



**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: Norman Yee, Julie Christensen, London Breed*

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

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Thursday, October 1, 2015

10:30 AM

City Hall, Committee Room 263

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**Regular Meeting**

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*President London Breed appointed Supervisor Mark Farrell, in place of Supervisor Julie Christensen, to the Government Audit and Oversight Committee meeting of October 1, 2015.*

**Present:** 3 - Norman Yee, London Breed, and Mark Farrell

**Excused:** 1 - Julie Christensen

## **ROLL CALL AND ANNOUNCEMENTS**

*Chair Norman Yee called the meeting to order at 10:39 a.m. On the call of the roll, Chair Yee, Member Farrell and Member Breed were noted present. There was a quorum.*

*Supervisors John Avalos and David Campos were noted present at 10:40 a.m.*

### **Supervisor Christensen Excused from Meeting**

**Member Farrell moved that Vice Chair Christensen be excused from the Government Audit and Oversight Committee meeting of October 1, 2015. The motion carried by the following vote:**

Ayes: 3 - Yee, Breed, Farrell

Excused: 1 - Christensen

## **AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

File Nos. 150948 and 150796 were called together.

Supervisor Farrell was noted not present at 11:26 a.m. and noted present at 11:50 a.m.

### **150948 [Resolution Urging the Rejection of Priority Enforcement Program]**

#### **Sponsors: Campos; Avalos and Mar**

Resolution opposing the scapegoating of immigrants and urging the rejection of the deportation-focused Priority Enforcement Program.

09/22/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/29/15; REFERRED TO DEPARTMENT. Referred to the Sheriff's Department, Police Department, Office of Civic Engagement and Immigrant Affairs, and the Human Rights Department for informational purposes.

*Heard in Committee. Speakers: Sheriff Ross Mirkarimi (Sheriff's Department); Jon Givner (City Attorney's Office); presented information and answered questions raised throughout the discussion. Yadira Sanchez (East Bay Immigrant Youth Coalition); Grissele Ruiz (Immigrant Legal Resource Center); Audrey Martinez (Community United Against Violence); Maria Hernandez (Mujeres Unidas y Activas); Rose Cahn (Lawyers' Committee for Civil Rights); Father Richard Smith (St. John the Evangelize Episcopal Church); Nelson Ramirez (San Francisco City College); Miriam Trujeque (Causa Justa Just Cause); Maria Hernandez (Mujeres Unidas y Activas); Maria Hu (Aspire); Saira Hussain (Asian Law Caucus); Female Speaker; Kitzia Esteva-Martinez (Causa Justa Just Cause); Larisa; spoke on various concerns relating to the hearing matter.*

*Member Breed, seconded by Member Farrell, moved that the Resolution be AMENDED on Page 2, Line 17, by adding 'except with regard to individuals who have a prior conviction for a violent felony within a certain period of time are currently being charged with a violent felony and may pose a public safety risk as detailed in Section 121.3 of the Administrative Code', and by striking the word 'which' and adding 'because'.*

*Before the roll was called, Member Breed moved to rescind the previous motion. The motion carried without objection.*

**Member Breed, seconded by Member Farrell, moved that this Resolution be REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors. The motion carried by the following vote:**

Ayes: 2 - Breed, Farrell

Noes: 1 - Yee

Excused: 1 - Christensen

**150796 [Confirming Support for the Sanctuary City and Due Process for All Ordinance and Urging the Sheriff to Immediately Rescind His Department-Wide Memorandum of March 13, 2015]**

**Sponsor: Farrell**

Resolution confirming the Board of Supervisors' support for the Sanctuary City and Due Process for All Ordinance; and urging the Sheriff to immediately rescind his department-wide gag order.

07/21/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

07/28/15; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, Police Department, Sheriff's Department, and Office of Civic Engagement and Immigrant Affairs for informational purposes.

