



**City and County of San Francisco**  
**Meeting Minutes**  
**Budget and Finance Committee**

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

*Members: Carmen Chu, Ross Mirkarimi, Jane Kim*

*Clerk: Victor Young (415) 554-7723*

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Wednesday, January 4, 2012

10:00 AM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

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

**MEETING CONVENED**

*The meeting convened at 10:20 a.m.*

**REGULAR AGENDA**

**111318 [Accept and Expend Grant - Lead Hazard Reduction Demonstration Program for FY2011-2012 - \$2,500,000 and Program Income Not to Exceed \$200,000]**

**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing to retroactively accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in the amount of \$2,500,000 and program income not to exceed \$200,000.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee: Speaker: Sonia Delgado (Mayor's Office of Housing); provided an overview and responded to questions raised throughout the discussion.*

**RECOMMENDED by the following vote:**

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111288 [Waiving the Competitive Bid Requirements and Approving Modified Indemnification Clause for the Design of a Runway Safety Area Engineered Material Arresting System]**

Ordinance waiving the competitive bid requirements of San Francisco Administrative Code Chapter 6, approving a modified indemnification clause pursuant to the requirements of Chapter 6, and authorizing the Airport Commission to award a contract to complete the design of a runway safety area engineered material arresting system. (Airport Commission)  
(Fiscal Impact)

11/22/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee: Speakers: Cathy Widener (Airport); Debra Newman (Budget and Legislative Analyst); provided an overview and responded to questions raised throughout the discussion.*

**RECOMMENDED by the following vote:**

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111289 [Airport Concession Lease Amendment - Boarding Area F Principal Retail - Pacific Gateway Concessions, LLC]**

Resolution approving Amendment No. 1 to Boarding Area "F" Principal Retail Concession Lease No. 04-0139 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

11/21/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee: Speaker: Cathy Widener (Airport); provided an overview and responded to questions raised throughout the discussion.*

**TABLED by the following vote:**

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111290 [Airport Lease Modification - United Air Lines, Inc.]**

Resolution approving and authorizing the execution of Modification No. 1 of Lease L00-0464 at Plot 6 with United Air Lines, Inc., at San Francisco International Airport to: 1) extend the term; 2) reduce the demised premises; 3) modify the annual rent; 4) provide for a deferred City improvements payment to City; and 5) provide for certain terms of retroactivity relating to the rent and the deferred City improvements payment. (Airport Commission)  
(Fiscal Impact)

11/21/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee: Speakers: Cathy Widener (Airport); Debra Newman (Budget and Legislative Analyst); provided an overview and responded to questions raised throughout the discussion.*

**RECOMMENDED by the following vote:**

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111308 [Real Property Lease - San Antonio Reservoir to Chevron Pipe Line Company]**

Resolution: 1) authorizing the General Manager of the San Francisco Public Utilities Commission to execute a 20 year lease for an approximately 11.73 acre pipeline right-of- way near the San Antonio Reservoir in Alameda County to Chevron Pipe Line Company at an initial rent of \$12,500 per year; 2) adopting environmental findings; and 3) authorizing other actions in furtherance of this Resolution. (Real Estate Department)

12/02/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee: Speaker: John Updike, Acting Director (Real Estate); provided an overview and responded to questions raised throughout the discussion.*

**RECOMMENDED by the following vote:**

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111309 [Contract Amendment - Xtech - \$51,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and County of San Francisco and Xtech (part of the technology store procurement vehicle), in which the amendment shall increase the contract limit from \$41,000,000 to \$51,000,000. (Office of Contract Administration)  
(Fiscal Impact)

12/05/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee: Speakers: Mr. Leung (Contract Administration); Debra Newman (Budget and Legislative Analyst); provided an overview and responded to questions raised throughout the discussion.*

**RECOMMENDED by the following vote:**

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111310 [Contract Amendment - Xtech - \$60,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment between the City and County of San Francisco and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from \$40,000,000 to \$60,000,000. (Office of Contract Administration)  
(Fiscal Impact)

12/05/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee: Speakers: Mr. Leung (Contract Administration); Debra Newman (Budget and Legislative Analyst); provided an overview and responded to questions raised throughout the discussion.*

**RECOMMENDED by the following vote:**

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111311 [Contract Amendment - En Pointe Technology Sales, Inc. - \$38,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and County of San Francisco and En Pointe Technology Sales, Inc. part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from \$28,475,000 to \$38,000,000. (Office of Contract Administration)  
(Fiscal Impact)

12/05/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee: Speakers: Mr. Leung (Contract Administration); Debra Newman (Budget and Legislative Analyst); provided an overview and responded to questions raised throughout the discussion.*

**RECOMMENDED by the following vote:**

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111317 [Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]****Sponsor: Chiu**

Resolution approving Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.  
(Fiscal Impact)

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

*Heard in Committee: Speakers: Jay Edwards (SF Port); Debra Newman (Budget and Legislative Analyst); provided an overview and responded to questions raised throughout the discussion.*

*1/4/12 - Amended on Page 2, Line 22, to insert 'WHEREAS, The environmental impacts of actions contemplated in the Lease were analyzed in a Final Environmental Impact Report ("Final EIR"), which the Planning Commission certified on December 15, 2011, by its Motion No. 18514, which certification action is now on appeal before the Board of Supervisors, and a copy of the Final EIR is contained in Board File No. 111358; and'.*

**AMENDED, Same Title**

(Fiscal Impact)

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

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111250 [Sale of City Property - Northeast Corner of Fulton and Gough Streets - Boys and Girls Clubs - \$2,500,000]****Sponsors: Mirkarimi; Cohen, Chiu, Avalos, Mar and Kim**

Resolution authorizing: 1) the sale of City property at the northeast corner of Fulton Street and Gough Street to the Boys and Girls Clubs of San Francisco for \$2,500,000 subject to a declaration of economic covenants and a project use restriction; 2) adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of this Resolution.

