

**City and County of San Francisco**

**Budget and Finance Committee**

*Legislative Chamber, City Hall, Room 250*



**Meeting Agenda**

**Wednesday, August 1, 2007**

**1:00 PM**

**Regular Meeting**

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*Members: Aaron Peskin, Tom Ammiano, Bevan Dufty*

*Clerk: Victor Young (415) 554-7723*

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*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. 070314 [CEQA Findings in Connection with the Trans Bay Cable Project] Supervisors Peskin, Maxwell**

Resolution of the Board of Supervisors, acting as responsible agency with respect to the Trans Bay Cable Project Final Environmental Impact Report, adopting findings pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines in connection with the proposed Trans Bay Cable Project, portions of which would be located within submerged lands and a portion of 23rd Street that are in the City and County of San Francisco and under the Port of San Francisco's jurisdiction.

3/20/07, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing the same title.

3/20/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

3/20/07, ASSIGNED to Budget and Finance Committee.

4/11/07, CONTINUED TO CALL OF THE CHAIR. Brad Benson,SF Port; Carol Bauch, SF Port; Susan Leal, General Manager, Public Utilities Committee.SF PUC; Barbara Hale, SF PUC; Espinola Jackson; Francisco Da Costa; Tim Dawn; Hunter Stern; Tim Muller; David Parkay; Garrett Evans; Mr. Tobias.

**2. 070315 [Trans Bay Cable Project Non-Exclusive Licenses] Supervisors Peskin, Maxwell**

Resolution approving (1) Port Commission License No. 14324, a non-exclusive license for the use of property consisting of approximately 9.4 miles of submerged lands, a small portion of shoreline along 23rd Street, and a portion of 23rd Street to install a 400 MW high voltage transmission line, with a term of four years and consideration including license payments to the Port in excess of \$1.26 million and payments to the San Francisco Public Utilities Commission equaling \$3.5 million, and (2) Port Commission License No. 14325, a non-exclusive license for use of the property for operation of the transmission line with a term of twenty-five years with an option to renew for ten years and consideration including license payments to the Port in excess of \$1.2 million dollars annually, public benefit payments to Port equaling \$5.5 million and payments to the San Francisco Public Utilities Commission in excess of \$20 million to implement, advance, promote or enhance policies and projects consistent with City Energy Policies, both between Trans Bay Cable LLC and the City and County of San Francisco acting by and through the San Francisco Port Commission and the Mayor's Office of Economic and Workforce Development.

3/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

3/20/07, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing new title.

3/20/07, ASSIGNED to Budget and Finance Committee.

4/11/07, CONTINUED TO CALL OF THE CHAIR. Brad Benson,SF Port; Carol Bauch, SF Port; Susan Leal, General Manager, Public Utilities Committee.SF PUC; Barbara Hale, SF PUC; Espinola Jackson; Francisco Da Costa; Tim Dawn; Hunter Stern; Tim Muller; David Parkay; Garrett Evans; Mr. Tobias.

**3. 070412 [Public Works - Encroachment under 23rd Street between Illinois Street and the SF Bay] Supervisors Peskin, Maxwell**

Resolution granting revocable permission to Trans Bay Cable LLC to occupy a portion of the public right-of-way to install underground DC cable under 23rd Street, east of Illinois Street, to allow transmission of electrical power from Trans Bay Cable's Pittsburg Converter Station to its San Francisco Converter Station, which is proposed to be located at 435 23rd Street (Assessor's Block 4232, Lot 010), conditioned on payment of an annual assessment fee in an amount to be determined pursuant to Public Works Code section 786.7, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

3/27/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

4/11/07, CONTINUED TO CALL OF THE CHAIR. Brad Benson,SF Port; Carol Bauch, SF Port; Susan Leal, General Manager, Public Utilities Committee.SF PUC; Barbara Hale, SF PUC; Espinola Jackson; Francisco Da Costa; Tim Dawn; Hunter Stern; Tim Muller; David Parkay; Garrett Evans; Mr. Tobias.

**4. 070921 [Amendments to Minimum Compensation Ordinance] Supervisor Ammiano**

Ordinance amending the San Francisco Administrative Code by amending Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7, 12P.8 and, 12P.9 and by adding Sections 12P.5.1, 12P.6.1 and 12P.6.2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to: the obligations imposed on Contractors; notification, investigation, auditing, inspection, enforcement and settlement procedures; the withholding of contract payments; provisions relating to waivers; certain definitions, including the definition of Covered Employees; procedures for automatic increases to the hourly wage rate; the assessment of liquidated damages; and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.

6/19/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/19/2007. 07/09/07 - Referred to Small Business Commission.

