



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

Members: Dean Preston, Connie Chan, Rafael Mandelman

Clerk: Alisa Somera (415) 554-4447

Thursday, October 20, 2022

10:00 AM

Regular Meeting

IN-PERSON MEETING

City Hall, Legislative Chamber, Room 250

REMOTE ACCESS

WATCH SF Cable Channel 26, 28, 78 or 99 (depending on provider)

WATCH www.sfgovtv.org

PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001](tel:14156550001) / Meeting ID: 2484 338 8697 # #

Remote Access to Information and Participation

The Board of Supervisors and its committees will convene hybrid meetings that will allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 28, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person at the above noticed location or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>). Individuals who wish to share documents during a hearing must provide them to the Clerk 48 hours in advance (alisa.somera@sfgov.org); equipment is not available to share hard copy documents received in-person.

Members of the public attending in-person may be required to wear masks or adhere to current orders, please visit https://sfbos.org/in_person_meeting_guidelines for the current guidelines.

Members of the public may also submit their comments by email to: alisa.somera@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Government Audit and Oversight Meetings begin at 10:00 a.m. every first and third Thursday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

PUBLIC COMMENT CALL IN

[1 \(415\) 655-0001](tel:14156550001) / Meeting ID: 2484 338 8697 # #

(Press *3 to enter the speaker line)

Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Clerk, Alisa Somera, at (415) 554-7711 or alisa.somera@sfgov.org.

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

COMMUNICATIONS

REGULAR AGENDA

1. [220724](#) **[Hearing - Civil Grand Jury Report - A Progress Report about the San Francisco Department of Homelessness and Supportive Housing]**
Hearing on the 2021-2022 Civil Grand Jury Report, entitled "A Progress Report about the San Francisco Department of Homelessness and Supportive Housing." (Clerk of the Board)

7/19/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
2. [220725](#) **[Board Response - Civil Grand Jury Report - A Progress Report about the San Francisco Department of Homelessness and Supportive Housing]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2021-2022 Civil Grand Jury Report, entitled "A Progress Report about the San Francisco Department of Homelessness and Supportive Housing;" and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget. (Clerk of the Board)

7/19/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
3. [220132](#) **[Memorandum of Understanding - Retroactive - Urban Areas Security Initiative]**
Sponsor: Mayor
Resolution retroactively approving a Memorandum of Understanding (MOU) with the Cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, San Mateo, Santa Clara and Sonoma that provides governance structures and procedures for application, allocation and distribution of federal Urban Areas Security Initiative (UASI) grant funds to the Bay Area Urban Area, as well as for other Federal grant funds to the Bay Area Urban Area as permitted under the MOU; and continues San Francisco as the primary grantee and fiscal agent for UASI grant funds to the Bay Area Urban Area, as well as for other Federal grant funds to the Bay Area Urban Area as permitted under the MOU for the period from December 1, 2021, through November 30, 2025.

2/1/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

10/7/22; REMAIN ACTIVE.

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. [220794](#) **[Settlement of Lawsuit - Phris M. Keaton - \$45,000]**
Ordinance authorizing settlement of the lawsuit filed by Phris M. Keaton against the City and County of San Francisco for \$45,000; the lawsuit was filed on April 21, 2021, in San Francisco Superior Court, Case No. CGC-21-591264; entitled Phris M. Keaton v. Garret Edwards, et al.; the lawsuit involves alleged personal injury due to excessive force by Sheriff's Deputy. (City Attorney)

7/8/22; RECEIVED FROM DEPARTMENT.

7/19/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

9/15/22; CONTINUED TO CALL OF THE CHAIR.
5. [220987](#) **[Settlement of Unlitigated Claim - Yuna Chuquilin - \$82,500]**
Resolution approving the settlement of the unlitigated claim filed by Yuna Chuquilin against the City and County of San Francisco for \$82,500; the claim was filed on August 29, 2020; the claim involves an employment dispute. (City Attorney)

9/16/22; RECEIVED FROM DEPARTMENT.

9/27/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
6. [220988](#) **[Settlement of Unlitigated Claim - Old Republic Title Company - \$25,125 Plus Statutory Interest]**
Resolution approving the settlement of the unlitigated claim filed by Old Republic Title Company against the City and County of San Francisco for \$25,125 plus statutory interest; the claim was filed on April 13, 2022; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney)

9/16/22; RECEIVED FROM DEPARTMENT.

9/27/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7. [220915](#) **[Settlement of Lawsuit - Michael Petersen - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Michael Petersen against the City and County of San Francisco for \$75,000; the lawsuit was filed on September 12, 2019, in San Francisco Superior Court, Case No. CGC-19-579234; entitled Michael Petersen v. City and County of San Francisco; the lawsuit involves alleged personal injury in a City park. (City Attorney)

7/20/22; RECEIVED FROM DEPARTMENT.

9/6/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
8. [220916](#) **[Settlement of Unlitigated Claims - Allianz Asset Management of America L.P. - \$1,173,047.78]**
Resolution approving the settlement of the unlitigated claims filed by Allianz Asset Management of America L.P. against the City and County of San Francisco for \$1,173,047.78; the claims were filed on April 25, 2022; the claims involve a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)

8/3/22; RECEIVED FROM DEPARTMENT.

9/6/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
9. [220917](#) **[Settlement of Unlitigated Claim - Williams-Sonoma, Inc. - \$163,479.04]**
Resolution approving the settlement of the unlitigated claim filed by Williams-Sonoma, Inc. against the City and County of San Francisco for \$163,479.04; the claim was filed on June 7, 2022; the claim involves a refund of homelessness gross receipts taxes. (City Attorney)

8/17/22; RECEIVED FROM DEPARTMENT.

