



**CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**LONDON N. BREED
MAYOR**

**MINUTES
Regular Meeting
February 6, 2023**

**2:00 p.m.
Room 400, CITY HALL
1 Dr. Carlton B. Goodlett Place**

This meeting will be held in person at the location listed above. As authorized by California Government Code Section 54953(e) and Mayor Breed's 45th Supplement to her February 25, 2020, emergency proclamation, it is possible that some members of the Civil Service Commission may attend this meeting remotely. In that event, those members will participate and vote by video. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or by calling (415) 655-0001 and entering meeting id # 2484 001 2907. Instructions for providing remote public comment are below.

**LISTEN/PUBLIC COMMENT CALL-IN
USA is (415) 655-0001 | Access Code: 2484 001 2907# #**

LONDON N. BREED, MAYOR

COMMISSIONERS

JACQUELINE MINOR

President

KATE FAVETTI

Vice President

DOUGLAS CHAN

F.X. CROWLEY

ELIZABETH SALVESON

SANDRA ENG

Executive Officer

The public is encouraged to submit comments in advance of the meeting by email at civilservice@sfgov.org, or by voicemail message at the CSC Office main line at 628-652-1100. Comments submitted by 5:00 pm the Friday before the meeting will be included in the record. During commission meeting use the Civil Service Commission's dedicated public comment line 1-415-655-0001, Access Code 2484 001 2907.

CALL TO ORDER

2:00 p.m.

ROLL CALL

| | |
|---------------------------------|-----------------------------|
| President Jacqueline P. Minor | Present (Left at 4:11 p.m.) |
| Vice President Kate Favetti | Present |
| Commissioner Douglas S. Chan | Present |
| Commissioner F. X. Crowley | Present |
| Commissioner Elizabeth Salveson | Present |

President Jacqueline P. Minor presided. Vice President Kate Favetti presided the meeting after Commissioner Jacqueline P. Minor left.

REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF THE CIVIL SERVICE COMMISSION BUT NOT APPEARING ON TODAY'S AGENDA (Item No. 2)

Mike Carrasco, spoke about the issues his son Chris Carrasco is going through.

APPROVAL OF MINUTES (Item No. 3)

Regular Meeting of February 6, 2023 – 2:00 p.m.

Action: Adopted the Minutes with the new edits. (Vote of 5 to 0)

ANNOUNCEMENTS (Item No. 4)

Lavena Holmes, Deputy Director announced that: 1) Item 13 Appeal by Craig Banks has been postponed to the meeting of April 17, 2023; 2) Item 15 Appeal by Michael McNair, appellant has requested a second postponement due to recently retaining counsel.

HUMAN RESOURCES DIRECTOR'S REPORT (Item No. 5)

Carol Isen, reported on two items: 1) Campaign to assist exempt employees to become permanent through the exempt to permanent (E2P) process. As of late last week Director Isen notes that more than 100 exempt employees have been appointed to permanent civil service positions. There are over 300 referrals. DHR working closely with departments to plan a push to get more referrals into the process. There are approximately 800 employees remaining on the various eligible lists; about half are permanent-exempt and half are temporary. The permanent exempt are especially targeted because they have position behind them. 2) Working with two key labor organizations on the use of continuous on-demand testing which would necessitate the use of rule of the list as the default certification rule. Met with Service Employees International Union (SEIU), Civil Service rules requires that we achieve mutual agreement with the affected labor organization in order to change the certification rule, it's minimum scoring rule – the rule of three scores" to anything more expansive than that. Seeking global agreement for any high-volume classification with a high number of vacancies for which the use of on-demand testing and the use of a broader certification rule would facilitate much faster hiring. Met with SEIU three times and expecting more meetings. Initial favorable response, optimistic that we are going to reach mutual agreement with SEIU. With International Federation of Professional and Technical Engineers (Local 21) it's been a bit slower start, we've met once, and we hope to move that along through the process much more quickly. By the next civil service meeting, the first week of March, I should have much more detailed reports for you. Operating in the spirit of the rules suggest mutual agreement, if we can reach it, great. If we cannot we are going to let you know that. Based on the language in the rule, if it is mutual agreement, meaning either party can agree or not agree. It is not collective bargaining impasse or fact finding because the rule doesn't say that. It goes back to the 1990s when the Charter was amended, it was placed in the rule at that time and been used over the years in a lot of one-off situations when the department with delegated exam responsibility or our own department will approach a union and ask for a broader certification rule on a list per list basis. This is the first time that we have asked for a broader, more expansive approach to it, matching with the technological investment that the City is making.