(Fiscal Impact)

11/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

12/07/11; CONTINUED. Heard in Committee. Speakers: John Updike (Department of Real Estate); Kelly Pretzer and Jennifer Matz (Mayor's Office of Economic and Workforce Development); Female Speaker; Ralph Conley (Boys and Girls Club); Harvey Rose (Budget and Legislative Analyst); Cheryl Adams (City Attorney's Office); provided an overview and responded to questions raised throughout the discussion. Female Speaker; Male Speaker; Derick Brown; Dave Ford; Esam Lusa; Winnie Fan; spoke in support of the matter.

Continued to January 4, 2012.

*Heard in Committee: Speakers: Kelly Pretzer (Mayor's Office of Economic and Workforce Development); Debra Newman (Budget and Legislative Analyst); provided an overview and responded to questions raised throughout the discussion. Douglas Yep; Ralph Conley; spoke in support of the matter.*

*1/4/12 - Amendment of the whole bearing the same title.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:**

Ayes: 3 - Chu, Mirkarimi, Kim

(Fiscal Impact)

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

Ayes: 2 - Chu, Kim

Absent: 1 - Mirkarimi

**111190 [Administrative, Police Codes - Prevailing Rate of Wages Under City Contracts for Specified Services]**

**Sponsors: Wiener; Chiu, Mirkarimi and Campos**

Ordinance amending the San Francisco Administrative Code Sections 21C.2 through 21C.6, and adding Section 21C.7 to: 1) specify the City contracts for services that are subject to the City's prevailing rate of wage requirement (Covered Contracts); 2) consolidate consistent standards for determining and enforcing prevailing rate of wage requirements in all Covered Contracts; 3) provide an employment transition period for workers under successor contracts to all Covered Contracts; 4) provide that all work on Covered Contracts be performed by employees and not independent contractors; and 5) amend the San Francisco Police Code Section 3300C.1 to make conforming changes.

11/01/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/2/2011.

11/09/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and comment. Referred to the Police Department for informational purposes.

12/07/11; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Scott Weiner (Board of Supervisors); Donna Levitt (Office of Labor Standards); Phil Arnold (Human Services Agency); Anne Okubo (Public Health); Harvey Rose (Budget and Legislative Analyst); Naomi Kelly (Purchasing); Supervisor David Campos (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Geoff Piller; Tim Paulson (SF Labor Council); Olga Miranda (Local 21); Joshua Arce; Patrick Regan; Ramon Hernandez; Jim Furgus; Eric Brooks; spoke in support of the matter. Patrick Regan; spoke in opposition of the matter. Walter Paulson; Steve Crabel; spoke neither in support nor opposition on the matter.

12/7/11 – Amended on Page 2, Line 16, to delete ‘property contracts,’; Page 2, Line 17, to delete ‘subcontracts,’ and on page 34, Line 18, after ‘hire’, insert ‘months worked or hours worked for the employer’.

Supervisors Mirkarimi and Campos requested to be added as co-sponsor.

12/07/11; CONTINUED AS AMENDED. Continued to January 4, 2012.

*Heard in Committee: Speakers: Supervisor Scott Weiner (SF Board of Supervisors); David Curto (Human Services Agency); Donna Levitt (Office of Labor Standards Enforcement); Severn Campbell (Budget and Legislative Analyst); provided an overview and responded to questions raised throughout the discussion. Tim Paulson; Male Speaker; Mark Wheatson; Female Speaker; Josh Arce; Male Speaker; Male Speaker; spoke in support of the matter. Jeff Pillar; spoke neither in support nor opposition on the matter.*

*1/4/12 - Amendment of the whole bearing the same title to clarify that the Section 21C.2 does not extend to contracts beyond those entered into by the City specifically for janitorial services on property owned or leased by the City and to insert and exclusion stating that the Section shall not apply to a Contract for Janitorial Services with a non-profit organization to provide work experience for persons with disabilities.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**

Ordinance amending the San Francisco Administrative Code Sections 21C.2 through 21C.6, and adding Section 21C.7 to: 1) specify the City contracts for services that are subject to the City's prevailing rate of wage requirement (Covered Contracts); 2) consolidate consistent standards for determining and enforcing prevailing rate of wage requirements in all Covered Contracts; 3) provide an employment transition period for workers under successor contracts to all Covered Contracts; 4) provide that all work on Covered Contracts be performed by employees and not independent contractors; and 5) amend the San Francisco Police Code Section 3300C.1 to make conforming changes.

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Chu, Mirkarimi, Kim

## ADJOURNMENT

*The meeting adjourned at 12:13 p.m.*