9/6/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
10. [220918](#) **[Settlement of Unlitigated Claim - Wyeth Holdings LLC - \$119,283.21]**
Resolution approving the settlement of the unlitigated claim filed by Wyeth Holdings LLC, against the City and County of San Francisco for \$119,283.21; the claim was filed on January 10, 2022; the claim involves a refund of homelessness gross receipts taxes for the 2019 tax year. (City Attorney)

8/17/22; RECEIVED FROM DEPARTMENT.

9/6/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

-
11. [220729](#) **[Settlement of Lawsuit - Phi Associates (Drisco Hotel) Swords to Plowshares to Receive Loan Payoff of \$2,000,000]**
Ordinance authorizing settlement of the lawsuit filed by Phi Associates L.P., against the City and County of San Francisco for a payment by Phi Associates of \$2,000,000 to provide construction loan repayment and thereby support affordable housing for veterans at the Veterans Academy located at 1030 Girard Road, San Francisco, operated by Swords To Plowshares (“Veterans Academy”), in exchange for the release of 16 Residential Hotel rooms from regulation under the Hotel Conversion Ordinance; the lawsuit was filed on March 17, 2021, in San Francisco Superior Court, Case No. CPF-21-517409, entitled Phi Assoc., L.P. v. City and County of San Francisco; the lawsuit involves petitioner’s challenge to the City’s enforcement of the Hotel Conversion Ordinance at the Drisco Hotel, located at 2901 Pacific Avenue, San Francisco. (City Attorney)

9/16/22; RECEIVED FROM DEPARTMENT.

9/27/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
12. [220730](#) **[Settlement of Lawsuit - Theodore Belizaire - \$186,642.33]**
Ordinance authorizing settlement of the lawsuit filed by Theodore Belizaire against the City and County of San Francisco for \$186,642.33; the lawsuit was filed on July 20, 2020, in San Francisco Superior Court, Case No. CGC-20-585672, entitled Theodore Belizaire v. City and County of San Francisco; the lawsuit involves alleged personal injuries in a collision with a City vehicle; other material terms of the settlement include payment of \$99,142.33 to Zuckerberg San Francisco General Hospital for a medical lien. (City Attorney)

9/16/22; RECEIVED FROM DEPARTMENT.

9/27/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
13. [220731](#) **[Settlement of Lawsuit - Donna James - \$125,000]**
Ordinance authorizing settlement of the lawsuit filed by Donna James against the City and County of San Francisco for \$125,000; the lawsuit was filed on April 20, 2021, in United States District Court, Case No. 3:21-cv-02939-RS; entitled Donna James v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

9/16/22; RECEIVED FROM DEPARTMENT.

9/27/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
14. [220732](#) **[Settlement of Lawsuit - Susan Bell - \$160,000]**
Ordinance authorizing settlement of the lawsuit filed by Susan Bell against the City and County of San Francisco, et al. for \$160,000; the lawsuit was filed on December 6, 2018, in San Francisco Superior Court, Case No. CGC-18-571878; entitled Susan Bell v. City and County of San Francisco, et al.; the lawsuit involves claims of alleged civil rights violations and use of excessive force. (City Attorney)

9/16/22; RECEIVED FROM DEPARTMENT.

9/27/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

15. [220964](#) **[Settlement of Lawsuit - Rachell Evans - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Rachell Evans against the City and County of San Francisco for \$100,000; the lawsuit was filed on May 14, 2021, in United States District Court, Northern District of California, Case No. 3:21-cv-02935-SI; entitled Rachell Evans v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)
9/12/22; RECEIVED FROM DEPARTMENT.
9/20/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
16. [220965](#) **[Settlement of Lawsuit - Aliitasi T. Alapati - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Aliitasi T. Alapati against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 11, 2020, in United States District Court, Case No. 21-cv-04144-SI; entitled Aliitasi T. Alapati v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)
9/12/22; RECEIVED FROM DEPARTMENT.
9/20/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
17. [220966](#) **[Settlement of Lawsuit - Brandon Murphy - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Brandon Murphy against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 10, 2019, in San Francisco Superior Court, Case No. CGC-19-572705; entitled Brandon Murphy v. Regents of The University of California, et al.; the lawsuit involves alleged personal injury from medical negligence. (City Attorney)
9/12/22; RECEIVED FROM DEPARTMENT.
9/20/22; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
18. [220967](#) **[Settlement of Lawsuit - Gayatri Kishore - \$44,775]**
Ordinance authorizing settlement of the lawsuit filed by Gayatri Kishore against the City and County of San Francisco for \$44,775; the lawsuit was filed on August 27, 2020, in San Francisco Superior Court, Case No. CGC-20-586409; entitled Gayatri Kishore v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)
9/12/22; RECEIVED FROM DEPARTMENT.
9/20/22; 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

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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.

(There is no legislation under 30 Day Rule.)

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents: 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, Reception Desk or at <https://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) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 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 the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Persons attending the meeting in-person who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting. Members of the public providing testimony remotely via telephone who want a document displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or 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.

AGENDA PACKET: Available on the internet at <https://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel, at www.sfgovtv.org or Cable Channels 26, 78 or 99 (depending on your provider). For USB copies call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (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48小時作出請求, 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, 請致電 (415) 554-5184 聯絡我們.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na

pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Americans with Disabilities Act (ADA)

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, 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 must 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. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. 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 that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications. The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel, at www.sfgovtv.org or Cable Channels 26, 78 or 99 (depending on your provider). Board and Committee meeting agendas and minutes are available on the Board's website (www.sfbos.org) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 (wilson.l.ng@sfgov.org).

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. 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 sof@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 <https://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 [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <https://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 <https://sfethics.org>.