*File Nos. 150948 and 150796 were called together.*

*Heard in Committee. Speakers: Sheriff Ross Mirkarimi (Sheriff's Department); presented information and answered questions raised throughout the discussion. Yadira Sanchez (East Bay Immigrant Youth Coalition); Grissele Ruiz (Immigrant Legal Resource Center); Audrey Martinez (Community United Against Violence); Maria Hernandez (Mujeres Unidas y Activas); Rose Cahn (Lawyers' Committee for Civil Rights); Father Richard Smith (St. John the Evangelize Episcopal Church); Nelson Ramirez (San Francisco City College); Miriam Trujeque (Causa Justa Just Cause); Maria Hernandez (Mujeres Unidas y Activas); Maria Hu (Aspire); Saira Hussain (Asian Law Caucus); Female Speaker; Kitzia Esteva-Martinez (Causa Justa Just Cause); Larisa; spoke on various concerns relating to the hearing matter.*

**Member Farrell, seconded by Member Breed, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE on Page 1, Line 1, and Page 1, Line 5, by striking 'gag order', and adding 'memorandum of March 13, 2015, regarding immigration and custom enforcement procedures, contact and communication'; and on Page 3, Line 10, by adding 'create a new policy to better follow San Francisco's Sanctuary City policy and due process for all policies and' before the word 'rescind'. The motion carried by the following vote:**

Ayes: 3 - Yee, Breed, Farrell

Excused: 1 - Christensen

Resolution confirming the Board of Supervisors' support for the Sanctuary City and Due Process for All Ordinance; and urging the Sheriff to immediately rescind his department-wide memorandum of March 13, 2015, regarding immigration and custom enforcement procedures, contact, and communication.

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

Ayes: 3 - Yee, Breed, Farrell

Excused: 1 - Christensen

The meeting recessed at 1:06 p.m. and reconvened at 1:34 p.m.

Upon reconvening Supervisors John Avalos and David Campos were no longer present. Member Farrell was noted not present.

#### **150604 [Hearing - Civil Grand Jury - CleanPowerSF At Long Last]**

Hearing on the recently published 2014-2015 Civil Grand Jury report, entitled "CleanPowerSF At Long Last." (Clerk of the Board)

07/16/15; REFERRED TO DEPARTMENT. Referred to the Public Utilities Commission and the Mayor's Office for their required response.

07/21/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/14/15; RESPONSE RECEIVED. A consolidated response from the Mayor's Office was received for the Civil Grand Jury Report.

09/14/15; RESPONSE RECEIVED. A consolidated response for the Public Utilities Commission was received by the Mayor's Office for the Civil Grand Jury Report.

*Heard in Committee. Speakers: Philip Reed and Herb Felsenfeld (Civil Grand Jury); Roger Kim (Mayor's Office); Barbara Hale (Public Utilities Commission); presented information and answered questions raised throughout the discussion.*

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

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

Absent: 1 - Farrell

#### **150605 [Board Response - Civil Grand Jury - CleanPowerSF At Long Last]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2014-2015 Civil Grand Jury Report, entitled "CleanPower At Long Last;" 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)

07/16/15; REFERRED TO DEPARTMENT. Referred to the Public Utilities Commission and the Mayor's Office for their required response.

09/14/15; RESPONSE RECEIVED. A consolidated response from the Mayor's Office was received for the Civil Grand Jury Report.

09/14/15; RESPONSE RECEIVED. A consolidated response for the Public Utilities Commission was received by the Mayor's Office for the Civil Grand Jury Report.

09/22/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*Heard in Committee. Speakers: Philip Reed and Herb Felsenfeld (Civil Grand Jury); Roger Kim (Mayor's Office); Barbara Hale (Public Utilities Commission); presented information and answered questions raised throughout the discussion.*

**Member Breed moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding the Committee's recommended responses to Finding Nos. 1, 2, 3, 4, and 5, and Recommendation Nos. 1, 2, 3, 4, and 5. The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

Absent: 1 - Farrell

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

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

Absent: 1 - Farrell

**150818 [Reaffirming Approval of the CleanPowerSF Implementation Plan]**

**Sponsors: Mayor; Breed and Mar**

Resolution reaffirming approval of the CleanPowerSF Updated 2015 Implementation Plan and Statement of Intent for a community choice aggregation program, including modifications consistent with the 2015 Implementation Plan.

