



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: Jane Kim, Mark Farrell, David Campos

Clerk: Linda Wong (415) 554-7719

Thursday, June 7, 2012

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Jane Kim, Mark Farrell, and David Campos

AGENDA CHANGES

REGULAR AGENDA

120575 [Appointment, Commission on the Aging Advisory Council]

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

Vacant seat 7, succeeding Ken Prag, term expired, must be a nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2014.

05/30/12; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Francisco Da Costa; Pastor Gavin; Supervisor Scott Wiener (Board of Supervisors); spoke neither in support nor opposition to the appointment.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120579 [Appointments, Balboa Park Station Community Advisory Committee - Catherine Hickey, Scott Falcone, and Robert Muehlbauer]

Hearing to consider appointing five members, for terms to be determined, to the Balboa Park Station Community Advisory Committee. (Clerk of the Board)

Vacant seat 1, new appointment, must represent Muni riders' interests in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Vacant seat 2, new appointment, must represent BART riders' interests in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Vacant seat 3, new appointment, must represent pedestrians' and bicycles' interests in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Vacant seat 4, new appointment, must represent students, faculty and staff (particularly from City College or other area schools) in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Vacant seat 5, new appointment, must represent the senior/disabled community in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Vacant seat 6, new appointment, must represent the community and economic development in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Vacant seat 7, new appointment, must be from a land use and housing group in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Vacant seat 8, new appointment, must represent youth and families in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Vacant seat 9, new appointment, must represent neighborhood residents' interests in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

05/30/12; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Robert Muehlbauer; Scott Falcone; Catherine Hickey; spoke on their qualifications. Francisco Da Costa; Pastor Gavin; spoke neither in support nor opposition to the applicants.

Appointment of Catherine Hickey, seat 6, recommended, residency requirement waived.

Appointment of Scott Falcone, seat 7, recommended.

Appointment of Robert Muehlbauer; seat 9, recommended.

Seats 1, 2, 3, 4, 5, and 8 were continued to the Call of the Chair

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Catherine Hickey (residency requirement waived), Scott Falcone, and Robert Muehlbauer, for terms to be determined, to the Balboa Park Station Community Advisory Committee. (Clerk of the Board)

Catherine Hickey (residency requirement waived,) seat 6, new appointment, must represent the community and economic development in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Scott Falcone, seat 7, new appointment, must be from a land use and housing group in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Robert Muehlbauer, seat 9, new appointment, must represent neighborhood residents' interests in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120584 [Appointments, Sweatfree Procurement Advisory Group - Heather Franzese and Daniel Marroquin]

Hearing to consider appointing two members, terms ending December 17, 2013, to the Sweatfree Procurement Advisory Group. (Clerk of the Board)

Vacant seat 2, succeeding Alicia Culver, term expired, must have significant experience acquiring goods or services for a public entity, for the unexpired portion of a two-year term ending December 17, 2013.

Vacant seat 3, succeeding Eleanor Morton, term expired, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a two-year term ending December 17, 2013.

05/30/12; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Heather Franzese; Daniel Marroquin; spoke on their qualifications. Nikki Teasving; Francisco Da Costa; spoke in support of applicant Daniel Marroquin. Pastor Gavin; urged the Committee to continue the matter.

Appointment of Heather Franzese, seat 2, recommended.

Appointment of Daniel Marroquin, seat 3, recommended.

PREPARED IN COMMITTEE AS A MOTION

Motion appointing Heather Franzese and Daniel Marroquin, terms ending December 17, 2013, to the Sweatfree Procurement Advisory Group. (Clerk of the Board)

Heather Franzese, seat 2, succeeding Alicia Culver, term expired, must have significant experience acquiring goods or services for a public entity, for the unexpired portion of a two-year term ending December 17, 2013.

Daniel Marroquin, seat 3, succeeding Eleanor Morton, term expired, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a two-year term ending December 17, 2013.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120349 [Appointments, San Francisco Health Authority]

Hearing to consider appointing four members, terms ending January 15, 2013 and January 15, 2015, to the San Francisco Health Authority. (Clerk of the Board)

Vacant seat 3, succeeding Susan Currin, term expired, must be a senior manager of San Francisco General Hospital, for the unexpired portion of a three-year term ending January 15, 2015.

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

Vacant seat 6, succeeding Eddie Chan, term expired, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2013.

Vacant seat 14, succeeding Sharon Kotabe, resigned, must be a nominee of SF Pharmacy Leadership Group, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2015.

04/10/12; RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Susan Currin; Eddie Chan; David Woods; spoke on their qualifications. Francisco Da Costa; Aileen Hanson; Pastor Gavin; spoke in opposition to the applicants.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Kim, Farrell, Campos

111330 [Charter Amendment - Consolidating Odd-Year Municipal Elections]**Sponsor: Wiener**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, and Article XVII to: 1) change the election cycle for the offices of City Attorney and Treasurer so that these offices will be elected in the same years as the elections for the offices of Mayor, District Attorney, and Sheriff; and 2) to amend the definition of general municipal election so that such elections occur only in even-numbered years and every other odd-numbered year.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2012.

