



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

Thursday, March 20, 2025

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

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

The Government Audit and Oversight Committee met in regular session on Thursday, March 20, 2025, with Chair Jackie Fielder presiding. Chair Fielder called the meeting to order at 10:10 a.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Fielder and Members Sauter and Sherrill were noted present. A quorum of the committee 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

250195 [Temporary Shelter and Homeless Services - Behested Payment Waiver]

Sponsors: Mayor; Mandelman

Resolution authorizing the Department of Homelessness and Supportive Housing to solicit donations from various private entities and organizations to support the expansion of temporary shelter and other homeless services to support people experiencing homelessness, notwithstanding the Behested Payment Ordinance.

02/25/25; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speaker(s): Shireen McSpadden, Executive Director (Department of Homelessness and Supportive Housing); provided an overview and responded to questions raised throughout the discussion.

Chair Fielder moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, Page 1, Lines 3-4, by inserting ‘Executive Director, Chief Deputies, Deputy Directors and Program Directors,’ on Page 3, Line 23, through Page 4, Line 3, by inserting ‘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’. The motion carried by the following vote:

Ayes: 3 - Fielder, Sauter, Sherrill

Resolution authorizing the Department of Homelessness and Supportive Housing's Executive Director, Chief Deputies, Deputy Directors and Program Directors to solicit donations from various private entities and organizations to support the expansion of temporary shelter and other homeless services to support people experiencing homelessness, notwithstanding the Behested Payment Ordinance.

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

Ayes: 3 - Fielder, Sauter, Sherrill

250129 [Behested Payment Waiver - India Basin Waterfront Park]**Sponsor: Walton**

Resolution authorizing the Mayor, officers and employees of the Office of the Mayor, Recreation and Park Commissioners and officers and employees of the Recreation and Park Department to solicit donations for the India Basin Waterfront Park Initiative from nonprofits, private organizations, grantmakers, and foundations for six months, effective upon approval of this Resolution, notwithstanding the Behested Payment Ordinance.

02/04/25; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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. Kurt Grimes (A. Phillip Randolph Institute); Maika Pinkston (From the Heart); Chika Mezi (A. Phillip Randolph Institute); spoke in support of the resolution matter.

Chair Fielder moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 3-11, to read ‘Resolution to authorize the Mayor, the Mayor’s Chief of Staff, Chief of Infrastructure, Assistant Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and Policy Advisor, and the General Manager of RPD, the Director and staff of RPD’s Partnership Division, RPD’s Director of Capital and Planning, RPD’s India Basin Project Manager, and RPD’s India Basin Equitable Development Plan Manager to solicit donations for the India Basin Waterfront Park Initiative from nonprofits, private organizations, grantmakers, and foundations for six months, from the effective date of this Resolution, notwithstanding the Behested Payment Ordinance’; on Page 3, Lines 3-4, to read ‘WHEREAS, The partners are continuing to work together to fundraise for the Initiative’; on Page 3, Lines 17-24, to read ‘WHEREAS the Mayor, the Mayor’s Chief of Staff, Chief of Infrastructure, Assistant Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and Policy Advisor, and the General Manager of RPD, the Director and staff of RPD’s Partnership Division, RPD’s Director of Capital and Planning, RPD’s India Basin Project Manager, and RPD’s India Basin Equitable Development Plan Manager seek a new waiver of the City’s Behested Payment Ordinance for six months from the effective date of this Resolution so that they may solicit donations from private organizations and philanthropists to support the India Basin Waterfront Park Initiative including EDP activities’; on Page 4, Lines 1-5, 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’; on Page 4, Lines 7-15, to read ‘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 Mayor, the Mayor’s Chief of Staff, Chief of Infrastructure, Assistant Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and Policy Advisor, and the General Manager of RPD, the Director and staff of RPD’s Partnership Division, RPD’s Director of Capital and Planning, RPD’s India Basin Project Manager, and RPD’s India Basin Equitable Development Plan Manager for six months from the effective date of this Resolution to fundraising from nonprofits, private organizations, grantmakers and foundations to support the Initiative’; and additional clerical amendments throughout the resolution text. The motion carried by the following vote:

