

City and County of San Francisco

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



MEETING MINUTES

Wednesday, July 15, 2009

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Budget and Finance Committee

Members: John Avalos, Ross Mirkarimi, Carmen Chu, David Campos, Bevan Dufty

Clerk: Gail Johnson (415) 554-4445

Members Present: *John Avalos, Ross Mirkarimi, Carmen Chu, David Campos, Bevan Dufty.*

Members Excused: *None.*

Members Absent: *None.*

MEETING CONVENED

The meeting convened at 1:38 p.m.

REGULAR AGENDA

090855	[Assessment Ballots for City Parcels, for the proposed renewed and expanded Greater Union Square Business Improvement District]	Supervisor Chiu
Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco, as the owner of four parcels of real property that would be subject to assessment in the proposed renewed and expanded property and business improvement district to be named the Greater Union Square Business Improvement District.		
6/30/09, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.		
7/2/09, TRANSFERRED to Budget and Finance Committee.		
7/8/09, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Lisa Pagan, Office of Economic and Workforce Development. Continued to July 15, 2009.		
7/8/09, CONTINUED AS AMENDED.		
Heard in Committee. Speaker: Supervisor Chiu.		

RECOMMENDED by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090184

[Declaring an emergency under California Constitution Article XIIIIC, Section 2(b) authorizing submission to voters of ordinance imposing a local assessment on all vehicles in San Francisco]

**Supervisors Chiu, Dufty,
Mirkarimi, Campos**

Resolution declaring an emergency under California Constitution Article XIIIIC, Section 2(b) and authorizing submission of Ordinance that adopts and submits to the voters an ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that State law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if State law authorizes the City to impose it and directing its submission as a general tax measure

2/10/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

2/18/09, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

7/14/09, SUBSTITUTED. Supervisor Chiu submitted a substitute ordinance bearing new title.

7/14/09, ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: Supervisor Chiu; Jim Lazarus, Chamber of Commerce; Robert Haaland, SEIU, 1021; Ben Rosenfield.

(Supervisor Mirkarimi added as co-sponsor.)

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090136

[Measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]

**Supervisors Chiu, Dufty,
Mirkarimi, Campos**

Ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the November 3, 2009 general municipal election.

(Economic Impact)

2/3/09, RECEIVED AND ASSIGNED to Budget and Finance Committee. 02/06/09 - Referred to the Small Business Commission, Retirement Board, and the Ethics Commission for review and comment.

2/11/09, TRANSFERRED to Board of Supervisors.

2/18/09, TRANSFERRED to Budget and Finance Committee.

4/21/09, SUBSTITUTED. Supervisor Chiu submitted a substitute ordinance bearing new title.

4/21/09, ASSIGNED to Budget and Finance Committee.

7/1/09, CONTINUED. Speakers: None. Continued to July 8, 2009.

7/8/09, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Ted Egan, Controller's Office Economic Analysis; Monique Zmuda, Deputy Controller; Jim Lazarus, San Francisco Chamber of Commerce; Howard Strassner; Deborah Lerner, San Francisco Human Services Network. Continued to July 15, 2009.

7/8/09, CONTINUED AS AMENDED.

Heard in Committee. Speakers: Supervisor Chiu; Jim Lazarus, Chamber of Commerce; Robert Haaland, SEIU, 1021; Ben Rosenfield.

(Supervisor Mirkarimi added as co-sponsor.)

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090134 [0.25% Sales Tax Increase for Health and Human Services and Public Protection] Supervisor Avalos

Ordinance amending the San Francisco Business and Tax Regulations Code to add Article 16-A to provide support for health and human services and public protection to residents of the City and County of San Francisco by imposing a transactions (sales) and use tax at the rate of one-half of one percent (0.50%) for a period of three (3) years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; adopting an expenditure plan; and directing submission of the tax for voter approval at the November 3, 2009, election.

(Economic Impact)

2/3/09, RECEIVED AND ASSIGNED to Budget and Finance Committee. 02/06/09 - Referred to the Small Business Commission, Retirement Board, and the Ethics Commission for review and comment.

2/11/09, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney; Monique Zmuda, Deputy Controller; Ted Egan, Controller's Office; David Augustine, Treasurer's Office; Robert Haaland, SEIU; Debbie, San Francisco Human Services Network; Regina Dick-Endrizzi, Acting Director, Small Business Commission; Steve Paul, San Francisco Chamber of Commerce; Jim Lazarus, San Francisco Chamber; Elizabeth Alexander, Coalition to Save Public Health; Chelsea, Coleman Advocates for Children and Youth.

2/11/09, REFERRED WITHOUT RECOMMENDATION.

2/24/09, RE-REFERRED to Budget and Finance Committee.

6/9/09, SUBSTITUTED. Supervisor Avalos submitted a substitute ordinance bearing new title.

6/9/09, ASSIGNED to Budget and Finance Committee.

