



City and County of San Francisco
Meeting Minutes
Budget and Finance Sub-Committee

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

Supervisors: Carmen Chu, Ross Mirkarimi, Jane Kim

Clerk: Victor Young (415) 554-7723

Wednesday, July 20, 2011

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Carmen Chu, Ross Mirkarimi, and Jane Kim

MEETING CONVENED

The meeting convened at 10:17 a.m.

REGULAR AGENDA

110594 [Administrative Code - Enforcement of Minimum Wage Law by the Office of Labor Standards Enforcement]**Sponsors: Campos; Mar, Avalos, Chiu, Mirkarimi and Kim**

Ordinance amending the San Francisco Administrative Code Sections 12R.5, 12R.7, 12R.16, 12R.17, 12R.18, and 12R.25 to: 1) enhance the Office of Labor Standards Enforcement's enforcement of the City's Minimum Wage Ordinance by clarifying agency access to places of employment; 2) require a policy to resolve complaints or initiate enforcement actions within one year; 3), raise the penalty for employer retaliation; 4) impose a penalty for failure to post minimum wage rates; 5) provide for posting notice to employees upon commencement of an investigation and public posting of employer non-compliance, and impose penalties for violation of these posting requirements; 6) impose a penalty for failure to provide employer's name, address, and telephone number to employees; 7) allow for back wages held in escrow for an employee for three years or more to be used to enforce the Minimum Wage Ordinance or other laws enforced by the Office of Labor Standards Enforcement if the Office of Labor Standards Enforcement cannot locate the employee; 8) provide authority to immediately issue an administrative citation upon sufficient evidence of certain violations; and 9) require industry-focused outreach materials for employees.

05/10/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 6/2/2011.

05/17/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and comment and the Office of Labor Standards for informational purposes.

Heard in Committee. Speakers: Supervisor David Campos (SF Board of Supervisors); Supervisor Eric Mar (SF Board of Supervisors); Cheryl Adams (City Attorney); provided an overview and responded to questions raised throughout the discussion. Terrance Vallin; Victoria Latone; Jose Ramirez (translated); Female Speaker (translated); Mr. Gee (translated); Renee Omgard; Edwin (translated); Tiffany Crane; Ms. Linto; Tim Paulson; Connie Ford; Ms. Lou; Walter Paulson; spoke in support of the matter.

07/20/11 - Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Administrative Code Sections 12R.5, 12R.7, 12R.16, 12R.17, 12R.18, and 12R.25 to: 1) enhance the Office of Labor Standards Enforcement's enforcement of the City's Minimum Wage Ordinance by clarifying agency access to places of employment; 2) require a policy to resolve complaints or initiate enforcement actions within one year; 3), raise the penalty for employer retaliation; 4) impose a penalty for failure to post minimum wage rates; 5) provide for posting notice to employees upon commencement of an investigation and public posting of employer non-compliance, and impose penalties for violation of these posting requirements; 6) impose a penalty for failure to provide employer's name, address, and telephone number to employees; 7) allow for back wages held in escrow for an employee for three years or more to be used to enforce the Minimum Wage Ordinance or other laws enforced by the Office of Labor Standards Enforcement if the Office of Labor Standards Enforcement cannot locate the employee; 8) provide authority to immediately issue an administrative citation upon sufficient evidence of certain violations; and 9) require industry-focused outreach materials for employees.

Continued as amended to July 27, 2011.

CONTINUED AS AMENDED to July 27, 2011, by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

110380 [Public Education Enrichment Fund - San Francisco Unified School District - FY2011-2012]**Sponsor: Mayor**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for FY2011-2012.