Ayes: 3 - Fielder, Sauter, Sherrill

Revised to include
amended Version 2 title

* Resolution to authorize the Mayor, the Mayor's Chief of Staff, Chief of Infrastructure, Assistant Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and Policy Advisor, and the General Manager of RPD, the Director and staff of RPD's Partnership Division, RPD's Director of Capital and Planning, RPD's India Basin Project Manager, and RPD's India Basin Equitable Development Plan Manager to solicit donations for the India Basin Waterfront Park Initiative from nonprofits, private organizations, grantmakers, and foundations for six months from the effective date of this Resolution, notwithstanding the Behested Payment Ordinance.

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

Ayes: 3 - Fielder, Sauter, Sherrill

240934 [Memorandum of Understanding - InnovateUS - Participation in Program to Provide Customer Feedback - \$0]

Sponsors: Mayor; Mandelman

Resolution authorizing Department of Technology Chief Information Officer to enter a no cost Memorandum of Understanding (MOU) under which the City will provide feedback to InnovateUS and which will grant to InnovateUS a right to use the City's feedback for any purpose, including the development, modification, marketing, or publicity of products or services, effective upon approval of this Resolution for a two year term; and to authorize the Director of Department of Technology to enter into amendments or modifications to the MOU that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the MOU or this Resolution. (Department of Technology)

09/24/24; RECEIVED AND ASSIGNED to Budget and Finance Committee.

03/05/25; TRANSFERRED to Government Audit and Oversight Committee. President Mandelman transferred this resolution from the Budget and Finance committee to the Government Audit and Oversight committee.

Heard in Committee. Speaker(s): Jeremy Pollock (Department of Technology); provided an overview and responded to questions raised throughout the discussion.

Supervisor Sherrill moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Fielder, Sauter, Sherrill

LITIGATION

Chair Fielder requested File Nos. 250109, 250117, 250118, 250123, 250158, 250159, 250160, 250161, 250179, and 250180 be called together.

Heard in Committee. Speaker(s): 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.

Chair Fielder elected not to convene in Closed Session.

250109 [Settlement of Lawsuit - Coinbase, Inc. - \$1,600,000]

Ordinance authorizing settlement of the lawsuit filed by Coinbase, Inc. against the City and County of San Francisco for \$1,600,000; the lawsuit was filed on January 10, 2025, in San Francisco Superior Court, Case No. CGC-25-621382, entitled Coinbase, Inc. v. City and County of San Francisco et al.; the lawsuit involves a refund of gross receipts, homelessness gross receipts, and overpaid executive gross receipts taxes; other material terms of the settlement relate to Coinbase Inc.'s filing position and tax liability for the 2024 tax year. (City Attorney)

02/03/25; RECEIVED FROM DEPARTMENT.

02/11/25; 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

250117 [Settlement of Lawsuit - Lester Hogan - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Lester Hogan against the City and County of San Francisco for \$50,000; the lawsuit was filed on February 18, 2021, in United States District Court, Northern District of California, Case No. 22-cv-6112-DMR (NMC); entitled Lester Hogan v. Deputy Ibarra; the lawsuit involves alleged civil rights violations; the City already paid \$25,000 to Plaintiff, and the City will pay \$25,000 to Kaiser Foundation Health Plan, Inc. (via the Rawlings Company) to satisfy a Medicare Advantage lien for Plaintiff's medical treatment relating to the incident. (City Attorney)

02/03/25; RECEIVED FROM DEPARTMENT.

02/11/25; 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

250118 [Settlement of Unlitigated Claim - Hanover Insurance Company - \$265,909]

Resolution approving the settlement of the unlitigated claim filed by Hanover Insurance Company against the City and County of San Francisco for \$265,909; the claim was filed on February 15, 2024; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney)

02/03/25; RECEIVED FROM DEPARTMENT.

