



City and County of San Francisco

Meeting Agenda

Budget and Finance Committee

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

Members: Sandra Lee Fewer, Shamann Walton, Rafael Mandelman

Clerk: Linda Wong (415) 554-7719

Thursday, July 16, 2020

1:00 PM

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PUBLIC COMMENT CALL-IN
1 (415) 655-0001 / Meeting ID: 146 320 7645 # #

Special Meeting

A quorum of the Board of Supervisors may be present at this committee meeting. If a quorum is present, the meeting will also constitute a Special Meeting of the Board of Supervisors. However, the meeting will be conducted in all respects as a committee meeting, and any substantive decision will constitute a recommendation of the committee rather than an action taken by the Board. The Clerk will make a note of the special meeting in the committee minutes, and discussion will be limited to items noticed on this agenda.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: linda.wong@sfgov.org; all comments received will be made a part of the official record. Regularly-scheduled Budget and Finance Committee Meetings begin at 10:30 a.m. every Wednesday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

PUBLIC COMMENT CALL IN

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As the COVID-19 disease progresses, please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact Assistant Clerk Linda Wong at (415) 554-7719.

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- 200507** **[Charter Amendment - Adjustment of Baseline Funding]**
Sponsor: Mayor
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to provide that future annual adjustments in baseline funding for the following Charter-mandated funds will not take into account certain changes in City revenue resulting from voter-approved business taxes on the November 3, 2020 ballot: the Municipal Transportation Fund, the Park, Recreation and Open Space Fund, the Children and Youth Fund, the Library Preservation Fund, the Housing Trust Fund, the Public Education Enrichment Fund, the Dignity Fund, and the Street Tree Maintenance Fund; at an election to be held on November 3, 2020.

5/19/20; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

5/27/20; REFERRED TO DEPARTMENT.

6/17/20; RESPONSE RECEIVED.

6/24/20; RESPONSE RECEIVED.

6/25/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

6/25/20; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

6/30/20; REFERRED TO DEPARTMENT.

7/9/20; REFERRED WITHOUT RECOMMENDATION.

2. [200645](#) **[Initiative Ordinance - Business and Tax Regulations Code - Business Tax Changes]**

Sponsor: Mayor

Motion ordering submitted to the voters an Ordinance amending the Business and Tax Regulations Code to: 1) reduce the annual Business Registration Fee for businesses with \$1,000,000 or less in San Francisco gross receipts, 2) increase the small business exemption ceiling for the Gross Receipts Tax to \$1,500,000 and increase the annual Business Registration Fee on businesses benefiting from this increased exemption ceiling, 3) modify the Gross Receipts Tax rates, 4) repeal the Payroll Expense Tax, 5) increase the Gross Receipts Tax on certain taxpayers for 15 years if a court strikes down the Homelessness Gross Receipts Tax Ordinance, 6) impose a new general tax on the gross receipts from the lease of certain commercial space for 15 years if a court strikes down the Early Care and Education Commercial Rents Tax Ordinance, and 7) make other changes to the City's business taxes; and to increase the City's appropriations limit by the total revenues collected under Articles 12-A-1 and 36 of the Business and Tax Regulations Code for four years from November 3, 2020, at an election to be held on November 3, 2020.

(Economic Impact; No Economic Analysis Report)

6/16/20; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

6/24/20; REFERRED TO DEPARTMENT.

7/2/20; RESPONSE RECEIVED.

3. [200648](#) **[Initiative Ordinance - Business and Tax Regulations Code - Business Tax Changes]**

Sponsors: Yee; Peskin, Haney and Fewer

Motion ordering submitted to the voters an Ordinance amending the Business and Tax Regulations Code to: 1) reduce the annual Business Registration Fee for businesses with \$1,000,000 or less in San Francisco gross receipts, 2) increase the small business exemption ceiling for the Gross Receipts Tax to \$1,500,000 and increase the annual Business Registration Fee on businesses benefiting from this increased exemption ceiling, 3) modify the Gross Receipts Tax rates, 4) repeal the Payroll Expense Tax, 5) increase the Gross Receipts Tax on certain taxpayers for ten years if a court strikes down the Homelessness Gross Receipts Tax Ordinance, 6) impose a new general tax on the gross receipts from the lease of certain commercial space for 10 years if a court strikes down the Early Care and Education Commercial Rents Tax Ordinance, and 7) make other changes to the City's business taxes; and to increase the City's appropriations limit by the total revenues collected under Articles 12-A-1 and 36 of the Business and Tax Regulations Code for four years from November 3, 2020, at an election to be held on November 3, 2020.

(Economic Impact; No Economic Analysis Report)

6/16/20; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

6/24/20; REFERRED TO DEPARTMENT.

7/2/20; RESPONSE RECEIVED.

4. [200651](#) **[Hearing - Initiative Ordinance - Business and Tax Regulations Code - Business Tax Changes]**

Sponsor: Mayor

Hearing to consider the proposed Initiative Ordinance submitted by the Mayor to the voters for the November 3, 2020, Election, entitled "Ordinance amending the Business and Tax Regulations Code to: 1) reduce the annual Business Registration Fee for businesses with \$1,000,000 or less in San Francisco gross receipts, 2) increase the small business exemption ceiling for the Gross Receipts Tax to \$1,500,000 and increase the annual Business Registration Fee on businesses benefiting from this increased exemption ceiling, 3) repeal the Payroll Expense Tax, 4) increase Gross Receipts Tax rates, 5) increase the Gross Receipts Tax on certain taxpayers for 15 years if a court strikes down the Homelessness Gross Receipts Tax Ordinance, 6) impose a new general tax on the gross receipts from the lease of certain commercial space for 15 years if a court strikes down the Early Care and Education Commercial Rents Tax Ordinance, and 7) make other changes to the City's business taxes; and to increase the City's appropriations limit by the total revenues collected under Articles 12-A-1 and 36 of the Business and Tax Regulations Code for four years from November 3, 2020."

