



City and County of San Francisco

Meeting Agenda

Budget and Finance Committee

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

Members: John Avalos, Ross Mirkarimi, Sean Elsbernd

Clerk: Victor Young (415) 554-7723

Wednesday, September 8, 2010

11:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

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

- 1) Legislation*
- 2) Budget and Legislative Analyst report*
- 3) Department or Agency cover letter and/or report*
- 4) 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. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

AGENDA CHANGES

REGULAR AGENDA

- 1. 101109 [State Contract Funds for Substance Abuse Treatment - \$60,402,780]**
Sponsor: Mayor
Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH-CBHS) to enter into a Combined Net Negotiated Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2010, through June 30, 2013, in the amount of \$60,402,780 and for the term of July 1, 2010, through June 30, 2011, in the amount of \$20,134,260 as a condition of receiving state funds and Drug Medi-Cal reimbursement for substance abuse treatment and prevention; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the DPH County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount.

(Fiscal Impact.)

8/10/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

2. **101102** **[Accept and Expend Grant - 2010 Disaster Corps Grant and Amendment to the Annual Salary Ordinance FY2010-2011- \$231,000]**
Sponsor: Mayor
Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of \$231,000 from California Volunteers for the grant period of 18 months following passage of the FY2010-2011 California State Budget for volunteer management and training; amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one Class 5277 Planner I at the San Francisco Fire Department.

8/10/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
3. **101058** **[Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the FY ending June 30, 2011.

(Fiscal Impact)

8/3/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
4. **101059** **[Setting San Francisco Community College District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

8/3/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
5. **101060** **[Setting San Francisco Unified School District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

8/3/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
6. **101061** **[Setting San Francisco Bay Area Rapid Transit District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**
Sponsor: Avalos
Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

8/3/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

7. **101063** **[California Constitution Appropriations Limit FY2010-2011]**
Sponsor: Avalos
Resolution establishing the appropriations limit for FY2010-2011 pursuant to California Constitution Article XIII B.

(Fiscal Impact.)

8/3/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
8. **100900** **[Approval of Amendment No. 1 of Lease, Use and Operating Agreement for BART Station and Related Facilities and Grant Easement at San Francisco International Airport, Lease No. L97-0081]**
Resolution approving and authorizing the execution of Amendment No. 1 to Lease, Use and Operating Agreement for BART Station and Related Facilities and Grant of Easement at San Francisco International Airport, Lease No. L97-0081 to: (1) limit BART Premium Fare (surcharge) for non-airline airport employees for \$1.50 each way for the remainder of the Lease; (2) remove BART Faithful Performance Deposit requirement; (3) permit monthly payment by BART of the annual rent in lieu of advance annual payment; (4) allow advertising by BART in the Airport-BART Station; and (5) include administrative updates to the Lease. (Airport Commission)

(Fiscal Impact.)

6/30/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
9. **101002** **[Airport Concession Lease with Host International, Inc.]**
Resolution approving the Terminal 2 Newsstands, Coffee, and Specialty Stores Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

7/23/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
10. **101004** **[Lease and License of Real Property at 1 Dr. Carlton B. Goodlett Place, Ground Floor Café and North Light Court]**
Resolution authorizing the lease of 1,426 square feet of space, a license of 2,400 square feet and the shared use space of 1,360 square feet to the Elias M. Nasra & Family Partnership, a California general partnership, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department)

7/26/10; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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 Budget and Finance 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 5.40 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.

101051 [Approval to Implement Alternative Bid Process for Construction Trade Packages for the Renovation and Construction of the George S. Moscone Convention Center]

Ordinance authorizing the San Francisco Department of Public Works to implement an alternative bid process for construction trade packages and to award contracts for construction services, for the renovation of and capital improvements to the Moscone Convention Center. (Public Works Department)

7/30/10; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

101099 [Business and Tax Regulations Code - Common Administrative Provisions; Parking Tax; Business Registration]**Sponsors: Mirkarimi; Dufty**

