



# City and County of San Francisco

## Meeting Agenda

### Government Audit and Oversight Committee

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

*Member: Jackie Fielder, Danny Sauter, Stephen Sherrill*

*Clerk: Monique Crayton*  
(415) 554-7750 ~ [monique.crayton@sfgov.org](mailto:monique.crayton@sfgov.org)

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Thursday, March 20, 2025

10:00 AM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

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## ROLL CALL AND ANNOUNCEMENTS

## COMMUNICATIONS

## AGENDA CHANGES

## REGULAR AGENDA

- [250195](#)** **[Temporary Shelter and Homeless Services - Behested Payment Waiver]**  
**Sponsors: Mayor; Mandelman**  
Resolution authorizing the Department of Homelessness and Supportive Housing to solicit donations from various private entities and organizations to support the expansion of temporary shelter and other homeless services to support people experiencing homelessness, notwithstanding the Behested Payment Ordinance.

2/25/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on March 25, 2025.*
- [250129](#)** **[Behested Payment Waiver - India Basin Waterfront Park]**  
**Sponsor: Walton**  
Resolution authorizing the Mayor, officers and employees of the Office of the Mayor, Recreation and Park Commissioners and officers and employees of the Recreation and Park Department to solicit donations for the India Basin Waterfront Park Initiative from nonprofits, private organizations, grantmakers, and foundations for six months, effective upon approval of this Resolution, notwithstanding the Behested Payment Ordinance.

2/4/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

3. [240934](#) **[Memorandum of Understanding - InnovateUS - Participation in Program to Provide Customer Feedback - \$0]**  
**Sponsor: Mayor**  
Resolution authorizing Department of Technology Chief Information Officer to enter a no cost Memorandum of Understanding (MOU) under which the City will provide feedback to InnovateUS and which will grant to InnovateUS a right to use the City's feedback for any purpose, including the development, modification, marketing, or publicity of products or services, effective upon approval of this Resolution for a two year term; and to authorize the Director of Department of Technology to enter into amendments or modifications to the MOU that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the MOU or this Resolution. (Department of Technology)
- 9/24/24; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 3/5/25; TRANSFERRED to the Government Audit and Oversight Committee.

## LITIGATION

### 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 litigation and anticipated litigation. 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.*

4. [250109](#) **[Settlement of Lawsuit - Coinbase, Inc. - \$1,600,000]**  
Ordinance authorizing settlement of the lawsuit filed by Coinbase, Inc. against the City and County of San Francisco for \$1,600,000; the lawsuit was filed on January 10, 2025, in San Francisco Superior Court, Case No. CGC-25-621382, entitled Coinbase, Inc. v. City and County of San Francisco et al.; the lawsuit involves a refund of gross receipts, homelessness gross receipts, and overpaid executive gross receipts taxes; other material terms of the settlement relate to Coinbase Inc.'s filing position and tax liability for the 2024 tax year. (City Attorney)
- 2/3/25; RECEIVED FROM DEPARTMENT.
- 2/11/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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5. [250117](#) **[Settlement of Lawsuit - Lester Hogan - \$50,000]**  
Ordinance authorizing settlement of the lawsuit filed by Lester Hogan against the City and County of San Francisco for \$50,000; the lawsuit was filed on February 18, 2021, in United States District Court, Northern District of California, Case No. 22-cv-6112-DMR (NMC); entitled Lester Hogan v. Deputy Ibarra; the lawsuit involves alleged civil rights violations; the City already paid \$25,000 to Plaintiff, and the City will pay \$25,000 to Kaiser Foundation Health Plan, Inc. (via the Rawlings Company) to satisfy a Medicare Advantage lien for Plaintiff's medical treatment relating to the incident. (City Attorney)  
2/3/25; RECEIVED FROM DEPARTMENT.  
2/11/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
6. [250118](#) **[Settlement of Unlitigated Claim - Hanover Insurance Company - \$265,909]**  
Resolution approving the settlement of the unlitigated claim filed by Hanover Insurance Company against the City and County of San Francisco for \$265,909; the claim was filed on February 15, 2024; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)  
2/3/25; RECEIVED FROM DEPARTMENT.  
2/11/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
7. [250123](#) **[Settlement of Unlitigated Claims - Idemitsu Americas Holdings Corporation - \$318,002.04]**  
Resolution approving the settlement of the unlitigated claims filed by Idemitsu Americas Holdings Corporation against the City and County of San Francisco for \$318,002.04; the claims were filed on October 31, 2024; the claims involve a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)  
2/3/25; RECEIVED FROM DEPARTMENT.  
2/11/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
8. [250158](#) **[Settlement of Lawsuit - Ada M. Guzman - \$45,000]**  
Ordinance authorizing settlement of the lawsuit filed by Ada M. Guzman against the City and County of San Francisco for \$45,000; the lawsuit was filed on December 13, 2022, in San Francisco Superior Court, Case No. CGC-22-603468; entitled Ada M. Guzman v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City street. (City Attorney)  
2/4/25; RECEIVED FROM DEPARTMENT.  
2/25/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
9. [250159](#) **[Settlement of Lawsuit - Veronica Fulton - \$40,000]**  
Ordinance authorizing a partial settlement of the lawsuit filed by Veronica Fulton against the City and County of San Francisco for \$40,000; the lawsuit was filed on April 10, 2023, in San Francisco Superior Court, Case No. CGC-23-605730; entitled Ralph Bower, et al. v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City street. (City Attorney)  
2/6/25; RECEIVED FROM DEPARTMENT.  
2/25/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