(Fiscal Impact)

06/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

06/23/11; CONTINUED. Heard in Committee. Speakers: Greg Wagner (Mayor); Jay Vu (Asian Art Museum); Male Speaker, Chief Financial Officer (Asian Art Museum); Harvey Rose (Budget Analyst); Luis Cancel (Arts Commission); John Buchanan (Fine Arts Museum); DeDe Wilsey (Fine Arts Museum); Chris Andrews, Director (Academy of Sciences); Beth Murray, Director (War Memorial Performing Arts Center); Phil Ginsburg, General Manager (Recreation and Park Department); Katie Petrucione (Recreation and Park Department); Maria Su, Director (Children, Youth and Their Families); Monique Zmuda (Controller); Chris Armentrout (SFUSD); Female Speaker, Deputy Director (First 5 Commission); Karen Roye (Child Support Services); William Sifferman, Chief Probation Officer (Juvenile Probation); Barbara Garcia, Department of Public Health; Gregg Sass, Chief Financial Officer (Public Health); Dr. Cott Mann, Chief Medical Officer (SF General Hospital); Leslie Dubb, Director of Clinical Operations (SF General Hospital); Trent Rhorer, Director (Human Services Agency); Anne Hinton (Human Services Agency); provided an overview and responded to questions raised throughout the discussion.

06/24/11; RECOMMENDED. Heard in Committee. Speakers: Gail; David Shore; Lisa Blakely; Roberto Rien (Community Housing Partnership); Elizabeth Hoosen, Deputy Director (Human Services Agency); Ebony Wilson (Community Housing Partnership); Jackie Janks, Executive Director (Central City Hospitality House); Ivan Vera (Central City Hospitality House); Rick Rare (Central City Hospitality House); David Maldonado (Central City Hospitality House); Mike De Sapola, (Stonewall Project, San Francisco AIDS Foundation); Steve Don (Stonewall Project, San Francisco AIDS Foundation); Tyrone (Stonewall Project, San Francisco AIDS Foundation); Greg Kesabian (Stonewall Project, San Francisco AIDS Foundation); Courtney Pierson (Stonewall Project, San Francisco AIDS Foundation); T. Mathey (Life Program); Richard May (Housing Rights Committee of San Francisco and Legal Aid); J. C. Bingham (Shanti Life Program); Bradley Weedmeyer (SEIU Executive Board); Mo Ping Yee; Maria Perez; Ruth Knot, Director of Education (San Francisco Symphony); Female Speaker; Female Speaker; Neeman Yee; J. Hartley, Director (San Francisco Opera Guild); Charles Chippeefield, Director of Education (San Francisco Ballet); Male Speaker; Leslie Duggan (San Francisco General Hospital); Dr. Todd May, Chief Medical Officer (San Francisco General Hospital); Dr. Mark Leary (San Francisco General Hospital); Milia Patrick (San Francisco General Hospital); Jennifer McGall (San Francisco General Hospital); Art Miguel (San Francisco General Hospital); Joshua Pierce (San Francisco General Hospital); Stephanie Rodda; Natalie Rada; Annette Wong (San Francisco Immigrant Legal and Education Collaborative); Female Speaker (Veterans Equity Center); Obaraca (Veterans Equity Center); Ms. Inez (Veterans Equity Center); Ms. Ligori (Veterans Equity Center); Ms. Figarez (Veterans Equity Center); Susa Washen (Veterans Equity Center); Ms. Vonbilla (Veterans Equity Center); Male Speaker; David Margolis; John Lester; John Berland; Jonathan Van Nys; Matt Dorsey; Kosheek Royer, Executive Director (Shanti Life Program); Dennis Neilbond (Shanti Life Program); Male Speaker; Male Speaker; Eyonda Greece; Edie Shaper; Mark Christenson; J. Heidi; Shelley Carroll; Nick Powell; Brena Barra (San Francisco General Hospital); Nancy Schneider; Mark McSki, Institutional Police Officer; Gary Coots; Mike Dingel; Randy Minello; Theresa Leibowitz; Carlos Gonzalez; Jodi Schwartz, Executive Director (LYRIC); Sherilyn Adams, Executive Director (Larkin Street Youth Center); Jacob Bidy; Jason Albertson; Barbara Beth; Jenny Reilly (Hospitality House); Amanda Page (Hospitality House); Anna Berg (Central City Hospitality House); Erica Kish; Jane Shiskell; Ms. Parker, Director (Homeless Outreach Team); Janet Roy, Executive Director (CATS); K. Kawasaki (CATS); Speaker; Bob Bennett; Ms. Rothman; Andrew Brown; Julia Sabori; Female Speaker; Mr. Hano; Donald Richardson, Institutional Police Officer (Laguna Honda); Male Speaker, Institutional Police Officer; Harvey Finwald; Carmen Simon; Emma Gerald; Jeanette Conley; Michael Tong, Institutional Police Officer; Marjorie Ann Williams; Mark Leman; Ken Ragio (Episcopal Community Services); Mr. Cohouse; Starr Gold; Male Speaker; Evelyn Millapeasan; Teressa; Male Speaker; Female Speaker; Female Speaker (Excelsior Family Connection); David Roland, Board Member (Hospitality House); Bob Barnwell (Mo Magic); Keya Wallace; Cheryl Davis (Mo Magic); Ms. Taylor; Leon Harris (Mo Magic); S. Williams (Mo Magic); Female Speaker; Tina Collins (Mo Magic); Elvis (Hospitality House); Tracy Bell, Program Manager (Hospitality House, 6th Street Dropin); Male Speaker; Alucia Sumners, President of the Board (Central City Hospitality House); Male Speaker; Male Speaker; Keir Davidson (Hospitality House); Ed Wourshauer (SEIU 1021); Speaker (SEIU 1021); Colleen (St. Anthony's); Kendra; Jennifer Friedenbach (Coalition on Homelessness and Budget Justice Collaborative); James Chionsini (Planning for Elders); Ms. Fiori, Executive Director (Hyde Street Community Services); Chelsea Guillard (Coleman Advocates for Children and Youth); Debbie Lerman (San Francisco Human Services Network); spoke on the matter and on the Annual Budget for FY2011-2012 for all departments, and for

