



City and County of San Francisco
Meeting Minutes
Rules Committee

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

Members: David Campos, Michela Alioto-Pier, Eric Mar

Clerk: Linda Wong (415) 554-7719

Thursday, January 28, 2010

10:00 AM

City Hall, Committee Room 263

Special Meeting

MEETING CONVENED

The meeting convened at 10:10 a.m.

Present: 2 - David Campos and Eric Mar

Excused: 1 - Michela Alioto-Pier

REGULAR AGENDA

091433 [Reducing Employer Retirement Benefit Costs]

Sponsor: Elsbernd

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.409-5, A8.506, A8.506-2, A8.506-3, A8.510, A8.590-4 and A8.590-5, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: prohibit the City and County from paying any required employee contributions to the San Francisco Employees' Retirement System or the California Public Employees' Retirement System; require the difference between the City and County's contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into either the Retiree Health Care Trust Fund, Retirement System Trust Fund, or both, the allocation to be determined jointly by the Controller, Treasurer and Retirement System Executive Director; establish an employee contribution rate of nine percent for all employees hired after June 8, 2010, who become members of the California Public Employees' Retirement System; require all contracts with CalPERS for persons hired after June 8, 2010, to include a three-year formula for the calculation of final compensation to the fullest extent possible; create a new retirement plan for miscellaneous officers and employees hired after June 8, 2010, that modifies the average final compensation calculation from a one-year formula to a three-year formula; and create new retirement plans for safety members hired after June 8, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula.

12/15/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/14/2010. See Related File 100117

01/21/10; CONTINUED. Heard in Committee. Speakers: Supervisor Sean Elsbernd; Female Speaker; Bob Muscat.

Continued to January 28, 2010.

Heard in Committee. Speakers: Supervisor Elsbernd; Gary Amelio, Employees' Retirement System; Andrew Shen, City Attorney's Office; Peg Stevenson, Controller's Office; Bob Muscat; Bob Planthole; Robert Holland; Kenneth Lucas; Jean Thomas; John Hanley, Fire Fighters Union; Male Speaker; Mike Casey; Emmanuel Andreous.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System (SFERS) set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the California Public Employees' Retirement System (CalPERS); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a three-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010, for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010, that modifies the average final compensation calculation from a one-year formula to a three-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula.

See File No. 100117.

DUPLICATED AS AMENDED

Continued to February 4, 2010.

CONTINUED AS AMENDED by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

100117 [Reducing Employer Retirement Benefit Costs]**Sponsors: Mar; Campos**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System ("SFERS") set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010 who become members of the California Public Employees' Retirement System ("CalPERS"); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010 to include a three-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010 for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010 that modifies the average final compensation calculation from a one-year formula to a three-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010 that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula .

Continued to February 4, 2010.

CONTINUED by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

091434 [Setting Transit Operator Wages and Benefits Solely Through Collective Bargaining]**Sponsor: Elsbernd**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.104, A8.409-1, A8.409-4 and A8.428 and deleting Section A8.404 of the Charter to eliminate the formula setting a floor for transit operator wages and providing that wages and benefits for transit operators shall be set through collective bargaining and that any impasse in collective bargaining shall be resolved through interest arbitration.

12/15/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/14/2010.

01/21/10; CONTINUED. Heard in Committee. Speakers: Supervisor Sean Elsbernd; Bob Muscat; Jim Lazzar; Walter Scott; Male Speaker; Irwin Lum.

Continued to January 28, 2010.

Heard in Committee. Speakers: Supervisor Sean Elsbernd; Mike Casey; Bob Muscat; Irwin Lum; Barbara Brooks; John Hanley, Fire Fighters Union; Bob Planthole; Darin Maxwell; P.J. Liam; Rafael Herrera.

Continued to February 4, 2010.

CONTINUED by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

091429 [Establishing a Film Commission, its Membership, Qualifications, and Powers]**Sponsors: Alioto-Pier; Daly, Campos and Mar**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 5.107 to establish a Film Commission, establish its membership and qualifications, establish duties, and provide for the issuance of film permits.

12/15/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/14/2010.

01/21/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee.

Speaker: Bill Barnes; Office of Supervisor Michela Alioto-Pier.

Supervisors Daly, Campos and Mar requested to be added as co-sponsors.

Continued to January 28, 2010.

01/21/10; CONTINUED AS AMENDED.

Heard in Committee. Speaker: Bill Barnes, Office of Supervisor Michela Alioto-Pier.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

091430 [Mandated Reduction of Expenditures to Programs for City Services, Designated by the Board of Supervisors]**Sponsor: Avalos**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 9.103 and 9.104 to: (1) allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, in an amount not to exceed the total value of expenditure reductions made by the Board at the same time; require the relevant City departments to report to the Board on their plans for expenditure of the money appropriated; and (2) allow the Mayor to reject or reduce an appropriation identified as mandatory and reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation.

12/15/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/14/2010.

Heard in Committee. Speakers: Supervisor John Avalos; Ben Rosenfield, Controller's Office; Starr Terrell, Mayor's Office.

Continued to February 4, 2010.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 9.103 and 9.104 to: (1) allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, in an amount not to exceed the total value of expenditure reductions made by the Board at the same time; (2) require the relevant City departments to report to the Board on their plans for expenditure of the money appropriated; and, (3) allow the Mayor to reject or reduce an appropriation identified as mandatory and reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation.

Continued to February 4, 2010.

CONTINUED AS AMENDED by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

091431 [Setting Minimum 52-Hour Work Week for Firefighters]**Sponsors: Avalos; Daly and Campos**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section A8.452 to: (1) eliminate the 48.7-hour limitation on the work week for uniformed officers and member of the Fire Department, (2) establish a work week of at least 52 hours, on an annualized basis, for uniformed officers and members assigned to fire fighting companies and units, with the minimum 52-hour work week requirement to be effective for any amendment or extension to the current Memorandum of Understanding (MOU) between the City and County of San Francisco (City) and the San Francisco Fire Fighters Union Local 798 (Union) in effect July 1, 2007 through June 30, 2011, and for the successor MOU and each MOU between the City and Union thereafter, and (3) eliminate superseded language regarding holiday schedules and compensation; and by adding Section A8.590-9 to provide that the minimum work week for firefighters assigned to fire fighting companies and units shall be governed by Section A8.452 and not be subject to binding interest arbitration under Charter Section A8.590-5.

12/15/09; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/14/2010.

Heard in Committee. Speakers: Supervisor John Avalos; Mike Casey; Gary Massetani, on behalf of Joanne Hayes-White, Fire Department; John Hanely, Fire Fighters Union; Erwin Lum; Kevin S., Sean Beaver; Leo Tangens; John L.; Peg Stevenson, Controller's Office; Mary Hao, Department of Human Resources; Nathan Shepero; Female Speaker; Laura Taga; Tom O'Conner; Pat Darcey; P. J. Williams; Andy Gracia; Adrienne Sims; Michael Wash; Marilyn Chavez; Anthony Volerio; Male Speaker; Male Speaker.
Continued to February 4, 2010.

CONTINUED by the following vote:

Ayes: 2 - Campos, Mar

Excused: 1 - Alioto-Pier

ADJOURNMENT

The meeting adjourned at 1:36 p.m.