



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: Gordon Mar, Vallie Brown, Aaron Peskin

Clerk: John Carroll (415) 554-4445

Thursday, September 19, 2019

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- 180701** **[Hearing - Civil Grand Jury Report - Mitigating the Housing Crisis: Accessory Dwelling Units and Modular Housing]**
Hearing on the recently-published 2017-2018 Civil Grand Jury report, entitled "Mitigating the Housing Crisis: Accessory Dwelling Units and Modular Housing." (Clerk of the Board)

7/5/18; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

8/17/18; RESPONSE RECEIVED.

9/3/18; RESPONSE RECEIVED.

10/3/18; CONTINUED TO CALL OF THE CHAIR.

1/31/19; RESPONSE RECEIVED.

2/21/19; CONTINUED.

4/4/19; CONTINUED TO CALL OF THE CHAIR.
- 190785** **[Hearing - Civil Grand Jury Report - Act Now Before it is Too Late: Aggressively Expand and Enhance Our High-Pressure Emergency Firefighting Water System]**
Hearing on the recently-published 2018-2019 Civil Grand Jury Report, entitled "Act Now Before it is Too Late: Aggressively Expand and Enhance Our High-Pressure Emergency Firefighting Water System." (Clerk of the Board)

7/17/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/25/19; REFERRED TO DEPARTMENT.

3. [190786](#) **[Board Response - Civil Grand Jury Report - Act Now Before it is Too Late: Aggressively Expand and Enhance Our High-Pressure Emergency Firefighting Water System]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2018-2019 Civil Grand Jury Report, entitled "Act Now Before it is Too Late: Aggressively Expand and Enhance Our High-Pressure Emergency Firefighting Water System;" 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)

7/17/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
7/25/19; REFERRED TO DEPARTMENT.
4. [190787](#) **[Hearing - Civil Grand Jury Report - Improving Continuity Review for Increased Public Accountability: The 2018-2019 San Francisco Civil Grand Jury Continuity Report]**
Hearing on the recently-published 2018-2019 Civil Grand Jury Report, entitled "Improving Continuity Review for Increased Public Accountability: The 2018-2019 San Francisco Civil Grand Jury Continuity Report." (Clerk of the Board)

7/17/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
7/25/19; REFERRED TO DEPARTMENT.
5. [190788](#) **[Board Response - Civil Grand Jury Report - Improving Continuity Review for Increased Public Accountability: The 2018-2019 San Francisco Civil Grand Jury Continuity Report]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2018-2019 Civil Grand Jury Report, entitled "Improving Continuity Review for Increased Public Accountability: The 2018-2019 San Francisco Civil Grand Jury Continuity Report;" 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)

7/17/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
7/25/19; REFERRED TO DEPARTMENT.
6. [190789](#) **[Hearing - Civil Grand Jury Report - Pedestrian Safety in the Era of Electric Mobility Devices]**
Hearing on the recently-published 2018-2019 Civil Grand Jury Report, entitled "Pedestrian Safety in the Era of Electric Mobility Devices." (Clerk of the Board)

7/17/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
7/25/19; REFERRED TO DEPARTMENT.

7. [190790](#) **[Board Response - Civil Grand Jury Report - Pedestrian Safety in the Era of Electric Mobility Devices]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2018-2019 Civil Grand Jury Report, entitled "Pedestrian Safety in the Era of Electric Mobility Devices;" 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)
- 7/17/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
- 7/25/19; REFERRED TO DEPARTMENT.

