



City and County of San Francisco
Meeting Agenda
Finance Committee

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

Members: Supervisors Aaron Peskin and Chris Daly

Clerk: Gail Johnson

Wednesday, February 27, 2002

12:30 PM

City Hall, Room 263

Regular Meeting

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

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

These items will be available for review at City Hall, Room 244, Reception Desk.

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.

AGENDA CHANGES

REGULAR AGENDA

1. 020284 **[Controller's Six-Month Report, City's Financial Health]**
 Supervisor Peskin
 Hearing to examine the Controller's six-month report detailing the City's current financial health.
 2/11/02, RECEIVED AND ASSIGNED to Finance Committee.

2. 011216 **[Long-term Power Contract with Calpine Energy]**
Supervisors Peskin, Daly
Hearing to examine the long-term contract entered into by the City and County of San Francisco and Calpine Energy on May 7, 2001.
- 6/25/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
10/9/01, CONTINUED. Continued to October 23, 2001.
10/23/01, CONTINUED. Continued to November 13, 2001.
11/13/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Peskin; Ed Smelloff, Public Utilities Commission (PUC); Supervisor Newsom; Laurie Park, General Manager, Hetch Hetchy; Supervisor McGoldrick; Supervisor Daly.
1/28/02, TRANSFERRED to Public Works and Public Protection Committee. new committee structure, 2/1/02.
2/11/02, TRANSFERRED to Finance Committee.
3. 011585 **[Minimum Compensation Requirements]**
Supervisor Gonzalez
Hearing to consider extending minimum compensation requirements and health benefit requirements to businesses not currently included in the City's Minimum Compensation Ordinance and Healthcare Accountability Ordinance.
- 8/27/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
1/28/02, TRANSFERRED to Finance Committee. new committee structure, 2/1/02.
4. 020051 **[Amending Article 2.4 of the Public Works Code and Sections 10-100.230 and 11.9 of the Administrative Code Concerning Excavation in the Public Right-of-Way; Proposed Increases in Certain Fees]**
Supervisors Peskin, Maxwell
Ordinance amending Sections 2.4.2, 2.4.4, 2.4.10, 2.4.20.1, 2.4.20.2, 2.4.20.3, 4.23, 2.4.40, 2.4.41, 2.4.42, 2.4.45, 2.4.46, 2.4.50, 2.4.53, 2.4.55, 2.4.70, 2.4.80, 2.4.81, 2.4.83, and 2.4.85 of Article 2.4 of the Public Works Code, adding Sections 2.4.20.4 to Article 2.4 of the Public Works Code, and amending Sections 10.100-230 and 11.9 of the Administrative Code to modify and adopt new definitions; modify and adopt new procedures for permit application submission, permit conditions, permit modifications, and restoration of the public right-of-way; modify fees for administration of permit applications and inspection of excavations; provide for a report to the Board of Supervisors about such fees; create a process for inspection fee refunds; authorize specified City officials to enforce violations of Article 2.4; increase the maximum assessment for administrative penalties and modify procedures for assessing penalties; establish a utility conditions permit fee; and make technical conforming amendments. (Public Works Department)
- (Companion measure to Files 020133, 020134.)
- 1/9/02, RECEIVED AND ASSIGNED to Finance Committee.

5. **020133** **[Funding to improve services of the Street Construction Coordination Center]**
Supervisors Peskin, Maxwell
Ordinance appropriating \$66,255 from Excavation Fees to increase services of the Street Construction Coordination Center for the Public Works Department for fiscal year 2001-02. (Public Works Department)
- (Companion measure to Files 20051 and 020134.)
- 1/30/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests that Files 020051, 020133, and 020134 be scheduled for consideration on the same date.
2/1/02, SUBSTITUTED. Substituted by Department of Public Works 2/1/02, bearing new title.
2/1/02, ASSIGNED to Finance Committee.
6. **020134** **[Public Employment]**
Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2001/02) reflecting the creation of four positions at the Department of Public Works. (Human Resources Department)
- (Fiscal impact.)
- 2/4/02, SUBSTITUTED. Substituted by Department of Human Resources 2/4/02, bearing new title.
2/4/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests that Files 020051, 020133, and 020134 be scheduled for consideration on the same date.
2/4/02, ASSIGNED to Finance Committee.
7. **020059** **[Reserved Funds, Human Resources Department]**
Hearing to request release of reserved funds, Department of Human Resources (Fiscal Year 2001-02 Budget), in the amount of \$10,173,480 to fund the remaining salary and fringe benefits for the Special Assistant positions. (Human Resources Department)
- 1/11/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be calendared at the January 30, 2002 meeting.
1/23/02, CONTINUED. Heard in Committee. Speakers: Edward Harrington, Controller; Steve Kawa, Mayor's Office; Jonathan Holtzman, Mayor's Office; Geoffrey Rothman, Director, Employee Relations Division, Department of Human Resources; Carol Isen, Associate Director, Local 21; Jean Mariani.
Continued to 1/30/02.
1/30/02, AMENDED. Heard in Committee. Speakers: Jonathan Holtzman, Mayor's Office; Andrea Gourdine, Human Resources Director; David Novogrodsky, International Federation of Professional and Technical Engineers, Local 21; Harvey Rose, Budget Analyst; Todd Rydstrom, Controller's Office.
Release of reserved funds in the amount of \$2,543,370 (1/5 of funds requested) approved. Consideration of remainder (\$10,173,480) continued to the Call of the Chair.
Title of hearing amended by replacing "\$12,716,850" with "\$10,173,480."
1/30/02, CONTINUED AS AMENDED.
8. **020125** **[Reserved Funds, Treasure Island Project]**
Hearing to consider release of reserved funds, Treasure Island Project (fiscal year 2001-2002 budget), in the amount of \$270,860 for salaries and fringe benefits consistent with other City Departments/Special Assistants included in the Citywide Management Classification/Compensation Plan (MCCP). (Mayor)
- 1/22/02, RECEIVED AND ASSIGNED to Finance Committee.
2/6/02, AMENDED. Heard in Committee. Speakers: Harvey Rose, Budget Analyst; Annemarie Conroy, Executive Director, Treasure Island Development Authority.
Release of reserved funds in the amount of \$67,715 approved. (1/5 of funds requested) approved. Consideration of remainder (\$270,860) continued to the Call of the Chair.
Title of hearing amended by replacing "\$338,575" with "\$270,860."
2/6/02, CONTINUED AS AMENDED.

