



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, August 20, 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, August 20, 2020, with Chair Gordon Mar presiding. Chair Mar called the meeting to order at 10:03 a.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: john.carroll@sfgov.org; all comments received will be made a part of the official record. Regularly-scheduled Government Audit and Oversight Committee Meetings begin at 10:00 a.m. on the first and third Thursdays of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

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

200765 [Emergency Ordinance - COVID-Related Employment Protections]**Sponsors: Ronen; Mar, Yee, Walton and Haney**

Emergency ordinance to temporarily protect workers from adverse action if they test positive for COVID-19, are isolating or quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms or exposure; and to protect applicants from discrimination if they test positive for COVID-19, are isolating or quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms or exposure.

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

07/14/20; ASSIGNED to Government Audit and Oversight Committee. July 20, 2020 - President Yee waived the 30-day hold.

07/22/20; REFERRED TO DEPARTMENT. Referred to the Office of Labor Standards Enforcement and the Office of Racial Equity for informational purposes. Referred to the Small Business Commission for review and comment.

08/11/20; RESPONSE RECEIVED. On August 10, 2020, the Small Business Commission met and voted unanimously to support the proposed legislation with modifications.

Heard in Committee. Speakers: Paul Monge (Office of Supervisor Hillary Ronen, Board of Supervisors); presented information and answered questions raised throughout the discussion. Tyler; John Wong; spoke on various concerns relating to the hearing matter.

Supervisor Haney requested to be added as a co-sponsor.

Chair Mar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 1-7, to make changes to the definition of "Worker" for the purposes of this Emergency Ordinance; on Page 4, Lines Lines 10-16 to read 'It shall be unlawful for an Employer to discharge, threaten to discharge, demote, suspend, discipline, reduce employee benefits, or in any manner discriminate or take adverse action against any Worker who is absent from or unable to work, or who requests time off work, because the Worker tested positive for COVID-19 or is isolating or quarantining, or has previously isolated or quarantined, due to COVID-19 symptoms or exposure, without regard to whether such Worker would otherwise be eligible to take paid or unpaid leave under any Employer benefit program or any other local, state, or federal protection'; on Page 5, Lines 2-7, by inserting 'An employer may rebut the presumption by establishing a basis for the adverse action, including but not limited to the Worker's performance or misconduct. (d) An Employer may require a Worker to identify the general basis for the Worker's absence from or inability to work, or the Worker's request to take time off work, but may not require the disclosure of health information or other documentation (including but not limited to a doctor's note).'; on Page 5, Lines 17-20, by striking '(a) It shall be unlawful for an Employer to inquire about or require disclosure of whether an Applicant has tested positive for COVID-19 or is isolating or quarantining, or has previously isolated or quarantined, due to COVID-19 symptoms or exposure, or to require or recommend COVID-19 testing, prior to extending an offer to employ or contract with the Applicant.'; on Page 6, Lines 10-12, to read 'It shall be unlawful for an Employer to take any adverse action against any Worker or Applicant in retaliation for exercising rights protected under this emergency ordinance, including requesting or taking leave.'; on Page 6, Lines 22-24, by inserting 'Where the Agency has reason to believe that a violation has occurred, it may order any appropriate temporary or interim relief to mitigate the violation or maintain the status quo pending completion of a full investigation or hearing.'; on Page 7, Lines 5-7, by inserting 'For the purpose of this calculation, if multiple Workers or Applicants are impacted by the same violation at the same time, the Agency shall treat the violation as a single violation rather than multiple violations.'; and making other conforming 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 RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200912 [Emergency Ordinance - Grocery Store, Drug Store, Restaurant, and On-Demand Delivery Service Employee Protections]

Sponsors: Haney; Walton

Reenactment of emergency ordinance (Ordinance No. 74-20, reenacted by Ordinance No. 110-20) to temporarily require grocery store, drug store, restaurant, and on-demand delivery service employers to provide health and scheduling protections to employees during the public health emergency related to COVID-19.

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

08/11/20; ASSIGNED to Government Audit and Oversight Committee. 8/13/20 - President Yee waived the 30-day rule pursuant to Board Rule No. 3.22.

08/14/20; REFERRED TO DEPARTMENT. Referred to the Office of the City Administrator and the Department of Public Health for informational purposes.