01/26/12; RECOMMENDED. Heard in Committee. Speakers: Supervisor Scott Wiener (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Richard Rothman; spoke in support of the matter. Steven Hill; spoke in opposition to the matter.

02/07/12; CONTINUED. Supervisor Wiener, seconded by Supervisor Cohen, moved that this Charter Amendment be DUPLICATED, AMENDED, and CONTINUED AS AMENDED to February 14, 2012. The motion FAILED by the following vote:

Ayes: 1 - Wiener

Noes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague

Excused: 1 - Campos

02/14/12; AMENDED.

02/14/12; RE-REFERRED AS AMENDED to Rules Committee.

Supervisor Scott Wiener (Board of Supervisors); presented information concerning the matter. Pastor Gavin; spoke in opposition to the matter.

RECOMMENDED by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120210 [Hearing - Campaign Finance Reform Ordinance and its Enforcement by the Ethics Commission]**Sponsor: Campos**

Hearing on the efficacy of the Campaign Finance Reform Ordinance and the Ethics Commission's enforcement of the law.

02/28/12; RECEIVED AND ASSIGNED to Rules Committee.

Supervisor Scott Wiener (Board of Supervisors); Mabel Ng (Ethics Commission); Fred Brousseau, Ian Hart (Office of the Budget Analysts); presented information concerning the hearing matter. Francisco Da Costa; Richard Knee; Female Speaker; Larry Bush; Bob Dockendorff; Paul Melbostad; Oliver Luby; Charles Marsteller; Joni Eisen; Michael Kramer; Hulda Garfalo; Bob Planthole; Pastor Gavin; spoke on the matter.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Kim, Farrell, Campos

111275 [Campaign and Governmental Conduct Code - Campaign Finance Reform Ordinance]**Sponsor: Wiener**

Ordinance amending the Campaign and Governmental Conduct Code, Campaign Finance Reform Ordinance, Article I, Chapter 1 to: 1) modify and streamline disclaimer and reporting requirements for candidates and third parties raising and spending funds in local elections; 2) require the Ethics Commission to provide public notice when thresholds are met; 3) eliminate the overall contribution limit on contributions to all candidates on the ballot in a single election; and 4) make various reporting and disclaimer requirements parallel to requirements in State law.

11/22/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/22/2011.

11/30/11; REFERRED TO DEPARTMENT. Referred to the Ethics Commission for comment and recommendation.

Heard in Committee. Speakers: Supervisor Scott Wiener (Board of Supervisors); presented information concerning the matter. Esther Marks; Eileen Hansen; Laim Buel; Bob Dockendorff; Oliver Luby; Sue Vaughan; Paul Melbostad; Bob Planthold; Charles Marsteller; Francisco Da Costa; Richard Knee; Joannie Isan; spoke on the matter.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Kim, Farrell, Campos

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.

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.

Speakers: None.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120576 [Settlement of Lawsuit - State Farm Gen. Ins. Co. v. CCSF - \$37,500]

Ordinance authorizing settlement of the lawsuit filed by State Farm Gen. Ins. Co. against the City and County of San Francisco for \$37,500; the lawsuit was filed on March 25, 2010, in Superior Court of the State of California, Case No. CGC-10-498127; entitled State Farm Gen. Ins. Co. v. City and County of San Francisco. (City Attorney)

05/24/12; RECEIVED FROM DEPARTMENT.

06/05/12; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120577 [Settlement of Lawsuit - Anderson v. CCSF - \$62,500]

Ordinance authorizing settlement of the lawsuit filed by Phyllis Anderson against the City and County of San Francisco for \$62,500; the lawsuit was filed on April 1, 2010, in San Francisco Superior Court, Case No. CGC-09-498287; entitled Phyllis Anderson v. Laguna Honda Hospital, City and County of San Francisco, and Does 1-50, inclusive. (City Attorney)

05/24/12; RECEIVED FROM DEPARTMENT.

06/05/12; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

120578 [Settlement of Alleged Violations of the North American Electric Reliability Corporation Standards and Payment of a \$50,000 Penalty]

Resolution approving a settlement of the unlitigated Notice of Alleged Violation filed by the Western Electricity Coordinating Council against Hetch Hetchy Water and Power on September 30, 2011, with respect to alleged violations of the North American Electric Reliability Corporation Reliability Standards. (City Attorney)

05/21/12; RECEIVED FROM DEPARTMENT.

06/05/12; RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Kim, Farrell, Campos

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

[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 - Kim, Campos

Absent: 1 - Farrell

ADJOURNMENT

The meeting adjourned at 4:42 p.m.