



**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, April 9, 2015

2:00 PM

City Hall, Legislative Chamber, Room 250

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**Special Meeting**

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**Present:** 2 - Norman Yee, and London Breed

**Excused:** 1 - Julie Christensen

## MEETING CONVENED

*The meeting convened at 2:08 p.m.*

## REGULAR AGENDA

*Supervisor Christensen was noted present at 2:14 p.m.; noted absent at 2:34 p.m. and for the remainder of the meeting.*

### 150234 [Hearing - Report on Recent Increase in Property Crime and Car Break-Ins Citywide]

**Sponsor: Yee**

Hearing on the recent increase in property crime and car break-ins citywide; and requesting the Police Department to report.

03/03/15; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

03/06/15; REFERRED TO DEPARTMENT. Referred to the Police Department for informational purposes.

03/10/15; TRANSFERRED to Government Audit and Oversight Committee. 3/10/15 - President Breed transferred this item from PSN to GAO.

*Heard in Committee. Speakers: Greg Suhr, Chief of Police (Police Department); Cristine DeBerry (District Attorney's Office); presented information and answered questions raised throughout the discussion. Pierson Bourquin (Westwood Park Neighborhood Emergency Response Team); Linda Liebelt; Roger Rilter (West of Twin Peaks Central Council); Lisa Spenalli, President (Sunnyside Neighborhood Association); Briget Sherman (Resident of Balboa Terrace); spoke on various concerns relating to the hearing matter.*

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

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150203 [Hearing - Vehicle Telematics for City Vehicles]****Sponsors: Yee; Kim and Avalos**

Hearing on vehicle telematics for City Vehicles; and requesting the Budget and Legislative Analyst to report.

02/24/15; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

03/06/15; REFERRED TO DEPARTMENT. Referred to the Budget and Legislative Analyst's Office for informational purposes.

03/31/15; TRANSFERRED to Government Audit and Oversight Committee. (03/31/2015 - President Breed transferred this item from Public Safety and Neighborhood Services to Government Audit and Oversight Committee.)

*Heard in Committee. Speakers: Fred Brousseau and Julian Metcalf (Budget and Legislative Analyst's Office); 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

**140401 [Hearing - Update on Implementation of Audit Recommendations]****Sponsors: Breed; Yee**

Hearing to receive an update from the City Services Auditor on the status of audit recommendations.

04/22/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

04/24/14; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Tonia Lediju, Director of City Audits (Office of the Controller); Nancy Hom Rizal Viaril (Public Utilities Commission); Male Speaker (Department of Public Health); Kat Scoggin (Office of the Controller); Dave Curto (Human Services Agency); presented information and answered questions raised throughout the discussion. Ace on the Case; spoke on various concerns relating to the hearing matter.

07/24/14; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Tonia Lediju, Director of City Audits, and Kat Scoggin (Office of the Controller); presented information and answered questions raised throughout the discussion. Dr. Espanola Jackson; Ace Washington; Male Speaker; Ken Johnson; spoke on various concerns regarding the hearing matter.

11/13/14; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Tonia Lediju, Director of Audits (Controller's Office); Martin Gran, Employee Relations Director (Department of Human Resources); Deputy Chief Sharon Ferrigno (Police Department); presented information and answered questions raised throughout the discussion. Male Speaker; Aja Monet; spoke on various concerns relating to the hearing matter.

*Heard in Committee. Speakers: Tonia Lediju, Director of City Audits (Office of the Controller); Julie Dawson and Nicholas King (Public Works); Anna Kubo (Department of Public Health); Gigi Witley (Office of the Assessor-Recorder); Kate Toran (Municipal Transportation Agency); 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

## **Supervisor Christensen Excused from Attendance**

**Supervisor Breed moved that Supervisor Christensen be excused from the Government Audit and Oversight meeting of April 9, 2015. The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

## **LITIGATION**

*Speakers: None.*

**Supervisor Yee moved to convene in closed session. The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

## **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.*

*Persons in attendance: Andrew Shen (Office of the City Attorney), Erica Major and Alisa Somera (Office of the Clerk of the Board).*

### **150185 [Settlement of Lawsuit - A. J., a Minor, By and Through Her Guardian Ad Litem, Chantel Johnson - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by A. J., a minor, by and through her guardian ad litem, Chantel Johnson, against the City and County of San Francisco for \$30,000; the lawsuit was filed on September 6, 2011, in San Francisco Superior Court, Case No. CGC-11-513954; entitled A. J., by and through her guardian ad litem, Jennifer Rodriguez v. City and County of San Francisco, et al.; removed to federal court on December 12, 2013, and re-captioned as A. J. a minor, by and through her guardian ad litem, Chantel Johnson v. City and County of San Francisco, et al.; United States District Court, Case No. 13-cv-5770 EMC. (City Attorney)

02/23/15; RECEIVED FROM DEPARTMENT.