6/16/20; RECEIVED.

6/16/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

6/24/20; REFERRED TO DEPARTMENT.

7/2/20; RESPONSE RECEIVED.

5. [200656](#) **[Hearing - Initiative Ordinance - Business and Tax Regulations Code - Business Tax Changes]**

Sponsors: Yee; Fewer, Peskin and Mar

Hearing to consider the proposed Initiative Ordinance submitted by four or more Supervisors to the voters for the November 3, 2020, Election, entitled "Ordinance amending the Business and Tax Regulations Code to: 1) reduce the annual Business Registration Fee for businesses with \$1,000,000 or less in San Francisco gross receipts, 2) increase the small business exemption ceiling for the Gross Receipts Tax to \$1,500,000 and increase the annual Business Registration Fee on businesses benefiting from this increased exemption ceiling, 3) modify the Gross Receipts Tax rates, 4) repeal the Payroll Expense Tax, 5) increase the Gross Receipts Tax on certain taxpayers for ten years if a court strikes down the Homelessness Gross Receipts Tax Ordinance, 6) impose a new general tax on the gross receipts from the lease of certain commercial space for 10 years if a court strikes down the Early Care and Education Commercial Rents Tax Ordinance, and 7) make other changes to the City's business taxes; and to increase the City's appropriations limit by the total revenues collected under Articles 12-A-1 and 36 of the Business and Tax Regulations Code for four years from November 3, 2020."

6/16/20; RECEIVED.

6/16/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

6/24/20; REFERRED TO DEPARTMENT.

7/2/20; RESPONSE RECEIVED.

6. [200629](#) **[Initiative Ordinance - Business and Tax Regulations Code - Tax on Businesses With Disproportionate Executive Pay]**
Sponsors: Haney; Ronen, Walton, Mar and Preston
Motion ordering submitted to the voters an Ordinance amending the Business and Tax Regulations Code to impose an additional gross receipts tax or an administrative office tax on businesses with a greater than 100:1 ratio of the compensation of the business's highest-paid employee to the median compensation paid to the business's employees based in the City; and increasing the City's appropriations limit by the amount collected under the additional tax for four years from November 3, 2020, at an election to be held on November 3, 2020.
- (Economic Impact; No Office of Economic Analysis Report.)
- 6/9/20; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.
- 6/19/20; TRANSFERRED to the Budget and Finance Committee.
- 6/24/20; REFERRED TO DEPARTMENT.
- 7/2/20; RESPONSE RECEIVED.
7. [200653](#) **[Hearing - Initiative Ordinance - Business and Tax Regulations Code - Tax on Businesses With Disproportionate Executive Pay]**
Sponsors: Haney; Ronen, Walton, Mar and Preston
Hearing to consider the proposed Initiative Ordinance submitted by four or more Supervisors to the voters for the November 3, 2020, Election, entitled "Ordinance amending the Business and Tax Regulations Code to impose an additional gross receipts tax or an administrative office tax on businesses with a greater than 100:1 ratio of the compensation of the business's highest-paid employee to the median compensation paid to the business's employees based in the City; and increasing the City's appropriations limit by the amount collected under the additional tax for four years from November 3, 2020."
- 6/16/20; RECEIVED.
- 6/16/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 6/24/20; REFERRED TO DEPARTMENT.
- 7/2/20; RESPONSE RECEIVED.
8. [200652](#) **[Hearing - Initiative Ordinance - Business and Tax Regulations Code - Stock-Based Compensation Tax]**
Sponsors: Mar; Ronen, Preston and Peskin
Hearing to consider the proposed Initiative Ordinance submitted by four or more Supervisors to the voters for the November 3, 2020, Election, entitled "Ordinance amending the Business and Tax Regulations Code to impose an additional tax on the stock-based compensation payroll expense of publicly traded companies and publicly traded company groups; and to increase the City's appropriations limit by the amount collected under the tax for four years from November 3, 2020."
- 6/16/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 6/16/20; RECEIVED.
- 6/24/20; REFERRED TO DEPARTMENT.
- 7/2/20; RESPONSE RECEIVED.

ADJOURNMENT

LEGISLATION UNDER THE 30-DAY RULE

NOTE: The following legislation will not be considered at this meeting. Board Rule 3.22 provides that when an Ordinance or Resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the Committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

200732

[Emergency Ordinance - Restroom and Hand Washing Facilities for Unsheltered People]

Sponsor: Haney

Reenactment of emergency ordinance (Ordinance No. 77-20) to limit the spread of COVID-19 by requiring the City, through service agreements with third parties, to provide, staff, and maintain restrooms equipped with toilets and hand washing facilities, at a ratio of one restroom per 50 unsheltered people, concentrated in areas with the greatest need, located within 1,000 feet of any encampment, and for select "pit stop" restrooms, open 24 hours per day; waive the requirement under Charter, Section 9.118, that the Board of Supervisors approve the service agreements for restrooms equipped with toilets and hand washing facilities; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

7/7/20; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

COPYRIGHT: All system content that is broadcasted live during public proceedings is secured by High-bandwidth Digital Content Protection (HDCP), which prevents copyrighted or encrypted content from being displayed or transmitted through unauthorized devices. Members of the public who wish to utilize chamber digital, audio and visual technology may not display copyrighted or encrypted content during public proceedings.

AGENDA PACKET: Available on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Americans with Disabilities Act (ADA)

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Board and Committee meeting agendas and minutes are available on the Board's website (www.sfbos.org) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 (wilson.l.ng@sfgov.org).

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sof@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>.

Ethics Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.