



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, Catherine Stefani, Connie Chan

Clerk: Monique Crayton
(415) 554-7750 ~ monique.crayton@sfgov.org

Thursday, March 7, 2024

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Dean Preston, Catherine Stefani, and Connie Chan

The Government Audit and Oversight Committee met in regular session on Thursday, March 7, 2024, with Chair Dean Preston presiding. Chair Preston called the meeting to order at 10:03 a.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Preston, Vice Chair Stefani, and Member Chan were noted present. A quorum was present.

COMMUNICATIONS

Monique Crayton, Government Audit and Oversight Committee Clerk, instructed members of the public that public comment is taken on each item on the agenda. Alternatively, written comments may be submitted through email (monique.crayton@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

240137 [Management Agreement - Owners' Association for Administration/Management - Excelsior Community Benefit District]

Sponsor: Safai

Resolution approving an agreement with a nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the Excelsior Community Benefit District, pursuant to the California Streets and Highways Code, Section 36651, for a period effective upon approval of this Resolution, through December 31, 2033.

02/13/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

02/21/24; REFERRED TO DEPARTMENT. Referred to Office of the Controller and Office of Economic and Workforce Development for informational purposes.

02/21/24; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

02/26/24; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

Heard in Committee. Speaker(s): Jackie Hazelwood (Office of Economic and Workforce Development); Jeff Buckley (Office of Supervisor Safai); Maribel Ramirez, Executive Director (Excelsior Community Benefit District); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Stefani, Chan

Chair Preston requested that File Nos. 230576, 230843, 231260 and 230844 be heard together.

230576 [Yerba Buena Community Benefit District - Annual Report - FY2021-2022]

Sponsor: Dorsey

Resolution receiving and approving an annual report for the Yerba Buena Community Benefit District for Fiscal Year (FY) 2021-2022, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

05/16/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speaker(s): Jackie Hazelwood (Office of Economic and Workforce Development); Scott Rowitz, Executive Director (Yerba Buena Community Benefit District); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Stefani, Chan

230843 [Japantown Community Benefit District - Annual Report - FY2021-2022]**Sponsor: Preston**

Resolution receiving and approving an Annual Report for the Japantown Community Benefit District for Fiscal Year (FY) 2021-2022, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

07/18/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speaker(s): Jackie Hazelwood (Office of Economic and Workforce Development); Grace Horkiri, Executive Director (Japantown Community Benefit District); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Stefani, Chan

231260 [The East Cut Community Benefit District - Annual Report - FY2021-2022]**Sponsor: Dorsey**

Resolution receiving and approving an annual report for The East Cut Community Benefit District for Fiscal Year (FY) 2021-2022, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

12/05/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

12/15/23; REFERRED TO DEPARTMENT. Referred to the Office of Economic and Workforce Development and the Office of the Controller for informational purposes.

Heard in Committee. Speaker(s): Jackie Hazelwood and Chris Corgas (Office of Economic and Workforce Development); Andrew Robinson, Executive Director (East Cut Community Benefit District); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Stefani, Chan

230844 [North of Market/Tenderloin Community Benefit District - Annual Report - FY2021-2022]**Sponsor: Preston**

Resolution receiving and approving an Annual Report for the North of Market/Tenderloin Community Benefit District for Fiscal Year (FY) 2021-2022, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

07/18/23; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speaker(s): Jackie Hazelwood (Office of Economic and Workforce Development); Kate Robinson, Executive Director (North of Market/Tenderloin Benefit District); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Stefani, Chan

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 Preston elected not to convene in Closed Session.

Heard in Committee. Speaker(s): None.

240082 [Tolling Agreement - Retroactive - Chevron U.S.A. Holdings Inc. and Chevron U.S.A. Inc. - Kern County Real Property Dispute]

Resolution retroactively approving a Tolling Agreement to extend the statute of limitations for the City, Chevron U.S.A. Holdings Inc., and Chevron U.S.A. Inc. to bring potential litigation against one another regarding the condition of the City's property, and which party has responsibility to plug and abandon oil wells and to remediate potential contamination of the City's property located in Kern County, California that was previously leased by Chevron U.S.A. Holdings Inc., and Chevron U.S.A. Inc., to allow for possible resolution of the matter without litigation, to extend the statute of limitations from November 30, 2023, through May 31, 2024; and to authorize the City Attorney to enter into extensions or modifications to the Tolling Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Tolling Agreement or this Resolution. (City Attorney)

01/29/24; RECEIVED FROM DEPARTMENT.

02/06/24; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Preston, Stefani, Chan

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 11:37 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.