

City and County of San Francisco

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



MEETING MINUTES
Monday, December 8, 2008
10:00 AM
Legislative Chambers, City Hall, Room 250
Special Meeting

Government Audit and Oversight Committee

Members: Aaron Peskin, David Campos, Sophie Maxwell

Clerk: Alisa Furuzawa (415) 554-4447

Members Present: *Aaron Peskin, Sophie Maxwell, David Campos.*
Members Excused: *None.*
Members Absent: *None.*

MEETING CONVENED

The meeting convened at 10:03 a.m.

The Board President appointed Supervisor Campos to serve on the Government Audit and Oversight Committee meeting on December 8, 2008.

AGENDA CHANGES

REGULAR AGENDA

081443	[Annual Contributions to the San Francisco Self-Insurance Surety Bond Fund]	Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos
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Ordinance amending the San Francisco Bonding and Financial Assistance Program to require annual contributions to the San Francisco Self-Insurance Surety Bond Fund.

(Fiscal Impact.)

11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: Chris Iglesias, Human Rights Commission; Ken Bruce, Budget Analyst; Brian Rodriques, R&W Concrete Contractors; Clifton Burch, Empire Engineering & Construction; James

Bealum, Western Addition Drywall; Jim Troup, Monterey Mechanical Co.; Linda Richardson, HRC Commission; Male Speaker; Ingrid Merriweather; Douglas Legg, Department of Public Works.
12/8/08 - Supervisor Campos requested to be added as a sponsor.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

- 081444 [Establishing the San Francisco Self-Insurance Surety Bond Fund and Setting Standards Governing Deposits into the Fund]** **Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-317, establishing the San Francisco Self-Insurance Surety Bond Fund, contributions thereto, and use of said Fund.

(Fiscal Impact.)

11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: Male Staff Member; Ken Bruce, Budget Analyst; Brian Rodriques, R&W Concrete Contractors; Clifton Burch, Empire Engineering & Construction; James Bealum, Western Addition Drywall; Jim Troup, Monterey Mechanical Co.; Linda Richardson, HRC Commission; Male Speaker; Ingrid Merriweather; Douglas Legg, Department of Public Works.

12/8/08 - Supervisor Campos requested to be added as a sponsor.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

- 081414 [Reaffirming and Restating Finding of Fiscal Feasibility for the revised Exploratorium Project at Piers 15/17 and Finding of Lease Exemption from Competitive Bidding Policy; Endorsing**

Resolution reaffirming and restating the Board of Supervisor's prior findings that the revised Exploratorium Project at Piers 15/17 is fiscally feasible and responsible pursuant to Administrative Code Chapter 29 and is exempt from the competitive bidding policy set forth in Administrative Code Section 2.6-1, and endorsing the Amended and Restated Term Sheet between the Exploratorium and the San Francisco Port Commission. (Port)

10/31/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: Byron Rhett, Director, Planning & Development, Port of San Francisco; Jennifer Sobol, Project Manager, Port of San Francisco; Male Speaker; Toby Levine

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

- 081514 [Appropriating \$45,000,000 of Certificates of Participation Revenue for the Moscone Center Improvement Project in the Office of the City Administrator for Fiscal Year 2008-2009]** **Supervisor Peskin**

Ordinance appropriating \$45,000,000 of San Francisco Certificates of Participation (COPs) Series 2009B to fund the Moscone Center Improvement Project in the General Services Agency - Office of the City Administrator for Fiscal Year 2008-2009 and placing these funds on Controller's Reserve pending issuance of the COPs.

(Fiscal Impact.)

11/25/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: Jennifer Entine Matz, Economic and Workforce Development; Nadia Sesay, Director of Public Finance; John Noguchi, Convention Facilities; Joe Alessandro; Dick Shaft, General Manager, Moscone Center; Patricia Breslin, Hotel Council of SF.

RECOMMENDED by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

081515 [Lease Financing For Improvements to Moscone Convention Center] Supervisor Peskin

Resolution authorizing the execution, delivery and sale of Certificates of Participation (the "Certificates") evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City under a Lease Agreement, for the purpose of financing various capital projects at Moscone Convention Center; approving the form of a Trust Agreement by and between the City and County of San Francisco (the "City") and a corporate trustee to be selected by the City (the "Trustee"), including without limitation certain indemnification obligations of the City contained therein; authorizing the selection of the Trustee; approving the form of a Facilities Lease by and between the City and the Trustee relating to certain real property described herein; approving the form of the Lease Agreement by and between the Trustee and the City relating to said real property; authorizing the payment of costs of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the Certificates, the Trust Agreement, the

11/25/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: Jennifer Entine Matz, Economic and Workforce Development; Nadia Sesay, Director of Public Finance; John Noguchi, Convention Facilities; Joe Alessandro; Dick Shaft, General Manager, Moscone Center; Patricia Breslin, Hotel Council of SF.

