



City and County of San Francisco
Meeting Minutes
Finance Committee

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

Members: Supervisors Aaron Peskin, Chris Daly and Sophie Maxwell

Clerk: Gail Johnson

Wednesday, January 29, 2003

12:30 PM

City Hall, Room 263

Regular Meeting

MEETING CONVENED

The meeting convened at 12:33 p.m.

Present: 3 - Aaron Peskin, Chris Daly, and Sophie Maxwell

022029 [To appropriate funding to accelerate a business tax collection program]

Sponsors: McGoldrick; Peskin, Daly, Gonzalez, Newsom, Ma and Maxwell

Ordinance appropriating \$119,652 of Business Tax Revenues to the Treasurer/Tax Collector for the purpose of accelerating a business tax and penalties collection program, for fiscal year 2002-03. (Fiscal impact.)

12/16/02; RECEIVED AND ASSIGNED to Finance Committee.

01/15/03; CONTINUED. Speakers: None.
Continued to 1/22/03.

01/22/03; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor McGoldrick; Susan Leal, Treasurer; Monique Zmuda, Controller's Office; Theodore Lakey, Deputy City Attorney. Amendment of the Whole prepared in Committee. Continued to 1/29/03.

01/22/03; CONTINUED.

*Heard in Committee. Speakers: Supervisor McGoldrick; Susan Leal, Treasurer.
(Supervisors Peskin and Daly added as co-sponsors.)*

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

Ayes: 3 - Peskin, Daly, Maxwell

021995 [Revising administration of Police Emergency Alarm Ordinance]**Sponsor: Mayor**

Ordinance amending the San Francisco Police Code by amending Sections 3702, 3707 through 3710, and 3711 through 3720, by adding Sections 3710.1 through 3710.9 and a new Section 3721, and by re-numbering current Section 3721 as Section 3722, to give the Director of Emergency Communications responsibility for administering the substantive provisions of the Police Emergency Alarm Ordinance and to provide for billing and collection of license and license renewal fees by alarm companies. (Mayor)

12/09/02; ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 1/8/2003.

01/22/03; CONTINUED. Speakers: None.
Continued to 1/29/03.

Heard in Committee. Speakers: Daniel Sullivan, Department of Emergency Communications; Ben Rosenfield, Mayor's Budget Office; Susan Leal, Treasurer; Supervisor McGoldrick; Captain John Goldman, Police Department, Fiscal Division; Harvey Rose, Budget Analyst.
Continued to 2/5/03.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

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

Ayes: 3 - Peskin, Daly, Maxwell

030036 [Board Off-site Meetings]**Sponsor: Ammiano**

Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on February 26, 2003 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

1/21/03 in Board: Supervisor Ammiano submitted a substitute motion bearing new title.

01/13/03; RECEIVED AND ASSIGNED to Rules and Audits Committee.

01/17/03; TRANSFERRED to Finance Committee.

01/21/03; SUBSTITUTED. Supervisor Ammiano submitted a substitute motion bearing new title.

01/21/03; ASSIGNED to Finance Committee.

Speakers: None.

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

Ayes: 3 - Peskin, Daly, Maxwell

021913 [Expanding eligibility for the heart trouble and pneumonia presumption to certain members of the Police Department and Fire Department]
Sponsors: McGoldrick; Peskin, Daly and Maxwell

11/18/02; RECEIVED AND ASSIGNED to Finance Committee.

01/21/03; SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing same title.

01/21/03; ASSIGNED to Finance Committee.

Heard in Committee. Speakers: Clare Murphy, Executive Director, Retirement System; Harvey Rose, Budget Analyst; John Hanley, Fire Fighters Union; Mike Keeble, Police Officers Association.

(Supervisors Peskin, Daly and Maxwell added as co-sponsors.)

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

Ayes: 3 - Peskin, Daly, Maxwell

030047 [Recreation and Park--First Amendment to the Beach Chalet Lease]
Sponsor: Mayor

Resolution approving the construction of a deck at the rear of the Beach Chalet Building and authorizing an amendment to the lease for the Beach Chalet restaurant. (Mayor)

01/13/03; RECEIVED AND ASSIGNED to Finance Committee.

Heard in Committee. Speakers: Jackie Fong, Recreation and Park Department; Harvey Rose, Budget Analyst.

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

Ayes: 3 - Peskin, Daly, Maxwell

030045 [Amending the Annual Salary Ordinance to expedite appointments by elected officials]

Sponsor: Daly

Ordinance amending the Annual Salary Ordinance to provide that elected officials enumerated in Article II and Section 6.100 of the San Francisco Charter may make appointments to permanent positions upon (1) verification by the Human Resources Director that the positions have been legally established and that the appointment is consistent with the Charter and applicable Civil Service Rules and (2) certification by the Controller that sufficient funds are available; and specifying that such appointments do not require approval by the Mayor.

(1/23/03 in Board: Supervisor Daly submitted a substitute ordinance approved as to form, bearing same title.)

01/13/03; RECEIVED AND ASSIGNED to Finance Committee.

01/21/03; SUBSTITUTED. Supervisor Daly submitted a substitute ordinance approved as to form, bearing same title.

01/21/03; ASSIGNED to Finance Committee.

Heard in Committee. Speakers: Ben Rosenfield, Mayor's Budget Office; Monique Zmuda, Controller's Office; Teresa Serata, District Attorney's Office; John Bardis.

Amended on page 2, line 9, after "Appointments by," by adding "or requisitions submitted by."

