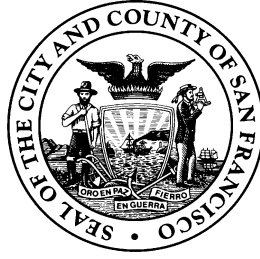


BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Gordon Mar, Chair
Government Audit and Oversight Committee

FROM: John Carroll, Assistant Clerk

DATE: April 5, 2019

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, April 9, 2019

The following file should be presented as a COMMITTEE REPORT at the Board meeting, Tuesday, April 9, 2019. This item was acted upon at the regular Government Audit and Oversight Committee meeting on Thursday, April 4, 2019, at 10:00 a.m., by the votes indicated.

Item No. 28 File No. 190286

Ordinance de-appropriating \$124,523.97 from the Wastewater Enterprise Fund Balance and re-appropriating the same amount to the Water Enterprise Fund Balance for the Public Utilities Commission to fund the settlement of the unlitigated claim of Sambou Makalou.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Gordon Mar - Aye
Supervisor Vallie Brown - Aye
Supervisor Aaron Peskin - Aye

Cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
John Carroll, Acting Legislative Deputy
Jon Givner, Deputy City Attorney

File No. 190286

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: April 4, 2019

Board of Supervisors Meeting:

Date: April 9, 2019

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Committee Report Request Memo - March 27, 2019</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>30-Day Hold Waiver - March 25, 2019</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: John Carroll

Date: March 29, 2019

Prepared by: John Carroll

Date: April 5, 2019

1 [De-Appropriation and Re-Appropriation - Public Utilities Commission Water Enterprise Fund
2 Balance - Payment of Unlitigated Claim of Sambou Makalou - \$124,523.97]

3 **Ordinance de-appropriating \$124,523.97 from the Wastewater Enterprise Fund Balance**
4 **and re-appropriating the same amount to the Water Enterprise Fund Balance for the**
5 **Public Utilities Commission to fund the settlement of the unlitigated claim of Sambou**
6 **Makalou.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Sambou Makalou filed a claim on June 27, 2018 against the City and
16 County of San Francisco alleging property damage arising from a six inch water main break.
17 In Ordinance No. 44-19, in Board File No. 190003, the Board of Supervisors approved
18 settlement of the claim for \$124,523.97, and erroneously designated the San Francisco Public
19 Utilites Commission Wastewater Enterprise fund balance as the source of funding
20 appropriated to settle and compromise the claim.


21 The funds appropriated by the ordinance in Board File No. 190003 are hereby de-
22 appropriated, and the source of funding for the \$124,523.97 payment for purposes of the
23 settlement payment shall be the San Francisco Public Utilites Commission Water Enterprise
24 Fund balance.
25

1 Section 2. Effective Date. This ordinance shall become effective upon enactment.
2 Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance
3 unsigned or does not sign the ordinance within ten days of receiving it, or the Board of
4 Supervisors overrides the Mayor's veto of the ordinance.
5

6 FUNDS AVAILABLE:

7 
8 BEN ROSENFELD
9 Controller

10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By: 
13 JON GIVNER
14 Deputy City Attorney
15
16
17
18
19
20
21
22
23
24
25

Job Rep
Leg Clerk

Member, Board of Supervisors
District 4




City and County of San Francisco

GORDON MAR
馬兆明

DATE: March 27, 2019

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Mar 
Chairperson


RE: Government Audit and Oversight Committee
COMMITTEE REPORT

Pursuant to Board Rule 4.20, as Chair of the Government Audit and Oversight Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on Tuesday, April 9, 2019, as a Committee Report:

File No. 190286 [De-Appropriation and Re-Appropriation - Public Utilities Commission Water Enterprise Fund Balance - Payment of Unlitigated Claim of Sambou Makalou - \$124,523.97]

Ordinance de-appropriating \$124,523.97 from the Wastewater Enterprise Fund Balance and re-appropriating the same amount to the Water Enterprise Fund Balance for the Public Utilities Commission to fund the settlement of the unlitigated claim of Sambou Makalou.

This matter will be heard in the Government Audit and Oversight Committee on April 4, 2019, at 10:00 a.m.

BY 

2019 MAR 28 AM 9:10

BOARD OF SUPERVISORS
SAN FRANCISCO

BOS-11, COB, Leg. Rep, GAO Clerk,
Dep. City Atty, Mayor's Office.
BOS-IT, OPS.

President, District 7
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Tel. No. 554-6516
Fax No. 554-7674
TDD/TTY No. 544-6546

Norman Yee

PRESIDENTIAL ACTION

Date: 3/25/2019

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 190286 Mandelman
(Primary Sponsor)

Title. De-Appropriation and Re-Appropriation - Public Utilities Commission
Water Enterprise Fund Balance - Payment of Unlitigated Claim of **+**

Transferring (Board Rule No 3.3)

File No. _____
(Primary Sponsor)

Title. _____

From: _____ Committee

To: _____ Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor _____

Replacing Supervisor _____

For: _____ Meeting
(Date) (Committee)

Norman Yee, President
Board of Supervisors

BY: *[Signature]*
21 MAR 27 AM 6:00
BOARD OF SUPERVISORS
SAN FRANCISCO

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 MAR 12 Time stamp 20
or meeting date

BY ZKS

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Supervisor Rafael Mandelman

Subject:

De-Appropriation and Re-Appropriation - \$124,523.97 - Public Utilities Commission Water Enterprise Fund Balance - Payment of Unlitigated Claim of Sambou Makalou

The text is listed:

Ordinance de-appropriating \$124,523.97 from the Wastewater Enterprise Fund Balance and re-appropriating the same amount to the Water Enterprise Fund Balance for the Public Utilities Commission to fund the settlement of the unlitigated claim of Sambou Makalou.

Signature of Sponsoring Supervisor: M

For Clerk's Use Only