Ordinance amending: (1) the San Francisco Business and Tax Regulations Code by: (a) repealing Sections 6.11-4, 6.14-1, and 6.18-4 and amending Sections 6.1-1, 6.2-8, 6.2-9, 6.2-13, 6.2-15, 6.2-17, 6.2-18, 6.2-21, 6.4-1, 6.5-2, 6.6-1, 6.7-1, 6.7-2, 6.8-1, 6.9-1, 6.9-2, 6.9-3, 6.9-4, 6.9-5, 6.10-1, 6.10-2, 6.10-3, 6.11-1, 6.11-2, 6.11-3, 6.12-2, 6.12-5, 6.13-1, 6.13-3, 6.13-5, 6.13-6, 6.15-1, 6.15-2, 6.15-3, 6.15-4, 6.16-1, 6.17-1, 6.17-2, 6.17-3, 6.17-4, 6.18-1, 6.18-2, 6.18-3, 6.18-5, 6.19-1, 6.19-3, 6.19-4, 6.19-5, 6.19-6, 6.19-9, 6.21-1, and 6.22-1 of Article 6 (Common Administrative Provisions), to eliminate inconsistent and superseded cross-references, prohibit an operator from engaging in business without a certificate of authority, require annual renewal of a certificate of authority to collect third-party taxes, authorize the Tax Collector to revoke an operator's business registration certificate and certificate of authority for failure to collect and remit taxes, failure to comply with specific provisions of the Business and Tax Regulations Code and Police Code, failure to install and maintain revenue control equipment, or refusal to comply with the direction regarding trust accounts, increase bond requirements for parking station operators, authorize the Tax Collector to issue a deficiency determination or jeopardy determination against a parking operator's bond surety, deem the filing an incomplete tax return failure to file a return, clarify that a tax exempt entity is not relieved from its existing duty to collect and remit third-party taxes, require that within 15 days after the cessation of business each taxpayer file a return for the period, eliminate the use of estimated prepayments and instead require hotel and parking operators to remit the actual tax owed each month, permit the Tax Collector to independently determine the taxpayer's estimated tax liability for purposes of making a prepayment, increase the threshold amount for small firm prepayments from \$2,500 to \$3,750 establish the "pooled rate" as the applicable rate of interest on cash security returned to a taxpayer, provide for service of notice of a tax delinquency or determination on anyone in the State of California, clarify the date by which a deficiency determination must be served on a taxpayer, permit the Tax Collector to seek summary judgment immediately upon serving notice of a jeopardy determination on the taxpayer, establish the security necessary to stay enforcement of a jeopardy assessment, provide that any ground that is not asserted in the taxpayer's petition for redetermination is deemed waived in a later judicial proceeding to collect the specified tax, establish the procedure for increasing the amount of a determination, specify that in order to exhaust administrative remedies prior to seeking judicial relief taxpayer must state all grounds supporting redetermination in its petition to the Tax Collector and the Claim for Refund must be denied or deemed denied, clarify the proper party to seek a tax refund, provides for interest to the date of the refund if a refund is applied toward a future liability, clarify the statute of limitations period for filing suit if no notice that the Claim has been denied is served on the Taxpayer, clarify that a refund action is the only judicial remedy available to an aggrieved taxpayer, increase penalties for failure to file a return, clarify the law that determines the interest rate and enforcement procedures for summary judgments, include additional costs in the cost to enforce judgments, authorize the Tax Collector to seek an injunction to prohibit a person from doing business without a certificate of authority or business registration certificate, add additional violations, increase penalty amounts, and amend the procedure for issuing administrative citations, increase the maximum penalty amount imposed by administrative citation from \$5,000 to \$25,000 annually, authorize the Tax Collector to share taxpayer information with other public agencies for appropriate purposes, and reword various sections without substantive change; (b) amending Sections 604 of Article 9 (Tax on Occupancy of Parking Space in Parking Stations), 713 of Article 10 (Utility Users Tax), and 859 of Article 12 (Business Registration), to lengthen the time period that service suppliers must preserve records from 4 years to 5 years, and reword various sections without substantive change; (c) repealing Sections 608 through 608.8 of Article 9 (Tax on Occupancy of Parking Space in Parking Stations); and (2) the San Francisco Administrative Code by amending Section 10.80-2 of Article XIII (Funds), Chapter 10 (Finance, Taxation, and Other Fiscal Matters), to correct references to the California Government Code.

8/10/10; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

101100 [Adding to the Definition of "Control" - Revising the Enforcement Authority of the Business and Tax Code]

Sponsors: Mirkarimi; Dufty

Ordinance amending Article 22 of the Business and Tax Regulations Code by amending Sections 2201 through 2210, 2215, 2216, 2218, 2220, 2225, 2226, 2229, 2230, 2232, 2233, and repealing Sections 2217, 2223, 2224, and 2237, to establish a presumption that certain operators, signatories and owners control the business affairs of the parking station; revise the Enforcing Agency's authority to permit the use of all authority granted by law and by Article 6 of this Code; and making other nonsubstantive changes.

8/10/10; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

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 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) bringing in or displaying signs in the meeting room; 4) standing in the meeting room.

The public is encouraged to testify at Committee meetings and to write letters to the Clerk of the Board or to Supervisors: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at www.sfbos.org/meetings <<http://www.sfbos.org/meetings>>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía 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) 554-7719**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts 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 perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This 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 by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

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 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics