

**City and County of San Francisco**  
**Government Audit and Oversight Committee**  
*Legislative Chambers, City Hall, Room 250*



**Meeting Agenda**  
**Monday, June 11, 2007**  
**10:00 AM**  
**Special Meeting**

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***Members: Sean Elsbernd, Michela Alioto-Pier***

***Clerk: Beverly Kline (415) 554-7711***

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*Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation 2) Budget Analyst report 3) Legislative Analyst report*

*Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

## **AGENDA CHANGES**

## **REGULAR AGENDA**

- 1. 070736 [North of Market/Tenderloin Community Benefit District Annual Reports to the City] Supervisor Daly**  
Resolution regarding North of Market/Tenderloin Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 584-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070732) to Board as a Committee Report for consideration on June 12, 2007.*

2. **070673** **[Contract with Owner's Association for administration/management of Central Market Community Benefit District]** **Supervisor Daly**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Central Market Community Benefit District," pursuant to Section 36651 of the Streets and Highways Code.

5/15/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070733) to Board as a Committee Report for consideration on June 12, 2007.*

3. **070732** **[2500 Block of Mission Street Business Improvement District Annual Reports to the City]** **Supervisor Ammiano**

Resolution regarding 2500 Block of Mission Street Business Improvement District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 539-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests that the item be calendared at the Government Audit & Oversight Committee on June 4, 2007.

*The Chair intends to entertain a motion to send this item (File 070734) to Board as a Committee Report for consideration on June 12, 2007.*

4. **070733** **[Castro/Upper Market Community Benefit District Annual Reports to the City; making assessment formulas the same for all District residential property]** **Supervisor Dufty**

Resolution regarding Castro/Upper Market Community Benefit District annual reports to the City, and making assessment formulas the same for all District residential property: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 582-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; providing that all residential property be assessed by the same lot size and linear frontage formula, receiving and approving the District Assessment Engineer's Report in support, and authorizing conforming amendments and administrative clarifications to the District's management plan and management contract; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070735) to Board as a Committee Report for consideration on June 12, 2007.*

**5. 070735 [Noe Valley Community Benefit District Annual Reports to the City] Supervisor Duffy**

Resolution regarding Noe Valley Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 583-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070736) to Board as a Committee Report for consideration on June 12, 2007.*

**6. 070734 [Fisherman's Wharf Community Benefit District Annual Reports to the City] Supervisor Peskin**

Resolution regarding Fisherman's Wharf Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 540-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070737) to Board as a Committee Report for consideration on June 12, 2007.*

**7. 070737 [Union Square Business Improvement District Annual Reports to the City] Supervisor Peskin**

Resolution regarding Union Square Business Improvement District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution renewing the District (Resolution No. 798-03) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA independent audit to instead require a CPA independent audit upon request of the City, to acknowledge that the Mayor's Office of Economic and Workforce Development is the successor to the Mayor's Office of Public Finance and Business Affairs, and authorizing amendment of the District's written agreements (contracts) with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to California Streets and Highways Code §36650.

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070673) to Board as a Committee*

8. **070838** [Contract with Owners' Association for administration/management of Fisherman's Wharf Portside Community Benefit District] **Supervisor Peskin**  
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the business-based business improvement district known as the Fisherman's Wharf Portside Community Benefit District, pursuant to Section 36651 of the Streets and Highways Code.  
  
6/5/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.  
*The Chair intends to entertain a motion to send this item (File 070838) to Board as a Committee Report for consideration on June 12, 2007.*
9. **070616** [Pine Lake Meadow] **Supervisor Elsbernd**  
Hearing to discuss Pine Lake Meadow's recent renovation and the plan for parking measures during the Stern Grove Summer Festival.  
  
5/8/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.  
5/11/07, TRANSFERRED to Government Audit and Oversight Committee.  
5/21/07, CONTINUED. Heard in Committee. Speakers: Supervisor Elsbernd; Supervisor Alioto-Pier; Yomi Agunbiade, Recreation and Park Department; Steve Haines, Stern Grove Festival Festival Association; Norma Miller; Paul Anderson; Heddy Pilpel; Patrick Skain; Monio Pilpel; David Pilpel; Connie Campbell; Bill Coleman; Bill Coleman; Felcia Zweiger; Marcia Seaman; Nicky Trasuing; Sally Stephens; Deborah Sorfin; Patrick Noakes; Nancy Stafford; Melinda McMurray; Millicent Jacobsen; Douglas Yep. Continued to June 11, 2006.
10. **070715** [Unrepresented Employees] **Mayor, Supervisor McGoldrick**  
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2007.  
  
(Fiscal Impact.)  
  
5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.  
*The Chair intends to entertain a motion to send this item (File 070715) to Board as a Committee Report for consideration on June 12, 2007.*
11. **070716** [MOU, Amendment No. 1 - SEIU, Locals 535, 790 and United Healthcare Workers - West] **Mayor**  
Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 535, 790 and United Healthcare Workers - West, relating to certain wages, hours, and working conditions.  
  
