

**City and County of San Francisco  
Land Use and Economic Development Committee**

*City Hall, Room 263*



**Meeting Agenda  
Monday, June 1, 2009  
1:00 PM  
Regular Meeting**

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

***Clerk: Linda Laws (415) 554-4441***

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*Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation 2) Budget Analyst report 3) Legislative Analyst report*

*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. 090638 [Accept and Expend Grant - Department of Public Health - Supervisors Maxwell, Dufty \$1,925,719]**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California Department of Corrections and Rehabilitation (CDCR) in the amount of \$1,925,719 to expand the City's treatment capacity for mentally ill parolees; for the period of June 1, 2009, through June 30, 2012.

5/19/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

5/28/09, TRANSFERRED to Land Use and Economic Development Committee.

- 2. 081525 [Sale of City Property Subject to Declaration of Covenants] Mayor**
- Ordinance authorizing the sale of twelve City-owned properties located along the former Central Freeway right of way and the newly constructed Octavia Boulevard by public auction or pursuant to negotiated purchase and sale agreements and subject to a declaration of covenants; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sales are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.
- 11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 3/30/09, CONTINUED. Heard in Committee. Speakers: Rich Hillis, Office of Economic and Workforce Development; Bryan Hornbeck, SFSA; Lynn Valente; Robin Levitt, HVNA; Paul Olsen. Continued to April 27, 2009.
- 4/27/09, CONTINUED. Speakers: None. Continued to May 18, 2009.
- 5/18/09, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Rich Hillis, Office of Economic and Workforce Development; Alex Lantsberg, Carpenter's Local 22; Espanola Jackson; Aaron Goodman, Parkmerced Residents Association. 5/18/09 Amendment of the Whole bearing new title.
- 5/18/09, CONTINUED AS AMENDED. Continued to June 1, 2009.
- 3. 090026 [Requiring Amended Certificates of Final Completion and Occupancy for Changes of Occupancy of Existing Buildings] Supervisor Mirkarimi**
- Ordinance amending the San Francisco Building Code by amending Section 109A to provide that an Amended Certificate of Final Completion and Occupancy shall be issued for an existing building where there is an increase in the number of legal dwelling units resulting in a change of occupancy, and to require the Amended Certificate of Final Completion and Occupancy to include a reference to the date of the first certificate of occupancy and any subsequent certificates of occupancy that have been issued for the building; amending the Planning Code by adding Section 359 to provide that a requirement to pay a development impact fee prior to issuance of a certificate of occupancy shall include payment of the fee prior to issuance of an amended certificate of occupancy.
- 1/13/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/12/2009.
- 1/15/09, REFERRED TO DEPARTMENT. Referred to Building Inspection Commission for review and comment; referred to Planning Department for environmental review.
- 1/26/09, RESPONSE RECEIVED. Non-physical per CEQA Guidelines Section 15060(c)(2).
- 5/5/09, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.
- 5/5/09, ASSIGNED to Land Use and Economic Development Committee.
- 5/11/09, CONTINUED. Heard in Committee. Speakers: Supervisor Mirkarimi; Tim Colen, SF Housing Action Coalition; Ted Gullickson. Continued to June 1, 2009.

## 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 and Economic Development 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.*

### **090477 [Amending Planning Code - South of Market (SOMA) Community Stabilization Fund]**

**Supervisor Daly**

Ordinance amending Section 318.2 and 318.7 of the San Francisco Planning Code to clarify certain provisions relating to the South of Market (SOMA) Stabilization Fund to clarify that the Mayor's Office of Community Investment, the successor to the Mayor's Office of Community Development, will manage and expend the Fund; and amending Section 318.3 to clarify that the SOMA Stabilization fee is due before issuance of the final certificate of occupancy or within a time certain after the issuance of a first certificate of occupancy, whichever is sooner; and making certain findings including findings under the California Environmental Quality Act.

4/21/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/21/2009.

4/27/09, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review and Planning Commission for public hearing and recommendation.

5/7/09, RESPONSE RECEIVED. Non-physical per CEQA Guidelines Section 15060(c)(2).

- 090554**      **[Building Code - Registration of Vacant/Abandoned Buildings; Annual Fee and Penalties for Violation]**      **Supervisors Chiu, Dufty**
- Ordinance amending the San Francisco Building Code by adding Section 103A.4 to require the owner of a vacant or abandoned building to register the building with the Department of Building Inspection, require the owner to maintain the grounds and the exterior and interior of the building in good condition, and provide that a property in violation of the requirements is a public nuisance; and by amending Section 110, Table 1A-J to establish an annual registration fee; adopting environmental and other findings.
- 5/5/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/4/2009.
- 5/12/09, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and Planning Commission and Building Inspection Commission for public hearing and recommendation.
- 5/13/09, REFERRED TO DEPARTMENT. Referred to Planning Department for fee review.
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- 090555**      **[Amendments to the Police Code by adding Section 1.1 designating Clipper Cove as a Special Use Area]**      **Supervisor Daly**
- Ordinance amending the San Francisco Police Code by adding Section 1.1 designating Clipper Cove as a Special Use Area, making it a misdemeanor to moor or anchor a vessel in Clipper Cove without a valid permit issued by the Treasure Island Development Authority ("TIDA"), or its designee, and allowing TIDA to remove and store vessels moored in violation of this Ordinance.
- 5/5/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/4/2009.
- 5/18/09, REFERRED TO DEPARTMENT. Referred to Police Department for informational purposes.
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- 090583**      **[Just cause eviction protections for residential tenants, extend to non-rent controlled units]**      **Supervisor Avalos**
- Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (i.e., most residential rental units with a certificate of occupancy issued after June 13, 1979); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units.
- 5/12/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/11/2009.
- 5/21/09, REFERRED TO DEPARTMENT. Referred to the Residential Rent Stabilization & Arbitration Board for informational purposes.
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- 090584**      **[Requiring Lighting Efficiency Measures in Commercial and City Buildings]**      **Supervisor Dufty**
- Ordinance amending the San Francisco Building Code by adding a new Chapter 13D to require

commercial buildings to increase efficiency of fluorescent lighting by 2011; amending Section 705 of the Environment Code 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.

5/12/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/11/2009.

5/20/09, REFERRED TO DEPARTMENT. Referred to Building Inspection Commission for public hearing and comment; Planning Department for environmental review; Small Business Commission for review and comment; and Department of the Environment for informational purposes.

### **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 at a Committee meeting 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) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Agendas are available on the internet at [www.sfgov.org/site/bos\\_meetings](http://www.sfgov.org/site/bos_meetings)

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting 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 en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



### **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 J, K, L, M, N, and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

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 decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine 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 Frank Darby by mail to 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 contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.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 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)