



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

Thursday, December 3, 2015

10:30 AM

City Hall, Committee Room 263

Regular Meeting

Present: 4 - Norman Yee, Julie Christensen, London Breed, and Jane Kim

ROLL CALL AND ANNOUNCEMENTS

Chair Norman Yee called the meeting to order at 10:40 a.m. On the call of the roll, Chair Yee, Vice Christensen, and Member Breed were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

151192 [Agreement - Owners' Association for Administration/Management of Greater Rincon Hill Community Benefit District]

Sponsor: Kim

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Greater Rincon Hill Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2030.

11/17/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

11/24/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Office of the Controller and Office of Economic and Workforce Development for informational purposes.

Heard in Committee. Speakers: Chris Corgas (Office of the Economic and Workforce Development); Jonathan Goldberg (Public Works); presented information and answered questions raised throughout the discussion. Lauren Post; Cathy Maupin, Executive Director (Yerba Buena Community Benefit District); spoke in support of the hearing matter.

Vice Chair Christensen moved that this Resolution be RECOMMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Yee, Christensen, Breed

151108 [Agreement - Owners' Association for Administration/Management of Yerba Buena Community Benefit District]**Sponsor: Kim**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Yerba Buena Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2030.

10/27/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

11/03/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Controller's Office and the Office of Economic and Workforce Development for informational purposes.

11/23/15; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee. Speakers: Chris Corgas (Office of the Economic and Workforce Development); Jonathan Goldberg (Public Works); presented information and answered questions raised throughout the discussion. Lauren Post; Cathy Maupin, Executive Director (Yerba Buena Community Benefit District); spoke in support of the hearing matter.

Vice Chair Christensen moved that this Resolution be RECOMMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Yee, Christensen, Breed

151189 [Agreement - Owners' Association for Administration/Management of Dogpatch & Northwest Potrero Hill Green Benefit District]**Sponsor: Cohen**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Green Benefit District known as the "Dogpatch & Northwest Potrero Hill Green Benefit District," pursuant to California Streets and Highway Code, Section 36651, for a period commencing upon Board approval, through June 30, 2025.

11/17/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

11/24/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Office of the Controller and Public Works for informational purposes.

Heard in Committee. Speakers: Chris Corgas (Office of the Economic and Workforce Development); Jonathan Goldberg (Public Works); presented information and answered questions raised throughout the discussion. Lauren Post; Cathy Maupin, Executive Director (Yerba Buena Community Benefit District); spoke in support of the hearing matter.

Vice Chair Christensen moved that this Resolution be RECOMMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Yee, Christensen, Breed

151065 [Mills Act Historical Property Contract - 722 Steiner Street]**Sponsor: Breed**

Resolution approving a Mills Act historical property contract between The Trust of Côte Lague and Charlene Li, the owners of 722 Steiner Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor to execute the historical property contract.

10/13/15; RECEIVED FROM DEPARTMENT.

10/27/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

11/03/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Office of the Assessor-Recorder, Budget and Legislative Analyst, Historic Preservation Commission, Planning Department, and Department of Building Inspection for informational purposes; Department of Building Inspection for comment and recommendation.

11/23/15; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee. Speaker: Shannon Ferguson (Planning Department); presented information and answered questions raised throughout the discussion.

**Member Breed moved that this Resolution be RECOMMENDED AS A COMMITTEE REPORT.
The motion carried by the following vote:**

Ayes: 3 - Yee, Christensen, Breed

151066 [Mills Act Historical Property Contract - 807 Montgomery Street]**Sponsor: Christensen**

Resolution approving a Mills Act historical property contract between 807 Montgomery, LLC, the owners of 807 Montgomery Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor to execute the historical property contract.

10/13/15; RECEIVED FROM DEPARTMENT.

10/27/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

11/03/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Office of the Assessor-Recorder, Budget and Legislative Analyst, Historic Preservation Commission, Planning Department, and Department of Building Inspection for informational purposes; Department of Building Inspection for comment and recommendation.

11/23/15; RESPONSE RECEIVED. Not defined as project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee. Speaker: Shannon Ferguson (Planning Department); presented information and answered questions raised throughout the discussion.

**Member Breed moved that this Resolution be RECOMMENDED AS A COMMITTEE REPORT.
The motion carried by the following vote:**

Ayes: 3 - Yee, Christensen, Breed

151067 [Mills Act Historical Property Contract - 761 Post Street]**Sponsor: Christensen**

Resolution approving a Mills Act historical property contract between RLJC San Francisco LP, the owners of 761 Post Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor to execute the historical property contract.