9. 020144 **[Establishing Trial Rates for City Owned Garages and Metered Parking Lots]**
Resolution approving trial rates as proposed permanent parking rates, with adjustments, for the Civic Center Garage, the Ellis O'Farrell Garage, the 16th & Hoff Street Garage, the 324-8th Avenue Parking Lot (at 8th and Clement), the 330-9th Avenue Parking Lot (at 9th and Clement) and the 421-18th Avenue Parking Lot (at 18th and Geary) and the Performing Arts Garage. (Parking and Traffic Department)

2/6/02, RECEIVED AND ASSIGNED to Finance Committee.
10. 020046 **[Bay Area Cellular Telephone Company dba AT&T Wireless Lease]**
Resolution authorizing and approving a lease of cellular transmitter space at the Fire Station 30 (inactive) at 1300 4th Street to Bay Area Cellular Telephone Company dba AT&T Wireless. (Real Estate Department)

1/9/02, RECEIVED AND ASSIGNED to Finance Committee.
1/23/02, CONTINUED. Heard in Committee. Speakers: Harvey Rose, Budget Analyst; Marc McDonald, Director of Property, Real Estate Division, Department of Administrative Services.
Continued to 1/30/02.
1/30/02, RECOMMENDED... Heard in Committee. Speakers: Harvey Rose, Budget Analyst; Marc McDonald, Director of Property, Real Estate Division, Administrative Services Department; Captain James Lee, Support Services, Fire Department. (An amended lease was placed in the file of the Board by the Department.)
2/4/02, RE-REFERRED to Finance Committee. Supervisor Peskin requested this matter be severed so it could be considered separately.
11. 011773 **[Reserved Funds, Department of Elections]**
Hearing to consider release of reserved funds, Department of Elections, fiscal year 2001-02 budget, in the amount of \$253,237 for the reapportionment project. (Elections Department)

10/2/01, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be calendared at the October 17, 2001 meeting.
10/17/01, CONTINUED TO CALL OF THE CHAIR. Hearing held. Speakers: Harvey Rose, Budget Analyst; Tammy Haygood, Director of Elections; Chris Bowman, former member, Citizens Advisory Committee on Elections.

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.

12. 020247 **[Settlement of Lawsuit]**
Ordinance approving settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against CalStar Retail, Inc., by payment by CalStar Retail Inc. to the City in the amount of \$620,000 and other terms; the lawsuit was filed on August 7, 2001, in San Mateo County Superior Court, Case No. 417869, entitled City and County of San Francisco, acting by and through its Airport Commission v. CalStar Retail, Inc. (City Attorney)

2/20/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the February 27, 2002 meeting.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]

Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[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 concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceeding begins, 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, Finance Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, California 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 5.42 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.

020190 [Minimum Compensation Ordinance]

Supervisor Ammiano

Ordinance amending Chapter 12P of the San Francisco Administrative Code by amending sections 12P.2 and 12P.3, to define and incorporate a "wages" portion of Minimum Compensation.

2/4/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 3/6/2002.

020193 [Emergency Response Fee Amendments]**Supervisor Peskin**

Draft ordinance amending Articles 6 and 10a of The San Francisco Business And Tax Regulations Code by amending Sections 6.15-1, 750, 751, 753, 755 and 757, deleting Section 756, and adding Sections 752.2 and 755.1 to clarify that the Code's time for filing refund claims applies to the Emergency Response Fee; to provide for use of Emergency Response Fee revenues for operating costs of the 911 communication system; to update the findings supporting the fee; to increase the amount of the annual cap on fee payments per account, per service location to reflect inflation; to increase the fee rate for trunk line subscribers; and to eliminate the fee sunset, and amending section 10.100-67 of the San Francisco Administrative Code to allow for use of monies in the Emergency Communications 911 Emergency Response Fund for operating costs of the 911 communication system.

(Fiscal impact.)

2/4/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 3/6/2002.

020197 [Golf Fund]**Supervisors Hall, Daly**

Ordinance amending Chapter 10, Article XIII of the San Francisco Administrative Code by adding Section 10.100-256 thereto, establishing a San Francisco Recreation and Parks Golf Fund.

2/4/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 3/6/2002.

020198 [Determination of Fees at Harding Park and Fleming Golf Courses]**Supervisors Hall, Daly**

Ordinance amending Article XII of the San Francisco Park Code by adding Section 12.12 thereto setting forth a fee structure for Harding Park and Fleming Golf Courses.

2/4/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 3/6/2002.

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.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

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

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

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.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 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.

The following services are available when requested by 4:00 p.m. of the Friday before the Board meeting:

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Ohn Myint at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

The Clerk of the Board's Office TTY number for speech-hearing impaired is (415) 554-5227.

In order 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 various chemical based products.

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 Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

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

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