



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, May 20, 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, May 20, 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

Chair Preston requested that File Nos. 210504, 210505, 210506, and 210507 be heard together.

210504 [Apply for Grant - BRIDGE Housing Corporation - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Reservoir Building E]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with BRIDGE Housing Corporation, a California Corporation, for the 124-unit, 100% affordable housing project located generally north of the Ocean Avenue commercial district, west of City College of San Francisco's Ocean Campus, east of the Westbrook Park neighborhood, and south of Archbishop Riordan High School; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

05/12/21; TRANSFERRED to Government Audit and Oversight Committee. President Walton transferred this matter from the Budget and Finance Committee to the Government Audit and Oversight Committee.

Heard in Committee. Speakers: Supervisor Myrna Melgar (Board of Supervisors); Sara Amaral (Mayor's Office of Housing and Community Development); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Chan, Mandelman

210505 [Apply for Grant - Sunnydale Block 3A Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Sunnydale Block 3A]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Sunnydale Block 3A Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project as identified as Sunnydale Block 3A in Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

05/12/21; TRANSFERRED to Government Audit and Oversight Committee. President Walton transferred this matter from the Budget and Finance Committee to the Government Audit and Oversight Committee.

Heard in Committee. Speakers: Supervisor Myrna Melgar (Board of Supervisors); Sara Amaral (Mayor's Office of Housing and Community Development); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Chan, Mandelman

210506 [Apply for Grant - Sunnydale Block 3B Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Sunnydale Block 3B]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Sunnydale Block 3B Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project as identified as Sunnydale Block 3B in Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

05/12/21; TRANSFERRED to Government Audit and Oversight Committee. President Walton transferred this matter from the Budget and Finance Committee to the Government Audit and Oversight Committee.

Heard in Committee. Speakers: Supervisor Myrna Melgar (Board of Supervisors); Sara Amaral (Mayor's Office of Housing and Community Development); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Chan, Mandelman

210507 [Apply for Grant - Mercy Housing California and The Kelsey - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - The Kelsey Civic Center]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Mercy Housing California, a California nonprofit public benefit corporation, and The Kelsey, a California nonprofit public benefit corporation, for the 100% affordable housing project identified as The Kelsey Civic Center; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

05/04/21; RECEIVED AND ASSIGNED to Budget and Finance Committee.

05/12/21; TRANSFERRED to Government Audit and Oversight Committee. President Walton transferred this matter from the Budget and Finance Committee to the Government Audit and Oversight Committee.

Heard in Committee. Speakers: Supervisor Myrna Melgar (Board of Supervisors); Sara Amaral (Mayor's Office of Housing and Community Development); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Chan, Mandelman

210403 [Hearing - SkyChef Noncompliance with the Healthy Airport Ordinance]

Sponsors: Mandelman; Walton

Hearing to discuss San Francisco Airport food services contractor SkyChef's noncompliance with the Healthy Airport Ordinance; and requesting the Office of Labor Standards Enforcement to report.

04/13/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

04/21/21; REFERRED TO DEPARTMENT. Referred to the Office of Labor Standards Enforcement and the San Francisco International Airport for informational purposes.

Heard in Committee. Speakers: Pat Mulligan, Director (Office of Labor Standards Enforcement); Supervisors Matt Haney and Shamann Walton (Board of Supervisors); Linda Fajardo; presented information and answered questions raised throughout the discussion. Anand Singh (Unite Here Local 2); Lilian Mora; Toto; 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

210233 [Hearing - 2021 Language Access Report]**Sponsor: Walton**

Hearing to discuss departmental compliance with the City's Language Access Ordinance including the review of the 2021 Language Access Summary Report from the Office of Civic Engagement and Immigrant Affairs; requesting community organizations who provide Language Access to present feedback; and requesting the Office of Civic Engagement and Immigrant Affairs to report.

03/02/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

03/10/21; REFERRED TO DEPARTMENT. Referred to the Office of Civic Engagement and Immigrant Affairs for informational purposes.

Heard in Committee. Speakers: Supervisor Shamann Walton (Board of Supervisors); Adrienne Pon, Director (Office of Civic Engagement and Immigrant Affairs); Celine Kennelly, Commission Chair, and Paul Monge (Immigrant Rights Commission); Annette Wong and Eva Poon (Chinese for Affirmative Action); Rebecca Dean (CARECEN); presented information and answered questions raised throughout the discussion. Crystal Van; Christina; Danny; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Preston, Chan, Mandelman

LITIGATION

Chair Preston requested that File Nos. 210371, 210408, 210341, and 210409 be heard together.

Heard in Committee. 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.

The Deputy City Attorney reported that the Government Audit and Oversight Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

Persons in attendance: Anne Pearson (Office of the City Attorney); Victor Young and John Carroll (Office of the Clerk of the Board).

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

Ayes: 3 - Preston, Chan, Mandelman

210371 [Settlement of Lawsuit - Mohammad Joiyah - \$200,000]

Ordinance authorizing settlement of the lawsuit filed by Mohammad Joiyah against the City and County of San Francisco for \$200,000; the lawsuit was filed on August 6, 2018, in San Francisco Superior Court, Case No. CGC-18-568689; entitled Mohammad Joiyah v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

04/09/21; RECEIVED FROM DEPARTMENT.

04/20/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Preston, Chan, Mandelman

210408 [Settlement of Lawsuit - Daniel Alvarenga - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Daniel Alvarenga against the City and County of San Francisco for \$60,000; the lawsuit was filed on February 28, 2020, in United States District Court, Case No. 20-cv-01486 JSW; entitled Daniel Alvarenga v. City and County of San Francisco, et al.; the lawsuit involves alleged constitutional violation for use of excessive force in making an arrest. (City Attorney)

04/16/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

CONTINUED to the Government Audit and Oversight Committee meeting of June 3, 2021, by the following vote:

Ayes: 3 - Preston, Chan, Mandelman

210341 [Settlement of Unlitigated Claim - Grace International Consortia, Inc. - \$316,250]

Resolution approving the settlement of the unlitigated claim filed by Grace International Consortia, Inc. against the City and County of San Francisco for \$316,250; the claim was filed on May 8, 2020; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney)

03/30/21; RECEIVED FROM DEPARTMENT.

04/13/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Preston, Chan, Mandelman

210409 [Settlement of Unlitigated Claim - Bruce Storrs - \$55,000]

Resolution approving the settlement of the unlitigated claim filed by Bruce Storrs against the City and County of San Francisco for \$55,000; the claim was filed on October 20, 2020; the claim involves an employment dispute. (City Attorney)

04/16/21; RECEIVED FROM DEPARTMENT.

04/27/21; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Preston, Chan, Mandelman

[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.

Chair Preston moved not to disclose closed session deliberations. 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 1:09 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.