



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

Thursday, February 20, 2025

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

COMMUNICATIONS

AGENDA CHANGES

REGULAR AGENDA

1. [250106](#) **[Affirming San Francisco's Support for Birthright Citizenship]**
Sponsors: Chan; Chen, Melgar, Fielder, Walton, Sauter, Mandelman, Dorsey, Mahmood, Engardio and Sherrill
Resolution affirming San Francisco's commitment to birthright citizenship as a constitutional right and opposing President Donald Trump's Executive Order that attempts to unconstitutionally limit birthright citizenship.

1/28/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

2/4/25; REFERRED TO DEPARTMENT.

2. [250139](#) **[Fundraising for Services Related to Immigration, LGBTQ+ Rights, Environmental Protection, Reproductive Rights, and Racial Equity - Behested Payment Waiver]**
Sponsors: Mandelman; Engardio, Dorsey, Sauter and Sherrill
Resolution authorizing the Office of the Assessor Recorder to solicit donations from various private, nonprofit, philanthropic, and other entities to support 1) the urgent provision of legal services related to the creation and enforcement of immigration laws, regulations, and policies, including litigation and regulatory reform efforts at the local, state, and federal level and non-legal services and support for the City's immigrant communities, 2) goods and services, including legal services, related to defending and supporting LGBTQ+ rights, 3) goods and services, including legal services, related to defending and supporting reproductive rights, 4) goods and services, including legal services, related to defending existing environmental protection laws and promoting environmental protection efforts, and 5) goods and services, including legal services, related to racial equity initiatives, all notwithstanding the Behested Payment Ordinance.
- 2/6/25; DUPLICATED AS AMENDED.
- 2/6/25; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
- 2/6/25; CONTINUED AS AMENDED.
3. [250105](#) **[Behested Payment Waiver - Embarcadero Plaza and Sue Bierman Park]**
Sponsors: Mayor; Sauter
Resolution authorizing the Mayor, officers and employees of the Office of the Mayor, and officers and employees of the Recreation and Park Department to solicit donations for the renovation of Embarcadero Plaza and Sue Bierman parks from individuals, nonprofits, private organizations, grantmakers, and foundations for six months, effective upon approval of this Resolution, notwithstanding the Behested Payment Ordinance.
- 1/28/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

LITIGATION

4. [250004](#) **[Settlement of Lawsuit - Vincent Keith Bell - \$825,000]**
Ordinance authorizing settlement of the lawsuit filed by Vincent Keith Bell against the City and County of San Francisco for \$825,000; the lawsuit was filed on February 26, 2018, in United States District Court, Case No. 18-cv-01245-SI; entitled Vincent Keith Bell v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)
- 12/30/24; RECEIVED FROM DEPARTMENT.
- 1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

5. [250005](#) **[Settlement of Lawsuit - Javier Grajeda - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by Javier Grajeda against the City and County of San Francisco for \$30,000; the lawsuit was filed on April 6, 2021, in San Francisco, Case No. CGC-21-590836; entitled Javier Grajeda v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision and an associated workers' compensation lien. (City Attorney)

12/30/24; RECEIVED FROM DEPARTMENT.

1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
6. [250006](#) **[Settlement of Lawsuit - Marvella Branner - \$110,000]**
Ordinance authorizing settlement of the lawsuit filed by Marvella Branner against the City and County of San Francisco for \$110,000; the lawsuit was filed on January 25, 2023, in San Francisco Superior Court, Case No. CGC-23-604225; entitled Marvella Branner v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)

12/30/24; RECEIVED FROM DEPARTMENT.

1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
7. [250007](#) **[Settlement of Lawsuit - Matthew Gyves - \$500,000]**
Ordinance authorizing settlement of the lawsuit filed by Matthew Gyves against the City and County of San Francisco for \$500,000; the lawsuit was filed on November 2, 2023, in San Francisco Superior Court, Case No. CGC-23-610147; entitled Matthew Gyves v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury arising from an incident on April 3, 2023, in which Mr. Gyves sustained significant injuries when he was thrown from his bike after hitting a pothole on 15th Street in San Francisco. (City Attorney)

12/30/24; RECEIVED FROM DEPARTMENT.