RECOMMENDED by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

081452 ["Know your rights" brochure for towing] Supervisor Peskin

Ordinance adding Section 3055.2 to the San Francisco Police Code to require tow car firms to display "Know Your Rights When Your Car is Towed from Private Property" brochure in order to provide the public with information about their rights when towed from private property.

11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: None.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance adding Section 3055.2 to the San Francisco Police Code to require tow car firms to display "Know Your Rights When Your Car is Towed from Private Property" Brochure and setting administrative penalties.

This item was continued to December 15, 2008.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

081451 [Property Tax Refund Claim Processing] Supervisor Peskin

Ordinance to amend Administrative Code Section 10.2 to delegate to City Attorney the authority to grant or deny property tax refund claims and to establish administrative rules and procedures for City Attorney

to follow.

11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 11/26/08 - Forwarded to the Small Business Commission for review.

Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

081450 [Real Property Transfer Tax - Change of delinquency date; substitution of references to current laws; conform partnership rule to state law changes; elimination of tax stamp provision and **Supervisor Peskin**

Ordinance amending Sections 1106, 1108, 1108.4, 1115, 1115.1 and 1115.3 and deleting Sections 1109, and 1115.2 of Article 12-C of the Business and Tax Regulations Code to (1) change delinquency date; (2) replace references to prior bankruptcy, income tax, and local laws with references to current laws; (3) conform rule for partnership interest transfers to state law changes; (4) eliminate obsolete provision regarding documentary tax stamps; and (5) eliminate Transfer Tax Board of Review and references to that Board.

11/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 11/26/08 - Forwarded to the Small Business Commission for review.

Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

081447 [Accept-Expend State Grant - Southeast Community Response Network - \$402,457] **Supervisor Maxwell**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$402,457 through the United States Department of Justice, for a program entitled "Southeast Community Response Network" for fiscal year July 2006 through June 2010.

11/18/08, RECEIVED AND ASSIGNED to Public Safety Committee.

12/2/08, TRANSFERRED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: Lenore Anderson, District Attorney's Office.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

081448 [Juvenile Probation and Camp Funding Grant Program] **Supervisor Maxwell**

Resolution authorizing the Juvenile Probation Department to participate in the State of California's Juvenile Probation and Camp Funding Program, to receive funds for direct services to eligible children and their families.

11/18/08, RECEIVED AND ASSIGNED to Public Safety Committee.

12/2/08, TRANSFERRED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: None.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

081362 [Prevailing wages for (1) workers on public works and improvement projects, (2) workers in theatrical services; (3) workers performing moving services; and (4) workers hauling solid waste.]

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

10/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Heard in Committee. Speakers: Anita Sanchez, Executive Director, Civil Service Commission; Debra Levitt, Department of Labor Standards; Cheryl Adams, Deputy City Attorney; Rich David, Department of Human Resources.

The following sections were divided into File No. 081576: "(2) Janitorial Services Contracts" (pg. 1, line 24 - pg. 2, line 4 and pg. 4, line 16 - pg. 5, line 2) and "(3) Parking Lot/Garage/Auto Storage Facility Contracts" (pg. 2, lines 5 - 12 and pg. 5 lines 3 - 10). See File Number 081576.

DIVIDED.

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers engaged in theatrical or technical services for shows on property owned by the City; (3) workers performing moving services under City contracts at facilities owned or leased by the City; and (4) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

RECOMMENDED AS DIVIDED by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

081576 [Prevailing wages for (1) workers doing janitorial services and (2) workers in public off-street parking lots, garages, or auto storage facilities.]

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for janitorial services; (2) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City. (Civil Service Commission)

Heard in Committee. Speakers: Anita Sanchez, Executive Director, Civil Service Commission; Debra Levitt, Department of Labor Standards; Cheryl Adams, Deputy City Attorney; Rich David, Department of Human Resources.

This item was Divided from File Number 081362.

This item was continued to December 15, 2008.

CONTINUED AS DIVIDED by the following vote:

Ayes: 3 - Peskin, Maxwell, Campos

ADJOURNMENT

The meeting adjourned at 11:14 a.m.