



City and County of San Francisco
Meeting Minutes
Government Audit and Oversight Committee

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

Members: Jane Kim, Aaron Peskin, London Breed

Clerk: John Carroll (415) 554-4445

Wednesday, October 18, 2017

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Jane Kim, Aaron Peskin, and London Breed

The Government Audit and Oversight Committee met in regular session on October 18, 2017, with Chair Jane Kim presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Kim called the meeting to order at 10:01 a.m. On the call of the roll, Chair Kim and Vice Chair Peskin were noted present. Member Breed was noted not present. There was a quorum.

Member Breed was noted present at 10:03 a.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

170993 [Lower Polk Community Benefit District - Annual Report for FY2015-2016]

Sponsor: Peskin

Resolution receiving and approving an annual report for the Lower Polk Community Benefit District for FY2015-2016, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

09/12/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/18/17; REFERRED TO DEPARTMENT. Referred to the Office of the Controller and the Office of Economic and Workforce Development for informational purposes.

Heard in Committee. Speakers: Chris Corgas (Office of Economic and Workforce Development); Christian Martin, Executive Director (Lower Polk Community Benefit District); presented information and answered questions raised throughout the discussion. Ace Washington; spoke neither in support nor against the hearing matter.

Vice Chair Peskin, seconded by Member Breed, moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Breed

160975 [Hearing - Building Standards in Seismic Safety Zones]**Sponsor: Peskin**

Hearing on existing building standards in seismic safety zones, including infill and waterfront neighborhoods; and requesting the Department of Building Inspection to report.

09/06/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/12/16; REFERRED TO DEPARTMENT. Referred to the Department of Building Inspection for informational purposes and requested the department to report.

09/22/16; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Tom Hui, Director, Ronald Tom, William Strawn, Gary Ho, Daniel Lowry, Ed Sweeney, and Hanson Tom (Department of Building Inspection); Raymond Lui; (Public Works); Patrick Otellini (Office of the City Administrator); presented information and answered questions raised throughout the discussion. Denis Shanagher, Esq. (Duane Morris LLP), Evette Davis (BergDavis Public Affairs); Female Speaker; Female Speaker; Nina Agavian; Male Speaker; spoke on various concerns relating to the hearing matter.

10/28/16; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Director Tom Hui, William Strawn, Hanson Tom, Raymond Lui, Ed Sweeney, and Daniel Lowry (Department of Building Inspection); presented information and answered questions raised throughout the discussion. Frank Jernigan; spoke on various concerns relating to the hearing matter.

11/17/16; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Director Tom Hui, Daniel Lowry, and Ronald Tom (Department of Building Inspection); Frank Chiu, former Director of Department of Building Inspection; Hanson Tom and Gary Ho (Department of Building Inspection); David Briggs (San Francisco Public Utilities Commission); presented information and answered questions raised throughout the discussion. Janet Campbell; spoke on various concerns relating to the hearing matter.

01/12/17; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Naomi Kelly, City Administrator (Office of the City Administrator); Ronald Tom (Department of Building Inspection); Tomio Takeshita and Brian Kuhn (Public Utilities Commission); presented information and answered questions raised throughout the discussion. Mr. Dodson; Andrew Faulk; spoke on various concerns relating to the hearing matter.

02/02/17; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Professor Jack Moehle (University California Berkeley); Ronald Tom (Department of Building Inspection); presented information and answered questions raised throughout the discussion. Pat Dotson; Mia Omola; spoke on various concerns relating to the hearing matter.

04/28/17; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Hardip Pannu; Ronald Tom (Department of Building Inspection); Naomi Kelly, City Administrator (Office of the City Administrator); presented information and answered questions raised throughout the discussion.

08/01/17; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Naomi Kelly, City Administrator (Office of the City Administrator); Gregory Deierlein, Professor (Stanford University); William Strawn (Department of Building Inspection); presented information and answered questions raised throughout the discussion. Jerry Dodson; Paula Pretlow; Robert Mezzetti; David Castleman; Pat Dodson; Male Speaker; spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Ronald Tom (Department of Building Inspection); Angela Calvillo, Clerk of the Board (Board of Supervisors); Derrick Roorda, Director of West Coast Structural Engineering Group (BuroHappold Engineering); presented information and answered questions raised throughout the discussion. Ace Washington; spoke on various concerns relating to the hearing matter.

Vice Chair Peskin moved that this Hearing be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Breed

LITIGATION

Chair Kim requested Files Nos. 171033, 171034, 171035, 171036, and 171037 be called together.

Speakers: None.

Conference with City Attorney

[Convene in Closed Session - Existing Litigation - City as Plaintiff and/or Defendant]

Motion that the Government Audit and Oversight 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.

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

Persons in attendance: Jon Givner (Office of the City Attorney); Trent Rhorer, Executive Director (Human Services Agency); and John Carroll (Office of the Clerk of the Board).

Vice Chair Peskin moved to convene in closed session. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Breed

171033 [Settlement of Lawsuit - Dora Delfi Mejia Jacobo - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Dora Delfi Mejia Jacobo against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 19, 2015, in San Francisco Superior Court, Case No. CGC-15-545823; entitled Dora Delfi Mejia Jacobo v. Greg Suhr in his official capacity, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

09/25/17; RECEIVED FROM DEPARTMENT.

10/03/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Member Breed moved that this Ordinance be RECOMMENDED.. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Breed

171034 [Settlement of Lawsuit - Tasha Spencer - \$160,000]

Ordinance authorizing settlement of the lawsuit filed by Tasha Spencer against the City and County of San Francisco for \$160,000; the lawsuit was filed on September 27, 2016, in San Francisco Superior Court, Case No. CGC 16-554523; entitled Tasha Spencer v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

09/25/17; RECEIVED FROM DEPARTMENT.

10/03/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Member Breed moved that this Ordinance be RECOMMENDED.. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Breed

171035 [Settlement of Unlitigated Claim - Kelli Grotzke - \$78,193]

Resolution approving the settlement of the unlitigated claim filed by Kelli Grotzke against the City and County of San Francisco for \$78,193; the claim was filed on September 24, 2013; the claim involves an employment dispute. (City Attorney)

09/25/17; RECEIVED FROM DEPARTMENT.

10/03/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Member Breed moved that this Resolution be RECOMMENDED.. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Breed

171036 [Settlement of Unlitigated Claim - Kacey Christie - \$62,500]

Resolution approving the settlement of the unlitigated claim filed by Kacey Christie against the City and County of San Francisco for \$62,500; the claim was filed on May 31, 2017; the claim involves a personal injury on a City street. (City Attorney)

09/25/17; RECEIVED FROM DEPARTMENT.

10/03/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Member Breed moved that this Resolution be RECOMMENDED.. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Breed

171037 [Settlement of Unlitigated Claim - UBS Financial Services, Inc. - \$125,266.48]

Resolution approving the settlement of the unlitigated claim filed by UBS Financial Services against the City and County of San Francisco for \$125,266.48; the claim was filed on February 17, 2017; the claim involves personal property tax refund. (City Attorney)

09/25/17; RECEIVED FROM DEPARTMENT.

10/03/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Member Breed moved that this Resolution be RECOMMENDED.. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Breed

[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.

Vice Chair Peskin, seconded by Member Breed, moved not to disclose closed session deliberations. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Breed

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 12:11 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Government Audit and Oversight Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.