10/13/15; RECEIVED FROM DEPARTMENT.

10/27/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

11/03/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Office of the Assessor-Recorder, Budget and Legislative Analyst, Historic Preservation Commission, Planning Department, and Department of Building Inspection for informational purposes; Department of Building Inspection for comment and recommendation.

11/23/15; RESPONSE RECEIVED. Not defined as project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee. Speaker: Shannon Ferguson (Planning Department); presented information and answered questions raised throughout the discussion.

Member Breed moved that this Resolution be RECOMMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Yee, Christensen, Breed

150600 [Follow-Up Board Response - Civil Grand Jury - Office of the Assessor-Recorder: Despite Progress, Still the Lowest Rated in the State]

Hearing to receive updates, from various City Departments who were required to provide a response on the implementation of Recommendation No. 2 contained in the 2014-2015 Civil Grand Jury Report entitled "Office of the Assessor-Recorder: Despite Progress, Still the Lowest Rated in the State" and respond to the Civil Grand Jury on the status of these implementations. (Clerk of the Board)

06/08/15; REFERRED TO DEPARTMENT. Referred to the Office of the Assessor-Recorder and the Mayor's Office for their required response.

06/10/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/05/15; RESPONSE RECEIVED. Response from the Office of the Assessor-Recorder was received for their required response to the Civil Grand Jury Report.

08/06/15; RESPONSE RECEIVED. Response from the Mayor's Office was received for their required response to the Civil Grand Jury Report.

09/03/15; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Janice Pettey, Foreperson, and Allegra Fortunati (Civil Grand Jury); Edward McCaffrey (Office of the Assessor-Recorder); Deborah Newman (Office of the Budget and Legislative Analyst); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Andrew Yip; spoke neither in support nor against the hearing matter.

11/23/15; RESPONSE RECEIVED. 11/23/2015 - The Office of the Assessor-Recorder submitted an updated response.

Heard in Committee: Edward McCaffrey (Office of the Assessor-Recorder); Allegra Fortunati (Civil Grand Jury); Dan Chesir (Civil Grand Jury); presented information and answered questions raised throughout the discussion. Male Speaker; spoke on various concerns relating to the hearing matter.

PREPARED IN COMMITTEE AS A MOTION

Motion responding to the 2014-2015 Civil Grand Jury request to provide a status update on the Board of Supervisors' response to the relevant recommendation issued in the 2014-2015 Civil Grand Jury Report entitled, "Office of the Assessor-Recorder, Still the Lowest Rated in the State." (Clerk of the Board)

RECOMMENDED by the following vote:

Ayes: 3 - Yee, Christensen, Breed

Supervisor Kim was noted present at 11:29 a.m.

151124 [Memorandum of Understanding - Amendment No. 8 to Firefighters, Local 798, Unit 1]

Sponsors: Mayor; Breed

Ordinance adopting and implementing Amendment No. 8 to the 2007-2018 Memorandum of Understanding between the City and County of San Francisco and the Firefighters, Local 798, Unit 1, by implementing specified terms and conditions of employment for FYs 2015-2016, 2016-2017, and 2017-2018.

11/03/15; ASSIGNED to Government Audit and Oversight Committee. 11/24/2015 - President Breed waived the 30-Day Rule for this matter.

11/09/15; REFERRED TO DEPARTMENT. Referred to the Office of the Controller and Department of Human Resources for informational purposes.

Heard in Committee. Speakers: Martin Gran (Department of Human Resources); presented information and answered questions raised throughout the discussion.

Member Breed recommended that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Yee, Christensen, Breed

Vice Chair Christensen Excused from Attendance

Member Breed, seconded by Chair Yee, moved that Vice Chair Christensen be excused from the remainder of the meeting of the Government Audit and Oversight Committee meeting of December 3, 2015. The motion carried by the following vote:

Ayes: 3 - Yee, Breed, Kim

Excused: 1 - Christensen

President London Breed appointed Supervisor Jane Kim, in place of Supervisor Julie Christensen, to the Government Audit and Oversight Committee meeting of December 3, 2015, for File No. 151200.

Vice Chair Christensen was noted absent at 11:52 and for the remainder of the meeting.

