



# 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, June 16, 2016

9:30 AM

City Hall, Committee Room 263

**Regular Meeting**

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## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## REGULAR AGENDA

- [160439](#)** **[Hearing - Immigrant Janitor Service Industry Workers]**  
**Sponsor: Breed**  
Hearing on San Francisco's efforts to protect janitors, particularly immigrant women janitors, from physical and economic exploitation, sexual harassment, and displacement; and requesting the Office of Labor Standards and Enforcement, Office of Economic and Workforce Development, Commission on the Status of Women, Immigrant Rights Commission, and City Administrator to report.

4/26/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

5/3/16; REFERRED TO DEPARTMENT.
- [160383](#)** **[Environment Code - Food Service and Packaging Waste Reduction]**  
**Sponsors: Breed; Peskin**  
Ordinance amending the Environment Code to prohibit the sale of food service ware and other specified products including packing materials that are made from polystyrene foam or that are non-recyclable and non-compostable; setting an operative date of January 1, 2017; and affirming the Planning Department's determination under the California Environmental Quality Act.

4/18/16; RESPONSE RECEIVED.

4/19/16; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

4/26/16; REFERRED TO DEPARTMENT.

5/6/16; RESPONSE RECEIVED.

5/27/16; RESPONSE RECEIVED.

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3. [160522](#) **[Selection of Independent Auditors - Macias, Gini & O'Connell, LLP - Not to Exceed \$9,388,686]**  
**Sponsor: Peskin**  
Resolution selecting Macias, Gini & O'Connell, LLP, as independent auditors for the Controller's Office and the separately audited departments of the City, for an amount not to exceed \$9,388,686 over a four-year contract term to commence July 1, 2016, with one three-year option to renew. (Controller)  
  
(Fiscal Impact; No Budget and Legislative Analyst Report)  
  
5/10/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.  
  
5/17/16; REFERRED TO DEPARTMENT.
4. [160547](#) **[Memorandum of Understanding - International Federation of Professional and Technical Engineers, Local 21]**  
**Sponsor: Mayor**  
Ordinance adopting and implementing Amendment No. 1 to the FYs 2014-2017 Memorandum of Understanding between the City and County of San Francisco and International Federation of Professional and Technical Engineers, Local 21 by implementing specified terms and conditions of employment for FYs 2016-2017.  
  
5/17/16; ASSIGNED to the Government Audit and Oversight Committee.  
  
5/23/16; REFERRED TO DEPARTMENT.  
  
*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on June 21, 2016.*
5. [160548](#) **[Memorandum of Understanding - Service Employees International Union, Local 1021]**  
**Sponsor: Mayor**  
Ordinance adopting and implementing Amendment No. 1 to the FYs 2014-2017 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FYs 2016-2017.  
  
5/17/16; ASSIGNED to the Government Audit and Oversight Committee.  
  
5/23/16; REFERRED TO DEPARTMENT.  
  
*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on June 21, 2016.*
6. [160549](#) **[Compensation for Unrepresented Employees]**  
**Sponsor: Mayor**  
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensation is subject to the provisions of Charter, Section A8.409, in job codes not represented by an employee organization, and establishing working schedules and other terms and conditions of employment and, methods of payment, effective July 1, 2016.  
  
5/17/16; ASSIGNED to the Government Audit and Oversight Committee.  
  
5/23/16; REFERRED TO DEPARTMENT.  
  
*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on June 21, 2016.*

7. [160665](#) **[Memorandum of Understanding - Service Employees International Union, Local 1021: Staff & Per Diem Nurses]**  
**Sponsor: Mayor**  
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021: Staff & Per Diem Nurses to be effective July 1, 2016, through June 30, 2017.  
  
6/7/16; ASSIGNED to the Government Audit and Oversight Committee.  
  
*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on June 21, 2016.*
8. [160666](#) **[Memorandum of Understanding - Teamsters, Local 856: Supervising Registered Nurses]**  
**Sponsor: Mayor**  
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and Teamsters, Local 856: Supervising Registered Nurses to be effective July 1, 2016, through June 30, 2019.  
  