Heard in Committee. Speaker: Tyler; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Mar, Peskin, Haney

200819 [Contract Amendment - Retroactive - 1231 Market Street Owner L.P. - Hotel Rooms and Associated Services - Not to Exceed \$35,608,542]

Sponsor: Mayor

Resolution retroactively approving a third amendment to an emergency agreement between the Human Services Agency and 1231 Market Street Owner L.P., for the City's continued use of 459 hotel rooms and associated services; increasing the contract amount by \$25,618,542 for a total amount not to exceed \$35,608,542; and extending the booking period for a potential total term of April 8, 2020, through July 1, 2021. (Human Services Agency)
(Fiscal Impact)

07/28/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

08/13/20; TRANSFERRED to Government Audit and Oversight Committee. President Yee transferred this matter from the Budget and Finance Committee to the Government Audit and Oversight Committee.

Heard in Committee. Speakers: Andrico Penick, Director (Real Estate Division); Trent Rhorer, Director (Human Services Agency); Fred Brousseau (Office of the Budget and Legislative Analyst); 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

200816 [Emergency Ordinance - Temporary Right to Reemployment Following Layoff Due to COVID-19 Pandemic]**Sponsor: Mar**

Reenactment of emergency ordinance (Ordinance No. 104-20) 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.)

07/28/20; ASSIGNED to Government Audit and Oversight Committee. August 13, 2020 - President Yee Waived the 30-day hold.

08/05/20; 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.

08/19/20; RESPONSE RECEIVED.

Heard in Committee. Speakers: None.

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 recessed the meeting beginning at 11:30 a.m., and reconvened at 12:02 p.m.

Member Haney was noted present at 12:02 p.m.

Vice Chair Peskin was noted absent at 12:02 p.m., and for the remainder of the meeting.

SPECIAL ORDER 12:00 P.M.**200761 [Administrative Code - Workforce Education and Recovery Fund]****Sponsors: Mar; Haney, Ronen, Safai, Walton and Preston**

Ordinance amending the Administrative Code to establish the Workforce Education and Recovery Fund.

07/14/20; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/13/2020.

08/05/20; REFERRED TO DEPARTMENT. Referred to the Department of Children, Youth, and Their Families, Office of the Controller, and the Mayor's Office for informational purposes. Referred to the Youth Commission for review and comment.

08/11/20; TRANSFERRED to Government Audit and Oversight Committee. President Yee transferred this matter from the Budget and Finance Committee to the Government Audit and Oversight Committee.

Heard in Committee. Speakers: None.

Chair Mar moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 2 - Mar, Haney

Absent: 1 - Peskin

LITIGATION

Chair Mar requested that File Nos. 200854, 200857, 200858, 200859, 200860, 200861, 200862, 200863, 200864, 200865, 200866, 200867, 200868, 200869, 200870, 200871, 200872, 200873, 200874, and 200875 be heard together.

Heard in Committee. Speakers: None.

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.

The Deputy City Attorney 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.

Persons in attendance: Anne Pearson (Office of the City Attorney); Alisa Somera and John Carroll (Office of the Clerk of the Board).

Chair Mar moved to convene in closed session. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200854 [Settlement of Lawsuit - Verizon Wireless and AT&T Mobility - City to Receive \$2,161,773]

Ordinance authorizing settlement of the lawsuit filed on behalf of the State of California, the City and County of San Francisco, and 189 other California governmental entities against Verizon Wireless for \$839,356 and against AT&T Mobility National Accounts LLC for \$1,322,417 for a total settlement of \$2,161,773; the lawsuit was filed on July 5, 2012, in Sacramento County Superior Court, Case No. 34-2012-00127517; entitled State of California et al., ex rel. OnTheGo Wireless, LLC v. Verizon Wireless and AT&T Mobility National Accounts LLC; the lawsuit involves alleged violations of the California False Claims Act. (City Attorney)

07/27/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Mar, Peskin, Haney

200857 [Partial Settlement of Lawsuit - Chris Tilton and Blane Bachelor - \$210,000]

Ordinance authorizing partial settlement of the lawsuit filed by Chris Tilton and Blane Bachelor against the City and County of San Francisco for \$210,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Chris Tilton and Blane Bachelor, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200858 [Partial Settlement of Lawsuit - Ho Tan - \$295,000]

Ordinance authorizing partial settlement of the lawsuit filed by Ho Tan against the City and County of San Francisco for \$295,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Ho Tan, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200859 [Partial Settlement of Lawsuit - Peter So and Diane Chung - \$235,000]

