



# 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: Aaron Peskin, Norman Yee, London Breed*

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

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Thursday, February 25, 2016

10:00 AM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

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## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## REGULAR AGENDA

- 160109** [Hearing - Department of Homeless Services and the City's Comprehensive Action Plan to Address Needs of Homeless Residents]  
**Sponsors: Cohen; Kim, Breed and Campos**  
Hearing to receive an update on the City's progress in addressing the state of homelessness citywide, including but not limited to: progress in establishing the Department of Homeless Services, including project milestones, timeline, budget, staffing, and primary mission/objectives; an update on the City and San Francisco Unified School District's (SFUSD) initiative to address family homelessness; the status of the Department of Public Health's (DPH) plan to address individuals referred to General Hospital's Psychiatric Emergency Services; and data regarding the numbers of individuals on General Assistance, and criteria for accessing and removal from these benefits; and requesting DPH, the Human Services Agency, Housing Opportunity, Partnerships and Engagement (HOPE), SFUSD, and the Mayor's Office to report.  
  
2/2/16; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.  
  
2/4/16; TRANSFERRED to the Government Audit and Oversight Committee.  
  
2/5/16; REFERRED TO DEPARTMENT.  
  
2/12/16; REFERRED TO DEPARTMENT.

2. [160074](#) **[Top of Broadway Community Benefit District - Annual Report to the City - FY2014-2015]**  
**Sponsor: Peskin**  
Resolution receiving and approving an annual report for the Top of Broadway Community Benefit District for FY2014-2015, 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.
- 1/26/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.  
1/29/16; REFERRED TO DEPARTMENT.
3. [151241](#) **[Administrative Code - Cash Revolving Fund for Office of the Clerk of the Board]**  
Ordinance amending the Administrative Code to create a cash revolving fund allowing the Office of the Clerk of the Board to keep up to \$100 in petty cash in the office; and making nonsubstantive changes to other sections of the Administrative Code that establish cash revolving funds for City departments. (Clerk of the Board)
- 12/1/15; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.  
12/8/15; REFERRED TO DEPARTMENT.

## SPECIAL ORDER

## 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.*

4. [160060](#) **[Settlement of Lawsuit - Yuri Simonenko - \$65,000]**  
Ordinance authorizing settlement of the lawsuit filed by Yuri Simonenko against the City and County of San Francisco for \$65,000; the lawsuit was filed on January 27, 2015, in San Francisco Superior Court, Case No. CGC-15-543836; entitled Yuri Simonenko v. City and County of San Francisco. (City Attorney)  
  
1/19/16; RECEIVED FROM DEPARTMENT.  
  
2/2/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
5. [160061](#) **[Settlement of Lawsuit - Charles Mikich and Alexis Mikich - \$125,000]**  
Ordinance authorizing settlement of the lawsuit filed by Charles Mikich and Alexis Mikich against the City and County of San Francisco for \$125,000; the lawsuit was filed on September 19, 2011, in the United States District Court for the Northern District of California, Case No. 11-CV-04629; entitled Charles Mikich and Alexis Mikich v. City and County of San Francisco, et al. (City Attorney)  
  
1/19/16; RECEIVED FROM DEPARTMENT.  
  
2/2/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
6. [160090](#) **[Settlement of Lawsuit - Lisette Adams, Granville McCollough, and Patrick Touhy - \$1,300,000]**  
Ordinance authorizing settlement of the lawsuit filed by Lisette Adams, Granville McCollough, and Patrick Touhy, acting for themselves and others similarly situated, against the City and County of San Francisco for \$1,300,000; the lawsuit was filed on October 9, 2013, in United States District Court for the Northern District of California, Case No. 13-04689 YGR; entitled Lisette Adams and Granville McCollough vs. The City and County of San Francisco and The City and County of San Francisco Sheriff's Department. (City Attorney)  
  
1/28/16; RECEIVED FROM DEPARTMENT.  
  
2/9/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7. [160092](#) **[Settlement of Unlitigated Claim - John Stack - \$55,000]**  
Resolution approving the settlement of the unlitigated claim filed by John Stack against the City and County of San Francisco for \$55,000; claim was filed on October 20, 2015. (City Attorney)  
  
1/28/16; RECEIVED FROM DEPARTMENT.  
  
2/9/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
8. [160093](#) **[Settlement of Unlitigated Claim - Adam Holm - \$89,005.53]**  
Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for \$89,005.53; claim was filed on July 31, 2015. (City Attorney)  
  
1/28/16; RECEIVED FROM DEPARTMENT.  
  
2/9/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
9. [160094](#) **[Settlement of Unlitigated Claim - Square, Inc. - \$65,557]**  
Resolution approving the settlement of the unlitigated claim filed by Square, Inc., against the City and County of San Francisco for \$65,557; claim was filed on March 2, 2015. (City Attorney)  
  
1/28/16; RECEIVED FROM DEPARTMENT.  
  
2/9/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
10. [160095](#) **[Settlement of Unlitigated Claim - Christopher Hickey - \$115,746.43]**  
Resolution approving the settlement of the unlitigated claim filed by Christopher Hickey against the City and County of San Francisco for \$115,746.43; claim was filed on May 27, 2015. (City Attorney)  
  
1/28/16; RECEIVED FROM DEPARTMENT.  
  
2/9/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
11. [160096](#) **[Settlement of Unlitigated Claim - Officers for Justice - \$121,684.40]**  
Resolution approving the settlement of the unlitigated claim filed by Officers for Justice against the City and County of San Francisco for \$121,684.40 in attorneys fees and costs; claim was filed on November 21, 2013. (City Attorney)  
  
1/28/16; RECEIVED FROM DEPARTMENT.  
  
2/9/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

*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

*NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

## 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.*

### 160103

#### **[Public Works Code - Clarifying Graffiti Prohibition and Establishing Administrative Penalties]**

##### **Sponsor: Peskin**

Ordinance amending the Public Works Code to clarify that prohibited graffiti extends to all public property, including all City assets; establish expedited notice and hearing procedures, create administrative penalties for an offending party, and renumber code sections; and affirming the Planning Department's determination under the California Environmental Quality Act.

2/2/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

2/4/16; TRANSFERRED to the Government Audit and Oversight Committee.

2/8/16; REFERRED TO DEPARTMENT.

2/11/16; RESPONSE RECEIVED.

### 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, 6, 9, 19, 21, 47, 49, 71, and 71L. 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) 554-7854; or by email at [sotf@sfgov.org](mailto: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>