



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: Aaron Peskin, Vallie Brown, Gordon Mar

Clerk: John Carroll (415) 554-4445

Wednesday, January 16, 2019

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Agenda

Present: 3 - Aaron Peskin, Vallie Brown, and Gordon Mar

The Government Audit and Oversight Committee met in regular session on January 16, 2019, with Interim Chair Aaron Peskin presiding.

ROLL CALL AND ANNOUNCEMENTS

Interim Chair Peskin called the meeting to order at 10:02 a.m. On the call of the roll, Interim Chair Peskin, Interim Vice Chair Brown, and Member Mar were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

LITIGATION

Interim Chair Peskin requested File Nos. 181145, 181146, 181147, 181148, and 181181 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.

Persons in attendance: Jon Givner (Office of the City Attorney) and John Carroll (Office of the Clerk of the Board).

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

Ayes: 3 - Peskin, Brown, Mar

181145 [Settlement of Lawsuit - Sentinel Insurance Company, Ltd. - \$600,000]

Ordinance authorizing settlement of the lawsuit filed by Sentinel Insurance Company, Ltd. against the City and County of San Francisco for \$600,000; the lawsuit was filed on September 12, 2017, in San Francisco Superior Court, Case No. CGC-17-561235; entitled Sentinel Insurance Company v. City and County of San Francisco; the lawsuit involves alleged damage from a leaking San Francisco Public Utilities Commission pipe; and appropriating funds for this payment from the Public Utilities Commission Water Enterprise fund balance. (City Attorney)

11/21/18; RECEIVED FROM DEPARTMENT.

12/04/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Peskin, Brown, Mar

181146 [Settlement of Unlitigated Claims - Sherry Jackson - \$105,000; Related Appropriation Wastewater Enterprise Fund Balance]

Ordinance approving the settlement of the unlitigated claims filed by Sherry Jackson against the City and County of San Francisco for \$105,000; the claims were filed on May 1, 2018; the claims involve alleged property damages due to sewer flooding; appropriating \$105,000 from Public Utilities Commission Wastewater Enterprise fund balance for payment of settlement. (City Attorney)

11/21/18; RECEIVED FROM DEPARTMENT.

12/04/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Peskin, Brown, Mar

181147 [Settlement of Unlitigated Claim - Jeffrey K. Schalk - \$43,719.45]

Resolution approving the settlement of the unlitigated claim filed by Jeffrey K. Schalk against the City and County of San Francisco for \$43,719.45; the claim was filed on May 9, 2018; the claim involves alleged property damages due to sewer flooding. (City Attorney)

11/21/18; RECEIVED FROM DEPARTMENT.

12/04/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Peskin, Brown, Mar

181148 [Settlement of Unlitigated Claim - Veritas-B Mezz 1, LLC - \$2,035,769]

Resolution approving the settlement of the unlitigated claim filed by Veritas-B Mezz 1, LLC, against the City and County of San Francisco for \$2,035,769; the claim was filed on June 12, 2018; the claim involves an alleged overpayment of transfer tax. (City Attorney)

11/21/18; RECEIVED FROM DEPARTMENT.

12/04/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Peskin, Brown, Mar

181181 [Settlement of Unlitigated Claim - CDC San Francisco LLC - \$1,413,017.47]

Resolution approving the settlement of the unlitigated claim filed by CDC San Francisco LLC, against the City and County of San Francisco for \$1,413,017.47 plus statutory interest; the claim was filed on June 15, 2018; the claim involves a refund of property taxes after a reduction in assessed value by the Assessment Appeals Board on January 8, 2018. (City Attorney)

12/03/18; RECEIVED FROM DEPARTMENT.

12/11/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Peskin, Brown, Mar

[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.

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

Ayes: 3 - Peskin, Brown, Mar

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 10:36 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.