



**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: Aaron Peskin, Norman Yee, London Breed*

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

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Thursday, September 1, 2016

9:30 AM

City Hall, Legislative Chamber, Room 250

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**Special Meeting**

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**Present:** 2 - Aaron Peskin, and Mark Farrell

**Excused:** 2 - Norman Yee, and London Breed

*The Government Audit and Oversight Committee met in special session on Thursday, September 1, 2016, with Chair Aaron Peskin presiding.*

## **ROLL CALL AND ANNOUNCEMENTS**

*Chair Peskin called the meeting to order at 9:32 a.m. On the call of the roll Chair Peskin and Vice Chair Yee were noted present. Member Breed was noted not present. There was a quorum.*

### **Supervisor Breed Excused from Attendance**

**Vice Chair Yee moved that Supervisor Breed be excused from attending the Government Audit and Oversight Committee meeting of September 1, 2016. The motion carried by the following vote:**

Ayes: 2 - Peskin, Yee

Excused: 1 - Breed

## **AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

Chair Peskin requested File Nos. 160609 and 160610 be called together.

### **160609 [Hearing - Civil Grand Jury - San Francisco's Crime Lab - Promoting Confidence and Building Credibility]**

Hearing on the recently published 2015-2016 Civil Grand Jury report, entitled "San Francisco's Crime Lab - Promoting Confidence and Building Credibility." (Clerk of the Board)

06/01/16; REFERRED TO DEPARTMENT. Referred to the Chief of Police/Police Department, Mayor, Controller's Office, Mayor's Office of Public Policy and Finance, and the City Administrator for the required response.

06/07/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/01/16; RESPONSE RECEIVED. The Mayor's Office submitted a consolidated response on behalf of their office and the Police Department and the City Administrator.

08/05/16; RESPONSE RECEIVED. The Controller submitted their response to the Civil Grand Jury Report.

*Heard in Committee. Speakers: Jay Cunningham and Charles Thompson (2015-2016 Civil Grand Jury); Acting Chief Tony Chaplin and Deputy Chief Denise Schmitt (Police Department); Jason Cunningham (Mayor's Office); Captain Greg Mar (Police Department); presented information and answered questions raised throughout the discussion.*

**Vice Chair Yee moved that this Hearing be CONTINUED to the October 6, 2016, Government Audit and Oversight Committee meeting. The motion carried by the following vote:**

Ayes: 2 - Peskin, Yee

Excused: 1 - Breed

**160610 [Board Response - Civil Grand Jury - San Francisco's Crime Lab - Promoting Confidence and Building Credibility]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2015-2016 Civil Grand Jury Report, entitled "San Francisco's Crime Lab - Promoting Confidence and Building Credibility;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

06/01/16; REFERRED TO DEPARTMENT. Referred to the Chief of Police/Police Department, Mayor, Controller's Office, Mayor's Office of Public Policy and Finance, and the City Administrator for the required response.

06/07/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/01/16; RESPONSE RECEIVED. The Mayor's Office submitted a consolidated response on behalf of their office and the Police Department and the City Administrator.

08/05/16; RESPONSE RECEIVED. The Controller submitted their response to the Civil Grand Jury Report.

*Heard in Committee. Speakers: Jay Cunningham and Charles Thompson (2015-2016 Civil Grand Jury); Acting Chief Tony Chaplin and Deputy Chief Denise Schmitt (Police Department); Jason Cunningham (Mayor's Office); Captain Greg Mar (Police Department); presented information and answered questions raised throughout the discussion.*

**Vice Chair Yee moved that this Resolution be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding the Board of Supervisors response to Recommendation Nos. R.A.2. and R.B.1. The motion carried by the following vote:**

Ayes: 2 - Peskin, Yee

Excused: 1 - Breed

**Vice Chair Yee moved that this Resolution be RECOMMENDED AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:**

Ayes: 2 - Peskin, Yee

Excused: 1 - Breed

*President Breed appointed Supervisor Mark Farrell, in place of herself, to the Government Audit and Oversight Committee for the Special Meeting of September 1, 2016.*

*Member Farrell was noted present at 10:29 a.m.*

*Chair Peskin requested File Nos. 160611 and 160612 be heard together.*

### **160611 [Hearing - Civil Grand Jury - Auto Burglary in San Francisco]**

Hearing on the recently published 2015-2016 Civil Grand Jury report, entitled "Auto Burglary in San Francisco." (Clerk of the Board)

06/20/16; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Public Policy and Finance, Police Department/Chief of Police, District Attorney, Mayor's Office/Mayor, Public Works, Planning Department, City Administrator, Office of Civic Engagement and Immigrant Affairs, Mayor's Office of Legislative and Government Affairs, City Attorney, and the Director of the Department of Technology for their required response to the Civil Grand Jury Report.

06/28/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

07/29/16; RESPONSE RECEIVED. 7/28/2016 - The City Attorney's Office submitted their response as required in accordance with Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 08/19/2016 - The District Attorney's Office submitted their response as required in accordance with Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

*Heard in Committee. Speakers: Jay Cunningham and Michael Skahill, Ph.D. (2015-2016 Civil Grand Jury); Acting Police Chief Toney Chaplin and Commander Greg McEachern (Police Department); Cristine Soto DeBerry (District Attorney); presented information and answered questions raised throughout the discussion. Claudia; spoke on various concerns relating to the hearing matter.*

#### **HEARD AND FILED by the following vote:**

Ayes: 3 - Peskin, Yee, Farrell

Excused: 1 - Breed

**160612 [Board Response - Civil Grand Jury - Auto Burglary in San Francisco]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2015-2016 Civil Grand Jury Report, entitled "Auto Burglary in San Francisco;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

06/20/16; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Public Policy and Finance, Police Department/Chief of Police, District Attorney, Mayor's Office/Mayor, Public Works, Planning Department, City Administrator, Office of Civic Engagement and Immigrant Affairs, Mayor's Office of Legislative and Government Affairs, City Attorney, and the Director of the Department of Technology for their required response to the Civil Grand Jury Report.