(Fiscal Impact.)

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070716) to Board as a Committee Report for consideration on June 12, 2007.*

**12. 070717 [MOU, Amendment No. 1 - International Brotherhood of Electrical Workers, Local Union 6, AFL-CIO] Mayor**

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, by amending the parties' agreement with respect to certain wages, hours, and working conditions.

(Fiscal Impact.)

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070717) to Board as a Committee Report for consideration on June 12, 2007.*

**13. 070718 [MOU, Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.)] Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070718) to Board as a Committee Report for consideration on June 12, 2007.*

**14. 070719 [MOU, Amendment No. 1 - Laborers International Union, Local No. 261] Mayor**

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local No. 261, by amending the parties' agreement to allocate funds related to programs for Environmental Service Workers.

(Fiscal Impact.)

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070719) to Board as a Committee Report for consideration on June 12, 2007.*

**15. 070720 [MOU, Amendment No. 1 - Municipal Executives' Association, AFL-CIO] Mayor**

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal

Executives' Association, AFL-CIO, relating to Management Training Funds.

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070720) to Board as a Committee Report for consideration on June 12, 2007.*

**16. 070721 [MOU, San Francisco Police Officers' Association (SFPOA)] Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070721) to Board as a Committee Report for consideration on June 12, 2007.*

**17. 070722 [MOU, SEIU, Local 790 Staff & Per Diem Nurses] Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 790 Staff & Per Diem Nurses, to be effective July 1, 2007 through June 30, 2010.

(Fiscal Impact.)

5/22/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

*The Chair intends to entertain a motion to send this item (File 070722) to Board as a Committee Report for consideration on June 12, 2007.*

**18. 070668 [Rejecting the 2007-2008 water and wastewater rates adopted by the San Francisco Public Utilities Commission on May 8, 2007] Supervisors Alioto-Pier, Jew, Elsbernd**

Resolution rejecting the 2007-2008 water and wastewater rates adopted by the San Francisco Public Utilities Commission at its public meeting on May 8, 2007, and requiring the San Francisco Public Utilities Commission to adopt new water and wastewater rates that do not adversely affect persons that reside in single-family homes.

(Submitted 5/17/07 - Charter Section 2.109 requires Board of Supervisors rejection within 30 days; Fiscal Impact.)

5/15/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests that the item be calendared at the Government Audit & Oversight Committee on June 4, 2007. 6/8/07 -Received correspondence from the Public Utilities Commission informing that the PUC had rescinded its Resolution 07-0079 and 07-0080 adopting schedules of rates, fees and charges of the San Francisco Public Utilities Water and Wasterwater Enterprise for water and wastewater services.

6/4/07, CONTINUED. Heard in Committee: Speakers: Supervisor Elsbernd; Supervisor Alioto-Pier; Suzanne Leal, PUC; Tony Irons, PUC; Ellen Levin, PUC;, Scott Mc Donnell, PUC; Ken Bruce, Budget Analyst's Office; Walter Carlin, PUC; Julie Labonte, PUC; Richard Ow; Jane

Kwong; Harris Epstein; Bonnie Kam; David Bisho; Charles Ferguson; Roberta Borganovo; Michael Barnes, Brisbane City Council; Patricia Vaughn; Denise La Pointe; Ron Lee; Joan Girardot; Sonia Ng; Jennifer Clary; Heather Dempsey; Ron Miguel; Nancy Wuerfel; Steve Lawrence; Jin Liu Li Lee; Jim Fabris; Douglas Yep; Susan Berkowicz; Mae Woo; Brook Turner; Richard Hart; John O'connor; Angus McCarthy; Diane Wesley-Smith; Ruth Johnson. Continued to June 11, 2007 meeting.

**19. 070428 [Relationship between parking, neighborhood businesses and families] Supervisor Alioto-Pier**

Hearing on the relationship between parking, neighborhood businesses, and families, including: (1) the amount of parking available to customers and employees of small business; (2) the impact of parking availability on neighborhood small businesses; (3) the impact of parking availability on families; (4) the feasibility of creating a one-to-one parking ratio per housing unit, to help families city-wide. The hearing should also address issues related to neighborhood parking garages including: (1) the regulations regarding use of neighborhood parking garages and the associated revenues; (2) parking garage revenues and expenditures since FY 2000-2001; (3) the number of parking garages built since FY 2000-2001; and (4) the factors that have limited or encouraged construction of parking garages.

4/10/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

4/20/07, TRANSFERRED to Government Audit and Oversight Committee.

## **ADJOURNMENT**

## **IMPORTANT INFORMATION**

*NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Government Audit and Oversight Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.*

## **LEGISLATION UNDER THE 30-DAY RULE**

### **(Not to be considered at this meeting)**

*Rule 5.40 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.*

**20. 070680 [Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses]**

**Supervisor Peskin**

Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties for offenders over the age of eighteen where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/14/2007.

### **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 at a Committee meeting 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) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



### **Disability Access**

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N, and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.



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### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine 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 (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

### **Lobbyist Registration and Reporting 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 Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)