



City and County of San Francisco
Meeting Agenda

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

Audit, Labor and Government Efficiency Committee

Members: Supervisors Gavin Newsom, Chris Daly and Jake McGoldrick

Clerk: Mary Red

Tuesday, October 09, 2001

10:00 AM

Legislative Chamber

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Audit, Labor and Government Efficiency Committee on Tuesday, October 9, 2001 at 1:00 P.M. HAS BEEN RESCHEDULED TO Tuesday, October 9, 2001 at 10:00 A.M. and will be held in the Legislative Chamber at City Hall.

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. **011619** **[MOU Amendment No. 1, Automotive Machinists Local 1414]**
Ordinance adopting and implementing Amendment No. 1 to the 2000-2003 Collective Bargaining Agreement between the Automotive Machinists, Local 1414 and the City and County of San Francisco by amending Article III.C., part 6, correcting a clerical error by deleting the Standby Pay provision. (Human Resources Department)

9/19/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

2. **010908 [Street Space Guidelines]**
Supervisor Newsom
Hearing on the development of construction signage for the purpose of reviewing the guidelines of both the Department of Public Works and the Department of Parking and Traffic for occupancy of street space for construction related work, specifically of: (1) Street space guidelines; (2) Additional street space guidelines.
- 5/14/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.
6/19/01, CONTINUED TO CALL OF THE CHAIR.
10/3/01, TRANSFERRED to Audit, Labor and Government Efficiency Committee.
3. **011682 [Mid-Year Budget Reduction Plan]**
Supervisor Newsom
Resolution urging the Mayor's Office to direct all City Departments to submit a mid-year Budget Reduction Plan. Reductions would total 3, 5, and 10% of all baseline 2001-2002 General Fund expenditures, with a separate plan for each level of reduction. Potential reductions should be listed in order of ascending relative priority with the lowest funding priority highlighted first. All plans would be submitted by November 15, 2001, including implementation plans and schedules.
- 9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
4. **011683 [Changing Economic Conditions]**
Supervisor Newsom
Resolution calling on the Mayor to establish a Special Issue Cabinet focused on the Hospitality and Tourism industry made up of members of both the private and public sector to identify initiatives to sustain the Hospitality and Tourism industry and related tax revenues. Further urging the Mayor to establish an Initiative Compliance Committee made up of senior City managers to promote the identification and adoption of cost-saving, revenue generating, and service enhancing goals for government of the City and County of San Francisco. Finally, urging the Mayor to investigate a hiring freeze to stabilize a balanced budget in the short term, and establishing a five year budget and economic development plan to ensure a balanced budget in the long term.
- 9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
5. **011465 [Independent Auditors' Audit Plans for Fiscal Year Ended June 30, 2001]**
Supervisor Newsom
Hearing to consider the audit plans for the City and County of San Francisco as issued by the City's independent auditors for the fiscal year ended June 30, 2001, in accordance with Charter Section 9.117.
- 8/6/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be scheduled for consideration at the August 14, 2001 meeting at 1:00 p.m.
9/25/01, CONTINUED. Heard in Committee. Speakers: Ed Harrington, Controller; Tiffany Rasmussen, KPMG; Supervisor Daly; Supervisor McGoldrick; Supervisor Newsom; Hugo Delgado, Rodriguez, Perez; Delgado and Company; Jim Karling, Karling & Associates, LLP.
Continued to October 9, 2001.

6. **011662** **[Independent Auditor's Interim Management Letters]**
 Supervisor Newsom
 Hearing to consider the interim management letters for the City and County of San Francisco as issued by the City's independent auditors based on their interim testwork performed for the fiscal year ended June 30, 2001.
- 9/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be scheduled for consideration at the September 25, 2001 meeting.
7. **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.

LITIGATION

8. **010828** **[Settlement of Lawsuit]**
 Ordinance authorizing settlement of the lawsuit filed by Khary Butler against the City and County of San Francisco for \$50,000.00; the lawsuit was filed on March 19, 1998 in San Francisco Superior Court, Case No. 993-756; entitled Khary Butler, et al., v. City and County of San Francisco, et al; there are no other material terms to said settlement. (City Attorney)
- 5/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated April 12, 2001 is on file with the Clerk of the Board.
 6/5/01, City Attorney's Office advises that the claimant in this settlement has died. Do not place on agenda until further advised.
 9/6/01, Revised confidential letter dated August 30, 2001 is on file with the Clerk of the Board.
 City Attorney requests that this item be calendared at the October 9, 2001 meeting.
9. **011565** **[Settlement of Claim]**
 Resolution approving settlement of the unlitigated claim of the United States Environmental Protection Agency in an amount not to exceed \$180,000 for payment of costs of responding to contamination at Casmalia Resources Hazardous Waste Disposal Site. (City Attorney)
- 8/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Department requests this item be calendared at the first Audit Committee meeting in October, 2001.
10. **011614** **[Settlement of Legal Proceeding]**
 Ordinance authorizing settlement of an administrative penalty conditionally imposed by the Department of Public Works on Adesta Communications, Inc. (City Attorney)
- 9/12/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated September 12, 2001 is on file with the Clerk of the Board.

11. 011670 **[Settlement Of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Desiree Hamaoui against the City and County of San Francisco for \$60,000; the lawsuit was filed on September 20, 2000, in San Francisco Superior Court, Case No. 315-230; entitled Desiree Hamaoui v. City and County of San Francisco, et al. (City Attorney)

9/19/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated August 3, 2001 is on file with the Clerk of the Board.
12. 011668 **[Contingent Fee Agreement in Qui Tam Case re Substandard Waterworks Parts]**
Supervisor Leno
Resolution approving Contingency Fee Agreement in California ex rel. Nora Armenta v. James Jones Co., et al. (Los Angeles Superior Court No. BC 173487). (City Attorney)

9/19/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated September 18, 2001 is on file with the Clerk of the Board.
13. 011717 **[Settlement Of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Otto Arndt and Karl Heinz Arndt against the Estate of Zygmunt Arendt for payment of \$950,000 plus federal or state estate taxes, if any, to the contestants from the Estate of decedent Zygmunt Arendt; the lawsuit was filed on October 28, 1998 in San Francisco Superior Court, Case No. 270331; entitled Otto Arndt and Karl Heinz Arndt v. Ricardo Hernandez. (City Attorney)

9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated August 15, 2001 is on file with the Clerk of the Board.
14. 011739 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Claude Reissner against the City and County of San Francisco for \$150,000.00; the lawsuit was filed on 6/27/00 in United States District Court, Northern District, Case No. C00-1739(SBA); entitled Claude Reissner, et al., v. City and County of San Francisco, et al. (City Attorney)

10/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated August 28, 2001 is on file with the Clerk of the Board.
Department requests this item be calendared at the October 9, 2001 meeting.

Conference with City Attorney

Convene in Closed Session)

Motion that the Audit, Labor and Government Efficiency 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.

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 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 Audit, Labor and Government Efficiency 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 5.42 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.

There are no items now 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.

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.

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 Violeta Mosuela 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@ci.sf.ca.us

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.ci.sf.ca.us/bdsupvrs/sunshine.htm>

**AUDIT, LABOR AND GOVERNMENT EFFICIENCY COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689**

IMPORTANT HEARING NOTICE!!!