File No. 120606 Committee Item No. 12
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee **Date** June 18 & 22, 2012

Board of Supervisors Meeting **Date** _____

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OTHER (Use back side if additional space is needed)

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Completed by: Victor Young **Date** June 14, 2012
Completed by: Victor Young **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

[Administrative Code - Plan Review and Site Inspection to Ensure Compliance with Federal Disability Laws Fee]

Ordinance amending the San Francisco Administrative Code Section 2A.22.1 to revise and increase the fees charged to City administered or City funded construction projects for plan review and site inspection by the Mayor's Office on Disability for compliance with federal disability access laws; and making environmental findings and findings of consistency with the General Plan.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 120606 and is incorporated herein by reference.

Section 2. The San Francisco Administrative Code is hereby amended by amending Section 2A.22.1, to read as follows:

SEC. 2A.22.1. MAYOR'S OFFICE ON DISABILITY PLAN REVIEW AND SITE INSPECTION FEES.

Any city administered or funded construction project requiring the Mayor's Office on Disability plan review or site inspection for compliance with Federal disability access laws and regulations shall pay a fee consistent with this section. For the purpose of this section, "plan review" includes reviewing and approving architectural drawings, site plans, and construction plans for compliance with Federal disability access laws and regulations prior to the

commencement of work. For the purpose of this section, "site inspection" includes inspecting and approving all work for compliance with Federal disability access laws and regulations during the construction phase of the project.

(a) Plan Review and Site Inspection Fees. At the time the project sponsor submits its architectural drawings, site plans, and construction plans to the Mayor's Office on Disability, the project sponsor shall pay to the Mayor's Office on Disability a fee as set forth below.

TABLE INSET:

Fee Schedule – New Construction:

Total Project Valuation	*Fee*	*# of Plan Reviews included in fee*	*# of Site Inspections included in fee*	*Additional Plan Reviews or Site Inspections*
Up to $200,000	*Hourly rate of $150/hr*	*2*	*2*	*$150/ hr*
$200,000 – $999,999	*$2200 + $310 per each additional $100,000 over the initial $200,000*	*3*	*3*	*$150/ hr*
$1 – $5 million	*$4400 + $75 per each additional $100,000 over the initial $1 million*	*3*	*4*	*$150/ hr*
$5 – $10 million	*$7400 + $22 per each additional $100,000 over the initial $5 million*	*3*	*5*	*$150/ hr*
$10 million and up	*$8500 + $13.50 per each additional $100,000 over the initial $10 million*	*3*	*9*	*$150/ hr*

Fee Schedule – Alterations:

Total Project Valuation	*Fee*	*# of Plan Reviews included in fee*	*# of Site Inspections included in fee*	*Additional Plan Reviews or Site Inspections*
Up to $200,000	*Hourly rate of $150/ hr*	*2*	*2*	*$150/ hr*
$200 K – $999K	*$2640 + $340 per each additional $100,000 over the initial $200,000*	*3*	*3*	*$150/ hr*
$1 – $5 million	*$5040 + $85 per each additional $100,000 over the initial $1 million*	*3*	*4*	*$150/ hr*
$5 – $10 million	*$8440 + $24 per each additional $100,000 over the initial $5 million*	*3*	*5*	*$150/ hr*
$10 million and up	*$9640 + $15 per each additional $100,000 over the initial $10 million*	*3*	*9*	*$150/ hr*

~~*Project Size*~~	~~*Fee*~~
~~*$0 to $100,000*~~	~~*$150*~~
~~*$100,000 to $1,000,000*~~	~~*.15% (.0015) of the total valuation of the project*~~
~~*$1,000,001 to $10,000,000*~~	~~*$1,600 + .05% (.0005) of the total valuation of the project*~~
~~*$10,000,001 and up*~~	~~*$10,000 + .015% (.00015) of the total valuation of the project*~~

For the purposes of this section, "~~t~~*T*otal *Project* ~~v~~*V*aluation ~~*of the project*~~" shall mean the amount as determined under San Francisco Building Code Section 107.2. *In the absence of a waiver under subsection (b), this ordinance does not require* ~~T~~the Mayor's Office on Disability ~~*shall*~~

~~not be required~~ to review the architectural drawings, site plans, and construction plans or conduct any site inspections until the project sponsor pays the fee established by this section.

