robert Marquez, seat 6, succeeding Robert Marquez, term expired, must represent a community-based organization or provide direct services to the Central Market Street and Tenderloin Area or adjacent area, for the unexpired portion of a four-year term ending August 2, 2017.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

LITIGATION

Speakers: None.

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, Tang, Campos

131112 [Settlement of 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)

11/15/13; RECEIVED FROM DEPARTMENT.

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

12/05/13; CONTINUED TO CALL OF THE CHAIR.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

131179 [Settlement of Lawsuit - John Wettstein - \$247,500]

Ordinance authorizing settlement of the lawsuit filed by John Wettstein against the City and County of San Francisco by payment of up to \$247,500; the lawsuit was filed on October 28, 2011, in the San Francisco Superior Court and removed to U.S. District Court, Northern District of California, on November 10, 2011, Case No. C11-5484-CRB; entitled John Wettstein v. City and County of San Francisco, et al. (City Attorney)

11/26/13; RECEIVED FROM DEPARTMENT.

12/10/13; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

131180 [Settlement of Lawsuit - Danilo Martin Molieri and Daniel Steven Molieri - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Danilo Martin Molieri and Daniel Steven Molieri against the City and County of San Francisco for \$40,000; the lawsuit was filed on December 1, 2010, in United States District Court, Case No. CV10-5430 MMC; entitled Danilo Martin Molieri, et al., v. City and County of San Francisco, et al. (City Attorney)

11/26/13; RECEIVED FROM DEPARTMENT.

12/10/13; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Yee, Tang, Campos

131181 [Settlement of Lawsuit - Ricky Rein - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Ricky Rein against the City and County of San Francisco for \$100,000; the lawsuit was filed on November 30, 2012, in San Francisco Superior Court, Case No. CGC-12-523533; entitled Ricky Rein v. City and County of San Francisco, et al. (City Attorney)

11/26/13; RECEIVED FROM DEPARTMENT.

12/10/13; 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.

Unanimous vote not to disclose by the following vote:

Ayes: 3 - Yee, Tang, Campos

ADJOURNMENT

The meeting adjourned at 3:01 p.m.