EXECUTIVE OFFICER'S REPORT**0030-23-1 Legal Rules Governing Remote Participation by Members of Policy Bodies in Meetings Beginning March 1, 2023. (Item No. 6)**

Speakers: Lavena Holmes, Civil Service Commission
 Kate Kimberlin, Office of the City Attorney
 Carol Isen, Department of Human Resources

Action: No action taken.

0252-22-1 Fiscal Years 2023-25 Mayor's Budget Instructions and Department Budget Preparation. (Item No. 7)

December 19, 2022: Directed Commission staff to prepare Fiscal Years 2023-25 Budget Request to maintain adequate staffing levels to meet current service needs and with a contingency for possible changes in FY 2023-25 in the hearing of appeals regarding discrimination matters; continue to negotiate amounts; present budget request at the Commission meeting of January 25, 2023; incorporate changes made by the Commission up to the Budget Request submission deadline; and approve to submit the Fiscal Years 2023-25 Budget Request to the Controller and the Office of the Mayor by February 21, 2023.

January 25, 2023: Directed the Executive Officer to continue to negotiate with the Office of the Mayor and the Controller to ensure that every attempt is made to meet the Mayor's targets while ensuring Commission's budget sufficiently supports anticipated service and staff with a contingency for potential changes in FY 2023-25 after further discussions concerning the hearing of appeals regarding discrimination matters and to continue its Charter mandated functions. In addition, finalize the Fiscal Years 2023-25 Budget Request; incorporate changes made by the Commission and submit the Fiscal Years 2023-25 Budget Request to the Controller and the Mayor by February 21, 2023.

Speakers: Lavena Holmes, Deputy Director

Action: Directed the Executive Officer to continue to negotiate with the Office of the Mayor and the Controller to ensure that every attempt is made to meet the Mayor's targets while ensuring Commission's budget sufficiently supports anticipated service and staff with a contingency for potential changes in FY 2023-25 after further discussions concerning the hearing of appeals regarding discrimination matters and to continue its Charter mandated functions. In addition, finalize the Fiscal Years 2023-25 Budget Request; incorporate changes made by the Commission and submit the Fiscal Years 2023-25 Budget Request to the Controller and the Mayor by February 21, 2023.
(Vote of 5 to 0)