FY2012-2013 for the Airport, Port Commission, and Public Utilities Commission.

07/12/11; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/12/11; RE-REFERRED AS AMENDED to Budget and Finance Committee.

07/14/11; TRANSFERRED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: None.

RECOMMENDED by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

110559 [Lease and Use Agreement - Continental Airlines, Inc.]

Sponsor: Mayor

Resolution approving and authorizing the execution of Modification No. 6 of the 1981 Airline-Airport Lease and Use Agreement L82-0316 with Continental Airlines, Inc., to provide a retroactive rent credit for terminal rent of exclusive use space vacated in Terminal No. 1 due to the merger of United Air Lines, Inc., and Continental Airlines, Inc., at the San Francisco International Airport.

(Fiscal Impact)

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: Cathy Widener (SF International Airport); Harvey Rose (Budget Analyst); provided an overview and responded to questions raised throughout the discussion.

RECOMMENDED by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

110560 [Lease and Use Agreement - Continental Airlines, Inc.]

Sponsor: Mayor

Resolution approving and authorizing the execution of Modification No. 1 of the 2011 Lease and Use Agreement L10-0275 with Continental Airlines, Inc., to modify the demised premises by elimination of all exclusive use space in Terminal No. 1 due to the merger of United Air Lines, Inc., and Continental Airlines, Inc., at the San Francisco International Airport.

(Fiscal Impact)

05/03/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: Cathy Widener (SF International Airport); Harvey Rose (Budget Analyst); provided an overview and responded to questions raised throughout the discussion.

