



**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: Norman Yee, Julie Christensen, London Breed*

*Clerk: Erica Major (415) 554-4441*

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Thursday, April 16, 2015

12:30 PM

City Hall, Committee Room 263

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**Rescheduled Meeting**

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**Present:** 3 - Norman Yee, Julie Christensen, and London Breed

## MEETING CONVENED

*The meeting convened at 12:34 p.m.*

## REGULAR AGENDA

### Supervisor London Breed Excused from Voting

**Supervisor Christensen moved that Supervisor Breed be excused from voting on File No. 150351. The motion carried by the following vote:**

Ayes: 2 - Yee, Christensen  
Excused: 1 - Breed

### 150351 [Civic Center Community Benefit District - Annual Reports for FYs 2011-2014]

**Sponsors: Breed; Kim**

Resolution receiving and approving annual reports for the Civic Center Community Benefit District for FYs 2011-2014, 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.

04/07/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

04/10/15; REFERRED TO DEPARTMENT. Referred to the Office of Economic and Workforce Development and Office of the Controller for informational purposes; Small Business Commission for comment and recommendation.

*Heard in Committee. Speakers: Crezia Tano, Senior Project Manager (Office of Economic and Workforce Development); Donald W. Savoie, Executive Director (Civic Center Community Benefit District); presented information and answered questions raised throughout the discussion. Male Speaker; spoke on various concerns relating to the hearing matter.*

**RECOMMENDED by the following vote:**

Ayes: 2 - Yee, Christensen  
Excused: 1 - Breed

Supervisor Breed was noted present at 1:10 p.m.

**150352 [Top of Broadway Community Benefit District - Annual Report for FY2013-2014]**

**Sponsor: Christensen**

Resolution receiving and approving an annual report for the Top of Broadway Community Benefit District for FY2013-2014, 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.

04/07/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

04/10/15; REFERRED TO DEPARTMENT. Referred to the Office of Economic and Workforce Development and Office of the Controller for informational purposes; Small Business Commission for comment and recommendation.

*Heard in Committee. Speakers: Crezia Tano, Senior Project Manager (Office of Economic and Workforce Development); Benjamin Horne and Stephanie (Top of Broadway Community Benefit District); presented information and answered questions raised throughout the discussion. Female Speaker; spoke on various concerns relating to the hearing matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Yee, Christensen, Breed

**Supervisor Julie Christensen Excused from Attendance**

**Supervisor Breed moved to excuse Supervisor Christensen at 1:18 p.m. and for the remainder of the meeting. The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

*Supervisor Christensen was noted absent at 1:18 p.m. and for the remainder of the meeting.*

**150335 [North of Market/Tenderloin Community Benefit District - Annual Reports for FYs 2010-2013]**

**Sponsor: Kim**

Resolution receiving and approving annual reports for the North of Market/Tenderloin Community Benefit District for FYs 2010-2013, 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.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

04/06/15; REFERRED TO DEPARTMENT. Referred to the Office of the Controller and Office of Economic and Workforce Development for informational purposes; Small Business Commission for comment and recommendation.

*Heard in Committee. Speakers: Crezia Tano, Senior Project Manager (Office of Economic and Workforce Development); Susie McKinnon and David Seward (North of Market/Tenderloin Community Benefit District); presented information and answered questions raised throughout the discussion. Male Speaker; spoke on various concerns relating to the hearing matter.*

**RECOMMENDED by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

## **LITIGATION**

Speakers: None.

**Supervisor Yee moved to convene in closed session. The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

### **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.*

*Persons in attendance: Andrew Gschwind, Deputy City Attorney and Andrew Shen, Deputy City Attorney (Office of the City Attorney); Erica Major and Alisa Somera (Office of the Clerk of the Board).*

#### **150289** **[Settlement of Lawsuit - Kimberley Tuyay - \$125,000]**

Ordinance authorizing settlement of the lawsuit filed by Kimberley Tuyay against the City and County of San Francisco for \$125,000; the lawsuit was filed on March 24, 2014, in California Superior Court, San Francisco Branch, Case No. CGC-14-538197; entitled Kimberley Tuyay v. City and County of San Francisco, Department of Emergency Management, et al., later removed to the United States District Court for the Northern District of California, Case No. C 14-01981 NC. (City Attorney)

03/19/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

04/09/15; CONTINUED TO CALL OF THE CHAIR.

**RECOMMENDED by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

*Deputy City Attorney Andrew Shen and Andrew Gschwind reported that the Government Audit and Oversight 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.*

**Supervisor Breed moved to not disclose the closed session deliberations. The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

## **ADJOURNMENT**

*The meeting adjourned at 2:11 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.*