02/11/25; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Fielder, Sauter, Sherrill

250123 [Settlement of Unlitigated Claims - Idemitsu Americas Holdings Corporation - \$318,002.04]

Resolution approving the settlement of the unlitigated claims filed by Idemitsu Americas Holdings Corporation against the City and County of San Francisco for \$318,002.04; the claims were filed on October 31, 2024; the claims involve a refund of gross receipts and homelessness gross receipts taxes. (City Attorney)

02/03/25; RECEIVED FROM DEPARTMENT.

02/11/25; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Fielder, Sauter, Sherrill

250158 [Settlement of Lawsuit - Ada M. Guzman - \$45,000]

Ordinance authorizing settlement of the lawsuit filed by Ada M. Guzman against the City and County of San Francisco for \$45,000; the lawsuit was filed on December 13, 2022, in San Francisco Superior Court, Case No. CGC-22-603468; entitled Ada M. Guzman v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City street. (City Attorney)

02/04/25; RECEIVED FROM DEPARTMENT.

02/25/25; 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

250159 [Settlement of Lawsuit - Veronica Fulton - \$40,000]

Ordinance authorizing a partial settlement of the lawsuit filed by Veronica Fulton against the City and County of San Francisco for \$40,000; the lawsuit was filed on April 10, 2023, in San Francisco Superior Court, Case No. CGC-23-605730; entitled Ralph Bower, et al. v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City street. (City Attorney)

02/06/25; RECEIVED FROM DEPARTMENT.

02/25/25; 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

250160 [Settlement of Grievance - International Union of Operating Engineers Stationary Engineers, Local 39 - \$1,022,500]

Resolution approving the settlement of the grievance by the International Union of Operating Engineers Stationary Engineers, Local 39 ("the Union") against the City and County of San Francisco ("the City") for \$1,022,500; the grievance was filed on March 21, 2022; the grievance involves an employment dispute under the City's Memorandum of Understanding (MOU) with the Union. (City Attorney)

02/06/25; RECEIVED FROM DEPARTMENT.

02/25/25; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Fielder, Sauter, Sherrill

250161 [Settlement of Unlitigated Claim - CSAA Insurance Exchange - City to Receive \$37,929.81]

Resolution approving settlement of the unlitigated claim in favor of the City and County of San Francisco against CSAA Insurance Exchange for \$37,929.81. (City Attorney)

02/06/25; RECEIVED FROM DEPARTMENT.

02/25/25; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Ayes: 3 - Fielder, Sauter, Sherrill

250179 [Settlement of Lawsuit - Michael E. Johnson, et al. - City to Receive \$100,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael E. Johnson, et al. for \$100,000; the lawsuit was filed on August 16, 2018, in San Francisco Superior Court, Case No. CGC-18-568954; entitled City and County of San Francisco v. Michael E. Johnson, et al.; the lawsuit involves the failure to repay a loan the City and County of San Francisco made related to the Fillmore Heritage Center; other material terms of the settlement include Michael E. Johnson and his affiliates will not seek to do business or enter into a contract with the City and County of San Francisco for five years. (City Attorney)

02/18/25; RECEIVED FROM DEPARTMENT.

03/04/25; 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

250180 [Settlement of Unlitigated Claim - The Nederlander Company LLC, dba Broadway San Francisco, LLC - \$55,000]

Ordinance authorizing settlement of the claim filed by The Nederlander Company LLC, dba Broadway San Francisco, LLC, against the City and County of San Francisco, et al., and any lawsuit that arises from the claim, for \$55,000; the claim was filed on September 3, 2024, Claim No. 25-00436; the claim involves a request for refund of real property transfer tax penalties and interest. (City Attorney)

02/19/25; RECEIVED FROM DEPARTMENT.

03/04/25; 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

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 10:51 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.