



**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*

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Wednesday, May 4, 2011

10:00 AM

City Hall, Legislative Chamber, Room 250

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**Regular Meeting**

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

**MEETING CONVENED**

*The meeting convened at 10:12 a.m.*

**REGULAR AGENDA**

**110520 [Accept and Expend Grant - Electric Vehicle Infrastructure - \$100,000]**

**Sponsors: Mayor; Mar**

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant of \$100,000 from the Bay Area Air Quality Management District to contribute to the cost of installing 60 publicly available electric vehicle chargers.

04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

*Heard in Committee. Speakers: Bob Haden (Environment); provided an overview and responded to questions raised throughout the discussion. Joseph Aquila, spoke in opposition of the matter. Douglas Yep; spoke neither in support or opposition on the matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Chu, Mirkarimi, Kim

**110436 [Public Employment - Office of the Public Defender]**

**Sponsor: Mirkarimi**

Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of 0.25 Social Worker in the Office of the Public Defender.

04/12/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

04/27/11; TRANSFERRED to Budget and Finance Sub-Committee.

*Heard in Committee. Speaker: Female Speaker (Public Defender); provided an overview and responded to questions raised throughout the discussion.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Chu, Mirkarimi, Kim

**110201 [Agreement - Use of Fast Pass on BART]**

Resolution approving the Special Transit Fare (Fast Pass) Agreement between the City and the Bay Area Rapid Transit District, with a term from January 1, 2010, to June 30, 2018. (Municipal Transportation Agency)  
(Fiscal Impact.)

02/28/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

*Heard in Committee. Speakers: Natalia (MTA); Harvey Rose (Budget Analyst); provided an overview and responded to questions raised throughout the discussion. Douglas Yep; spoke neither in support or opposition on the matter.*

**TABLED by the following vote:**

Ayes: 3 - Chu, Mirkarimi, Kim

**100920 [Finding of Fiscal Feasibility - Cruise Terminal Project at Pier 27]**

Resolution finding the proposed cruise terminal project at Pier 27 is fiscally feasible pursuant to Administrative Code Chapter 29. (Port)  
(Supervisor Kim dissented in Committee.)

07/12/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

04/18/11; TRANSFERRED to Budget and Finance Sub-Committee.

*Heard in Committee. Speakers: John Dahl (Port); Elaine Forbes (Port); Harvey Rose (Budget Analyst); Brad Benson (Port); provided an overview and responded to questions raised throughout the discussion.*

*(Supervisor Kim dissented in Committee.)*

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

Ayes: 2 - Chu, Mirkarimi

Noes: 1 - Kim

**110330 [Administrative Code - Public Work Construction Contractor/Subcontractor Appeal Hearing Procedures for Non-Compliance with Prevailing Wage Requirements]****Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code, Section 6.22, Public Work Construction Contract Terms and Working Conditions, by amending Subsection 6.22(E)(8) to further delineate due process procedures for administrative hearings on appeals by public work contractors and/or subcontractors from a Certification of Forfeiture made by the City's Labor Standards Enforcement Officer or responsible department head for non-compliance with prevailing wage requirements; and to additionally conform distribution of forfeiture provisions to State law.

03/15/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

03/22/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and comment.

04/28/11; RESPONSE RECEIVED. Response received from the Small Business Commission.

*Heard in Committee. Speakers: Monique Zmuda (Controller); provided an overview and responded to questions raised throughout the discussion. Michael Tarius; spoke in opposition of the matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Chu, Mirkarimi, Kim

**110337 [Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]****Sponsors: Mirkarimi; Campos and Mar**

Ordinance amending Article 12-A of the San Francisco Business and Tax Regulations Code by adding Section 906.4 to establish a payroll expense tax exclusion for that portion of an eligible person's payroll expense that is attributable to stock compensation.

(Fiscal Impact; Economic Impact.)

03/29/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/28/2011.

04/04/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

04/14/11; REFERRED TO DEPARTMENT.

04/28/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee. The President waived the 30-Day Rule.

*Heard in Committee. Speakers: President David Chiu (Board of Supervisors); Ted Egan (Controller); Harvey Rose (Budget Analyst); provided an overview and responded to questions raised throughout the discussion. Douglas Yep; Eddy Ong; Josh Arline; Cory Marshall; spoke neither in support nor opposition on the matter.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE to extend the Stock-Based exclusion from 2013 to 2017; state the amount of Stock-Based Compensation a person may excluded from its Payroll Expense is that amount of Stock-Based Compensation that exceeds an annual Payroll Expense Tax liability of \$750,000; request the Controller to submit an annual report to the Board of Supervisors that sets forth aggregate information on the dollar value of the exclusion each year and the number of persons claiming the exclusion; and direct the Controller to perform an assessment and review of the effect of the Stock Based Compensation, six months prior to the expiration, and provide recommendations**

Ordinance amending Article 12-A of the San Francisco Business and Tax Regulations Code by adding Section 906.4 to establish a payroll expense tax exclusion for that portion of an eligible person's payroll expense that is attributable to Stock-Based Compensation.

(Fiscal Impact; Economic Impact.)

**CONTINUED TO CALL OF THE CHAIR AS AMENDED by the following vote:**

Ayes: 3 - Chu, Mirkarimi, Kim

**110462 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Stock-Based Compensation]****Sponsor: Farrell**

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a payroll expense tax exclusion for stock-based compensation and amending Section 902.1 to exclude stock options from the definition of Payroll Expense. (Fiscal Impact.)

04/19/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/19/2011.

04/26/11; REFERRED TO DEPARTMENT.

04/26/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee. The President waived the 30-Day Rule.

05/03/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee. Speakers: President David Chiu (Board of Supervisors); Ted Egan (Controller); Harvey Rose (Budget Analyst); provided an overview and responded to questions raised throughout the discussion. Douglas Yep; Eddy Ong; Josh Arline; Cory Marshall; spoke neither in support nor opposition on the matter.*

**CONTINUED TO CALL OF THE CHAIR**

Ayes: 3 - Chu, Mirkarimi, Kim

**ADJOURNMENT**

*The meeting adjourned at 12:10 p.m.*