

File No. 111079

Committee Item No. 6  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 2/16/11

Board of Supervisors Meeting

Date \_\_\_\_\_

**Cmte Board**

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| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

**OTHER**

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Completed by: Linda Wong

Date 2/13/11

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

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

1 [Administrative Code – Additional Preapproval Notice for Certain City Projects]

2  
3 **Ordinance adding Chapter 79A to the San Francisco Administrative Code to expand**  
4 **upon the minimum notice requirements prior to approval of a City Project that are**  
5 **mandated by the Citizens' Right-to-Know Act of 1998.**

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

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

10 Section 1. The San Francisco Administrative Code is hereby amended by adding  
11 Chapter 79A, to read as follows:

12 **CHAPTER 79A**

13 **ADDITIONAL PREAPPROVAL NOTICE FOR CERTAIN CITY PROJECTS**

14 **SEC. 79A.1. Findings.**

15 1. On June 2, 1998, the San Francisco voters adopted Proposition I, the Citizens' Right-to-  
16 Know Act of 1998. Proposition I was codified as Chapter 79 of the San Francisco Administrative  
17 Code.

18 2. Chapter 79 establishes minimum notice requirements prior to the Approval of a City Project  
19 by any city officer, department, board or commission. This Chapter 79A expands upon those notice  
20 requirements.

21 3. In order to make a fully informed decision on projects requiring public notice under this  
22 Chapter, the Board should have information about the nature and extent of the notice provided to the  
23 public by the sponsoring officer, department, board or commission prior to the Board's action on a  
24 proposed City Project.

25 **SEC. 79A.2. Scope.**

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1           The notice requirements of this Chapter 79A shall apply to any City Project that is within the  
2 scope of Chapter 79. The exemptions of Section 79.3 and the requirements applicable to a change in  
3 the project set forth in Section 79.4 shall apply.

4           **SEC. 79A.3. Definitions.**

5           The definitions of "Approve or Approval" and "City Project" shall be as set forth in Section  
6 79.2.

7           "Proposed Project" shall mean any project within the scope of Chapter 79 and this Chapter  
8 where a City department, board, commission, or official makes any decision to potentially fund directly  
9 or administer the project through the use of federal, state, or other funding sources.

10          **SEC. 79A.4. Signposting Requirements.**

11          The signposting requirements of Section 79.5 shall apply, except that the sign shall be posted at  
12 least thirty (30) days prior to consideration of Approval of a City Project.

13          **SEC. 79A.5. Website Notice.**

14          Each city officer, department, board or commission shall post on its official website and  
15 maintain an updated list of all Proposed Projects. At a minimum, the list shall contain a description  
16 and the property address of each Proposed Project. The officer, department, board or commission shall  
17 add a Proposed Project to the list at the earliest time when the following events may occur:

18           (1) either the private sponsor of the Proposed Project or the city officer, department, board or  
19 commission that is considering funding directly or administering the Proposed Project submits an  
20 application for environmental review for the Proposed Project to the Planning Department; or

21           (2) the city officer, department, board or commission decides to fund a pre-development study  
22 for the Proposed Project; or

23           (3) a project has applied to the Mayor's Office of Housing or other City department for funding  
24 in response to a Notice of Funding Availability; or

1           (4) the city officer, department, board or commission takes any step towards potentially funding  
2 or administering a Proposed Project.

3           **SEC. 79A.6. Written Notice.**

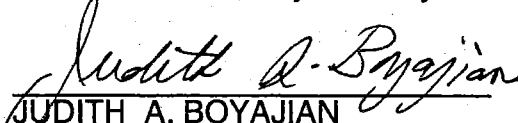
4           A city officer, department, board or commission shall promptly provide notice of any action on  
5 a Proposed Project that is posted on a city website as provided in Section 79.5A to any individual or  
6 neighborhood organization that has indicated, in writing or by e-mail, an interest in a specific property  
7 or geographic area. Such notice may be given either by mail or electronically if the individual or  
8 neighborhood organization has provided electronic contact information. The notice shall be provided  
9 at least 30 days prior to the date of any public hearing or action on the Proposed Project, or within five  
10 days after receipt of the request if the request is made less than 30 days prior to the hearing.

11           **SEC. 79A.7. Information to be Provided to Board of Supervisors by Sponsoring Officer,**  
12 **Department, Board or Commission.**

13           Any sponsoring officer, department, board or commission seeking Board approval of a project  
14 within the scope of this Chapter shall provide to the Clerk of the Board, upon introduction of the  
15 approval action, a description of the notice provided to the public pursuant to Sections 79A.4, 79A.5,  
16 and 79A.6 above.

17  
18           Section 2. Effective Date. This ordinance shall become effective 30 days from the  
19 date of passage.

20  
21 APPROVED AS TO FORM:  
22 DENNIS J. HERRERA, City Attorney

23 By:   
24 JUDITH A. BOYAJIAN  
25 Deputy City Attorney

Supervisor Farrell  
BOARD OF SUPERVISORS

## **LEGISLATIVE DIGEST**

[Administrative Code – Additional Preapproval Notice for Certain City Projects]

**Ordinance adding Chapter 79A to the San Francisco Administrative Code to expand upon the minimum notice requirements prior to approval of a City Project that are mandated by the Citizens' Right to Know Act of 1998.**

### **Existing Law**

In June 1998, the voters adopted Proposition I, which is known as the Citizens' Right-to-Know Act of 1998. Proposition I is codified as Chapter 79 of the San Francisco Administrative Code. It establishes minimum public notice requirements for certain projects that are being funded directly by the City or administered by the City through the use of federal, state or other funding sources.

### **Amendments to Current Law**

The proposed ordinance adds Chapter 79A to the Administrative Code. Chapter 79A expands upon the minimum notice requirements for projects that are within the scope of Chapter 79.

### **Background Information**

Under the current notice provisions for City-funded projects, neighborhood notice comes too late in the process to enable the public to provide meaningful input to the City decisionmakers. Expanding upon the notice that Chapter 79 currently requires and requiring it earlier in the process will address this problem.