10. [250160](#) **[Settlement of Grievance - International Union of Operating Engineers Stationary Engineers, Local 39 - \$1,022,500]**  
Resolution approving the settlement of the grievance by the International Union of Operating Engineers Stationary Engineers, Local 39 (“the Union”) against the City and County of San Francisco (“the City”) for \$1,022,500; the grievance was filed on March 21, 2022; the grievance involves an employment dispute under the City’s Memorandum of Understanding (MOU) with the Union. (City Attorney)  
  
2/6/25; RECEIVED FROM DEPARTMENT.  
  
2/25/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.  
  
*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on March 25, 2025.*
11. [250161](#) **[Settlement of Unlitigated Claim - CSAA Insurance Exchange - City to Receive \$37,929.81]**  
Resolution approving settlement of the unlitigated claim in favor of the City and County of San Francisco against CSAA Insurance Exchange for \$37,929.81. (City Attorney)  
  
2/6/25; RECEIVED FROM DEPARTMENT.  
  
2/25/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
12. [250179](#) **[Settlement of Lawsuit - Michael E. Johnson, et al. - City to Receive \$100,000]**  
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael E. Johnson, et al. for \$100,000; the lawsuit was filed on August 16, 2018, in San Francisco Superior Court, Case No. CGC-18-568954; entitled City and County of San Francisco v. Michael E. Johnson, et al.; the lawsuit involves the failure to repay a loan the City and County of San Francisco made related to the Fillmore Heritage Center; other material terms of the settlement include Michael E. Johnson and his affiliates will not seek to do business or enter into a contract with the City and County of San Francisco for five years. (City Attorney)  
  
2/18/25; RECEIVED FROM DEPARTMENT.  
  
3/4/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

13. [250180](#) **[Settlement of Unlitigated Claim - The Nederlander Company LLC, dba Broadway San Francisco, LLC - \$55,000]**

Ordinance authorizing settlement of the claim filed by The Nederlander Company LLC, dba Broadway San Francisco, LLC, against the City and County of San Francisco, et al., and any lawsuit that arises from the claim, for \$55,000; the claim was filed on September 3, 2024, Claim No. 25-00436; the claim involves a request for refund of real property transfer tax penalties and interest. (City Attorney)

2/19/25; RECEIVED FROM DEPARTMENT.

3/4/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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

*[Elect To Disclose]*

*Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.*

*[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.*

## ADJOURNMENT

## LEGISLATION UNDER THE 30-DAY RULE

*NOTE: The following legislation will not be considered at this meeting. Board Rule 3.22 provides that when an Ordinance or Resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the Committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.*

### 250210

#### **[Labor and Employment Code - Health Care Expenditure Requirements for Certain Employers at the Airport]**

##### **Sponsors: Mandelman; Walton and Chan**

Ordinance amending the Labor and Employment Code to revise the Healthy Airport Ordinance to require, beginning on January 1, 2026, that Contracting Parties employing certain airport workers make Irrevocable Health Care Expenditures on behalf of their employees at tiered rates reflecting the employee's household size.

(Meet and Confer obligations not applicable.)

(Fiscal Impact; No Budget and Legislative Analyst Report)

3/4/25; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

3/11/25; REFERRED TO DEPARTMENT.

### The Levine Act

Pursuant to California Government Code, Section 84308, Members of the Board who have received campaign contributions totaling more than \$500 may be required to disclose that fact on the record of the proceeding. Parties and their paid agents may also be required to disclose on the record any campaign contributions made to a Member of the Board that meets the following qualifications for disclosure. A Member of the Board of Supervisors is disqualified and must recuse themselves on any agenda item involving business, professional, trade, and land use licenses or permits and all other entitlements for use, if they received more than \$500 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant within the 12 months prior to the final decision; and for 12 months following the date of the final decision, a Member of the Board shall not accept, solicit, or direct a campaign contribution of \$500 or more from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant. The foregoing statements do not constitute legal advice. Parties, participants, and their agents are urged to consult their own legal counsel regarding the requirements of the law. For more information about these disclosures, visit [www.sfethics.org](http://www.sfethics.org).