(b) Waiver. The Director of the Office on Disability may waive the fees received under this section where the project sponsor demonstrates in a written application that payment of such fees would present an undue financial hardship on the project sponsor.

(c) Adjustment of fees by the Controller. No later than July 1st of each year, the Controller shall adjust the fee schedule to ensure that: (1) each fee produces sufficient revenue to support each fee category's costs for the next year, and (2) each fee does not produce revenue which is projected to materially exceed each fee category's costs for the next year. The Controller shall provide a copy of any adjusted fee schedule under this Section 2A.22.1 to the Mayor's Office on Disability. The Mayor's Office on Disability shall post the adjusted fee schedule on its website. The Controller's annual adjustment shall become operative on July 1st of each year.

Section 3. Effective Date. This ordinance shall become effective 30 days from the date of passage.

Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any other constituent part of the Administrative Code that are explicitly shown in this legislation as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Adine Varah
ADINE K. VARAH
Deputy City Attorney

FILE NO. 120606

LEGISLATIVE DIGEST

[Administrative Code - Plan Review and Site Inspection to Ensure Compliance with Federal Disability Laws Fee]

Ordinance amending the San Francisco Administrative Code Section 2A.22.1 to revise and increase the fees charged to City administered or City funded construction projects for plan review and site inspection by the Mayor's Office on Disability for compliance with federal disability access laws; and making environmental findings and findings of consistency with the General Plan.

Existing Law

Under Section 2A.22.1 of the San Francisco Administrative Code, the Mayor's Office on Disability ("MOD") charges fees for its plan review and site inspection of City administered and City funded construction projects.

Amendments to Current Law

This Ordinance would revise and increase the fees for the MOD's plan review and site inspection services to help cover the costs of such services. Specifically, the new fee structure would provide standard fees for standard services based on the cost of the project. Further, the new fee structure provides hourly charges for projects that require supplemental plan review and site inspections. This Ordinance would also require the Controller to adjust the fee annually to ensure cost recovery.

Background Information

The MOD has an architectural access program for plan review and field inspection to ensure that all City construction projects and any City funded construction projects, are accessible to and usable by persons with disabilities, consistent with applicable disability access laws, including the Americans with Disabilities Act. This program includes construction projects that receive public funding administered by the City of San Francisco through the Mayor's Office on Housing, the former Redevelopment Agency, and other City Departments including Public Health and the Human Services Agency among others. According to the MOD, the current fee structure does not cover the actual costs of performing the plan and site reviews.

The Budget and Legislative Analyst Reports for the Mayor's Fiscal Year 2012-2013 to Fiscal Year 2013-2014 Budget for the following files are located in Board of Supervisors **File No. 120591:**

120592
120593
120595
120596
120597
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120599
120600
120601
102602
120603
120604
120605
120606
120607
120608
120609
120638
120641
120642
120673

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Planning Department
Environmental Review Officer

FROM: Angela Calvillo, Clerk of the Board

DATE: June 6, 2012

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Budget and Finance Committee

The Board of Supervisors Budget and Finance Committee has received the following, which is being referred to the Planning Department for determination as to whether the proposed fee increase will impact the environment.

Please provide your findings within 10 days from the date of referral.

File No. 120606

Ordinance amending the San Francisco Administrative Code Section 2A.22.1 to revise and increase the fees charged to City administered or City funded construction projects for plan review and site inspection by the Mayor's Office on Disability for compliance with federal disability access laws; and making environmental findings and findings of consistency with the General Plan.

Please return this cover sheet with the Commission's response to **Victor Young, Clerk, Budget and Finance Committee.**

c: Joy Navarrete, Major Environmental Analysis
Monica Pereira, Major Environmental Analysis

****

RESPONSE FROM PLANNING DEPARTMENT - Date: June 7, 2012

___ **No Comment**

_✓_ **Recommendation Attached**

Statutory exemption. CEQA section 15273 Rates, Tolls, Fares, and Charges

Bill Wycko, Environmental Review Officer

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Telephone (213) 229-5300 / Fax (213) 229-5481
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Victor Young
S.F. BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE

Ad Description vy Budget 6-18-12 Fee Ad 120606

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO CHRONICLE. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the Clerk of the Board. Publication date(s) for this notice is (are):

