



# City and County of San Francisco

## Meeting Agenda

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

### Land Use and Economic Development Committee

*Members: Sophie Maxwell, Eric Mar, David Chiu*

*Clerk: Alisa Somera (415) 554-4447*

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Monday, December 6, 2010

1:00 PM

City Hall, Committee Room 263

### Regular Meeting

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*Note: Each item on the Consent or Regular agenda may include the following documents:*

- 1) Legislation*
- 2) Budget and Legislative Analyst report*
- 3) Department or Agency cover letter and/or report*
- 4) Public correspondence*

*These items will be available for review at City Hall, Room 244, Reception Desk.*

*Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

## AGENDA CHANGES

## REGULAR AGENDA

1. [101448](#) [Installation of Public Art in the Hunters Point Shipyard Redevelopment Project Area - \$80,000]

**Sponsor: Maxwell**

Resolution making findings under Section 33445 of the California Health and Safety Code and consenting to the Redevelopment Agency using approximately \$80,000 in designated federal grant monies for the installation of Public Art in the Hunters Point Shipyard Redevelopment Project Area.

**Attachments:** [Legislation Ver1](#)

[Comm Packet 120610](#)

11/16/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

11/23/10; REFERRED TO DEPARTMENT. Referred to the San Francisco Redevelopment Agency for information purposes only.

2. [101449](#) **[Rehabilitation of Building 813 in the Hunters Point Shipyard Redevelopment Project Area - \$7,258,890]**  
**Sponsor: Maxwell**  
Resolution making findings under Section 33445 of the California Health and Safety Code and consenting to the Redevelopment Agency of the City and County of San Francisco's payment of funds in the amount of \$7,258,890 for the pre-development and rehabilitation of Building 813 in the Hunters Point Shipyard Redevelopment Project Area.  
**Attachments:** [Legislation VER1](#)  
[Comm Packet 120610](#)

11/16/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

11/29/10; REFERRED TO DEPARTMENT. Referred to the San Francisco Redevelopment Agency for information purposes only.

3. [101006](#) **[Administrative Code - Revisions to Local Business Enterprise Ordinance]**  
**Sponsors: Chu; Chiu**  
Ordinance amending Administrative Code Chapter 14B to set a separate minimum competitive amount applicable to general services contracts; to clarify ownership requirements for certification of local businesses with no single majority owner; to limit the SBA-LBE program to construction and construction-related contracting; to clarify requirements for setting aside contracts under the mandatory Micro-LBE Set-Aside program; to revise subcontracting goals for professional services contracts to apply to contracts that exceed the minimum competitive amount; to revise good faith efforts outreach and documentation requirements to apply to contracts that exceed the threshold amount or minimum competitive amount; to simplify reporting requirements; and to make technical corrections.  
**Attachments:** [Legislation Ver1](#)  
[Leg Digest Ver1](#)  
[Response Small 091710](#)  
[Comm Packet 120610](#)

7/27/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

8/17/10; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation; and the Human Rights Commission, Public Utilities Commission, Department of Public Works, and Planning Department for informational purposes only.

9/17/10; RESPONSE RECEIVED. On September 13, 2010 the Small Business Commission heard and recommended approval of the proposed legislation.

4. [101007](#) **[Administrative Code - Revising Requirements for Purchasing Goods and Services]**

**Sponsors:** Chu; Chiu

Ordinance amending Administrative Code Chapters 21 and 21C to conform Purchasing requirements to Administrative Code Chapter 14B by defining minimum competitive amounts of \$100,000 for professional services and commodities contracts and \$400,000 for general services contracts, clarify "bid-splitting," and make miscellaneous changes to City procurement requirements; to clarify information technology purchases; to update and conform references to Administrative Code Chapter 14B; to rescind the Sealer of Weights and Measures' authority under Section 21.32 to donate food purchases; to rescind the local tax adjustment set forth in Administrative Code Chapter 21C; to enact a new Section 21.32 to adjust bids likely to result in local sales tax revenue; to reenact and renumber Administrative Code Sections 21.25, 21.25-1, 21.25-2, 21.25-3, 21.25-4, and 21.25-x regarding prevailing wage requirements as Chapter 21C; and to make certain technical corrections.

