



**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: Mark Farrell, Sean Elsbernd, David Chiu*

*Clerk: Alisa Miller (415) 554-4447*

---

**Thursday, September 27, 2012**

**1:00 PM**

**City Hall, Committee Room 263**

---

**Regular Meeting**

---

*The President appointed Supervisor Scott Wiener as Chairperson, in place of Supervisor Mark Farrell, and Supervisor Carmen Chu as Vice Chair, in place of Supervisor Sean Elsbernd, to the Government Audit and Oversight Committee for the meeting of September 27, 2012.*

**Present:** 3 - David Chiu, Carmen Chu, and Scott Wiener  
**Excused:** 2 - Mark Farrell, and Sean Elsbernd

**MEETING CONVENED**

*The meeting convened at 1:10 p.m.*

## REGULAR AGENDA

*File Nos. 120806, 120786, and 120787 were heard together.*

### **120806 [Hearing - Civil Grand Jury Report, "Surcharges and Healthy San Francisco" - Amendments to the Health Care Security Ordinance]**

**Sponsor: Campos**

Hearing on the Civil Grand Jury Report; specifically, to what extent does Ordinance Number 232-11, authored by Supervisors Chiu and Cohen and signed into law by Mayor Lee on November 22, 2011, that made amendments to the Health Care Security Ordinance, fail to address the concerns raised by the Civil Grand Jury's Report? In addressing this question, I would also like to review Office of Labor Standards Enforcement's Report on the 2011 Employer Reporting Forms.

07/24/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/20/12; REFERRED TO DEPARTMENT. Referred to the Office of Labor Standards Enforcement, Department of Public Health, City Attorney, and District Attorney as requested by the hearing sponsor.

*Heard in Committee. Supervisor David Campos (Board of Supervisors); Mario Choi, Foreperson Pro Tem, Female Speaker, Matthew Cohen (Civil Grand Jury); Matt Goldberg (Office of Labor Standards Enforcement); Tangerine Brigham (Department of Public Health); June Cravett (Office of the District Attorney); Greg Kato (Office of the Treasurer/Tax Collector); Michael Lorenz (State Board of Equalization); Jon Givner (Office of the City Attorney); Starr Terrell (Mayor's Office); Mark Black (Golden Gate Restaurant Association); Severin Campbell (Budget and Legislative Analyst's Office); presented information concerning the matter and answered questions raised throughout the hearing. Graciano Vasquez; Vera Haile; Brenda Barros; Jim Lazarus; Rosa Gus; Tim Paulson; Ken Jacobs; Gordon Mar; spoke on various concerns regarding the Civil Grand Jury Report and hearings.*

**FILED by the following vote:**

Ayes: 2 - Chiu, Wiener

Excused: 2 - Farrell, Elsbernd

Absent: 1 - Chu

### **120786 [Hearing - Civil Grand Jury Report - Surcharges and Healthy San Francisco: Healthy for Whom?]**

Hearing on the recently published 2011-2012 Civil Grand Jury report entitled "Surcharges and Healthy San Francisco: Healthy for Whom?" (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*Heard in Committee. Supervisor David Campos (Board of Supervisors); Mario Choi, Foreperson Pro Tem, Female Speaker, Matthew Cohen (Civil Grand Jury); Matt Goldberg (Office of Labor Standards Enforcement); Tangerine Brigham (Department of Public Health); June Cravett (Office of the District Attorney); Greg Kato (Office of the Treasurer/Tax Collector); Michael Lorenz (State Board of Equalization); Jon Givner (Office of the City Attorney); Starr Terrell (Mayor's Office); Mark Black (Golden Gate Restaurant Association); Severin Campbell (Budget and Legislative Analyst's Office); presented information concerning the matter and answered questions raised throughout the hearing. Graciano Vasquez; Vera Haile; Brenda Barros; Jim Lazarus; Rosa Gus; Tim Paulson; Ken Jacobs; Gordon Mar; spoke on various concerns regarding the Civil Grand Jury Report and hearings.*

**FILED by the following vote:**

Ayes: 2 - Chiu, Wiener

Excused: 2 - Farrell, Elsbernd

Absent: 1 - Chu

**120787 [Board Response - Civil Grand Jury Report - Surcharges and Healthy San Francisco: Healthy for Whom?]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Surcharges and Healthy San Francisco: Healthy for Whom?" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/17/12; RESPONSE RECEIVED. The Mayor's response to the Civil Grand Jury Report.

09/18/12; RESPONSE RECEIVED. Office of the Treasurer and Tax Collector's response to the Civil Grand Jury Report.

09/18/12; RESPONSE RECEIVED. The District Attorney's response to the Civil Grand Jury Report.

09/19/12; RESPONSE RECEIVED. The City Attorney response to the Civil Grand Jury Report.

09/19/12; RESPONSE RECEIVED. The Public Health Department's response to the Civil Grand Jury Report.