**5. 071064 [Raising Office Depot's contract not-to-exceed amount to more than \$10 million]**

Resolution approving the Third Amendment to the Agreement between the City and County of San Francisco (City) and Office Depot (Contractor) for office supplies, increasing the contract's not-to-exceed amount to more than \$10 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

7/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**6. 070701 [Approval of an historical property contract for 1735 Franklin Street - the Bransten House] Supervisors Peskin, Dufty**

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between Tad and Masumi Oride, the owners of San Francisco Landmark No. 126 located at 1735 Franklin Street (the Bransten House) and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract. (Planning Commission)

5/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**7. 071052 [Issuance and Sale of Tax-Exempt Bonds - San Francisco Friends School] Supervisor Dufty**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$27,100,000 to finance various capital facilities owned by San Francisco Friends School or an affiliate.

7/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**8. 070077 [Approval of agreement with EarthLink, Inc. for a City-wide wireless broadband Internet access network] Mayor**

Ordinance approving an agreement with EarthLink, Inc. to, manage, operate and install in the City right of way a City-wide wireless broadband Internet access network that provides free or affordable internet access for San Francisco residents, allocating revenues received by the City

under the agreement to a fund to promote Digital Inclusion, and making General Plan and environmental findings.

(Economic Impact)

1/23/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

1/30/07, REFERRED TO DEPARTMENT. Referred to Planning for determination of General Plan and environmental findings.

3/7/07, RESPONSE RECEIVED. Small Business Commission voted on 2/12/07 in favor of the agreement.

4/20/07, RESPONSE RECEIVED. Planning Department certificate of determination of exemption/exclusion from environmental review.

5/11/07, RESPONSE RECEIVED. Office of Economic Analysis, Economic Impact Report.

5/14/07, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Ron Vinson, DTIS; Supervisor Elsbernd; Supervisor Mirkarimi; Tom Long, Deputy City Attorney; Ken Bruce, Budget Analyst's Office; Luke Klipp, Budget Analyst's Office; Ed Harrington, Controller; Ted Egan, Controller's Office; Emy Tseng, DTIS; Espanola Jackson; Joanne Abernathy; Cole Reinwand, EarthLink; Jerry Lee; Regina Douglas; Gilbert Crisswell; Joshlyn Norman; Ann Chung; James Lin; Rev. Arnold Townsend; Niema Hawkins; Lokia Evans; Nicole Ozer, ACLU; Leslie Rule, KQED; Ed French; Male Speaker; Jim Lazarus, Chamber of Commerce; Ricardo Alva; Mark Melahn; Rev. Amos Brown, NAACP; Jim Fabris, S. F. Association of Realtors; Hiu Nam Cheung; Eddy Zheng; Valeria Saldanha; Brian Webster; Dona Crowder; Bruce Wolfe; Alex Weyond; Blake Turrentine; Fey Adelstein; Mark Dwight; Laura Efurud; Dr. Heather Hudson, USF; Richard Ow; Bert Williams; Pam Fitzgerald; Andre Chan; Supervisor Dufty; Supervisor Daly. Amendment of the Whole

5/14/07, CONTINUED AS AMENDED. Continued to July 11, 2007.

7/11/07, CONTINUED. Heard in Committee. Speakers: Silvia Johnson; Kimo Crossman; Gilbert Crisswell; Nicole Crisner; Cole Renwan, Earthlink; Mr. Roberts, DTIS. Continued to July 25, 2007.

7/25/07, CONTINUED. Heard in Committee. Speakers: Silvia Johnson . Continued to August 1, 2007.

**9. 070690 [Approval of non-exclusive agreement between SF Public Utilities Commission and Earth Link, Inc.] Mayor**

Resolution approving a non-exclusive agreement for a term of potentially more than ten years between the San Francisco Public Utilities Commission and EarthLink, Inc. granting EarthLink a license to use street light poles owned by the San Francisco Public Utilities Commission to install communications equipment as part of the wireless broadband Internet network EarthLink has agreed to construct to provide free wireless broadband Internet service within the City and County of San Francisco; and making General Plan and environmental findings.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

5/21/07, REFERRED TO DEPARTMENT. Referred to Planning for General Plan and Environmental findings.

7/11/07, CONTINUED. Heard in Committee. Speakers: Silvia Johnson; Kimo Crossman; Gilbert Crisswell; Nicole Crisner; Cole Renwan, Earthlink; Mr. Roberts, DTIS. Continued to July 25, 2007.

7/25/07, CONTINUED. Heard in Committee. Speakers: Silvia Johnson . Continued to August 1, 2007.

**10. 071053 [Approval to Execute the Lease Agreement between the San Francisco International Airport and Verified Identity Pass, Inc. for Registered Traveler Services] Supervisor Elsbernd**

Resolution approving and authorizing the Lease Agreement between the San Francisco International Airport and Verified Identity Pass, Inc. for Private Sector Registered Traveler Services for approximately five years three months commencing on a date to be mutually agreed upon but no later than October 1, 2007 through December 31, 2012.

(Fiscal Impact.)

7/17/07, RECEIVED AND ASSIGNED to Budget and Finance 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 Budget and Finance 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.*

**There are no items currently pending under the 30 day rule.**

## **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.**

Agendas are available on the internet at [www.sfgov.org/site/bdsupvrs\\_index.asp?id=4383](http://www.sfgov.org/site/bdsupvrs_index.asp?id=4383)

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

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. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **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)