07/28/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/03/15; REFERRED TO DEPARTMENT. Referred to the Department of the Environment, Public Utilities Commission, and Local Agency Formation Commission for informational purposes.

*Heard in Committee. Speakers: Barbara Hale (Public Utilities Commission); presented information and answered questions raised throughout the discussion.*

**Member Breed moved that this Resolution be RECOMMENDED. The motion by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

Absent: 1 - Farrell

**Supervisor Farrell Excused from Voting**

**Member Breed moved that Member Farrell be excused from voting on File Nos. 150606 and 150607. The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 2 - Christensen, Farrell

**150606 [Hearing - Civil Grand Jury - San Francisco's City Construction Program: It Needs Work]**

Hearing on the recently published 2014-2015 Civil Grand Jury report, entitled "San Francisco's City Construction Program: It Needs Work." (Clerk of the Board)

07/21/15; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, Public Works, and the Office of the Controller for their required response.

07/21/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/14/15; RESPONSE RECEIVED. A consolidated response from the Mayor's Office was received for the Civil Grand Jury Report.

09/14/15; RESPONSE RECEIVED. A consolidated response for the Public Works Department was received by the Mayor's Office for the Civil Grand Jury Report.

09/14/15; RESPONSE RECEIVED. A consolidated response for the Controller was received by the Mayor's Office for the Civil Grand Jury Report.

*Heard in Committee. Speakers: Philip Reed and Jerry Dratler (Civil Grand Jury); Nicholas King (Public Works); presented information and answered questions raised throughout the discussion.*

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

Ayes: 2 - Yee, Breed

Excused: 2 - Christensen, Farrell

**150607 [Board Response - Civil Grand Jury - San Francisco's City Construction Program: It Needs Work]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2014-2015 Civil Grand Jury Report, entitled "San Francisco's City Construction Program: It Needs Work;" 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)

07/21/15; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, Public Works, and the Office of the Controller for their required response.

09/14/15; RESPONSE RECEIVED. A consolidated response from the Mayor's Office was received for the Civil Grand Jury Report.

09/14/15; RESPONSE RECEIVED. A consolidated response for the Public Works Department was received by the Mayor's Office for the Civil Grand Jury Report.

09/14/15; RESPONSE RECEIVED. A consolidated response for the Controller was received by the Mayor's Office for the Civil Grand Jury Report.

09/22/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*Heard in Committee. Speakers: Philip Reed and Jerry Dratler (Civil Grand Jury); Nicholas King (Public Works); presented information and answered questions raised throughout the discussion.*

**Member Breed moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding the Committee's recommended responses to Finding Nos. 2, 3, 4, 5, 6, 7, 8, and 9, and Recommendation Nos. 2, 3, 4, 5, 6, 7, 8, and 9 . The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 2 - Christensen, Farrell

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

Ayes: 2 - Yee, Breed

Excused: 2 - Christensen, Farrell

**150872 [Administrative Code - Updating Job Classifications and Bargaining Units]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to reflect changes in job classifications and bargaining units.

09/08/15; ASSIGNED to Budget and Finance Committee. 9/23/2015 - President Breed waived the 30-day rule.

09/22/15; REFERRED TO DEPARTMENT. Referred to the Civil Service Commission and the Department of Human Resources for informational purposes.

09/23/15; TRANSFERRED to Government Audit and Oversight Committee. (9/23/15 - President Breed transferred this item from the Budget and Finance Committee to the Government Audit and Oversight Committee.)

*Heard in Committee. Speakers: Martin Gran (Department Human Resources); presented information and answered questions raised throughout the discussion.*

**Member Breed moved that this Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

Absent: 1 - Farrell

## ADJOURNMENT

*There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 3:13 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.*