Ordinance authorizing partial settlement of the lawsuit filed by Peter So and Diane Chung against the City and County of San Francisco for \$235,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Peter So and Diane Chung, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200860 [Partial Settlement of Lawsuit - Victoria Sanchez - \$220,000]

Ordinance authorizing partial settlement of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for \$220,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Victoria Sanchez, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200861 [Partial Settlement of Lawsuit - Rick Popko and Nancy Huff - \$150,000]

Ordinance authorizing partial settlement of the lawsuit filed by Rick Popko and Nancy Huff against the City and County of San Francisco for \$150,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Rick Popko and Nancy Huff, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200862 [Partial Settlement of Lawsuit - Donato and Aurora Poferrada - \$257,000]

Ordinance authorizing partial settlement of the lawsuit filed by Donato and Aurora Poferrada against the City and County of San Francisco for \$257,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Donato and Aurora Poferrada, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200863 [Partial Settlement of Lawsuit - John and Maria Naniola - \$290,000]

Ordinance authorizing partial settlement of the lawsuit filed by John and Maria Naniola against the City and County of San Francisco for \$290,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs John and Maria Naniola, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200864 [Partial Settlement of Lawsuit - Suzanne Houlihan - \$250,000]

Ordinance authorizing partial settlement of the lawsuit filed by Suzanne Houlihan against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Suzanne Houlihan, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200865 [Partial Settlement of Lawsuit - Carlos Gross - \$210,000]

Ordinance authorizing partial settlement of the lawsuit filed by Carlos Gross against the City and County of San Francisco for \$210,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Carlos Gross, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200866 [Partial Settlement of Lawsuit - Susan Garduno - \$235,000]

Ordinance authorizing partial settlement of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$235,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Susan Garduno, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200867 [Partial Settlement of Lawsuit - Rizadly Gache - \$235,000]

Ordinance authorizing partial settlement of the lawsuit filed by Rizadly Gache against the City and County of San Francisco for \$235,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Rizadly Gache, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200868 [Partial Settlement of Lawsuit - Ruth Patricia Del Castillo - \$150,000]

Ordinance authorizing partial settlement of the lawsuit filed by Ruth Patricia Del Castillo against the City and County of San Francisco for \$150,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Ruth Patricia Del Castillo, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200869 [Partial Settlement of Lawsuit - John Clay - \$250,000]

Ordinance authorizing partial settlement of the lawsuit filed by John Clay against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff John Clay, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200870 [Partial Settlement of Lawsuit - Elaine Choy - \$221,150]

Ordinance authorizing partial settlement of the lawsuit filed by Elaine Choy against the City and County of San Francisco for \$221,150; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Elaine Choy, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200871 [Partial Settlement of Lawsuit - Armando and Maria Castillo - \$200,000]

Ordinance authorizing partial settlement of the lawsuit filed by Armando and Maria Castillo against the City and County of San Francisco for \$200,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Armando and Maria Castillo, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200872 [Partial Settlement of Lawsuit - Joy Caguimbaga and Zenida C. Restauero - \$240,000]

Ordinance authorizing partial settlement of the lawsuit filed by Joy Caguimbaga and Zenida C. Restauero against the City and County of San Francisco for \$240,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Joy Caguimbaga and Zenida C. Restauero, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200873 [Partial Settlement of Lawsuit - Sally Seid - \$207,000]

Ordinance authorizing partial settlement of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$207,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff Sally Seid, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200874 [Partial Settlement of Lawsuit - Cesar and Fe Poferrada - \$250,000]

Ordinance authorizing partial settlement of the lawsuit filed by Cesar and Fe Poferrada against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs Cesar and Fe Poferrada, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

200875 [Partial Settlement of Lawsuit - David and Jessica Alfaro - \$290,000]

Ordinance authorizing partial settlement of the lawsuit filed by David and Jessica Alfaro against the City and County of San Francisco for \$290,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiffs David and Jessica Alfaro, and does not include claims for property loss or for attorney's fees, costs and interest. (City Attorney)

08/03/20; RECEIVED FROM DEPARTMENT.

08/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the regular Government Audit and Oversight Committee meeting of September 3, 2020. The motion carried by the following vote:

Ayes: 3 - Mar, Peskin, Haney

[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.

Member Haney was noted absent at 11:26 a.m.

Vice Chair Peskin moved not to disclose closed session deliberations. The motion carried by the following vote:

Ayes: 2 - Mar, Peskin

Absent: 1 - Haney

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 12:11 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.