03/03/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150186 [Settlement of Unlitigated Claims - ASI Fox Plaza LLC, and APN Fox Plaza LLC - \$3,375,000]**

Resolution approving the settlement of two unlitigated claims filed by ASI Fox Plaza LLC, and APN Fox Plaza LLC, against the City and County of San Francisco for \$3,375,000; claims were filed on May 13, 2013. (City Attorney)

02/23/15; RECEIVED FROM DEPARTMENT.

03/03/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150187 [Settlement of Unlitigated Claims - Archstone Concourse LLC, and Archstone Showplace Square LLC - \$1,731,250]**

Resolution approving the settlement of two unlitigated claims filed by Archstone Concourse LLC, and Archstone Showplace Square LLC, against the City and County of San Francisco for \$1,731,250; claims were filed on April 15, 2013. (City Attorney)

02/23/15; RECEIVED FROM DEPARTMENT.

03/03/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150188 [Settlement of Unlitigated Claims - The Regents of the University of California - \$235,547.71]**

Resolution approving the settlement of the unlitigated claims by The Regents of the University of California against the City and County of San Francisco for \$235,547.71; claims were filed on July 30, 2013, and December 1, 2014. (City Attorney)

02/23/15; RECEIVED FROM DEPARTMENT.

03/03/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150260 [Settlement of Lawsuit - Tamara Hill - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Tamara Hill against the City and County of San Francisco for \$150,000; the lawsuit was filed on November 6, 2012, in San Francisco Superior Court, Case No. CGC-12-525143; entitled Tamara Hill v. City and County of San Francisco. (City Attorney)

03/16/15; RECEIVED FROM DEPARTMENT.

03/24/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150261 [Settlement of Lawsuit - Santokh Kahlon - \$142,500]**

Ordinance authorizing settlement of the lawsuit filed by Santokh Kahlon against the City and County of San Francisco for \$142,500; the lawsuit was filed on August 29, 2013, in California Superior Court, San Francisco Branch, Case No. CGC-13-533906; entitled Santokh Kahlon v. San Francisco Public Utilities Commission, City and County of San Francisco. (City Attorney)

03/16/15; RECEIVED FROM DEPARTMENT.

03/24/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150262 [Settlement of Lawsuit - Aaron Read - \$112,000]**

Ordinance authorizing settlement of the lawsuit filed by Aaron Read against the City and County of San Francisco for \$112,000; the lawsuit was filed on October 6, 2013, in San Francisco Superior Court, Case No. CGC-13-534077; entitled Aaron Read v. City and County of San Francisco, et al. (City Attorney)

03/16/15; RECEIVED FROM DEPARTMENT.

03/24/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150264 [Settlement of Unlitigated Claim - Tim and Jennifer Barrett - \$78,988.36]**

Resolution approving the settlement of the unlitigated claim filed by Tim and Jennifer Barrett against the City and County of San Francisco for \$78,988.36; claim was filed on January 9, 2014. (City Attorney)

03/16/15; RECEIVED FROM DEPARTMENT.

03/24/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150287 [Settlement of Lawsuit - Gordon Clark - \$99,500]**

Ordinance authorizing settlement of the lawsuit filed against the City and County of San Francisco for \$99,500; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. 12-02584 JCS; currently entitled Gordon Clark v. City and County of San Francisco. (City Attorney)

03/19/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150288 [Settlement of Lawsuit - Jose Garcia - \$50,000 and Waiver of \$16,509]**

Ordinance authorizing settlement of the lawsuit filed by Jose Garcia against the City and County of San Francisco for \$50,000; the lawsuit was filed on March 16, 2012, in United States District Court for the Northern District of California, Case No. 12-CV-2443; entitled Jose Garcia v. City and County of San Francisco, et al.; other material terms of said settlement are waiver of the \$16,509 San Francisco General Hospital lien. (City Attorney)

03/19/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150289 [Settlement of Lawsuit - Kimberley Tuyay - \$125,000]**

Ordinance authorizing settlement of the lawsuit filed by Kimberley Tuyay against the City and County of San Francisco for \$125,000; the lawsuit was filed on March 24, 2014, in California Superior Court, San Francisco Branch, Case No. CGC-14-538197; entitled Kimberley Tuyay v. City and County of San Francisco, Department of Emergency Management, et al., later removed to the United States District Court for the Northern District of California, Case No. C 14-01981 NC. (City Attorney)

03/19/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

**150290 [Settlement of Lawsuit - Helen Nguy - \$225,000]**

Ordinance authorizing settlement of the lawsuit filed by Helen Nguy against the City and County of San Francisco for \$225,000; the lawsuit was filed on April 10, 2013, in San Francisco Superior Court, Case No. CGC-13-530519; entitled Helen Nguy v. CCSF, et al. (City Attorney)

03/19/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**RECOMMENDED.. by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

*Deputy City Attorney Andrew Shen reported that the Government Audit and Oversight Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.*

*[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.*

**Supervisor Breed moved to not disclose the closed session deliberations. The motion carried by the following vote:**

Ayes: 2 - Yee, Breed

Excused: 1 - Christensen

## ADJOURNMENT

*The meeting adjourned at 4:17 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.*