



City and County of San Francisco

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

Meeting Minutes - Final

Land Use and Economic Development Committee

Members: Sophie Maxwell, Eric Mar, David Chiu

Clerk: Alisa Somera (415) 554-4447

Monday, April 19, 2010

1:00 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Sophie Maxwell, Eric Mar and David Chiu

MEETING CONVENED

The meeting convened at 1:08 p.m.

REGULAR AGENDA

100021 [Acceptance of Real Property - Dearborn Street]

Sponsor: Dufty

Resolution authorizing an agreement under which the San Francisco League of Urban Gardeners will transfer title to real property located on Dearborn Street (Lot Nos. 040 and 073, Block No. 3577), the use of which is restricted to a community garden; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, accept the deeds to property and take certain actions in furtherance of this Resolution.

Heard in Committee. Speakers: Supervisor Bevan Dufty, SF Board of Supervisors; Amy Brown, Director of Real Estate; Shellie Stortz, Matt Wilson, Courtney Utt, and Rob Gellar, Dearborn Community Garden; Dr. Hansen; Martin Economou; Ed Frauenheim and Marko Serpas, Dearborn Community Garden; Lotta Garrity; Espanola Jackson; Pat Pierce.

RECOMMENDED.. by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

090584 [Requiring Lighting Efficiency Measures in Commercial and City Buildings]**Sponsors: Dufty; Mayor and Chiu**

Ordinance amending the San Francisco Building Code by adding a new Chapter 13D, Sections 1301D through 1311D, to require commercial buildings to increase efficiency of fluorescent lighting by the year 2011; amending the San Francisco Environment Code by dividing Section 705 into Sections 705 through 705.5 and amending them to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Heard in Committee. Speakers: Supervisor Bevan Dufty, SF Board of Supervisors; Cal Broomhead, Energy Manager, Department of the Environment; Joel Koppel, SF Electrical Industry; John Bozeman, BOMA San Francisco; Janan New; Cheryl Adams, Deputy City Attorney. Supervisor Chiu requested to be added as a co-sponsor.

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

Ayes: 3 - Maxwell, Mar, Chiu

091208 [24th Street - Noe Valley Neighborhood Commercial District - Conditional Use for New Full-Service and Small Self-Service Restaurants]**Sponsor: Dufty**

Ordinance amending the San Francisco Planning Code by amending Section 728.1 and Sections 728.42, 728.44 and 728.69A of the Zoning Control Table to allow new full-service restaurants, small self-service restaurants, and self-service specialty food establishments with conditional use authorization and removing the Specific Provisions for full-service restaurants; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the Priority Policies of Section 101.1.

Heard in Committee. Speakers: Supervisor Bevan Dufty, SF Board of Supervisors; Tara Sullivan, Planning Department; Anastasia Yovanopoulos; Paula Gerhardt; Carol Yenne; Eleanore Gerhardt; Debra Niemann, Noe Valley Association; Gwen Sanderson, Noe Valley Merchants & Professionals Association; Pat Muscavitz; Bill Yenne.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

100332 [Revisions to Integrated Project Delivery Construction Contracting Procedures; Signature Authority for Administrative Code Chapter 6 Contracts and Related Documents]**Sponsors: Maxwell; Mar**

Ordinance amending San Francisco Administrative Code Chapter 6 to revise Section 6.68 concerning integrated project delivery contracting procedures and revise Subsection 6.1(H) to allow a department head to designate an individual to execute, on his or her behalf, contracts awarded under Chapter 6 and related documents.

Heard in Committee. Speakers: Ed Reiskin, Director of Public Works; Alaric Degrafinried, Human Rights Commission; Niecey Joshua; Willie Ratcliff, Liberty Builders; Charlie Walker; Lloyd Kraal; Francisco Da Costa; Espanola Jackson; Len Turner, Turner Group Construction; Michael Baines, Baines Group, Inc.; Charles Adams and Kelton Finney Adams, Albion Power Company; Eddy Lau, Council of Asian American Association; Joshua Arce, Brightline Defense Project; Paul Lucas, Sun Electric; Utuma Belfrey, Sustainable Futures; Bob Riley; Female Speaker. Supervisor Mar requested to be added as a co-sponsor.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending San Francisco Administrative Code Chapter 6 to revise Section 6.68 concerning integrated project delivery contracting procedures and revise Subsection 6.1(H) to allow a department head to designate an individual to execute, on his or her behalf, contracts awarded under Chapter 6 and related documents.

Continued to May 3, 2010.

CONTINUED AS AMENDED to May 3, 2010 by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

100333 [Bid Discount for Small and Micro-Local Business Enterprises that Joint Venture to Bid on Construction Contracts]

Sponsors: Maxwell; Mar

Ordinance amending Administrative Code Section 14B.7(F) to grant bid discounts to Small and Micro-Local Business Enterprises that joint venture with other firms to bid on construction contracts.

Heard in Committee. Speakers: Ed Reiskin, Director of Public Works; Alaric Degrafinried, Human Rights Commission; Niecey Joshua; Willie Ratcliff, Liberty Builders; Charlie Walker; Lloyd Kraal; Francisco Da Costa; Espanola Jackson; Len Turner, Turner Group Construction; Michael Baines, Baines Group, Inc.; Charles Adams and Kelton Finney Adams, Albion Power Company; Eddy Lau, Council of Asian American Association; Joshua Arce, Brightline Defense Project; Paul Lucas, Sun Electric; Utuma Belfrey, Sustainable Futures; Bob Riley; Female Speaker. Supervisor Mar requested to be added as a co-sponsor.

