



City and County of San Francisco
Meeting Minutes
Finance and Audits Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Aaron Peskin, Gerardo Sandoval and Jake McGoldrick

Clerk: Linda Laws

Wednesday, November 19, 2003

12:30 PM

City Hall, Room 263

Regular Meeting

MEETING CONVENED

The meeting convened at 12:38 p.m.

Present: 3 - Aaron Peskin, Gerardo Sandoval, and Jake McGoldrick

REGULAR AGENDA

031643 [License Agreement with Broadcast Music Incorporated]

Ordinance authorizing the City Administrator to enter into the Local Government Licensing Agreement negotiated between the International Municipal Lawyer's Association and Broadcast Music Incorporated to license music uses by the City under a license subject to automatic annual renewal for an annual Base License Fee plus 1% of revenue from events in which gross revenue exceeds \$25,000, providing that prior to the issuance by any City Department or agency of any lease or permit to conduct an event on property owned or operated by the City and County of San Francisco at which music will be used, the leasee or permittee shall obtain an appropriate license from Broadcast Music Incorporated for the use of music at the event, and requiring that if an appropriate license for the use of music at the event is not obtained by the leasee or permittee, the City department or agency issuing the lease or permit shall provide funds to the City Administrator sufficient to cover any fees incurred pursuant to the City's Local Government Licensing Agreement with Broadcast Music Incorporated.

(City Administrator)

(No Public Benefit Recipient.)

09/29/03; RECEIVED AND ASSIGNED to Finance and Audits Committee.

10/22/03; CONTINUED. Heard in Committee. Speakers: William Lee, City Administrator; Ted Lakey and Sara Ellen Owsowitz, Deputy City Attorneys.
Continued to 10/29/03.

10/29/03; CONTINUED. Heard in Committee. Speaker: Bill Lee, City Administrator; Sarah Owsowitz, Deputy City Attorney; Ed Harrington, Controller.

Continued to November 5, 2003.

11/05/03; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee.
Speaker: William Lee, City Administrator.
Continued to 11/19/03.

11/05/03; CONTINUED AS AMENDED.

Speakers: None.

A motion was made that this matter be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Peskin, Sandoval, McGoldrick

031710 [Airport Concession Leases]**Sponsors: McGoldrick; Sandoval**

Resolution approving the twenty-eight (28) leases for the Airport's Domestic Terminal Food and Beverage Redevelopment Program - between Lori's Diner International, Inc.; Andale SFO; Sanraku, Inc.; Meyers Holdings, LLC, Firewood Café, Series I-II; Fung Lum Express, LLC; Bayport Concessions, LLC; Bay Area Restaurant Group Joint Venture; GDDC, Inc.; Tomokazu Japanese Cuisine (SFO), Inc.; (Jonathan Leong) L & H, LLC; H. Young Enterprises, Inc.; WSE Group; San Francisco Soup Co., Inc.; Guava & Java (SFO), Inc.; J. Avery Enterprises; Gotham Enterprises, LLC, SFO Coffee IV-VI Series; H. Young Enterprises; Susie Lee Tong Enterprises, Inc.; Lady Luck Gourmet, LLC; Creative Host Services, Inc.; D-Lew Enterprises, LLC; Burger Joint, Inc.; Creative Host Services, Inc.; Emporio Rulli, Inc.; Bay Area Restaurant Group Joint Venture; D-Lew Enterprises, LLC; Bay Area Restaurant Group Joint Venture; Andre-Boudin Bakeries, Inc., each as a tenant, and the City and County of San Francisco, acting by and through its Airport Commission, as landlord. (Fiscal impact.)

10/07/03; RECEIVED AND ASSIGNED to Finance and Audits Committee.

Heard in Committee. Speakers: Peter Nardosa, SFO; Dave Pfeiffer, SFO; Harvey Rose, Budget Analyst; Bruce Boudreau, Leigh Fisher Associates; Alex Fedor, SFO Airline Office; Gary Rulli, Emporio Rulli; Carmen Mayo, D-Lew Enterprises; Howard Young, Just Desserts; Avery McGinn, Klein's Deli Cafe; Luis Sanchez, Andale Mexican Restaurant; Midinel Levine, D-Lew Enterprises; Midal Nazal, Mission Bar & Grill; Man J. Kim, Lori's Diner International; Cheryl Adams, Deputy City Attorney.

Continued to 12/3/03.

Supervisor Sandoval requested to be added as a co-sponsor.

