



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: Gordon Mar, Aaron Peskin, Matt Haney

Clerk: John Carroll (415) 554-4445

Thursday, October 29, 2020

10:00 AM

Special Meeting

Present: 3 - Gordon Mar, Aaron Peskin, and Matt Haney

The Government Audit and Oversight Committee met in special session through videoconferencing, and provided public comment through teleconferencing, on Thursday, October 29, 2020, with Chair Gordon Mar presiding. Chair Mar called the meeting to order at 10:01 a.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand.

Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>. Members of the public may participate by phone or may submit their comments by email to: john.carroll@sfgov.org; all comments received will be made a part of the official record. Regularly-scheduled Government Audit and Oversight Committee Meetings begin at 10:00 a.m. on the first and third Thursdays of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Mar, Vice Chair Peskin, and Member Haney were noted present. A quorum was present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

201087 [Emergency Ordinance - Temporary Right to Reemployment Following Layoff Due to COVID-19 Pandemic]

Sponsor: Mar

Reenactment of emergency ordinance (Ordinance No. 104-20, reenacted by Ordinance No. 159-20) to temporarily create a right to reemployment for certain employees laid off due to the COVID-19 pandemic if their employer seeks to fill the same position previously held by a laid-off worker, or a substantially similar position, as defined.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

09/22/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 10/22/2020.

09/30/20; REFERRED TO DEPARTMENT. Referred to the Office of Economic and Workforce Development and the Office of Labor Standards Enforcement for informational purposes. Referred to the Small Business Commission for review and comment.

Heard in Committee. Speakers: None.

Chair Mar moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

201054 [Emergency Ordinance - Grocery Store, Drug Store, Restaurant, and On-Demand Delivery Service Employee Protections]

Sponsor: Haney

Reenactment of emergency ordinance (Ordinance No. 74-20) to temporarily require grocery store, drug store, restaurant, and on-demand delivery service employers to provide health and scheduling protections to employees during the public health emergency related to COVID-19.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

09/15/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 10/15/2020.

09/23/20; REFERRED TO DEPARTMENT. Referred to the Office of the City Administrator and the Department of Public Health for informational purposes.

Heard in Committee. Speakers: None.

Supervisor Haney moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200896 [Administrative Code - Debarment and Suspension of City Contractors]

Ordinance amending Administrative Code, Chapter 28 to add a Contractor's prohibited provision of gifts or money to a public official as an express ground for debarment and revising debarment procedures; to amend the definition of "Contractor" by expressly including grant applicants and grantees in the defined term; and to add provisions authorizing suspension of a Contractor from participating in the procurement process for entering into City contracts or applying for grants if the Contractor is the subject of a criminal or civil charge brought by a government agency against the Contractor alleging that the Contractor committed a violation of any civil or criminal law or regulation against any government entity relevant to the Contractor's ability or capacity honestly to perform under or comply with the terms and conditions of a City contract, including but not limited to the grounds for debarment set forth in Chapter 28. (City Attorney)

08/10/20; RECEIVED FROM DEPARTMENT.

08/18/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 9/17/2020.

08/26/20; REFERRED TO DEPARTMENT. Referred to the Office of the City Administrator, the Controller, the Office of Contract Administration, and the Ethics Commission for informational purposes.

Heard in Committee. Speakers: Ronald Flynn (Office of the City Attorney); presented information and answered questions raised throughout the discussion.

Chair Mar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 9, Lines 9-10, by inserting 'The appointed hearing officer shall be an attorney licensed to practice in California, with not less than five years experience.' The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

Chair Mar moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200761 [Administrative Code - Workforce Education and Recovery Fund]

Sponsors: Mar; Haney, Ronen, Safai, Walton and Preston

Ordinance amending the Administrative Code to establish the Workforce Education and Recovery Fund.

07/14/20; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/13/2020.

08/05/20; REFERRED TO DEPARTMENT. Referred to the Department of Children, Youth, and Their Families, Office of the Controller, and the Mayor's Office for informational purposes. Referred to the Youth Commission for review and comment.

08/11/20; TRANSFERRED to Government Audit and Oversight Committee. President Yee transferred this matter from the Budget and Finance Committee to the Government Audit and Oversight Committee.

08/20/20; CONTINUED. Heard in Committee. Speakers: None.

09/03/20; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

Heard in Committee. Speakers: None.

Chair Mar moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 10:34 a.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.