Supervisor Campos was noted present at 11:54 a.m.

Supervisor Campos was noted absent at 2:00 p.m. and for the remainder of the meeting.

151200 [Hearing - Alternatives to Incarceration]**Sponsors: Kim; Breed**

Hearing on the alternatives to incarceration, including considering the mental health status and needs of the current San Francisco jail population, the current jail rebuild proposal, and the associated costs, including the cost of providing mental health treatment to those in custody vs. out of custody; and requesting the Department of Public Health, Public Works, the Capital Planning Committee, and the Controller's Office to report.

11/17/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

11/24/15; REFERRED TO DEPARTMENT. Referred to the Department of Public Health, Public Works, Capital Planning Program, and Office of the Controller for informational purposes and requesting the various departments to report.

Heard in Committee. Speakers: George Gascon, District Attorney (District Attorney's Office); Simin Shamji (Public Defender's Office); Deputy Chief Kathy Gorwood and Chief Michael Freeman (Sheriff's Department); Brian Strong, Program Director (Capital Planning Program); Jumoke Akin-Taylor (Public Works); Chief Matthew Freeman (Sheriff's Department); Karen Fletcher, Chief Probation Officer (Adult Probation); Kyle Patterson (Office of the Controller); Jo Robinson (Department of Public Health); Heather Green (Capital Planning Program); presented information and answered questions raised throughout the discussion. Reverend Glenda Hope (San Francisco Safehouse for Women); Julia Arroyo (Young Women's Freedom Center); Male Speaker; Female Speaker; Tash Win; Roma Guy; Paulette Brown; Lizzie Buchen; Alan; Helena Brooke; Terry Bora (San Francisco Mental Health Board); spoke on various concerns relating to the hearing matter.

Member Kim moved that this Hearing be CONTINUED TO THE CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Yee, Breed, Kim

Excused: 1 - Christensen

LITIGATION

Speakers: None.

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

Ayes: 3 - Yee, Christensen, Breed

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: Jon Givner, Deputy City Attorney (Office of the City Attorney); Julian Potter (San Francisco International Airport); and Erica Major (Office of the Clerk of the Board).

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

150985 [Settlement of Lawsuit - John Russo Industrial Sheetmetal, Inc., dba JRI, Inc. - \$2,100,000]

Ordinance authorizing settlement of the lawsuit filed by John Russo Industrial Sheetmetal, Inc., a California corporation, dba JRI, Inc. ("JRI") against the City and County of San Francisco for \$2,100,000 and other material terms; the lawsuit was filed on June 17, 2010, in Alameda County Superior Court Case No. HG10520625, entitled JRI, Inc. v. City and County of San Francisco, et al., related to the contract for the manufacture and delivery of two Aircraft Rescue Fire Fighting vehicles for use at San Francisco International Airport ("Airport"); other material terms of said settlement include that the City will convert the prior termination of JRI's contract for default to a termination for convenience; for five years, JRI will not bid on any Airport contracts, including as a subcontractor, or challenge any Airport procurements; and the parties mutually release all claims relating to the contract or the lawsuit. (City Attorney)

10/05/15; RECEIVED FROM DEPARTMENT.

10/20/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

11/12/15; CONTINUED.

Vice Christensen moved that this Ordinance RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Yee, Christensen, Breed

151163 [Settlement of Lawsuit - New Cingular Wireless, LLC, Donald Sipple, John Simon, Kark Simonsen, and Christopher Jacobs - \$3,038,832]

Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless, LLC, Donald Sipple, John Simon, Karl Simonsen, and Christopher Jacobs against the City and County of San Francisco for \$3,038,832; the lawsuit was filed on May 27, 2011, in Los Angeles Superior Court, Case No. BC462270; entitled Donald Sipple, et al. v. City Of Alameda, et al.; other material terms of said settlement are dismissal of the cross-complaint filed by the City and County of San Francisco against New Cingular Wireless, LLC, and AT&T Mobility, LLC. (City Attorney)

11/09/15; RECEIVED FROM DEPARTMENT.

11/17/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Christensen moved that this Ordinance RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Yee, Christensen, Breed

Deputy City Attorney Jon Givner 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.

Vice Chair Christensen, seconded by Member Breed moved to not disclose the closed session deliberations. The motion carried by the following vote:

Ayes: 3 - Yee, Christensen, Breed

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 2:51 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.