



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: Jane Kim, Aaron Peskin, London Breed

Clerk: Erica Major (415) 554-4441

Wednesday, May 3, 2017

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- 170278** **[Civic Center Community Benefit District - Annual Report for FY2015-2016]**
Sponsor: Kim
Resolution receiving and approving an annual report for the Civic Center 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.

3/14/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

3/22/17; REFERRED TO DEPARTMENT.
- 170355** **[Central Market Community Benefit District - Annual Report for Calendar Year 2015]**
Sponsor: Kim
Resolution receiving and approving an annual report for the Central Market Community Benefit District for calendar year 2015, 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.

4/4/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

4/11/17; REFERRED TO DEPARTMENT.

3. [170312](#) **[Hearing - Implementation and Compliance of Language Access Ordinance]**
Sponsor: Fewer
Hearing on departmental compliance with the Language Access Ordinance, including a review of the 2017 Language Access Ordinance Annual Compliance Report implementation and recommendations; and requesting the Office of Civic Engagement and Immigrant Affairs to report.

3/21/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
3/27/17; REFERRED TO DEPARTMENT.
4. [170452](#) **[Supporting Organizing Efforts by Workers Employed by Commuter Shuttle Services]**
Sponsors: Safai; Cohen, Peskin and Ronen
Resolution supporting organizing efforts by workers employed by commuter shuttle services, such as Chariot, in the City and County of San Francisco.

4/18/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
4/25/17; REFERRED TO DEPARTMENT.
5. [170491](#) **[Hearing - Promoting Public Safety and Ensuring Timely Communication and Response in Event of a City-Wide Power Failure]**
Sponsors: Breed; Peskin
Hearing on the causes and response to the massive power failure on April 21, 2017, which impacted wide swaths of San Francisco, to improve strategies for agencies to communicate and coordinate in response to threats to public safety; and requesting the Department of Emergency Management, San Francisco Public Utilities Commission, Public Works, San Francisco Municipal Transportation Agency, Police Department, Fire Department, and Pacific Gas and Electric Company to report.

4/25/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
6. [170251](#) **[Hearing - Controller's Year-End Performance and Benchmarking Reports]**
Sponsor: Peskin
Hearing on the departmental performance results outlined in the Controller's Office year-end performance and benchmarking reports; and requesting the Controller's Office to present.

3/7/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
3/14/17; REFERRED TO DEPARTMENT.

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 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.

7. [170317](#) **[Settlement of Lawsuit - Laurie Kassel - \$102,915.40]**
Ordinance authorizing settlement of the lawsuit filed by Laurie Kassel against the City and County of San Francisco for \$102,915.40; the lawsuit was filed on December 27, 2016, in San Francisco Superior Court, Case No. CGC 16-556160; entitled Laurie Kassel v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

3/16/17; RECEIVED FROM DEPARTMENT.

4/4/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
8. [170318](#) **[Settlement of Lawsuit - Protect Our Benefits - \$750,000]**
Ordinance authorizing settlement of the plaintiff's claim for attorney's fees and costs in the lawsuit filed by Protect Our Benefits against the City and County of San Francisco for \$750,000; the lawsuit was filed on February 25, 2013, in San Francisco Superior Court, Case No. CPF-13-512788; entitled Protect Our Benefits v. City & County of San Francisco; the lawsuit involves Supplemental Cost of Living Adjustment pension benefits payable to San Francisco Employees' Retirement System retirees. (City Attorney)

3/20/17; RECEIVED FROM DEPARTMENT.

4/4/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
9. [170319](#) **[Settlement of Lawsuit - Yelp Inc. - \$599,000]**
Ordinance authorizing settlement of the lawsuit filed by Yelp Inc. against the City and County of San Francisco for \$599,000; the lawsuit was filed on February 23, 2017, in San Francisco Superior Court, Case No. CGC-17-557250; entitled Yelp Inc. v. City and County of San Francisco et al.; the lawsuit involves a refund of payroll expense taxes and gross receipts taxes. (City Attorney)

3/20/17; RECEIVED FROM DEPARTMENT.

4/4/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

10. [170320](#) **[Settlement of Lawsuit - Leslie Stewart - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Leslie Stewart against the City and County of San Francisco for \$75,000; the lawsuit was filed on September 10, 2015, in San Francisco Superior Court, Case No. CGC-15-547872; entitled Leslie Stewart v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City street. (City Attorney)

3/27/17; RECEIVED FROM DEPARTMENT.

4/4/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
11. [170324](#) **[Settlement of Unlitigated Claim - The University Club - \$287,500]**
Resolution approving the settlement of the unlitigated claim filed by The University Club against the City and County of San Francisco for \$287,500; claim was filed on November 28, 2016; the claim involves a transfer tax refund. (City Attorney)

3/16/17; RECEIVED FROM DEPARTMENT.

4/4/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
12. [170325](#) **[Settlement of Unlitigated Claim - Credit Suisse Securities (USA) LLC - \$1,068,909]**
Resolution approving the settlement of the unlitigated claim filed by Credit Suisse Securities (USA) LLC against the City and County of San Francisco for \$1,068,909; the claim was filed on May 12, 2016; the claim involves a refund of payroll expense taxes. (City Attorney)

3/27/17; RECEIVED FROM DEPARTMENT.

4/4/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
13. [170389](#) **[Settlement of Lawsuit - Maryam Mozafari - \$70,000]**
Ordinance authorizing settlement of the lawsuit filed by Maryam Mozafari against the City and County of San Francisco for \$70,000; the lawsuit was filed on June 16, 2015, in San Francisco Superior Court, Case No. CGC-15-546389; entitled Maryam Mozafari v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City sidewalk adjacent to Alta Plaza Park. (City Attorney)

4/7/17; RECEIVED FROM DEPARTMENT.

4/18/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
14. [170431](#) **[Settlement of Unlitigated Grievance - Sheriff's Managers and Supervisors Association - \$542,546.95]**
Resolution approving the settlement of the unlitigated grievance filed by the Sheriff's Managers and Supervisors Association, on behalf of its members, against the City and County of San Francisco for \$542,546.95; the grievance was filed on September 25, 2015; the grievance involves an employment dispute. (City Attorney)

4/17/17; RECEIVED FROM DEPARTMENT.

4/25/17; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

[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.

170350

[Police Code - Employer Consideration of Applicant's Salary History]

Sponsors: Farrell; Tang, Ronen, Cohen and Breed

Ordinance amending the Police Code to ban employers from considering current or past salary of an applicant in determining what salary to offer the applicant, and from asking applicants about their current or past salary; to prohibit employers from disclosing a current or former employee's salary history without that employee's authorization; authorizing the Office of Labor Standards Enforcement to implement and enforce these provisions; and authorizing the City to bring a civil action against an employer for violations.

4/4/17; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

4/11/17; REFERRED TO DEPARTMENT.

170470

[Administrative Code - Citywide Project Labor Agreement for Public Work or Improvement Projects]

Sponsors: Farrell; Safai, Sheehy, Yee, Cohen, Ronen and Breed

Ordinance amending the Administrative Code to require a citywide project labor agreement applicable to certain public work or improvement projects with projected costs over \$1,000,000 or where delay in completing the project may interrupt or delay services or use of facilities that are important to the City's essential operations or infrastructure.

4/25/17; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

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 will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

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 ordinances and resolutions are 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. Members of the public 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.

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 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 at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Peggy Nevin at (415) 554-5184. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702. **Paunawa:** Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag ka sa (415) 554-5184.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Wilson Ng at (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

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 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 <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting 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 <http://www.sfgov.org/ethics>