



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: Jane Kim, Aaron Peskin, Vallie Brown

Clerk: John Carroll (415) 554-4445

Thursday, October 25, 2018

10:00 AM

City Hall, Committee Room 263

Special Meeting

Present: 3 - Jane Kim, Aaron Peskin, and Vallie Brown

The Government Audit and Oversight Committee met in special session on October 25, 2018, with Chair Jane Kim presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Kim called the meeting to order at 10:10 a.m. On the call of the roll, Chair Kim, Vice Chair Peskin, and Member Brown were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

LITIGATION

Chair Kim requested File Nos. 181016 and 181017 be called together.

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.

Present: Jon Givner, Jennifer Maldonado, Mark Blake, Peter Miljanich, Vicki Wong (Office of the City Attorney); Chief J. Hayes-White (Fire Department); Jesusa Bushong (Department of Human Resources); Lisa Chen and Josh Switzky (Planning Department); Christopher K. Lynch (Jones Hall Law); and John Carroll (Office of the Clerk of the Board).

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

Ayes: 3 - Kim, Peskin, Brown

181016 [Hearing - Existing Litigation - Samson Lai, et. al.]

Sponsor: Kim

Hearing for the purpose of conferring with, or receiving advice from, the City Attorney, under California Government Code, Section 54956.9(a), and Administrative Code, Section 67.10(d)(1), regarding existing litigation in which the City is a defendant; filed on February 21, 2018, in San Francisco Superior Court, Case No. 18-564467; entitled "Samson Lai, et al. v. City and County of San Francisco, et. al.;" the lawsuit involves an employment dispute.

10/16/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

HEARD AND FILED by the following vote:

Ayes: 3 - Kim, Peskin, Brown

181017 [Hearing - Anticipated Litigation - Central SoMa Special Tax District]**Sponsor: Kim**

Hearing for the purpose of conferring with, or receiving advice from, the City Attorney, under California Government Code, Section 54956.9(b), and Administrative Code, Section 67.10(d)(2), regarding anticipated litigation in which the City would be a defendant, based on a significant exposure to litigation regarding the establishment of the Central SoMa Special Tax District.

10/16/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Kim, Peskin, Brown

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

Ayes: 3 - Kim, Peskin, Brown

SPECIAL ORDER 10:45 A.M.**REGULAR AGENDA****181015 [Hearing - Allegations of Sexual Harassment and Sex Discrimination in the Fire Department]****Sponsors: Kim; Peskin, Ronen, Fewer and Cohen**

Hearing to consider the allegations of sexual harassment and sex discrimination in the Fire Department, and the City's policies and practices for responding to such allegations; and requesting the Fire Department and Department of Human Resources to report.

10/16/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

10/19/18; REFERRED TO DEPARTMENT. Referred to the Fire Department and the Department of Human Resources for informational purposes.

Heard in Committee. Speakers: Ace Washington; Catherine Alba; Sherman Tillman; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Kim, Peskin, Brown

180166 [Hearing - Safer Schools Sexual Assault Task Force]**Sponsors: Kim; Ronen**

Hearing on the findings and recommendations of the Safer Schools Sexual Assault Task Force; and requesting the Department on the Status of Women and any available non-DOSW (Department on the Status of Women) members of the Safer Schools Sexual Assault Task Force to report.

02/13/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

02/16/18; REFERRED TO DEPARTMENT. Referred to Department on the Status of Women and any available non-Department on the Status of Women members of the Safer Schools Sexual Assault Task Force for informational purposes.

09/14/18; TRANSFERRED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: Minouche Kandel and Julia Weber (Department on the Status of Women); presented information and answered questions raised throughout the discussion. Leslie Simon (Safer Schools Sexual Assault Task Force); Ace Washington; Gena Castro Rodriguez; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Kim, Peskin, Brown

Chair Kim requested that File Nos. 180622 and 180623 be heard together.

180622 [Resolution of Intention - Establishing the Central SoMa Special Tax District]

Sponsors: Mayor; Kim

Resolution declaring the intention of the Board of Supervisors to establish City and County of San Francisco Special Tax District No. 2018-1 (Central SoMa), and determining other matters in connection therewith.