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 litigation and anticipated litigation. 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.*

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

8. [190778](#) **[Settlement of Unlitigated Claim - Farmers Insurance Exchange - \$300,472 - Appropriation - Water Enterprise Fund Balance]**
Ordinance approving the settlement of the unlitigated claim filed by Farmers Insurance Exchange against the City and County of San Francisco for \$300,472; the claim was filed on September 7, 2018; the claim involves alleged property damage arising from a water main break; and appropriating \$300,472 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)
- 7/8/19; RECEIVED FROM DEPARTMENT.
- 7/23/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

9. [190779](#) **[Settlement of Lawsuit - Gregory Saputelli - \$120,000]**
Ordinance authorizing settlement of the lawsuit filed by Gregory Saputelli against the City and County of San Francisco for \$120,000; the lawsuit was filed on January 17, 2018, in San Francisco Superior Court, Case No. CGC-18-563713; entitled Gregory Saputelli v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

7/8/19; RECEIVED FROM DEPARTMENT.

7/23/19; 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 September 24, 2019.
10. [190780](#) **[Settlement of Lawsuit - Ana Landis Velazquez - \$125,000]**
Ordinance authorizing settlement of the lawsuit filed by Ana Landis Velazquez against the City and County of San Francisco for \$125,000; the lawsuit was filed on January 26, 2017, in San Francisco Superior Court, Case No. CGC-17-556697; entitled Ana Landis Velazquez v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City Street. (City Attorney)

7/8/19; RECEIVED FROM DEPARTMENT.

7/23/19; 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 September 24, 2019.
11. [190806](#) **[Settlement of Lawsuit - Innsbruck, LP - \$1,557,420 Plus Interest]**
Ordinance authorizing settlement of the lawsuit filed by Innsbruck, LP against the City and County of San Francisco for \$1,557,420 plus interest; the lawsuit was filed on May 14, 2018, in San Francisco Superior Court, Case No. CGC-18-566560; entitled Innsbruck, LP v. City and County of San Francisco, et al.; the lawsuit involves a transfer tax refund. (City Attorney)

7/22/19; RECEIVED FROM DEPARTMENT.

7/30/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
12. [190807](#) **[Settlement of Lawsuit - Plaza GB, LP - \$1,294,995 Plus Interest]**
Ordinance authorizing settlement of the lawsuit filed by Plaza GB, LP against the City and County of San Francisco for \$1,294,995 plus interest; the lawsuit was filed on May 14, 2018, in San Francisco Superior Court, Case No. CGC-18-566558; entitled Plaza GB, LP v. City and County of San Francisco, et al.; the lawsuit involves a transfer tax refund. (City Attorney)

7/22/19; RECEIVED FROM DEPARTMENT.

7/30/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

13. [190870](#) **[Settlement of Lawsuit - Yvonne Marie Ellis - \$33,000]**
Ordinance authorizing settlement of the lawsuit filed by Yvonne Marie Ellis against the City and County of San Francisco for \$33,000; the lawsuit was filed on June 6, 2018, in San Francisco Superior Court, Case No. CGC-18-567012; entitled Yvonne Marie Ellis v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City street. (City Attorney)
8/12/19; RECEIVED FROM DEPARTMENT.
9/3/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
14. [190871](#) **[Settlement of Lawsuit - Michael Pannone - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by Michael Pannone against the City and County of San Francisco for \$30,000; the lawsuit was filed on October 5, 2017, in San Francisco Superior Court, Case No. CGC-17-561728; entitled Michael Pannone v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)
8/12/19; RECEIVED FROM DEPARTMENT.
9/3/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
15. [190872](#) **[Settlement of Lawsuit - Katharine Savin - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Katharine Savin against the City and County of San Francisco for \$40,000; the lawsuit was filed on October 4, 2016, in United States District Court, Northern District of California, Case No. 16-cv-05627-JST, entitled Katharine Savin v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)
8/20/19; RECEIVED FROM DEPARTMENT.
9/3/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
16. [190873](#) **[Settlement of Lawsuit - The Roman Catholic Archbishop of San Francisco, et al. - City to Receive \$913,970 from U.S. Pipe & Foundry Company]**
Ordinance authorizing settlement of the lawsuit filed by The Roman Catholic Archbishop of San Francisco, et al. against the City and County of San Francisco for payment of \$913,970 by U.S. Pipe & Foundry Company to the City; the lawsuit was filed on April 11, 2013, in United States District, Case No. 13-cv-2220 MEJ; entitled The Roman Catholic Archbishop of San Francisco, et al. v. City and County of San Francisco, et al.; the lawsuit involves dangerous condition of public property and inverse condemnation. (City Attorney)
8/26/19; RECEIVED FROM DEPARTMENT.
9/3/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