06/07/2012 , 06/13/2012

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CNS 2327217

NOTICE OF PUBLIC HEARING
BUDGET AND FINANCE COMMITTEE
SAN FRANCISCO BOARD
OF SUPERVISORS

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Committee will a hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, June 18,2 012
Time: 10:00 a.m.
Location: Legislative Chamber, Room 250 located at City Hall,
1 Dr. Carlton B. Goodlett Place, San Francisco,C A

Subject: File No. 120606. Ordinance amending the SanF rancisco Administrative Code Section 2A.22.1 to: 1) revise and increase the fees charged to City administered or City funded construction projects for plan review and site inspection by the Mayor's Office on Disability for compliance with federal disability access laws; and 2) making environmental findings and findings of consistency with general plan.

Ift he Ordinance passes, itw ould authorize an increase to the current fees for the Mayor's Office on Disability Plan Review and Site Inspection as follows:

Fee Schedule - New Construction:

Project Valuations up to $200,000; Fee: Hourly Rate of $150/hr; Includes two Plan Reviews and two Site Inspections; Additional Plan Review or Site Inspections - $150/hr.

Project Valuations $200,000-$999,999; Fee: $2,200 + $310 per each additional $100,000 over the initial $200,000; Includes three Plan Reviews and three Site Inspections; Additional Plan Review or Site Inspections - $150.

Project Valuations $1,000,000-$5,000,000; Fee: $4,400 + $75 per each additional $100,000 over the initial $1,000,000; Includes three Plan Reviews andf our Sitel nspections; Additional Plan Review or Site Inspections - $150/hr.

Project Valuations $5,000,000-$10,000,000; Fee: $,7,400 + $22 per each additional $100,000 over the initial $5,000,000; Includes three Plan Reviews and five Site Inspections; Additional Plan Review or Site Inspections - $150/hr.

Project Valuations $10,000,000 and up; Fee: $8,500 + $13.50 per each additional $100,000 over the initial $10,000,000; Includes three Plan Reviews and nine Site Inspections; Additional Plan Review or Site Inspections - $150/hr.

Fee Schedule - Alterations:

Project Valuations up to $200,000; Fee: Hourly Rate of $150; Includes two Plan Reviews and two Site Inspections; Additional Plan Review or Site Inspections - $150/hr.

Project Valuations $200,000-$999,000; Fee: $2,640 + $340 per each additional $100,000 over the initial $200,000; Includes three Plan Reviews and three Site Inspections; Additional Plan Review or Site Inspections - $150/hr.

Project Valuations $1,000,000-$5,000,000; Fee: $5,040 + $85 per each additional $100,000 over the initial $1,000,000; Includes three Plan Reviews andf our Sitel nspections; Additional Plan Review or Site Inspections - $150/hr.

Project Valuations $5,000,000-$10,000,000; Fee: $8,440 + $24 per each additional $100,000 over the initial $5,000,000; Includes three Plan Reviews and five Site Inspections; Additional Plan Review or Site Inspections - $150/hr.

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No later than July 1st of each year, the Controller shall adjust the fee schedule to ensure that: 1) each fee produces sufficient revenuet os upport eachf ee category's costs for the next year; and 2) each fee does not produce revenue which is projected to materially exceed each fee category's cost for the next year.T he Controller's annual adjustment shall become operative on July 1st of each year.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, personsw ho are unable to attend the hearing on this matter may submit writtenc omments tot heC ity prior tot he time the hearing begins. These comments will be made a part of the official public record in this matter, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available on June 7, 2012.

Angela Calvillo,C lerk oft he Board

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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NOTICE OF PUBLIC HEARING

BUDGET AND FINANCE COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

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Date: **Monday, June 18, 2012**

Time: **10:00 a.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA**

Subject: **File No. 120606.** Ordinance amending the San Francisco Administrative Code Section 2A.22.1 to: 1) revise and increase the fees charged to City administered or City funded construction projects for plan review and site inspection by the Mayor's Office on Disability for compliance with federal disability access laws; and 2) making environmental findings and findings of consistency with general plan.

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In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record in this matter, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available on June 7, 2012.

Angela Calvillo, Clerk of the Board

DATED: June 6, 2012
POSTED: June 7, 2012
PUBLISHED: June 7 and 13, 2012