AMENDED

(1/23/03 in Board: Supervisor Daly submitted a substitute ordinance approved as to form, bearing same title.)
(Supervisor Maxwell Dissenting in Committee)

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

Ayes: 2 - Peskin, Daly

Noes: 1 - Maxwell

030048 [Issuance and Sale of Single Family Mortgage Revenue Bonds]

Sponsors: Mayor; Peskin, Daly, Hall, Gonzalez and Maxwell

Resolution approving, for purposes of Section 147(f) of the Internal Revenue Code of 1986, the issuance and sale of single family mortgage revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed \$36,000,000. (Mayor)

01/13/03; RECEIVED AND ASSIGNED to Finance Committee.

Heard in Committee. Speakers: Joe La Torre, Deputy Director, Mayor's Office of Housing; Harvey Rose, Budget Analyst.

(Supervisors Peskin and Daly added as co-sponsors.)

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

Ayes: 3 - Peskin, Daly, Maxwell

030003 [Sale of 1345 Turk/1140 Fillmore to Redevelopment Agency]

Sponsor: Gonzalez

01/06/03; RECEIVED AND ASSIGNED to Finance Committee.

01/10/03; SUBSTITUTED. City Attorney submitted a substitute resolution bearing new title.

01/10/03; ASSIGNED to Finance Committee.

Marc McDonald, Director of Property, Real Estate Division, Administrative Services Department; Harvey Rose, Budget Analyst; Albert Luis, Senior Development Specialist, Redevelopment Agency.

Continued to 2/5/03.

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

Ayes: 3 - Peskin, Daly, Maxwell

030014 [BART- MUNI Transfer Payment]

Sponsors: Peskin; Daly

Resolution approving an agreement between the City and County of San Francisco and the Bay Area Rapid Transit District authorizing payment to San Francisco Municipal Railway for transfer trips provided in FY2002 and FY2003. (Municipal Transportation Agency)
(No Public Benefit Recipient.)

01/08/03; RECEIVED AND ASSIGNED to Finance Committee.

Heard in Committee. Speakers: AnneCarry, Municipal Railway, David Tucker, Community Government Relations, Bay Area Rapid Transit District; David Pilpel.

(Supervisors Peskin and Daly added as co-sponsors.)

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

Ayes: 3 - Peskin, Daly, Maxwell

021573 [Extends time for performance of PUC contract CS-524 by 3 months under last year's funding appropriation, and reserves the Board's right to disapprove the continuation of the contract]

Resolution approving Public Utilities Commission's three month extension of time for the San Francisco Water Alliance to complete work under the second year of the Program Management Services, CS-524; and extending the time from September 21, 2002 to December 21, 2002 when the Board may approve the continuation of the contract upon its review of the Commission's annual evaluation of the contract performance of the San Francisco Water Alliance. (Public Utilities Commission)

(No Public Benefit Recipient.)

09/23/02; RECEIVED AND ASSIGNED to Finance Committee.

Heard in Committee. Speakers: Patricia Martel, General Manager, Public Utilities Commission; Harvey Rose, Budget Analyst; Mr. Bajwa, Public Utilities Commission; David Novogrodsky, Executive Director, International Federation of Professional and Technical Engineers, Local 21; Vidas Leung, Executive Director, International Federation of Professional and Technical Engineers, Local 21; Lisa Feldstein, Policy Analyst, International Federation of Professional and Technical Engineers, Local 21; Spike Kahn, International Federation of Professional and Technical Engineers, Local 21; Jim Jefferson, Water Infrastructure Partners; Mr. San, CMP; Theodore Lakey, Deputy City Attorney; Monique Gibson, Controller's Office; Alan Gibson, Budget Analyst's Office.

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

Ayes: 3 - Peskin, Daly, Maxwell

030024 [PUC Contract for Program Management Services, CS-524]

Resolution approving Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) for a third year. (Public Utilities Commission)

(No Public Benefit Recipient.)

01/03/03; RECEIVED AND ASSIGNED to Finance Committee.

Heard in Committee. Speakers: Patricia Martel, General Manager, Public Utilities Commission; Harvey Rose, Budget Analyst; Mr. Bajwa, Public Utilities Commission; David Novogrodsky, Executive Director, International Federation of Professional and Technical Engineers, Local 21; Vidas Leung, Executive Director, International Federation of Professional and Technical Engineers, Local 21; Lisa Feldstein, Policy Analyst, International Federation of Professional and Technical Engineers, Local 21; Spike Kahn, International Federation of Professional and Technical Engineers, Local 21; Jim Jefferson, Water Infrastructure Partners; Mr. San, CMP; Theodore Lakey, Deputy City Attorney; Monique Gibson, Controller's Office; Alan Gibson, Budget Analyst's Office.

Amended on page 1, line 5, and page 2, line 25, by replacing "for a third year" with "through February 28, 2003."

AMENDED

Resolution approving Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) through February 28, 2003.

(Public Utilities Commission)

(Fiscal impact; No Public Benefit Recipient.)

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

Ayes: 3 - Peskin, Daly, Maxwell

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, Daly, Maxwell

030118 [Settlement of Lawsuit]

Sponsors: Gonzalez; Peskin, Daly and Newsom

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Modesto Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 16, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323848).

01/21/03; RECEIVED AND ASSIGNED to Finance Committee.

(Supervisors Peskin added as co-sponsor.)

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

Ayes: 3 - Peskin, Daly, Maxwell

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Finance 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, Daly, Maxwell

ADJOURNMENT

The meeting adjourned at 4:44 p.m.