**Attachments:** [Legislation\\_Ver1](#)

[Leg\\_Digest\\_Ver1](#)

[Response\\_Small\\_091710](#)

[Comm\\_Packet\\_120610](#)

7/27/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

8/17/10; REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation; and the Human Resources Department, Office of the Controller, Mayor's Budget Office, Department of Technology, Office of the City Administrator and the Office of the Treasurer-Tax Collector for informational purposes.

9/28/10; RESPONSE RECEIVED. The Small Business Commission provided its response and recommendation of approval.

**5. [101105](#) [Environment Code - Existing Commercial Buildings Energy Performance]****Sponsors: Mayor; Dufty**

Ordinance amending the San Francisco Environment Code by adding Chapter 20, Sections 2000 through 2009, to adopt the San Francisco Existing Commercial Buildings Energy Performance Ordinance, requiring owners of nonresidential buildings to conduct Energy Efficiency Audits of their properties and file Annual Energy Benchmark Summaries for their buildings, and making environmental findings.

**Attachments:** [Legislation Ver1](#)[Response Small 091710](#)[Response PLN 092810](#)[Legislation Ver2](#)[Leg Digest Ver2](#)[Comm Packet 120610](#)

8/10/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/1/10; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation. Referred to the Planning Department for environmental review. Referred to the Department of the Environment, Department of Building Inspection, US Environmental Protection Agency and the American Society of Heating, Refrigerating, and Air-conditioning Engineers, Inc., for informational purposes.

9/28/10; RESPONSE RECEIVED. On September 13, 2010 the Small Business Commission heard and recommended approval.

9/28/10; RESPONSE RECEIVED. Non-physical per CEQA Guidelines Section 15060 (c)(2).

11/23/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

6. [101091](#) **[Planning Code - Conditional Use Authorization for "Other Entertainment Uses" in the Van Ness Avenue Special Use District and Commercial Establishment Use Controls in RC Districts]**

**Sponsor: Alioto-Pier**

Ordinance amending the San Francisco Planning Code by amending Sections 243 and 209.8 to require conditional use authorization for "Other Entertainment Uses" in the Van Ness Avenue Special Use District and that the Commercial Establishment use controls of the nearest C-2 District apply in RC Districts; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**Attachments:** [Legislation\\_Ver1](#)

[Leg\\_Digest\\_Ver1](#)

[Response\\_PLN\\_092010](#)

[Response\\_SBC\\_120110](#)

[Legislation\\_Ver2](#)

[Leg\\_Digest\\_Ver2](#)

[Comm\\_Packet\\_120610](#)

9/3/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for review and recommendation; and the Entertainment Commission for informational purposes.

9/20/10; RESPONSE RECEIVED. Non-physical per CEQA Guidelines Section 15060(c)(2).

11/23/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

12/1/10; RESPONSE RECEIVED. 11/22/10 - Small Business Commission's Legislation and Policy Committee approved a dual recommendation.

7. [100495](#) **[Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]**

**Sponsor: Alioto-Pier**

Ordinance amending Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain environmental documents and determinations under the California Environmental Quality Act, to clarify procedures and to provide public notice of environmental documents and determinations.

**Attachments:** [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 050410](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Response PLN 071410](#)

[Budget Analyst 080410](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Comm Packet 092710](#)

[Comm Packet 102510](#)

[Comm Packet 111510](#)

[Legislation Ver4](#)

[Leg Digest Ver4](#)

[Comm Packet 120610](#)

4/20/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

4/27/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for review and recommendation.

5/4/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2).

7/14/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18116 and Historic Preservation Commission Resolution No. 649 recommended approval with modifications.

7/20/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

7/20/10; SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

7/26/10; REFERRED TO DEPARTMENT. Referred the substitute legislation to the Planning Department for review and comment.

9/21/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee. Supervisor Alioto-Pier submitted a substitute ordinance bearing same title.

9/23/10; REFERRED TO DEPARTMENT. Referred the substitute legislation (version 3) to the Planning Department for review and comment.

9/27/10; CONTINUED. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Alioto-Pier; AnMarie Rodgers and Bill Wycko, Planning Department; Zach Stewart, Canessa; Sue Vaughan, Sierra Club; David Tornheim; Nan Roth, Telegraph Hill Dwellers; Paul Wermer; Bret Gladstone; Tom Radulavich, Livable City; David Pilpel; David Glover. Continued to October 25, 2010.

