



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: Gordon Mar, Aaron Peskin, Matt Haney

Clerk: John Carroll (415) 554-4445

Thursday, June 18, 2020

10:00 AM

Regular Meeting

Present: 3 - Gordon Mar, Aaron Peskin, and Matt Haney

The Government Audit and Oversight Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Thursday, June 18, 2020, with Chair Gordon Mar presiding. Chair Mar called the meeting to order at 10:02 a.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Mar, Vice Chair Peskin, and Member Haney were noted present. A quorum was present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

Chair Mar requested that File Nos. 200480, 200481, 200482, and 200483 be called together.

200480 [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, 2020.

05/12/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/11/2020.

05/19/20; REFERRED TO DEPARTMENT. Referred to the Office of the Controller for cost analysis.

05/19/20; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee. Mayor Breed introduced a substitute Ordinance bearing the same title.

05/27/20; RESPONSE RECEIVED. Received cost analysis from the Office of the Controller pursuant to Ordinance No. 92-94.

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

Chair Mar moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200481 [Memorandum of Understanding - Teamsters, Local 856 (Multi-Unit)]

Sponsor: Mayor

Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) to provide an appropriate differential over subordinate classifications and one-time payment to employees in classification 2496 Imaging Supervisor.

05/12/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/11/2020.

05/19/20; REFERRED TO DEPARTMENT. Referred to the Office of the Controller for cost analysis.

05/27/20; RESPONSE RECEIVED. Received cost analysis from the Office of the Controller pursuant to Ordinance No. 92-94.

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

Chair Mar moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200482 [Memorandum of Understanding - Supervising Probation Officers]**Sponsor: Mayor**

Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and the Supervising Probation Officers to include a firearms instructor premium and provide a one-time payment to employees eligible for the premium.

05/12/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/11/2020.

05/19/20; REFERRED TO DEPARTMENT. Referred to the Office of the Controller for cost analysis.

05/27/20; RESPONSE RECEIVED. Received cost analysis from the Office of the Controller pursuant to Ordinance No. 92-94.

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

Chair Mar moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200483 [Memorandum of Understanding - Service Employees International Union, Local 1021 (Miscellaneous)]**Sponsor: Mayor**

Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021 (Miscellaneous) to update the night shift differential provisions to include additional classifications and provide a one-time payment to employees in specified classifications.

05/12/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/11/2020.

05/19/20; REFERRED TO DEPARTMENT. Referred to the Office of the Controller for cost analysis.

05/27/20; RESPONSE RECEIVED. Received cost analysis from the Office of the Controller pursuant to Ordinance No. 92-94.

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

Chair Mar moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

Chair Mar requested that File Nos. 200522 and 200526 be called together.

200522 [Assessment Ballots for City Parcels - Castro Community Benefit District]

Sponsor: Mandelman

Resolution authorizing the Mayor or her designee to cast an assessment ballot in the affirmative for the proposed renewal and expansion of a property and business improvement district to be named the Castro Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district. (Department of Economic and Workforce Development)

05/19/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

05/27/20; REFERRED TO DEPARTMENT. Referred to the Office of Economic and Workforce Development and the Director of Elections for informational purposes.

Heard in Committee. Speakers: Chris Corgas (Office of Economic and Workforce Development); presented information and answered questions raised throughout the discussion.

Chair Mar moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to add two additional City-owned parcels located at 1939 Market Street and 200-298 Duboce Avenue. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

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

Ayes: 3 - Mar, Peskin, Haney

200526 [Assessment Ballots for City Parcels - Fisherman's Wharf Landside Community Benefit District]

Sponsor: Peskin

Resolution authorizing the Mayor or her designee to cast an assessment ballot in the affirmative for the proposed renewal and expansion of a property and business improvement district to be named the Fisherman's Wharf Landside Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district. (Department of Economic and Workforce Development)

06/02/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

06/10/20; REFERRED TO DEPARTMENT. Referred to the Office of Economic and Workforce Development and the Director of Elections for informational purposes.

Heard in Committee. Speakers: Chris Corgas (Office of Economic and Workforce Development); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Mar, Peskin, Haney

200590 [Urging the Department of Public Health and the Medical Examiner to Conduct Epidemiological Post-Mortem COVID-19 Testing and Contact Tracing]**Sponsor: Peskin**

Resolution urging the Department of Public Health to work with the Office of the Chief Medical Examiner to conduct epidemiological post-mortem COVID-19 testing and contact tracing of deceased San Francisco residents and urging the Office of the Chief Medical Examiner to conduct surveillance swabbing of all decedents to properly identify and certify deaths from the COVID-19 virus and monitor community spread.

06/02/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

06/10/20; REFERRED TO DEPARTMENT. Referred to the Department of Public Health and the Office of the Chief Medical Examiner for informational purposes.

Heard in Committee. Speakers: Susan Philip (Department of Public Health); Michelle Rippy (Office of the Chief Medical Examiner); presented information and answered questions raised throughout the discussion.

Vice Chair Peskin moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 9-13 by striking 'WHEREAS, The San Francisco Department of Public Health has said that they will not employ testing tools that have not been approved by the Food and Drug Administration, though those tests are not only available but have been used in other jurisdictions by reputable forensic epidemiologists to test post-mortem blood samples for the presence of the COVID-19 virus and contact trace the deceased's close contacts; and'; and on Page 2, Line 15, by striking 'has' and inserting 'have'. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

Vice Chair Peskin moved that this Resolution be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200455 [Emergency Ordinance - Temporary Right to Reemployment Following Layoff Due to COVID-19 Pandemic]**Sponsors: Mar; Preston, Safai, Haney, Walton and Fewer**

Emergency Ordinance temporarily creating a right to reemployment for certain employees laid off due to the COVID-19 pandemic if their employer seeks to fill the same position previously held by a laid-off worker, or a substantially similar position, as defined.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

05/05/20; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/4/2020.

05/13/20; REFERRED TO DEPARTMENT. Referred to the Office of Economic and Workforce Development and the Office of Labor Standards Enforcement for informational purposes. Referred to the Small Business Commission for review and comment.

06/05/20; RESPONSE RECEIVED. On May 27, 2020, the Small Business Commission met and voted 6 to 1 to oppose the ordinance.

Heard in Committee. Speakers: Josh Arce (Office of Economic and Workforce Development); Katherine Wutchiett (Legal Aid at Work); presented information and answered questions raised throughout the discussion. Matthew Torres; John Izo; Danny Miller; Pat Thomas; Hope Williams (Harvey Milk LGBTQ Democratic Club); Agustin Ramirez; Speaker; Speaker; Speaker; spoke in support of the hearing matter. Katie Hansen (California Restaurant Association); spoke in opposition of the hearing matter.

Chair Mar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by revising the definition of employer from any employer that operates in San Francisco and that lays off 10 or more eligible employees in a 30-day period as a result of the emergency to an employer that operates in San Francisco and employs 100 or more employees, and exempts providers of health care operations; removing the requirement that, following reemployment, an employer maintain the employment relationship for at least 90 days; eliminating certain notice requirements to eligible employees and reporting requirements to the Office of Labor Standards and Enforcement (“OLSE”); permitting an employer to withhold an offer of reemployment for misconduct or if, prior to enactment of the ordinance, an employer and eligible employee executed a severance agreement or if the employer already rehired to the position; revising the method of notice and delivery for an offer of reemployment; establishing that the duty to accommodate a family care hardship expires upon expiration of the ordinance; authorizes OLSE to issue regulations; and makes other conforming, clarifying, and clerical changes. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

Chair Mar moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 11:36 a.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.