1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
8. [250008](#) **[Settlement of Lawsuit - John Pugh - \$60,000]**
Ordinance authorizing settlement of the lawsuit filed by John Pugh against the City and County of San Francisco for \$60,000; the lawsuit was filed on December 22, 2022, in San Francisco Superior Court, Case No. CGC-22-603655; entitled John Pugh v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

12/31/24; RECEIVED FROM DEPARTMENT.

1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

9. [250009](#) **[Settlement of Lawsuit - Latoya Starks and Sanvada Kitcher - \$2,880,000]**
Ordinance authorizing settlement of the lawsuit filed by Latoya Starks and Sanvada Kitcher against the City and County of San Francisco for \$2,880,000; the lawsuit was filed on December 8, 2021, in United States District Court for the Northern District of California, Case No. 21-cv-09500; entitled Markwhan Kitcher-Tucker, et al. v. City and County of San Francisco, et al.; the lawsuit involves an allegation of wrongful death of a pretrial detainee due to negligent supervision. (City Attorney)

1/2/25; RECEIVED FROM DEPARTMENT.

1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
10. [250010](#) **[Settlement of Unlitigated Claim - Nordstrom, Inc. - \$36,548.39 Plus Interest]**
Resolution approving the settlement of the unlitigated claim filed by Nordstrom, Inc. against the City and County of San Francisco for \$36,548.39 plus statutory interest; the claim was filed on August 22, 2024; the claim involves a refund of property taxes. (City Attorney)

12/10/24; RECEIVED FROM DEPARTMENT.

1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
11. [250011](#) **[Settlement of Unlitigated Claims - Twilio Inc. and Segment.io, Inc. - \$101,291.38]**
Resolution approving the settlement of the unlitigated claims filed by Twilio Inc. and Segment.io, Inc. against the City and County of San Francisco for \$101,291.38; the claims were filed on April 25, 2024; the claims involve a refund of gross receipts taxes. (City Attorney)

12/10/24; RECEIVED FROM DEPARTMENT.

1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
12. [250012](#) **[Settlement of Unlitigated Claim - Joanna Lei - \$35,491]**
Resolution approving the settlement of the unlitigated claim filed by Joanna Lei against the City and County of San Francisco for \$35,491; the claim was filed on October 8, 2024; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

12/30/24; RECEIVED FROM DEPARTMENT.

1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
13. [250013](#) **[Settlement of Unlitigated Claim - Peter Dumanian - \$88,000]**
Resolution approving the settlement of the unlitigated claim filed by Peter Dumanian against the City and County of San Francisco for \$88,000; the claim was filed on June 24, 2024; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

12/30/24; RECEIVED FROM DEPARTMENT.

1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

14. [250014](#) **[Settlement of Unlitigated Claim - 180 Post Street, LLC - \$66,858]**
Resolution approving the settlement of the unlitigated claim filed by 180 Post Street, LLC against the City and County of San Francisco for \$66,858; the claim was filed on June 20, 2024; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)
12/30/24; RECEIVED FROM DEPARTMENT.
1/14/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
15. [250067](#) **[Settlement of Lawsuits - CWI 2 San Francisco Hotel, L.P. - Stipulated Assessed Value of \$216,400,000 and Refund of \$495,900 Plus Statutory Interest]**
Ordinance authorizing settlement of two related lawsuits filed by CWI 2 San Francisco Hotel, L.P. against the City and County of San Francisco concerning the real property located at 600 Stockton Street, San Francisco, CA (Assessor's Parcel Block No. 0257, Lot No. 012) (the "Subject Property") for a stipulated assessed value of the Subject Property of \$216,400,000 as of December 30, 2016, contingent upon the Assessment Appeals Board's approval, and a refund of \$495,900, plus statutory interest; the first lawsuit was filed on November 26, 2019, in San Francisco Superior Court, Case No. CGC-19-581046; entitled CWI 2 San Francisco Hotel, L.P. v. City and County of San Francisco; the second lawsuit was filed on June 18, 2020, in San Francisco Superior Court, Case No. CGC-20-584883; entitled CWI 2 San Francisco Hotel, L.P. v. City and County of San Francisco; the lawsuits involve the assessed value of the Subject Property for property tax purposes as of the December 30, 2016, purchase date and a transfer tax refund. (City Attorney)
1/16/25; RECEIVED FROM DEPARTMENT.
1/28/25; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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.*

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.

(There is no legislation pending under the 30-Day Rule.)

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.

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.

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 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 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 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 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) 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 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. 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.

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.

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.