



**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

*Member: Jackie Fielder, Danny Sauter, Stephen Sherrill*

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

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**Thursday, March 6, 2025**

**10:00 AM**

**City Hall, Legislative Chamber, Room 250**

**Regular Meeting**

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**Present:** 3 - Jackie Fielder, Danny Sauter, and Stephen Sherrill

*The Government Audit and Oversight Committee met in regular session on Thursday, March 6, 2025, with Chair Jackie Fielder presiding. Chair Fielder called the meeting to order at 10:02 a.m.*

## **ROLL CALL AND ANNOUNCEMENTS**

*On the call of the roll, Chair Fielder, Vice Chair Sauter, and Member Sherrill were noted present.*

## **COMMUNICATIONS**

*Monique Crayton, Assistant 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](mailto: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

### **250105 [Behested Payment Waiver - Embarcadero Plaza and Sue Bierman Park]**

#### **Sponsors: Mayor; Sauter**

Resolution authorizing the Mayor, officers and employees of the Office of the Mayor, and officers and employees of the Recreation and Park Department to solicit donations for the renovation of Embarcadero Plaza and Sue Bierman parks from individuals, nonprofits, private organizations, grantmakers, and foundations for six months, effective upon approval of this Resolution, notwithstanding the Behested Payment Ordinance.

01/28/25; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

02/20/25; CONTINUED. Heard in Committee. Speaker(s): None.

*Heard in Committee. Speaker(s): Lisa Bransten, Director of Partnerships (Recreation and Parks Department); provided an overview and responded to questions raised throughout the discussion. Robbie Silver (Downtown SF Partnership); Bernadette Kim; spoke in support of the resolution matter.*

**Vice Chair Sauter moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 3-10, to read 'Resolution authorizing the General Manager of the Recreation and Park Department, the Director and staff of the Recreation and Park Department's Partnership Division, the Mayor, and the following staff in the Mayor's Office: Chief of Staff, Chief of Infrastructure, Assistant Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and Policy Advisor, to solicit donations for the renovation of Embarcadero Plaza and Sue Bierman parks from individuals, nonprofits, private organizations, grantmakers, and foundations for six months from the effective date of this Resolution, notwithstanding the Behested Payment Ordinance.'; On Page 2, Lines 22-25, by replacing 'RPD, the Recreation and Park Commission, the Mayor, and the Office of the Mayor' with 'The General Manager of RPD, the Director and staff of RPD's Partnership Division, the Mayor, and the following staff in the Mayor's Office: Chief of Staff, Chief of Infrastructure, Assistant Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and Policy Advisor'; On Page 3, Lines 4-17, to read 'WHEREAS, The parties receiving this waiver have agreed to report to the Board of Supervisors donations to the City that were solicited under this waiver; such reports will identify the donor, the amount of the donation, and the interested relationship the donor has with the department that solicited the donation; the department or office will submit the reports to the Board within 60 days of the expiration of the 6-month period authorized by this waiver; now, therefore, be it RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct Code, the Board of Supervisors hereby waives application of the Behested Payment Ordinance as to the General Manager of RPD, the Director and staff of RPD's Partnership Division, the Mayor, and the following staff in the Mayor's Office: Chief of Staff, Chief of Infrastructure, Assistant Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and Policy Advisor, for six months from the effective date of this Resolution to fundraising from nonprofits, private organizations, grantmakers and foundations to support the Project; and be it'; and by making clerical and conforming changes throughout the resolution text. The motion carried by the following vote:**

Ayes: 3 - Fielder, Sauter, Sherrill

Resolution authorizing the General Manager of the Recreation and Park Department, the Director and staff of the Recreation and Park Department's Partnership Division, the Mayor, and the following staff in the Mayor's Office: Chief of Staff, Chief of Infrastructure, Assistant Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and Policy Advisor, to solicit donations for the renovation of Embarcadero Plaza and Sue Bierman parks from individuals, nonprofits, private organizations, grantmakers, and foundations for six months from the effective date of this Resolution, notwithstanding the Behested Payment Ordinance.

**Vice Chair Sauter moved that this Resolution be RECOMMENDED AS AMENDED. The motion carried by the following vote:**

Ayes: 3 - Fielder, Sauter, Sherrill

## 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.*

*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.*

*Heard in Committee. Speaker(s): None.*

*Persons in attendance: Brad Russi (Office of the City Attorney); Monique Crayton (Office of the Clerk of the Board).*

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

Ayes: 3 - Fielder, Sauter, Sherrill

**250068 [Settlement of Lawsuit - Hotel Des Arts, LLC]**

Ordinance authorizing settlement of the lawsuit filed by Hotel Des Arts, LLC against the City and County of San Francisco; the lawsuit was filed on June 14, 2023, in the Northern District of California, Case No. 3:23-cv-02933; entitled Hotel Des Arts, LLC v. City and County of San Francisco, et al; the lawsuit challenges 2023 amendments to the Residential Hotel Unit Conversion and Demolition Ordinance (Board File No. 220815, Ordinance No. 36-23) that define Tourist or Transient use as a stay of less than 30 days and establish a two-year amortization period; material terms of the settlement require the City to permit the conversion of the existing 38 Residential Hotel Rooms at Assessor's Parcel Block No. 0287, Lot No. 020, also known as 447 Bush Street, currently operated as the Hotel des Arts, to Tourist Hotel Rooms under Administrative Code Chapter 41 in exchange for conversion of 27 Group Housing rooms and associated amenities at 412-422 Hayes and seven Group Housing rooms and associated amenities at 319-321 Ivy Street to Residential Hotel Rooms, subject to Administrative Code, Chapter 41. (City Attorney)

01/17/25; RECEIVED FROM DEPARTMENT.

01/28/25; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Fielder, Sauter, Sherrill

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

Ayes: 3 - Fielder, Sauter, Sherrill

## ADJOURNMENT

*There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 10:38 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.*