



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: Dean Preston, Connie Chan, Rafael Mandelman

Clerk: John Carroll (415) 554-4445

Thursday, March 18, 2021

10:00 AM

Regular Meeting

Present: 3 - Dean Preston, Connie Chan, and Rafael Mandelman

The Government Audit and Oversight Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Thursday, March 18, 2021, with Chair Dean Preston presiding. Chair Preston called the meeting to order at 10:01 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 Preston, Vice Chair Chan, and Member Mandelman were noted present. A quorum was present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

201078 [Hearing - Small Business Rent Relief During COVID-19]

Sponsors: Mandelman; Ronen and Preston

Hearing on the economic and neighborhood impacts of commercial landlords failure to grant rent relief during the COVID-19 pandemic, including increased commercial vacancy rates, City provided legal resources or support services for small businesses engaging in commercial lease negotiations, local tools to protect small businesses and encourage commercial landlords to grant rent relief, and possible changes to State law to protect small businesses; and requesting the Office of Small Business and Office of Economic and Workforce Development to report.

09/15/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/21/20; REFERRED TO DEPARTMENT. Referred to the Office of Workforce Development and Office of Small Business for informational purposes and requesting the listed to report.

03/11/21; TRANSFERRED to Government Audit and Oversight Committee. President Walton transferred this matter from Land Use and Transportation Committee to the Government Audit and Oversight Committee.

Heard in Committee. Speakers: Supervisor Hillary Ronen (Board of Supervisors); Fred Brousseau and Cody Xuereb (Office of the Budget and Legislative Analyst); Diana Ponce De Leon, Manish Goyal, and Bryan Quevedo (Office of Economic and Workforce Development); Amanda Fried (Office of the Treasurer/Tax Collector); Regina Dick-Endrizzi, Director (Office of Small Business); Sharky Laguana, President (Small Business Commission); Tobias Damm-Luhr (Lawyer's Committee for Civil Rights of the San Francisco Bay Area); presented information and answered questions raised throughout the discussion. Jonah Buffa (Valencia Corridor Merchants Association); Jeff; Dean Erikson; Sean Higgins; William Ortiz-Cartagena (Latino Task Force); Jeremy Chan (Japantown Task Force); Ben Bleiman; Christin Evans (Haight-Ashbury Merchants Association); Speaker; Speaker; Rory Cox (San Francisco Small Business Alliance); Kenneth Wingard; Speaker; Speaker; Speaker; Speaker; spoke on various concerns relating to the hearing matter.

Member Mandelman moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 3 - Preston, Chan, Mandelman

LITIGATION

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.

Chair Preston requested that File Nos. 210160, 210206, and 210207 be heard together.

Chair Preston moved to hold the Litigation Agenda in open session; no motion was entertained to convene in closed session, nor to disclose closed session deliberations.

210160 **[Settlement of Lawsuit - Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Corey Butler, Montrail Brackens, Delon Barker, Javonn Allen - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen against the City and County of San Francisco for \$30,000; the lawsuit was filed on May 20, 2019, in United States District Court - Northern District of California, Case No. 19-cv-02722; entitled Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen v. San Francisco County Sheriff's Department, et al.; the lawsuit involves claims that the sleep schedule and frequent sleep disruptions at County Jails 4 and 5 created unconstitutional conditions of confinement for the inmates; other material terms of the settlement are that the court approve the settlement. (City Attorney)

02/10/21; RECEIVED FROM DEPARTMENT.

02/23/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speaker: Supervisor Hillary Ronen (Board of Supervisors); presented information and answered questions raised throughout the discussion.

Chair Preston moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Preston, Chan, Mandelman

210206 [Settlement of Lawsuit - Jose Parra - \$115,000]

Ordinance authorizing settlement of the lawsuit filed by Jose Parra against the City and County of San Francisco for \$115,000; the lawsuit was filed on January 27, 2020, in San Francisco Superior Court, Case No. CGC-20-582468; entitled Jose Parra v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City walkway. (City Attorney)

02/26/21; RECEIVED FROM DEPARTMENT.

03/09/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speaker: Supervisor Hillary Ronen (Board of Supervisors); presented information and answered questions raised throughout the discussion.

Chair Preston moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Preston, Chan, Mandelman

210207 [Settlement of Unlitigated Claim - Sharon Eastman - \$99,000]

Resolution approving the settlement of the unlitigated claim filed by Sharon Eastman against the City and County of San Francisco for \$99,000; the claim was filed on June 20, 2018; the claim involves property damage arising from sewer main pipe overflow as a result of heavy rain. (City Attorney)

02/26/21; RECEIVED FROM DEPARTMENT.

03/09/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speaker: Supervisor Hillary Ronen (Board of Supervisors); presented information and answered questions raised throughout the discussion.

Chair Preston moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Preston, Chan, Mandelman

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 1:42 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.