6/7/16; ASSIGNED to the Government Audit and Oversight Committee.  
  
*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on June 21, 2016.*
9. [160512](#) **[Contract Agreement - Walgreen Co. - Pharmacy Services - Not To Exceed \$19,600,000]**  
**Sponsor: Mayor**  
Resolution approving a contract between the Department of Public Health and Walgreen Co., to provide pharmacy services under the federal drug discount program established by Public Health Service Act, Section 340B, for a five-year term of July 1, 2016, through June 30, 2021, in an amount not to exceed \$19,600,000. (Public Health Department)  
  
(Fiscal Impact; No Budget and Legislative Analyst Report)  
  
5/10/16; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.  
  
5/23/16; TRANSFERRED to the Government Audit and Oversight Committee.  
  
*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on June 21, 2016.*

10. [160314](#) **[Contract Amendment - Regents of the University of California, Division of Substance Abuse and Addiction Medicine - Behavioral Health Services - Not to Exceed \$27,552,154]**

Resolution retroactively approving amendment number one to the Department of Public Health contract for behavioral health services with the Regents of the University of California, Division of Substance Abuse and Addiction Medicine, to extend the contract by two years, from July 1, 2010, through December 31, 2015, to July 1 2010, through December 31, 2017, with a corresponding increase of \$9,648,526 for a total amount not to exceed \$27,552,154. (Public Health Department)

(Fiscal Impact; No Budget and Legislative Analyst Report.)

4/4/16; RECEIVED FROM DEPARTMENT.

4/12/16; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

5/23/16; TRANSFERRED to the Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on June 21, 2016.*

11. [160595](#) **[Accept and Expend Grant - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$200,000]**

**Sponsors: Mayor; Kim and Campos**

Resolution retroactively authorizing the Department of Public Works to accept and expend a grant of up to \$200,000 from the San Francisco Bay Area Rapid Transit District for the Pit Stop Public Toilet Program for the period of February 17, 2016, through February 16, 2017.

5/24/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on June 21, 2016.*

12. [160442](#) **[Hearing - Below-Market-Rate Housing Policies and Procedures]**

**Sponsors: Kim; Breed**

Hearing on the Below-Market-Rate Housing policies and procedures utilized throughout the City and County of San Francisco; and requesting the Mayor's Office of Housing and Community Development to report.

4/26/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

5/3/16; REFERRED TO DEPARTMENT.

5/5/16; CONTINUED TO CALL OF THE CHAIR.

5/19/16; CONTINUED.

6/2/16; CONTINUED.

## 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.*

13. [160187](#) **[Settlement of Lawsuit - David Zeller - \$900,000]**  
Ordinance authorizing settlement of the lawsuit filed by David Zeller against the City and County of San Francisco for \$900,000; the lawsuit was filed on March 14, 2013, in San Francisco Superior Court, Case No. CGC-13-529554; entitled David Zeller v. San Francisco General Hospital, et al.; the lawsuit involves alleged medical malpractice. (City Attorney)  
2/24/16; RECEIVED FROM DEPARTMENT.  
3/8/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
14. [160500](#) **[Settlement of Lawsuit - Ken Meisle - \$40,000]**  
Ordinance authorizing settlement of the lawsuit filed by Ken Meisle against the City and County of San Francisco for \$40,000; the lawsuit was filed on November 26, 2014, in San Francisco Superior Court, Case No. CGC-14-542935; entitled Ken Meisle v. City and County of San Francisco; the lawsuit involves personal injury and property damage. (City Attorney)  
5/3/16; RECEIVED FROM DEPARTMENT.  
5/17/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
15. [160501](#) **[Settlement of Lawsuit - Martha Abbene - \$81,000]**  
Ordinance authorizing settlement of the lawsuit filed by Martha Abbene against the City and County of San Francisco for \$81,000; the lawsuit was filed on January 21, 2015, in San Francisco Superior Court, Case No. CGC-15-543761; entitled Martha Abbene v. City and County of San Francisco, et al.; the lawsuit involves personal injury due to uneven road surface. (City Attorney)  
5/3/16; RECEIVED FROM DEPARTMENT.  
5/17/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
16. [160543](#) **[Settlement of Unlitigated Claim - Ebates Inc. - \$395,000]**  
Resolution approving the settlement of the unlitigated claim filed by Ebates Inc. against the City and County of San Francisco for \$395,000; the claim was filed on February 11, 2016; the claim involves a refund of payroll expense taxes. (City Attorney)  
5/11/16; RECEIVED FROM DEPARTMENT.  
5/24/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