06/28/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

07/29/16; RESPONSE RECEIVED. 7/28/2016 - The City Attorney's Office submitted their response as required in accordance with Penal Code Sections 933 and 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The District Attorney's Office submitted their response as required in accordance with Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

08/19/16; RESPONSE RECEIVED. 8/19/2016 - The Mayor submitted a consolidated response for the City Administrator's Office (in conjunction with the Office of Civic Engagement and Immigrant Affairs), Planning Department, Police Department, Public Works, and Department of Technology as required by California Penal Code Section 933.05.

*Heard in Committee. Speakers: Jay Cunningham and Michael Skahill, Ph.D. (2015-2016 Civil Grand Jury); Acting Police Chief Toney Chaplin and Commander Greg McEachern (Police Department); Cristine Soto DeBerry (District Attorney); presented information and answered questions raised throughout the discussion. Claudia; spoke on various concerns relating to the hearing matter.*

**Vice Chair Yee, seconded by Member Farrell, moved that this Resolution be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding the Board of Supervisors response to Finding Nos. F.A.1., F.C.1., and F.F.1. and Recommendation Nos. R.A.1., R.C.1., R.D.5., R.E.3.d., and R.F.1. The motion carried by the following vote:**

Ayes: 3 - Peskin, Yee, Farrell

Excused: 1 - Breed

**Vice Chair Yee, seconded by Member Farrell, moved that this Resolution be RECOMMENDED AS AMENDED. The motion carried by the following vote:**

Ayes: 3 - Peskin, Yee, Farrell

Excused: 1 - Breed

**160756 [Establish Yerba Buena Gardens Conservancy - Yerba Buena Gardens Operations and Management]**

**Sponsor: Kim**

Resolution establishing a new public benefit civic nonprofit entitled the Yerba Buena Gardens Conservancy to assume long-term operating and management responsibility for Yerba Buena Gardens under a master lease with the City of San Francisco.

(Fiscal Impact)

06/28/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

07/06/16; REFERRED TO DEPARTMENT. Referred to the Office of the Controller, Office of Economic and Workforce Development, and Ethics Commission for informational purposes.

07/14/16; TRANSFERRED to Government Audit and Oversight Committee. 7/14/2016 - President Breed transferred this matter from the Public Safety and Neighborhood Services Committee to the Government Audit and Oversight Committee.

*Heard in Committee. Speakers: None.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Peskin, Yee, Farrell

Excused: 1 - Breed

*Vice Chair Yee was noted absent at 11:27 a.m. and for the remainder of the meeting.*

**Supervisor Yee Excused from Attendance**

**Chair Peskin moved that Supervisor Yee be excused from attending the remainder of the Government Audit and Oversight Committee meeting of September 1, 2016. The motion carried by the following vote:**

Ayes: 2 - Peskin, Farrell

Excused: 2 - Yee, Breed

**160900 [Assessment Ballots for City-Owned Parcels - Central Market Community Benefit District - Modify the Management Plan and Engineer's Report]****Sponsor: Kim**

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of five parcels of real property over which the Board of Supervisors has jurisdiction, where those parcels would be subject to the proposed modifications to the Management District Plan and Engineer's Report for the business improvement district known as the Central Market Community Benefit District.

08/02/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/11/16; REFERRED TO DEPARTMENT. Referred to the Office of the Controller and the Office of Economic and Workforce Development for informational purposes.

*Heard in Committee. Speaker: Chris Corgas (Office of Economic and Workforce Development); presented information and answered questions raised throughout the discussion.*

**CONTINUED TO THE CALL OF THE CHAIR by the following vote:**

*Ayes: 3 - Peskin, Yee, Farrell*

*Excused: 1 - Breed*

*Chair Peskin moved that the previous motion be rescinded. The motion carried by the following vote:*

*Ayes: 3 - Peskin, Yee, Farrell*

*Excused: 1 - Breed*

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

*Ayes: 2 - Peskin, Farrell*

*Excused: 2 - Yee, Breed*

*Chair Peskin recessed the meeting at 11:27 a.m. and reconvened at 11:30 a.m.*

**160878 [Hearing - Governance of Structure, Oversight of Assets, and City Funding Processes - Fine Arts Museums of San Francisco]****Sponsor: Peskin**

Hearing on the governance structure, oversight of assets, and city funding processes of the Fine Arts Museums of San Francisco (FAMSF) and its Board of Trustees; and requesting the Director of FAMSF and the Office of the Controller to report.

07/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/01/16; REFERRED TO DEPARTMENT. Referred to the Fine Arts Museum, Office of the Controller, and the San Francisco Fine Arts Museum Board of Trustees for informational purposes and requesting the various agencies to report.

*Heard in Committee. Speakers: Richard Benefield and Charlie Castillo (Fine Arts Museum of San Francisco); Megan Bourne (San Francisco Board of Trustees); Debra Newman (Budget and Legislative Analyst's Office); presented information and answered questions raised throughout the discussion.*

**Member Farrell moved that this Hearing be CONTINUED TO THE CALL OF THE CHAIR. The motion carried by the following vote:**

*Ayes: 2 - Peskin, Farrell*

*Excused: 2 - Yee, Breed*

## ADJOURNMENT

*There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 12:26 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.*