**0025-23-8 Review of Request for Approval of Proposed Personal Services Contracts.
(Item No. 8)**

| PSC | Department | Amount | Type of Service | Type of Approval | Duration |
|---------------|-----------------------------|---|--|------------------|------------|
| 43391 - 22/23 | Public Health | \$1,100,000 | Human tissue preservation services related to the collection, shipment, storage, and return of autologous human bone and skull flaps which are processed and distributed for re-implantation in patients, and to procure human allograft tissue from contractor. | Regular | 12/31/2027 |
| 45022 - 22/23 | Public Health | \$500,000 | The selected contractor will provide monthly water treatment service visits and also includes inspection, minor adjustments, chemical treatment guidance and maintenance work plan for City personnel to conduct routine maintenance in between vendor visits, written water treatment analysis reports and recommendations for replacement or repair of minor items such as controllers or valves. Vendor to provide training and guidance to City employees as to proper and safe handling, usage and storage of chemicals to be procured through this Agreement. In addition the contractor shall provide as-needed guidance to the Department to properly use the proprietary chemical solutions procured under contract to treat the power plant's water for the cooling towers, boilers, chillers and closed loop systems at Zuckerberg San Francisco General Hospital. | Regular | 12/31/2028 |
| 43908 - 22/23 | Public Utilities Commission | \$500,000 | Crane inspections and repair in accordance with CalOSHA ANSI standards in compliance with Plate V title 8 Federal code including OSHA 1810.179, ASME, and ANSI. Scope of services will include, but is not limited to the following main services on equipment located within SFPUC-Water system wide: <ul style="list-style-type: none"> • Quarterly Maintenance and Inspections • Mandatory Partial Load Testing, • Proof Load and Operational Testing, • Mandatory Annual Inspection, Maintenance, Certification • Quadrennial Inspection, Maintenance, Certification, • Troubleshooting and • "As-needed Repairs" | Regular | 12/1/2025 |
| 47164 - 22/23 | Public Utilities Commission | \$2,000,000 | Contractor shall develop and implement a comprehensive federal lobbying strategy for the San Francisco Public Utilities Commission (SFPUC) on legislative and regulatory issues related to water, wastewater, power, infrastructure and other issues as directed. Scope includes identifying and advocating for or against legislative and regulatory items of interest; drafting legislative language, comment letters and other materials; and representing the SFPUC before the United States Congress, Federal Administration, regulatory agencies, industry associations and other entities as needed. | Regular | 3/1/2028 |
| 47220 - 16/17 | Board of Supervisors | Current Approved Amount \$540,000 Increase Amount Requested \$0 New Total Amount Requested \$540,000 | The Office of the Clerk of the Board's (COB) seeks a vendor to enhance or replace an aging and costly LMS with a solution to effectively address mandated requirements, streamline legislative workflow, and meet stakeholder expectations. The COB will adopt a legislative system that will streamline the process of 1) drafting, submitting, and accessing status of legislation, 2) developing and managing public meeting agenda, and 3) ensuring the integrity and retention of legislative records. The LMS would not only support the core business of the Board of Supervisors, but all City Departments and agencies that submit and recommend legislation and/or amendments. The technology solution will be developed, implemented, and supported through a software development and support agreement with the Contractor and internal COB IT staff. | Modification | 12/31/2025 |

| PSC | Department | Amount | Type of Service | Type of Approval | Duration |
|---------------|-----------------------------|---|--|------------------|------------|
| 43379 - 19/20 | Public Health | Current Approved Amount \$1,500,000 Increase Amount Requested \$1,500,000 New Total Amount Requested \$3,000,000 | The contractor will provide a unique cardiac rhythm monitoring device in the form of small adhesive wireless device worn on a patient's chest in an adhesive patch, as well as related data analysis. The patch-monitors provide continuous electrocardiogram (ECG) monitoring, typically for up to 14 days. They replace the traditional cardiac rhythm monitoring device, a small camera-sized device worn by patients around the neck on a cord and connected to silver dollar-sized electrodes attached to the chest. Utilization of these patch-monitors enables either the health care provider or the patient themselves to place the patch-monitor on the patient's chest. After the monitoring period, the contractor analyzes and uploads the results to a secure website, where the health care provider--the Department of Public Health staff--may view them. The amount of this personal service contract (PSC) includes an anticipated expansion of this service, as the Department must increasingly utilize telemedicine services in order to provide appropriate patient care due to the need to shelter-in-place in response to COVID-19. | Modification | 12/31/2030 |
| 44711 - 20/21 | Public Utilities Commission | Current Approved Amount \$450,000 Increase Amount Requested \$0 New Total Amount Requested \$450,000 | The purpose of this agreement is to allow SFPUC to join The Bay Area Regional Heat Pump Water Heater Contractor Incentive Program, which is a cooperative program implemented by public agencies across the Bay Area that provides workforce development through contractor training and incentives for installation of energy-efficient heat pump water heaters (HPWH). The program is administered by The Energy Council, a Joint Powers Agency based in Alameda County. The program is currently available in the counties of Alameda, Contra Costa, Marin, Napa, and Solano and the cities of Santa Clara and Tracy. The Energy Council is implementing the program in conjunction with Energy Solutions, a consultant they have contracted with directly. The scope of work with Energy Solutions includes the following: administrative services, including handling incentive applications and processing; program management services, including invoicing and reporting, contractor training and engagement, including developing training content, delivering training to contractors, and encouraging contractors to register in the program's web portal. The Energy Council will be responsible for convening meetings with participating agencies to discuss the program, provide updates, and solicit feedback. The Energy Council will inform participating agencies of new policies and programs in the region or state that impact HPWH sales and will provide trainings on codes for HPWHs to building department staff. Lastly, the Energy Council will hold all funds contributed by participating agencies in an account insured by the Federal Deposit Insurance Corporation. | Modification | 7/1/2026 |
| 45469 - 19/20 | Public Utilities Commission | Current Approved Amount \$9,500,000 Increase Amount Requested \$0 New Total Amount Requested \$9,500,000 | The scope of work is to augment, assist, and support Program Control Group (PCG) staff in the administration, improvement and programming of PCG's Primavera-based Program Control, Capital Planning and Construction Management Systems to integrate it with various other databases to generate reports and update capital program and project data (This is not to provide scheduling and cost estimating services). | Modification | 12/31/2028 |
| 36741 - 19/20 | Treasurer/Tax Collector | Current Approved Amount \$1,200,000 Increase Amount Requested \$0 New Total Amount Requested \$1,200,000 | The Office of the Treasurer and Tax Collector, Office of Financial Empowerment (OFE) is seeking to expand its one-on-one financial coaching program, Smart Money Coaching (SMC), to reach and meet the unique financial needs of at-risk transitional age youth (TAY), aged 16-24, including TAY experiencing homelessness. Smart Money Coaching will support TAY to build towards financial security through a number of strategies, including repairing and building their credit, accessing bank accounts with no hidden fees or overdraft, utilizing direct deposit and bill payment to manage their funds, and accessing safe, affordable credit. | Modification | 6/30/2025 |