17. [160544](#) **[Settlement of Administrative Civil Liability Complaint - California Regional Water Quality Control Board - \$611,100]**  
Resolution approving settlement of an administrative civil liability complaint proposed by California Regional Water Quality Control Board against the City and County of San Francisco for \$611,100; the complaint is entitled In the matter of SAN FRANCISCO PUBLIC UTILITIES COMMISSION; February 8, 2014, Discharge of Chlorinated Treated Wastewater; February 8, 2014, Discharge of Undisinfected Partially Treated Wastewater; July 19, 2014, Discharge of Chlorinated Treated Wastewater; July 21, 2014, Discharge of Partially Treated Wastewater; the matter involves alleged violations of combined sewage discharge permit limitations; the settlement also provides for penalty suspension pending completion of a supplemental environmental project. (City Attorney)  
  
5/11/16; RECEIVED FROM DEPARTMENT.  
  
5/24/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
18. [160576](#) **[Settlement of Lawsuits - Justice Operating Co. LLC, and Justice Investors LP, Kearny Street Employers LLC - \$1,450,000]**  
Ordinance authorizing settlement of two lawsuits filed by Justice Investors LP, Kearny Street Employers LLC, and Justice Operating Co. LLC, against the City and County of San Francisco for \$1,450,000; the first lawsuit was filed on July 16, 2015, in San Francisco Superior Court, Case No. CGC-15-546897; entitled Justice Investors LP, Justice Operating Co. LLC v. City and County of San Francisco; the second lawsuit was filed on October 19, 2015, in San Francisco Superior Court, Case No. CPF-15-514532; entitled Justice Investors LP, Kearny Street Employers LLC v. City and County of San Francisco; these are suits for refund of Real Property Transfer Tax, Transient Occupancy Tax and Tourism Improvement District Fees; other material term of said settlement is San Francisco's dismissal of its cross-complaint in Case No. CPF-15-514532. (City Attorney)  
  
5/18/16; RECEIVED FROM DEPARTMENT.  
  
5/31/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
19. [160577](#) **[Settlement of Unlitigated Claim - Tamsyn Waterhouse - \$73,978.82]**  
Resolution approving the settlement of the unlitigated claim filed by Tamsyn Waterhouse against the City and County of San Francisco for \$73,978.82; the claim was filed on June 3, 2015; the claim involves alleged property damage resulting from the December 2014 floods. (City Attorney)  
  
5/19/16; RECEIVED FROM DEPARTMENT.  
  
5/31/16; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
20. [160578](#) **[Settlement of Unlitigated Claim - 500 Sansome Street Investors, L.L.C. - \$44,345.14]**  
Resolution approving the settlement of the unlitigated claim filed by 500 Sansome Street Investors, L.L.C., against the City and County of San Francisco for \$44,345.14; the claim was filed on June 29, 2015; the claim involves alleged property damage arising from flooding. (City Attorney)  
  
5/19/16; RECEIVED FROM DEPARTMENT.  
  
5/31/16; 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

## 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.*

**160551**

**[Reward for Information About Underpayment of Property Tax - Charles Scoble - \$1,848.17]**

**Sponsor: Peskin**

Ordinance approving Assessor's recommended reward of \$1,848.17 to Charles Scoble for information that led to detection of underpayment of property tax from an unreported change in ownership.

5/17/16; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

5/24/16; REFERRED TO DEPARTMENT.

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### 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, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. 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) 554-5163; 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>