



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

Monday, March 30, 2020

12:30 PM

Special Meeting

Present: 3 - Gordon Mar, Aaron Peskin, and Matt Haney

The Government Audit and Oversight Committee met in remote special session on March 30, 2020, with Chair Gordon Mar presiding. Chair Mar called the meeting to order at 12:32 p.m.

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

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

Chair Mar requested that File Nos. 200175, 200176, 200177, 200210, and 200211 be called together.

Heard in Committee. Speakers: None.

200175 [Settlement of Lawsuit - Juan Ortiz - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Juan Ortiz against the City and County of San Francisco for \$125,000; the lawsuit was filed on January 2, 2019, in United States District Court, Case No. 18-cv-07727 HSG; entitled Juan Ortiz v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

02/21/20; RECEIVED FROM DEPARTMENT.

03/03/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Mar, Peskin, Haney

200176 [Settlement of Lawsuit - Erlinda Barahona and Saul Barahona - \$615,000]

Ordinance authorizing settlement of the lawsuit filed by Erlinda Barahona and Saul Barahona against the City and County of San Francisco for \$615,000; the lawsuit was filed on December 18, 2018, in San Francisco Superior Court, Case No. CGC-18-572183; entitled Erlinda Barahona, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from collision with City vehicle. (City Attorney)

02/21/20; RECEIVED FROM DEPARTMENT.

03/03/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Mar, Peskin, Haney

200177 [Settlement of Lawsuit - Nancy Barsotti, et al. - \$190,000]

Ordinance authorizing settlement of the lawsuit filed by Nancy Barsotti, Martin Beltran, Desmond Cotter, David Dawley, Paul Gallegos, Alan Harvey, Warren House, Ricky Hui, Tomie Ann Kato, James Kimball, Barry Lo, Colin Mackenzie, David Maxion, Mark Nicholas, Michael Orlando, George Petty III, Romelia Scott, Ellen Stein, and Richard Stevens against the City and County of San Francisco for \$190,000; the lawsuit was filed on February 6, 2014, in the Superior Court of California - County of San Francisco, Case No. CGC-14-537224; entitled Nancy Barsotti, et al. v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

02/24/20; RECEIVED FROM DEPARTMENT.

03/03/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Mar, Peskin, Haney

200210 [Settlement of Unlitigated Claim - Jennifer Roldan - \$47,574.99]

Resolution approving the settlement of the unlitigated claim filed by Jennifer Roldan against the City and County of San Francisco for \$47,574.99; the claim was filed on November 30, 2019; the claim involves alleged property damaged due to a water main rupture. (City Attorney)

02/21/20; RECEIVED FROM DEPARTMENT.

03/03/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Mar, Peskin, Haney

200211 [Settlement of Unlitigated Claim - Bryan Carmody - \$369,000]

Resolution approving the settlement of the unlitigated claim filed by Bryan Carmody against the City and County of San Francisco for \$369,000; the claim was filed on August 29, 2019, and relates to the circumstances surrounding a series of search warrants obtained by the Police Department. (City Attorney)

02/21/20; RECEIVED FROM DEPARTMENT.

03/03/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Mar, Peskin, Haney

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 12:39 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.