7/1/09, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

Heard in Committee. Speakers: Robert Haaland, SEIU, 1021; Rae Navares; Sarah Shipman, American Civil Liberties Union; Jim Lazarus, San Francisco Chamber of Commerce.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090794 [Submission of Parcel Tax to voters] Supervisors Avalos, Mirkarimi

Motion ordering submitted to the voters an "Ordinance amending the Business and Tax Regulations Code of the City and County by: (1) adding Article 18, Parcel Tax, (2) amending Section 6.1-1 of Article 6, Common Administrative Provisions, to include appropriate cross-reference to new Article 18, and (3) amending the Administrative Code by adding Section 10.100-248 (Recreation and Parks Parcel Tax Fund)," at an election to be held on November 3, 2009.

(Economic Impact.)

6/9/09, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/9/2009.

6/23/09, SUBSTITUTED. Supervisor Avalos submitted a substitute motion bearing new title.

6/23/09, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/9/2009.

Heard in Committee. Speakers: Ted Egan, Controller's Office of Economic Analysis; Robert Haaland, SEIU, 1021; Shawna McGrew, Executive Director, Neighborhood Recreation Council; Walter Paulsen; Jim Lazarus, San Francisco Chamber of Commerce; Margot Reed, SEIU, 1021.

Continued to July 22, 2009.

CONTINUED by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090631

[Recreation and Park Department - Renaming Candlestick Park]

Supervisors Dufty, Elsbernd

Motion ordering submitted to the voters an ordinance authorizing the amending San Francisco Administrative Code Section 4.24 to allow the Recreation and Park Department to enter into an agreement for the naming of City-owned sports stadium located at Candlestick Point, and to use fifty percent of the revenue from the agreement to fund recreation center directors at an election to be held on November 3, 2009.

(Fiscal Impact.)

5/19/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

6/2/09, SUBSTITUTED. Supervisor Dufty submitted a substitute motion bearing new title.

6/2/09, ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: Katie Petruccione, Recreation and Park Department; Cheryl Adams, Deputy City Attorney; Harvey Rose, Budget Analyst; Janelle Pierce; Don Franklin, Vice President, Recreation and Park Chapter, SEIU, 1021; Malia Cohen; Shawna McGrew, Executive Director, Neighborhood Recreation Council; Margot Reed, SEIU, 1021; Jim Lazarus, President, Recreation and Park Commission; Walter Paulsen.

Continued to July 22, 2009.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion ordering submitted to the voters an ordinance amending San Francisco Administrative Code Section 4.25 to allow the Recreation and Park Department to enter into an agreement for the naming of City-owned sports stadium located at Candlestick Point, and to use fifty percent of the revenue from the agreement to fund recreation center directors at an election to be held on November 3, 2009.

(Fiscal Impact.)

CONTINUED AS AMENDED by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090698

[Planning Fee Procedures and Adjustments]

Mayor

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to increase fees to recover costs for monitoring conditions of approval, code violation abatement, and the General Advertising Sign Program; establish a fee for department facilitated pre-application meetings; modify refund procedures; modify the indigent fee waiver provision; clarify phased collections and payment deferment; establish a new processing fee for phased payments; and adopting Section 302 and environmental findings.

6/1/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

6/23/09, SUBSTITUTED. Mayor Newsom submitted a substitute ordinance bearing new title.

6/23/09, ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: Elaine Forbes, Planning Department; Harvey Rose, Budget Analyst.

RECOMMENDED by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090861	[Accept and Expend State Grant - Department of Public Works - \$333,000]	Mayor
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Resolution authorizing the Department of Public Works to accept and expend State Transportation Development Act (TDA) Article 3 funds totaling \$333,000 for various pedestrian projects in the City and County of San Francisco in FY 2009-2010.

(Fiscal Impact.)

6/30/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speaker: Simone Jacque, Department of Public Works.

RECOMMENDED.. by the following vote:

Ayes: 3 - Avalos, Chu, Dufty

Absent: 2 - Mirkarimi, Campos

090737	[Approval of Sustainable Crushing Ventures, LLC Lease]	Supervisor Maxwell
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Resolution approving the Port Commission Lease No. L-14705 with Sustainable Crushing Ventures, LLC, for a five year term with a five year extension option for certain real property located at Pier 94, Seawall Lot 352 in the City and County of San Francisco.

6/2/09, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

7/2/09, TRANSFERRED to Budget and Finance Committee.

Heard in Committee. Speakers: Brad Benson, Special Projects Manager, Port of San Francisco; Harvey Rose, Budget Analyst; Rich, Port of San Francisco; Maurice; Robert Haley, Zero Waste Program Manager, Department of the Environment; Female Speaker.