*Heard in Committee. Supervisor David Campos (Board of Supervisors); Mario Choi, Foreperson Pro Tem, Female Speaker, Matthew Cohen (Civil Grand Jury); Matt Goldberg (Office of Labor Standards Enforcement); Tangerine Brigham (Department of Public Health); June Cravett (Office of the District Attorney); Greg Kato (Office of the Treasurer/Tax Collector); Michael Lorenz (State Board of Equalization); Jon Givner (Office of the City Attorney); Starr Terrell (Mayor's Office); Mark Black (Golden Gate Restaurant Association); Severin Campbell (Budget and Legislative Analyst's Office); presented information concerning the matter and answered questions raised throughout the hearing. Graciano Vasquez; Vera Haile; Brenda Barros; Jim Lazarus; Rosa Gus; Tim Paulson; Ken Jacobs; Gordon Mar; spoke on various concerns regarding the Civil Grand Jury Report and hearings.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE****RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Chiu, Chu, Wiener

Excused: 2 - Farrell, Elsbernd

**120939 [Revising the 2012 Budget and Legislative Analyst's Performance Audit Schedule]****Sponsor: Farrell**

Motion revising the Budget and Legislative Analyst's 2012 Performance Audit Schedule to revise the priorities as follows: 1) the Department of Public Health's and Human Services Agency's management of professional services contracts; 2) the Adult Probation and Sheriff's Departments' implementation of Public Safety Realignment; and 3) City departments' management and oversight of the former San Francisco Redevelopment Agency's assets and functions.

09/18/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/20/12; REFERRED TO DEPARTMENT. Referred to the Budget and Legislative Analyst's Office, Department of Public Works, Human Services Agency, and Sheriff's Department for informational purposes.

*Speakers: None.*

*Continued to October 11, 2012.*

**CONTINUED to October 11, 2012, by the following vote:**

Ayes: 3 - Chiu, Chu, Wiener

Excused: 2 - Farrell, Elsbernd

**120884 [Accept and Expend Grant - Self-Contained Breathing Apparatus Inventory - \$1,514,184]****Sponsor: Farrell**

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of \$1,514,584 from the Federal Emergency Management Agency to upgrade and replace its self-contained breathing apparatus inventory.

(Fiscal Impact)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*Heard in Committee. Speakers: Mark Corso and Deputy Chief Jose Velo (Fire Department); Severin Campbell (Budget and Legislative Analyst's Office); presented information concerning the matter and answered questions raised throughout the hearing.*

**AMENDED on Page 1, Lines 1 and 4, and Page 2, Line 7, by changing '\$1,514,584' to '\$1,514,184'; and Page 1, Line 3, by deleting 'retroactively'.**

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of \$1,514,184 from the Federal Emergency Management Agency to upgrade and replace its self-contained breathing apparatus inventory.

(Fiscal Impact)

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Chiu, Chu, Wiener

Excused: 2 - Farrell, Elsbernd

**120803 [Urging Relocation and Broadcasting of the Housing Authority Meetings]****Sponsors: Olague; Campos, Chiu, Kim and Mar**

Resolution urging the Commission of the Housing Authority of the City and County of San Francisco to hold its meetings at City Hall and broadcast them for greater public access.

07/24/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/20/12; REFERRED TO DEPARTMENT. Referred to the Housing Authority for informational purposes.

*Heard in Committee. Speakers: Stephanie Tucker (Office of Supervisor Christina Olague); presented information concerning the matter and answered questions raised throughout the hearing. Robert Weber; Ailed Paningbatan; Sister Stephanie; Robert Woods; Ace Washington; Sara Shortt; Female Speaker; Willie Ratcliffe; Male Speaker; spoke in support of the hearing matter.*

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

Ayes: 3 - Chiu, Chu, Wiener

Excused: 2 - Farrell, Elsbernd

**120750 [Administrative Code - Retention of Progressive Payments for Public Works Construction Contracts]****Sponsors: Mayor; Chu**

Ordinance amending the San Francisco Administrative Code Section 6.22(J) to reduce the amount of retention withheld from progress payments in construction contracts from ten to five percent; and to make minor clarifying corrections.

07/10/12; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 8/9/2012.

07/16/12; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for report and Department of Public Works for informational purposes.

08/23/12; RESPONSE RECEIVED. 8/13/2012 - The Small Business Commission held a hearing and recommended approval.

*Heard in Committee. Speakers: Fuad Sweiss (Department of Public Works); Katy Tang (Office of Supervisor Carmen Chu); presented information concerning the matter and answered questions raised throughout the hearing. Willie Ratcliffe; spoke in support of the hearing matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Chiu, Chu, Wiener

Excused: 2 - Farrell, Elsbernd

**ADJOURNMENT**

*The meeting adjourned at 4:24 p.m.*