| PSC | Department | Amount | Type of Service | Type of Approval | Duration |
|---------------|-----------------------------|---|--|------------------|-----------|
| 44431 - 22/23 | Public Utilities Commission | Current Approved Amount \$300,000 Increase Amount Requested \$0 New Total Amount Requested \$300,000 | The San Francisco Public Utilities Commission (SFPUC) is launching a Pilot Residential Green Infrastructure Grant Program and seeks to retain the services of a qualified Program Administrator to assist the SFPUC with the implementation of the Program. This new pilot Program will test new technologies on residential properties, encourage residential property owners to manage stormwater on-site, improve sewer collection system performance during wet weather, and educate San Franciscans on the collection system and stormwater management. This professional services contract will be used to fund a short-term, pilot-scale program to test a new grant administration structure and deliver a limited number of projects. The lessons learned from the results of this contract will contribute to future budgeting and staffing for the Residential Green Infrastructure Grant Program. The Program Administrator will be responsible for program administration, financial management, property owner outreach and coordination, project management, and reporting for the installation of green stormwater infrastructure facilities on residential properties in San Francisco. The Program Administrator will conduct outreach to interested homeowners and recruit them to participate in the Program through workshops, outreach collateral, and site visits. The Program Administrator will assess residential properties and support homeowners in developing applications for grant funding. The Program Administrator will issue payments to homeowners for the cost of design and construction services to build green stormwater infrastructure projects on their properties. The Program Administrator will also provide customer service, collect and manage data, and submit monthly reports on Program performance to the SFPUC. | Modification | 3/15/2025 |

Speakers: Sachiko Tanikawa, Public Utilities Commission spoke on PSC #44711-22/23

Todd Kyger, Public Utilities Commission spoke on PSC #44711-22/23

- Action:**
1. Approved PSC 44711-22/23 from the Public Utilities Commission. (Vote of 4 to 1; Commissioner F.X. Crowley dissented)
 2. Adopt the report. Approve the requests for proposed Personal Services Contracts; Notify the Office of the Controller and the Office of Contract Administration. (Vote of 5 to 0)

0026-23-8 Review of Personal Services Contract #42936 – 22/23 from the Public Utilities Commission – Omit Posting. (Item No. 9)

Speakers: Shelby Campbell, Public Utilities Commission

Action: Adopted the report. Approved the request for proposed Personal Services Contract 42936-22/23; Notify the Office of the Controller and the Office of Contract Administration. (Vote of 5 to 0)