RECOMMENDED by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

100672 [Agreement Amendment - Titan Outdoor for Advertising on San Francisco Municipal Transportation Agency Property]**Sponsor: Elsbernd**

Resolution approving Amendment One to the Agreement for Advertising on San Francisco Municipal Transportation Agency Property between the City and Titan Outdoor, LLC, to allow advertising window wraps on up to 5% of the San Francisco Municipal Transportation Agency's buses and up to 10% of the San Francisco Municipal Transportation Agency's light rail vehicles and to change the approval requirements for advertising in parking garages.

05/25/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

07/14/10; CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Gail Stein, Municipal Transportation Agency; Harvey Rose, Budget and Legislative Analyst.

08/02/10; TRANSFERRED to Budget and Finance Committee.

07/14/11; TRANSFERRED to Budget and Finance Sub-Committee.

Heard in Committee. Speaker: Sonali Bose (SFMTA); provided an overview and responded to questions raised throughout the discussion.

REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors, by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

110586 [Management Services Agreement - Sewer System Improvement Program - Not to Exceed \$150,000,000]

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute Sewer System Improvement Program-Funded Agreement No. CS-165, Program Management Services, with AECOM-Parsons Joint Venture, for an amount not to exceed \$150,000,000 with a term of up to 15 years, under Charter Section 9.118. (Public Utilities Commission)

06/30/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: Mr. Kelly (SFPUC); Karen Cubic (SFPUC); Harvey Rose (Budget Analyst); provided an overview and responded to questions raised throughout the discussion.

RECOMMENDED by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

110725 [Issuance and Sale of Tax-Exempt Bonds - Children's Day School, Inc. - Not to Exceed \$11,000,000]**Sponsor: Wiener**

Resolution approving, in accordance with Section 147(f) of the Internal Revenue Code, the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$11,000,000 to finance various capital facilities owned or leased by Children's Day School.

07/12/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: Anthony Ababon (Controller); Bonnie (Controller); provided an overview and responded to questions raised throughout the discussion.

RECOMMENDED by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

110503 [Administrative Code - Regulating Overtime Available for City Employees]**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code, Section 18.13.1 to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and to specify and modify written reports to be submitted regarding overtime information.

04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.

07/13/11; CONTINUED. Heard in Committee. Speakers: Micki Callahan, Director (Human Resources); Ben Rosenfield, Controller; O. Bose (SFMTA); Harvey Rose (Budget Analyst); provided an overview and responded to questions raised throughout the discussion.

Continued to July 20, 2011.

07/14/11; TRANSFERRED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: Judson True (Aide to Supervisor David Chiu); Ben Rosenfield, Controller; provided an overview and responded to questions raised throughout the discussion.

07/20/11 - Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Administrative Code, Section 18.13.1 to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and to specify and modify written reports to be submitted regarding overtime information.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

101225 [Landfill Disposal and Facilitation Agreements - Recology San Francisco]

Resolution approving a ten-year Landfill Disposal Agreement and Facilitation Agreement with Recology San Francisco under Charter Section 9.118. (Environment)

09/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

02/09/11; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Melanie Nutter (Environment); Harvey Rose (BLA); Supervisor David Campos, Board of Supervisors; David Assmann (Environment); Tom Owen (City Attorney); Debra Newman (BLA); presented information concerning the matter and/or answered questions raised during the hearing. Rob Black; Corey Marshall; John Legnitto (Recology); Stella Lui; Bob Besso; Paul Yamamoto; Dave Vaughn; Doug Diboll; Doug Yumouth; Ken Cleaveland; Clifford Waldeck; Sarah Mills-Kruhlek; Pat Christensen; Ted Fang; Mike Eugene; Ms. Jamison; Ryn Rogers; Brynda Stranix; Mandy Jones; Jackie Coleman; Male Speaker; Robert Reed; Mary McMillan; Robert Crane; Mike Baker; John Blought; spoke in support of the matter. Gary Wolff; Reddy Lieb; Dr. Richard Pashowitz; Susan Petro; Tom Creedon; Male Speaker; Joan Seppala; Jean King; Irene Creps; Jane Pasowick; John Lynn Smith; Susan Frost; Corinne Woods; Ken Lewis; David Tam; Michael Biagini; Richard Mead (Local 54); Eric Smith; Brian McWilliams; Kristine Enea; Chuck Page; Susan Vergne; Douglas Gibbs; Male Speaker; David Tucker; Lee Brucken; David Gregrich; spoke in opposition of the matter. Tina Olson; Scott Moore; Male Speaker; spoke neither in support nor opposition on the matter.