A motion was made that this matter be CONTINUED. The motion carried by the following vote:

Ayes: 3 - Peskin, Sandoval, McGoldrick

031466 [Creating Exemption for Administrative Fee for Provision of Additional Police Services Pursuant to Administrative Code Section 10B.2.]**Sponsors: Peskin; Sandoval**

Ordinance amending San Francisco Police Code Section 10B.2 to create an exception for payment of an administrative fee for contracting for additional police services.

08/19/03; RECEIVED AND ASSIGNED to Finance and Audits Committee.

Heard in Committee. Speakers: CPT John Goldberg, SFPD; Harvey Rose, Budget Analyst; Monique Zmuda, Controller's Office; Ben Rosenfield, Mayor's Office; Bob Begley, Hotel Council; Ron Parenti, Boston Properties.

Supervisor Sandoval requested to be added as a co-sponsor.

A motion was made that this matter be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Peskin, Sandoval, McGoldrick

031703 [Joint Use Cooperative Agreements between the S.F. Public Library and the SFUSD]**Sponsors: Ammiano; Newsom and Ma**

Resolution approving the Joint Use Cooperative Agreements between the San Francisco Public Library and the San Francisco Unified School District for the purpose of Proposition 14 grant applications to construct the Ingleside, Portola, Visitacion Valley, and Ortega branch libraries.

10/07/03; RECEIVED AND ASSIGNED to Finance and Audits Committee.

Heard in Committee. Speaker: Susan Hildreth, SF Public Library.

A motion was made that this matter be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Peskin, Sandoval, McGoldrick

031340 [Reserved Funds, Department of Public Works]

Hearing to consider release of reserved TEA21 Demonstration Funds, Department of Public Works (File No. 021647, Resolution No. 773-02), in the amount \$2,750,216 to complete the environmental studies related to a bridge or surface roadway linking Hunters Point Shipyard to U.S. Highway 101. (Public Works Department)

07/28/03; RECEIVED AND ASSIGNED to Finance and Audits Committee.

Heard in Committee. Speakers: Anna LaForte, Department of Public Works; Harvey Rose, Budget Analyst.

Release of reserves in the amount of \$2,759,216 approved.

A motion was made that this matter be APPROVED AND FILED. The motion carried by the following vote:

Ayes: 3 - Peskin, Sandoval, McGoldrick

031249 [Cruise Terminal at Piers 30-32]**Sponsor: Sandoval**

Hearing regarding the fiscal implications and budgetary constraints of establishing shore side power hook-ups and alternative fuel technologies related to the cruise terminal at Piers 30-32.

07/15/03; RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the September 17, 2003 meeting.

Speakers: None.

Continued to 12/3/03.

A motion was made that this matter be CONTINUED. The motion carried by the following vote:

Ayes: 3 - Peskin, Sandoval, McGoldrick

LITIGATION

Conference with City Attorney

[Convene in Closed Session]

Motion that the Finance Committee of the Board of Supervisors convene 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 proposed settlements in the lawsuits or claims listed below.

Unanimous vote to convene in closed session

A motion was made Unanimous vote to convene in closed session. The motion carried by the following vote:

Ayes: 3 - Peskin, Sandoval, McGoldrick

031696 [Lease of Property]

Resolution authorizing a 25-year Lease of San Francisco Public Utilities Land between the City and County of San Francisco and Sunol Valley Golf & Recreation Co., in Alameda County. (Public Utilities Commission)

(Fiscal impact; Public Benefit Recipient.)

10/01/03; RECEIVED AND ASSIGNED to Finance and Audits Committee.

10/29/03; CONTINUED. Heard in Committee. Speakers: none.

Continued to November 5, 2003.

11/05/03; CONTINUED. Heard in Committee. Speakers: Garrett Dowd, SFPUC; Josh Milstein and Hazel Brandt, Deputy City Attorneys; Ken Bruce, Budget Analyst's Office; Harvey Rose, Budget Analyst; David Dornbusch, Dornbusch & Associates; Brian Richardson, Sunol Valley Golf & Recreation Company; Howard Strassner.

Continued to 11/19/03.

Heard in Committee. Speakers: Cheryl Adams, Josh Milstein, Hazel Brandt, Deputy City Attorneys; Garrett Dowd, SFPUC; Harvey Rose, Budget Analyst; Monique Zmuda, Controller's Office.

Continued to 12/17/03.

CONTINUED

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

Deputy City Attorney Jon Givner reported that the Rules 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.

[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.

Unanimous vote not to disclose discussion to the public

A motion was made Unanimous vote not to disclose discussion to the public. The motion carried by the following vote:

Ayes: 3 - Peskin, Sandoval, McGoldrick

ADJOURNMENT

The meeting adjourned at 5:52 p.m.