0027-23-8 Review of Personal Services Contract #45194 - 22/23 from the Public Utilities Commission – Omit Posting. (Item No. 10)

Speakers: Daniel Stewart, Public Utilities Commission

Action: Adopted the report. Approved the request for proposed Personal Services Contract 45194-22/23 with the condition to report back at years four (4) and eight (8); Notify the Office of the Controller and the Office of Contract Administration. (Vote of 5 to 0)

0028-23-8 Review of Personal Services Contract #49532-22/23 from the Fire Department. (Item No. 11)

| PSC | Department | Amount | Type of Service | Type of Approval | Duration |
|-------------|------------|-------------|---|------------------|------------|
| 49532-22/23 | Fire | \$2,500,000 | Perform physical fitness evaluations on new hires and current uniformed Fire Department personnel, including coronary risk factor evaluations, cardiovascular examinations, and laboratory testing. | Regular | 12/31/2027 |

January 25, 2023: Continued PSC #49532-22/23 from the Fire Department to a future meeting.

Speakers: Mark Corso, Fire Department

Action: Adopted the report. Approved the request for proposed Personal Services Contract 49532-22/23; Notify the Office of the Controller and the Office of Contract Administration. (Vote of 5 to 0)

0239-22-4 Appeal by Brenda Virella-Vazquez of the 48th Supplement 2908 Senior Hospital Eligibility Worker Job Announcement (CBT-2908-E10138). (Item No. 12)

January 25, 2023: Postponed to the meeting of February 6, 2023, at the request of the appellant.

Speakers: Ileana Enriquez, Department of Public Health
 Dave Johnson, Department of Human Resources
 Liezel Cruz, Department of Public Health
 Anna Biasbas, Department of Human Resources
 Kate Kimberlin, Office of the City Attorney

Public Comment: Cindy Carrillo
 Cheryl Thornton
 Claudia Coffman

Action: Denied the appeal and adopted the report of the Department of Public Health. (Vote of 5 to 0)

0188-20-6 **Appeal by Craig Banks of Human Resources Director’s finding of untimely allegations of harassment, administratively close one allegation of retaliation, and insufficient evidence to substantiate three allegations of retaliation. (Item No. 13)**

Speakers: None.

Action: Postponed to the meeting of April 17, 2023, at the request of the appellant.

0124-22-6 **Appeal by Christopher Lamar of Human Resources Director’s finding of insufficient evidence to substantiate allegations of discrimination or harassment based on race and age. (Item No. 14)**

Speakers: Estevan Villarreal, Department of Human Resources
Dennis Wong, Appellant’s Representative
Christopher Lamar, Appellant
Katsuina Leblanc, Department of Human Resources

Action: Adopted the report, upheld the decision of the Human Resources Director and deny the appeal by Christopher Lamar.
(Vote of 4 to 1; Commissioner Douglas Chan dissented)

0149-22-7 **Request for a Hearing by Michael McNair on Future Employment Restrictions with the City and County of San Francisco. (Item No. 15)**

December 19, 2022: Postponed this item to the meeting of February 6, 2023, at the request of the appellant.

Speakers: Michael McNair, Appellant
Oshea Orchid, Appellant’s Attorney

Action: Granted the second request for postponement. This is the last postponement granted. (Vote of 4 to 0)

0177-22-7 **Request for a Hearing by Jose Leon on Future Employment Restrictions with the City and County of San Francisco. (Item No. 16)**

Speakers: None.

Action: Accepted the Report, deny the appeal, and approve the future employability restrictions. Jose Leon failed to appear.
(Vote of 4 to 0)

COMMISSIONERS' ANNOUNCEMENTS/REQUESTS (Item No. 17)

Vice President Favetti requests a follow-up report from the Department of Public Health and Department of Human resources on the 2908 classification selection for the two lists that are currently active including the number of requisitions, any special conditions, the progress of the certification and timeliness, and future plans with regard to potential vacancies and such; not necessarily in the next meeting but within a reasonable period of time.

ADJOURNMENT (Item No. 18)

4:20 p.m.