10/25/10; CONTINUED. Speaker: David Glover.

Continued to November 15, 2010.

11/15/10; CONTINUED. Speaker: Joan Wood.

11/16/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

8. [100041](#) **[Public Works Code, Administrative Code - Personal Wireless Service Facility Site Permits and Associated Fees]**

**Sponsors: Avalos; Campos and Mar**

Ordinance amending the San Francisco Public Works Code by: (1) adding Article 25, Sections 1500 through 1528, to establish new requirements for Personal Wireless Service Facility Site Permits and to increase certain fees for obtaining such permits, (2) amending the San Francisco Administrative Code by amending Chapter 11, Article 1, Section 11.9, to eliminate obsolete provisions related to such permits, (3) making the provisions of the ordinance retroactive, and (4) making environmental findings.

**Attachments:** [Legislation Ver1](#)

[Response PLN 012010](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Comm Packet 120610](#)

1/12/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

1/19/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. Referred to the Department of Public Works, Department of Public Health, Planning Department and Recreation and Parks Department for informational purposes.

1/20/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3) and 15378.

8/3/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

8/31/10; REFERRED TO DEPARTMENT. Re-referred the substitute legislation to the Department of Public Works, Department of Public Health, Planning Department, and Recreation and Park Department for informational purposes.

10/26/10; RESPONSE RECEIVED. On October 7, 2010 the Planning Commission held a public hearing and recommended approval of the proposed legislation by Resolution No. 18192.

11/2/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

11/5/10; REFERRED TO DEPARTMENT. Re-referred the substitute legislation (version 3) to the Department of Public Works, Department of Public Health, Planning Department, and Recreation and Park Department for informational purposes.

9. [101283](#) **[San Francisco Public Utilities Commission's Community Benefits Program]**  
**Sponsor: Maxwell**  
Hearing on the status of the San Francisco Public Utilities Commission's Community Benefits Program.  
**Attachments:** [Comm\\_Packet\\_101810](#)  
[Comm\\_Packet\\_112210](#)  
[Comm\\_Packet\\_120610](#)
- 10/5/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
- 10/18/10; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Ed Harrington, General Manager, Public Utilities Commission; Rhonda Simmons, Mayor's Office of Economic and Workforce Development; Juliet Ellis, Public Utilities Commission; Darolyn Davis and Bernida Reagan, Davis & Associates Communications; Tommy Moala, Assistant General Manager – Wastewater Enterprise, Public Utilities Commission; Espanola Jackson; Eric Brooks; Deidje Gipson; Terry Anders; Joshua Arce.
- 11/22/10; CONTINUED. Speakers: Espanola Jackson; Francisco Da Costa.
- Continued to December 6, 2010.
10. [101485](#) **[Southeast Digester Task Force - Biosolids Digester Facility Project]**  
**Sponsor: Maxwell**  
Resolution urging the Public Utilities Commission to incorporate the Southeast Digester Task Force recommendations into the Biosolids Digester Facility Project, to select the preferred site and expedite implementation.  
**Attachments:** [Legislation\\_Ver1](#)  
[Comm\\_Packet\\_120610](#)
- 11/23/10; RECEIVED AND ASSIGNED to the Rules Committee.
- 12/1/10; TRANSFERRED to the Land Use and Economic Development Committee.
11. [101486](#) **[Commending the Community Benefits Program]**  
**Sponsor: Maxwell**  
Resolution commending the San Francisco Public Utilities Commission's Community Benefits Program.  
**Attachments:** [Legislation\\_Ver1](#)  
[Comm\\_Packet\\_120610](#)
- 11/24/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING to the Board of Supervisors.
- 12/1/10; TRANSFERRED to the Land Use and Economic Development Committee.

## ADJOURNMENT



## IMPORTANT INFORMATION

*NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Land Use Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.*

*NOTE:*

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

## LEGISLATION UNDER THE 30-DAY RULE

### **(Not to be considered at this meeting)**

*Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.*

**There are no items currently pending under the 30-day rule.**

## Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room.

The public is encouraged to testify at Committee meetings and to write letters to the Clerk of the Board or to Supervisors: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求  
請電 (415) 554-7719**

## Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness,

multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)