### Agenda Item Information

Each item on the Consent or Regular agenda may include the following 1) Legislation; 2) Budget and Legislative Analyst report; 3) Department or Agency cover letter and/or report; 4) Public correspondence. These items are available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244 or at [www.sfbos.org/legislative-research-center-lrc](http://www.sfbos.org/legislative-research-center-lrc).

### Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where legislation is the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) vocal or audible support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones or electronic devices; 3) bringing in or displaying signs in the meeting room; or 4) standing in the meeting room. Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives; except that public speakers using interpretation assistance will be allowed to testify for twice the amount of time. Members of the public who want to display a document should place it on the overhead during their public comment and remove the document when they want the screen to return to live coverage of the meeting.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Board and Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding agenda items for the official public record. Written communications should be submitted to the Clerk of the Board or the Clerk of the Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications not received prior to the hearing may be delivered to the Clerk of the Board or the Clerk of the Committee and will be shared with the Members.

**COPYRIGHT:** All system content that is broadcasted live during public proceedings is secured by High-bandwidth Digital Content Protection (HDCP), which prevents copyrighted or encrypted content from being displayed or transmitted through unauthorized devices. Members of the public who wish to utilize chamber digital, audio and visual technology may not display copyrighted or encrypted content during public proceedings.

**LANGUAGE INTERPRETERS:** Language services are available in Spanish, Chinese and Filipino for requests made at least two (2) business days in advance of the meeting, to help ensure availability. For more information or to request services, contact [bos@sfgov.org](mailto:bos@sfgov.org) or call (415) 554-5184.

**傳譯服務:** 所有常規及特別市參事會會議和常務委員會會議將提供西班牙文, 中文以及菲律賓文的傳譯服務, 但必須在會議前最少兩 (2) 個工作日作出請求, 以確保能獲取到傳譯服務. 將因應請求提供交替傳譯服務, 以便公眾向有關政府機構發表意見. 如需更多資訊或請求有關服務, 請發電郵至 [bos@sfgov.org](mailto:bos@sfgov.org) 或致電 (415) 554-5184 聯絡我們.

**INTÉRPRETES DE IDIOMAS:** Para asegurar la disponibilidad de los servicios de interpretación en chino, filipino y español, presente su petición por lo menos con dos (2) días hábiles de antelación previo a la reunión. Para más información o para solicitar los servicios, envíe su mensaje a [bos@sfgov.org](mailto:bos@sfgov.org) o llame al (415) 554-5184.

TAGA SALIN-WIKA: Ipaabot sa amin ang mga kahilingan sa pag salin-wika sa Kastila, Tsino at Pilipino ng hindi bababa sa dalawang araw bago ang pulong. Makakatulong ito upang tiyakin na ang mga serbisyo ay nakalaan at nakahanda. Para sa dagdag kaalaman o para humiling ng serbisyo, maki pagugnayan po sa [bos@sfgov.org](mailto:bos@sfgov.org) o tumawag sa (415) 554-5184.

### **Americans with Disabilities Act (ADA) and Reasonable Accommodations**

Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. If you believe your rights under the ADA are violated, contact the ADA Coordinator. Ordinance No. 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy.

Meetings are real-time captioned and cablecast open-captioned on SFGovTV ([www.sfgovtv.org](http://www.sfgovtv.org)) or Cable Channels 26, 28, 78 or 99 (depending on your provider). Board and Committee meeting agendas and minutes are available on the Board's website [www.sfbos.org](http://www.sfbos.org) and adhere to web development Federal Access Board's Section 508 Guidelines. For reasonable accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Board of Supervisors' Rules of Order 1.3.3 does not permit remote public comment by members of the public at meetings of the Board and its committees, except as legally required to enable people with disabilities to participate in such meetings. If you require remote access as a means of reasonable accommodation under ADA, please contact the Clerk's Office to request remote access, including a description of the functional limitation(s) that precludes your ability to attend in person. Requests made at least two (2) business days in advance of the meeting will help to ensure availability. For further assistance, please call (415) 554-5184.

### **Know Your Rights Under The Sunshine Ordinance**

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org). Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at [www.sfbos.org/sunshine](http://www.sfbos.org/sunshine).

### **Ethics Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (Campaign & Governmental Conduct Code, Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; (415) 252-3100; fax (415) 252-3112; website [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit [www.sfethics.org](http://www.sfethics.org).