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

Continued to May 3, 2010.

CONTINUED AS AMENDED to May 3, 2010 by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091251 [Development Fee Collection Procedure; Administrative Fee]

Sponsors: Mayor; Dufty

Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or, in the case where a site permit is issued, the first addendum authorizing construction of the project, with a temporary option for the project sponsor to defer payment of 80 percent of the total amount of fees due to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed, to require that any in-kind public benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; providing that the ordinance's operative date is July 1, 2010; and adopting findings, including environmental findings. (Economic Impact.)

Heard in Committee. Speakers: Michael Yarne, Mayor's Office of Economic and Workforce Development; Dan Murphy; Male Speaker; Steve Atkinson; Tim Collin, SF Housing Coalition; Shawn Canon; Brian Spiers, Brian Spiers Construction; Hannah Dufty; John O'Connor; Richard Harris; Paul Driscoll; Male Speaker; Kiernan Dufty.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or, in the case where a site permit is issued, the first addendum authorizing construction of the project, with a temporary option for the project sponsor to defer payment of 80 percent of the total amount of fees due to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed, to require that any in-kind public benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; providing that the ordinance's operative date is July 1, 2010; and adopting findings, including environmental findings.
(Economic Impact.)

Continued to May 3, 2010.

CONTINUED AS AMENDED to May 3, 2010 by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091252 [Affordable Housing Transfer Fee Restriction Alternative for Inclusionary and Jobs Housing Linkage Programs]

Sponsor: Mayor

Ordinance amending the San Francisco Planning Code by amending Sections 313.4 and 315.5 and by adding Section 313.16 to add an alternative for compliance with the Jobs Housing Linkage Program and the Residential Inclusionary Affordable Housing Program by allowing a project sponsor to defer 33% of its obligation under either Program in exchange for recording an Affordable Housing Transfer Fee Restriction on the affected property providing that 1% of the value of the property be paid to the Citywide Affordable Housing Fund at every future transfer of the Property; and making findings including findings under the California Environmental Quality Act.

(Economic Impact.)

Heard in Committee. Speakers: Michael Yarne, Mayor's Office of Economic and Workforce Development; Dan Murphy; Male Speaker; Steve Atkinson; Tim Collin, SF Housing Coalition; Shawn Canon; Brian Spiers, Brian Spiers Construction; Hannah Dufty; John O'Connor; Richard Harris; Paul Driscoll; Male Speaker; Kiernan Dufty.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091275 [Development Impact and In-Lieu Fees]**Sponsors: Mayor; Dufty**

Ordinance amending the San Francisco Planning Code to create Article 4 for development impact fees and requirements, move Planning Code Sections 135(j), 135.3(d), 135.3(e), 139, 143, 149, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4, and renumber and amend the sections; to provide that the Department of Building Inspection will collect the development fees prior to issuance of the first building permit or other document authorizing project construction and verify that any in-kind public improvements required in lieu of a development fee are implemented prior to issuance of the first certificate of occupancy; to allow a project sponsor to defer payment of a development fee upon agreeing to pay a deferral surcharge (Fee Deferral Program), which option shall expire after three years unless further extended; to require the Planning Commission to hold a hearing prior to expiration of the Fee Deferral Program to review its effectiveness and make recommendations to the Board of Supervisors; to add introductory sections to Article 4 for standard definitions and procedures, delete duplicative code provisions and use consistent definitions, language and organization throughout; to require annual Citywide development fee reports and fee adjustments, and development fee evaluations every five years; to provide that the ordinance's operative date is July 1, 2010; and to instruct the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number; adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

Heard in Committee. Speakers: Michael Yarne, Mayor's Office of Economic and Workforce Development; Dan Murphy; Male Speaker; Steve Atkinson; Tim Collin, SF Housing Coalition; Shawn Canon; Brian Spiers, Brian Spiers Construction; Hannah Dufty; John O'Connor; Richard Harris; Paul Driscoll; Male Speaker; Kiernan Dufty.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Planning Code to create Article 4 for development impact fees and requirements, move Planning Code Sections 135(j), 135.3(d), 135.3(e), 139, 143, 149, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4, and renumber and amend the sections; to provide that the Department of Building Inspection will collect the development fees prior to issuance of the first building permit or other document authorizing project construction and verify that any in-kind public improvements required in lieu of a development fee are implemented prior to issuance of the first certificate of occupancy; to allow a project sponsor to defer payment of a development fee upon agreeing to pay a deferral surcharge (Fee Deferral Program), which option shall expire after three years unless further extended; to require the Planning Commission to hold a hearing prior to expiration of the Fee Deferral Program to review its effectiveness and make recommendations to the Board of Supervisors; to add introductory sections to Article 4 for standard definitions and procedures, delete duplicative code provisions and use consistent definitions, language and organization throughout; to require annual Citywide development fee reports and fee adjustments, and development fee evaluations every five years; to provide that the ordinance's operative date is July 1, 2010; and to instruct the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number; adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

Continued to May 3, 2010.

CONTINUED AS AMENDED to May 3, 2010 by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

ADJOURNMENT

The meeting adjourned at 4:18 p.m.