04/13/11; TRANSFERRED to Budget and Finance Sub-Committee.

04/20/11; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Melanie Nutter (Environment); Tom Owens (City Attorney); Supervisor David Campos (Board of Supervisors); George McGraff (Recology); John Legnitto (Recology); provided an overview and responded to questions raised throughout the discussion. Ken Cleveland; Tom Credine; Tony Kelly; John Isa; Stephan McConley; Mr. Stevenson; spoke in support of the matter. Mara Comp; David Tam; Female Speaker; Adrian Soto; David Tucker; Briggett Barnes; Eric Smith; David; spoke in opposition of the matter. Robert Gregory; Richard May; Marina Sekiton; spoke neither in support nor opposition on the matter.

Heard in Committee. Speakers: Melanie Nutter (Environment); Harvey Rose (Budget Analyst); provided an overview and responded to questions raised throughout the discussion. Male Speaker; Loranda Smith; Pastor Gary Bates; Rev. Townsend; Angelo King; Kevin Jefferson; Ryan Rogers; Linda Magellan; Tim Paulson; Mr. Alvarez; Jim Lazurus; David; Jim Stevens; Mr. Rolback; Diane Flute; Male Speaker; spoke in support of the matter. Supervisor Roger Abe (Yuba County); Dr. William Absoqius; Mathew Coleman; Steven DeValentine; Noel Cummins; Kelly Supplement; Tony Elliot; David Gabridge; spoke in opposition of the matter.

7/20/11 - Amendment on Page 2, Lines 8-10, to add the following "WHEREAS, The Facilitation Agreement includes language to address further exploration of transportation alternatives and the feasibility of developing new refuse handling facilities at the Port of San Francisco;"

Facilitation Agreement amended to include a new Section 6 - Transportation alternatives; New Port Facilities.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

110749 [Administrative, Business and Tax Regulations Codes - 0.50% Sales Tax Increase to Fund Public Safety Programs and Services to Children and Seniors]**Sponsors: Mayor; Chiu, Cohen, Mirkarimi and Wiener**

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Article 16-A to provide funds for public safety programs and services to children and senior citizens in the City and County of San Francisco by imposing a transactions (sales) and use tax at the rate of one-half of one percent (0.50%) for a period of ten years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; adopting an expenditure plan; amending the Administrative Code by adding Section 10.100.321 establishing a special revenue fund; and directing submission of the tax for voter approval at the November 8, 2011, municipal election.

(Fiscal Impact; Economic Impact.)

06/14/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/14/2011.

07/14/11; TRANSFERRED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: Greg Wagner (Mayor); Ben Rosenfield, Controller; Harvey Rose (Budget Analyst); provided an overview and responded to questions raised throughout the discussion. Jim Lazurus; spoke in support of the matter.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Article 16-A to provide funds for public safety programs and services to children and senior citizens in the City and County of San Francisco by imposing a transactions (sales) and use tax at the rate of one-half of one percent (0.50%) for a period of ten years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; adopting an expenditure plan; amending the Administrative Code by adding Section 10.100.321 establishing a special revenue fund; and directing submission of the tax for voter approval at the November 8, 2011, municipal election.

(Fiscal Impact; Economic Impact.)

Continued as amended to July 26, 2011.

CONTINUED AS AMENDED to July 26, 2011, by the following vote:

Ayes: 3 - Chu, Mirkarimi, Kim

ADJOURNMENT

The meeting adjourned at 1:47 p.m.