17. [190874](#) **[Settlement of Unlitigated Claim - Property & Casualty Company of Hartford - \$73,273 - Appropriation - Water Enterprise Fund Balance]**
Ordinance approving the settlement of the unlitigated claim filed by Property & Casualty Insurance Company of Hartford against the City and County of San Francisco for \$73,273; the claim was filed on August 30, 2018; the claim involves alleged property damage arising from a water main break; and appropriating \$73,273 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

8/26/19; RECEIVED FROM DEPARTMENT.

9/3/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
18. [190875](#) **[Settlement of Lawsuit - Kai Kopp - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Kai Kopp against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 28, 2016, in San Francisco Superior Court Case No. CGC-16-551183; entitled Kai Kopp v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury in a City park. (City Attorney)

8/26/19; RECEIVED FROM DEPARTMENT.

9/3/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
19. [190876](#) **[Settlement of Lawsuit - Abuon Mayen - \$225,000 - Appropriation - Water Enterprise Fund Balance]**
Ordinance authorizing settlement of the lawsuit filed by Abuon Mayen against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 6, 2018, in San Francisco Superior Court, Case No. CGC-18-566751; entitled Abuon Mayen v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision; and appropriating \$225,000 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

8/26/19; RECEIVED FROM DEPARTMENT.

9/3/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
20. [190781](#) **[Settlement of Unlitigated Claim - Shambhala Healing Center Incorporated - \$29,250.72]**
Resolution approving the settlement of the unlitigated claim filed by Shambhala Healing Center Incorporated against the City and County of San Francisco for \$29,250.72; the claim was filed on May 1, 2019; the claim involves alleged property damaged due to sewer flooding. (City Attorney)

7/8/19; RECEIVED FROM DEPARTMENT.

7/23/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
21. [190884](#) **[Settlement of Unlitigated Claim - Federal Insurance Company - \$47,766.59]**
Resolution approving the settlement of the unlitigated claim filed by Federal Insurance Company against the City and County of San Francisco for \$47,766.59; the claim was filed on February 13, 2019; the claim involves alleged property damage due to flooding from a ruptured water service line. (City Attorney)

8/26/19; RECEIVED FROM DEPARTMENT.

9/3/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

22. [190885](#) **[Settlement of Unlitigated Claim - The Mint Collection HOA - \$35,147.30]**
Resolution approving the settlement of the unlitigated claim filed by The Mint Collection HOA against the City and County of San Francisco for \$35,147.30; the claim was filed on September 7, 2018; the claim involves alleged property damaged due to sewer flooding. (City Attorney)

8/26/19; RECEIVED FROM DEPARTMENT.

9/3/19; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

[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.

[190925](#) **[Health Code - City-Operated Adult Residential Facility - 887 Potrero Avenue]**

Sponsor: Mandelman

Ordinance amending the Health Code to require the Department of Public Health to maintain and operate at full capacity a 55-bed adult residential facility located at 887 Potrero Avenue as soon as possible, but by no later than July 1, 2021, recognizing that before then 41 of the 55 beds may be used as emergency shelter for people experiencing homelessness.

9/10/19; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

[190928](#) **[Health Code - City-Operated Adult Residential Facility]**

Sponsors: Ronen, Haney, Walton, Peskin and Mar

Ordinance amending the Health Code to require the Department of Public Health to maintain and operate at full capacity a 55-bed adult residential facility.

9/10/19; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

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

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 the Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications 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.

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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 Peggy Nevin at (415) 554-5184. **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

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>