RECOMMENDED by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090546	[Appropriating \$119,800,000 of proceeds from debt for wastewater system improvements at the Public Utilities Commission for FY 2009-2010 and 2010-2011]	Mayor
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Ordinance appropriating \$119,800,000 of proceeds from debt revenue for the Wastewater Enterprises' Interim Capital Improvement Program and the Sewer System Master Plan Biosolids/Digester and Channel Tunnel Projects at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009 and placing \$78,800,000 on Controller's reserve pending the sale of bonds.

(Fiscal Impact.)

5/5/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: Tommy Moala, Assistant General Manager, Wastewater Enterprise, Public Utilities Commission; Todd Rydstrom, Assistant General Manager and Chief Financial Officer, Public Utilities Commission; Harvey Rose, Budget Analyst; Female Speaker.

Continued to July 29, 2009.

CONTINUED by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090820	[Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2009-2010 -]	Mayor
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Human Services Agency - \$26,505,777]

Ordinance amending the FY 2009-2010 Annual Salary Ordinance (Companion File No. 090541) to reflect the addition of temporary salaries of \$7,737,578 and authorizing the Human Services Agency to accept and expend a grant in the amount of \$28,141,437 from the United States Department of Health and Human Services, TANF Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to sponsor the Mayor's Jobs NOW Program.

(Fiscal Impact.)

(Supervisor Chu and Supervisor Dufty dissented in Committee.)

6/16/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: Noelle Simmons, Deputy Director, Policy Planning, Department of Human Services; Harvey Rose, Budget Analyst; Ben Rosenfield, Controller; Jonathan Wright, SEIU, 1020; Robert Haaland, SEIU, 1020; Brenda Barros; Female Speaker; Emma Joe; Renel Gomez Boyd; Theresa; Rochelle Silvala.

Continued to July 22, 2009.

CONTINUED by the following vote:

Ayes: 3 - Avalos, Mirkarimi, Campos

Noes: 2 - Chu, Dufty

090765

[80 Charter Oak Street Lease Amendment]

Resolution authorizing a Lease Amendment to extend the term for five years for real property at 80 Charter Oak Street for the San Francisco Municipal Transportation Agency. (Real Estate Department)
6/1/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: John Updike, Assistant Director of Real Estate, Real Estate Division; Harvey Rose, Budget Analyst.

RECOMMENDED.. by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090766

[1975-1999 Bryant Street Lease Amendment]

Resolution authorizing a Lease Amendment to extend the term for five years for real property at 1975-1999 Bryant Street for the San Francisco Municipal Transportation Agency. (Real Estate Department)

(Fiscal Impact.)

6/1/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: John Updike, Assistant Director of Real Estate, Real Estate Division; Harvey Rose, Budget Analyst.

Amended on page 1 as follows: On line 3, after "authorizing," on line 16, after "approves," and on lines 18 and 19, after "authorizes," add "retroactively." New title.

AMENDED.

Resolution authorizing, retroactively, a Lease Amendment to extend the term for five years for real property at 1975-1999 Bryant Street for the San Francisco Municipal Transportation Agency. (Real Estate Department)

(Fiscal Impact.)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090786

[Lease of Real Property at 160 South Van Ness Avenue]

Resolution authorizing the Director of Property to exercise an extension option for a 7-year term for the lease of real property located at 160 South Van Ness Avenue, San Francisco, for the Human Services Agency. (Real Estate Department)

(Fiscal Impact.)

6/8/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: John Updike, Assistant Director of Real Estate, Real Estate Division; Harvey Rose, Budget Analyst.

RECOMMENDED.. by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090787

[Lease of Real Property at 100 Larkin Street]

Resolution authorizing the lease of 683 square feet of space to the Nasra Family Partnership, in the Main Library located at 100 Larkin Street, San Francisco, on behalf of the San Francisco Public Library. (Real Estate Department)

6/8/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: John Updike, Assistant Director of Real Estate, Real Estate Division; Harvey Rose, Budget Analyst.

Amended on page 1, line 24, by replacing "July 1, 2009" with "August 15, 2009." (Same title.)

AMENDED.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090834

[California Public Employees' Retirement System (CalPERS) Contract Amendment]

Supervisor Elsbernd

Resolution of intention to approve an amendment to contract between the Board of Administration, California Public Employees' Retirement System (CalPERS), and the Board of Supervisors, City and County of San Francisco.

(Fiscal Impact.)

6/23/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: Clare Murphy, General Manager, Retirement System; Harvey Rose, Budget Analyst.

RECOMMENDED by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

090735

[Approving contract between the SFMTA and TJPA for Transbay Transit Center services]

Supervisor Daly

Resolution approving Contract No. CS -159 between the San Francisco Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center program services.

(Fiscal Impact.)

6/2/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: Female Speaker, Municipal Transportation Agency; Harvey Rose, Budget Analyst.

RECOMMENDED.. by the following vote:

Ayes: 5 - Avalos, Mirkarimi, Chu, Campos, Dufty

ADJOURNMENT

The meeting adjourned at 5:40 p.m.