06/05/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

10/17/18; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: None.

10/17/18; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Lisa Chen (Planning Department); presented information and answered questions raised throughout the discussion. Ace Washington; spoke on various concerns relating to the hearing matter.

Vice Chair Peskin moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to add the Committee of the Whole hearing date of January 8, 2019, to conduct a public hearing on the establishment of the Special Tax District; on Exhibit B, Page 8, to update the definition of "Land Use" to strike 'Tier B For Sale Residential Square Footage,' and insert 'Tier B Non-Residential Square Footage,' and on Pages 8-9 to define "Non-Residential Square Footage"; on Exhibit B, Pages 13-14, to make conforming changes to the definitions of "Tier", to strike "Tier B For Sale Residential Square Footage", and to add the definition for "Tier B Non-Residential Square Footage"; on Exhibit B, Page 15, Lines 15-17, to make conforming changes to the definition of "Tier C Non-Residential Square Footage" to mean Non-Residential Square Footage developed on a Parcel that was assigned by the Review Authority to Tier C, as defined in the Planning Code; on Exhibit B, Page 18, Table 1, to strike the Base Facilities Special Tax prior to the Transition Year for Tier B For Sale Residential Square Footage and insert the Base Facilities Special Tax prior to the Transition Year for Tier B Non-Residential Square Footage; on Exhibit B, Page 18, Table 2, to strike the Base Facilities Special Tax in and after the transition year for Tier B For Sale Residential Square Footage and insert the Base Facilities Special Tax in and after the transition year for Tier B Non-Residential Square Footage; on Exhibit B, Pages 18-19, to make conforming changes to the four steps used to determine the Maximum Special Tax for the next succeeding Fiscal Year for each Taxable Parcel in a Taxable Building; and to make other clarifying, conforming, and clerical changes to the resolution Exhibits. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Brown

Vice Chair Peskin moved that this Resolution be CONTINUED AS AMENDED to the Government Audit and Oversight Committee meeting of November 7, 2018. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Brown

180623 [Resolution of Intention - Incurring Bonded Indebtedness and Other Debt for the Central SoMa Special Tax District]**Sponsors: Mayor; Kim**

Resolution declaring the intention of the Board of Supervisors to incur bonded indebtedness and other debt for City and County of San Francisco Special Tax District No. 2018-1 (Central SoMa), and determining other matters in connection therewith.

06/05/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

10/17/18; CONTINUED. Heard in Committee. Speakers: None.

Heard in Committee. Speakers: Lisa Chen (Planning Department); presented information and answered questions raised throughout the discussion. Ace Washington; spoke on various concerns relating to the hearing matter.

Vice Chair Peskin moved that this Resolution be CONTINUED to the Government Audit and Oversight Committee meeting of November 7, 2018. The motion carried by the following vote:

Ayes: 3 - Kim, Peskin, Brown

181018 [Hearing - Housing Authority, Mayor's Office of Housing and Development - Coordination of Section 8 Program]**Sponsors: Peskin; Cohen, Yee, Safai, Ronen, Brown, Kim and Stefani**

Hearing to receive the Budget and Legislative Analyst's audit of the Housing Authority and Mayor's Office of Housing and Community Development's coordination, management, and accounting of the Section 8 voucher program; and requesting the Budget and Legislative Analyst, Housing Authority, and Mayor's Office of Housing and Community Development to report.

10/16/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

10/19/18; REFERRED TO DEPARTMENT. Referred to the Office of the Budget and Legislative Analyst, the San Francisco Housing Authority, and the Mayor's Office of Housing and Community Development for informational purposes.

Heard in Committee. Speakers: Barbara T. Smith, Acting Director, and Linda Martin (San Francisco Housing Authority); Kate Hartley, Director (Mayor's Office of Housing and Community Development); Mark de la Rosa (Office of the Controller); presented information and answered questions raised throughout the discussion. Mr. Wright; Ace Washington; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Kim, Peskin, Brown

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 1:41 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.