



City and County of San Francisco

Meeting Agenda - Final

Land Use and Economic Development Committee

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

Members: Sophie Maxwell, Eric Mar, David Chiu

Clerk: Alisa Somera (415) 554-4447

Monday, December 14, 2009

1:00 PM

City Hall, Committee Room 263

Regular Meeting

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

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) 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. [090319](#) **[Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in NC-1 Designated Parcels Along Randolph and Broad Streets, from 19th Avenue to San Jose Avenue]**
Sponsor: Avalos
Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in NC-1 designated parcels along Randolph and Broad Streets, from 19th Avenue to San Jose Avenue; amending Section 710.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
Attachments: [Comm Packet](#)

3/17/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

3/24/09; REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation. Referred to Planning Department for environmental review.

3/26/09; RESPONSE RECEIVED. Non-physical per CEQA Guidelines Section 15060(c)(2).

8/4/09; SUBSTITUTED.

8/4/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

8/13/09; REFERRED TO DEPARTMENT. Referred substituted version to Planning Commission for public hearing and recommendation.

11/18/09; RESPONSE RECEIVED. Planning Commission Resolution No. 17974 recommending approval with modifications.
2. [091398](#) **[San Francisco Public Utilities Commission - Feasibility Analysis of Local Cogeneration Projects and Update on the Electricity Resource Plan]**
Sponsor: Maxwell
Hearing on the San Francisco Public Utilities Commission's analysis of the feasibility and environmental benefits of possible local cogeneration projects, and an update on the Electricity Resource Plan including timing and the role of cogeneration in the report.
Attachments: [Comm Packet](#)

12/8/09; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

3. [091162](#) **[Purchaser's Authority to Permit Informal Solicitation of Certain Contracts for Purchase of Goods or Services and to Set Aside Contracts for Small Local Businesses]**

Sponsors: Chu; Chiu and Maxwell

Ordinance amending Administrative Code section 21.5 to allow Purchaser to permit informal solicitation for contracts for commodities and services up to \$100,000 and for those contracts utilizing federal grant funds where authorized and to update Purchaser's authority to set aside contracts for local small businesses.

Attachments: [Legislation Ver1](#)

[Legislation Ver2](#)

[Comm Packet](#)

10/6/09; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

10/20/09; SUBSTITUTED. Supervisor Chu submitted a substitute ordinance bearing same title.

10/20/09; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

10/29/09; TRANSFERRED to the Land Use and Economic Development Committee.

11/30/09; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

4. [091163](#) [Economic Stimulus Measures for Capital Project Acceleration]**Sponsors: Chu; Chiu, Maxwell and Mayor**

Ordinance amending Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Section 6.1, to add a definition for a department head and designee and to increase the threshold amount for sealed competitively bid construction contracts from \$100,000 to \$400,000, with a future increase by the Controller in 2015; amending Section 6.20, to update and conform references to Administrative Code Chapter 14B; amending Section 6.21, to update and conform references to Administrative Code Chapter 14B; amending Section 6.22(A), to clarify and conform to state law the minimum contract amount requiring performance and payment bonds to \$25,000; amending Section 6.22(J), to allow for early release of retention to subcontractors certified by the Human Rights Commission as Local Business Enterprises or subcontractors on multi-year construction projects; amending Section 6.40, to increase the minimum competitive amount for the procurement of professional services for public work projects from \$25,000 to \$100,000, with a future increase in 2015 by the Controller; amending Section 6.60 to update and conform references to the Municipal Transportation Agency; amending Section 6.62, Job Order Contracts, to amend the Local Business Enterprise goal enforcement procedure and allow for micro-LBE set-asides, to increase the maximum contract amount from \$3,000,000 to \$5,000,000 and the maximum contract time to five years, to increase the maximum service order amount from \$200,000 or \$400,000 (depending on the program) to \$400,000 for all purposes, and adding new subcontractor listing and subcontractor substitution requirements.

Attachments: [Legislation Ver1](#)

[Legislation Ver2](#)

[Comm Packet](#)

10/6/09; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

10/29/09; TRANSFERRED to the Land Use and Economic Development Committee.

12/1/09; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation; referred to the Human Rights Commission for information.

12/8/09; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

12/9/09; REFERRED TO DEPARTMENT. Referred substitute to Small Business Commission for review and recommendation. Referred substitute to the Human Rights Commission for informational purposes. Referred to Public Works Department for informational purposes.

5. [091404](#) [Procedures to Attain Local Business Enterprise Subcontracting Goals for Design-Build and Integrated Project Delivery Contracts]**Sponsor: Chiu**

Ordinance amending Administrative Code Chapter 14B, Local Business Enterprise and Non-Discrimination In Contracting Ordinance, to add a new Section 14B.19 establishing uniform procedures to attain project LBE goals for design-build and integrated project delivery contracts.

Attachments: [Legislation Ver1](#)

[Comm Packet](#)

12/8/09; ASSIGNED to the Land Use and Economic Development Committee. President Chiu waived the 30 day rule.

12/9/09; REFERRED TO DEPARTMENT. Referred to the Human Rights Commission for informational purposes.

12/10/09; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

6. [091405](#) **[Local Business Enterprise and Non-Discrimination in Contracting Ordinance]**

Sponsors: Chiu; Chu, Maxwell and Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 14B.2, 14B.3, 14B.7, 14B.8, 14B.13 to (1) each fiscal year, require departments to set aside not less than 50% of public works/construction contracts worth \$400,000 or less and not less than 50% of other contracts worth \$100,000 or less for the Micro-Local Business Enterprise Set Aside Program, (2) permit departments to designate Job Order Contracts, without limitation as to dollar value, as set aside for the Micro-Local Business Enterprise Set Aside Program in order to satisfy the department's 50% requirement, (3) require departments to report quarterly during the year 2010 and thereafter yearly to the Board of Supervisors on the contracts set aside for the Micro-Local Business Enterprise Set Aside Program, and to cooperate with HRC's requests for information to fulfill its reporting requirements, and (4) require Micro - LBEs that subcontract any portion of a set-aside contract to perform at least 25% of the contract work, (5) create a SBA-LBE category, in addition to the Small and Micro-LBE categories, that gives contractors with income set with reference to Small Business Administration limits a bid preference of 2% on contracts between \$5,000,000 and \$20,000,000, and (6) contractors who achieve total LBE participation in excess of 35% of their established LBE subcontracting and subconsulting goals are to be excepted from satisfying good faith outreach requirements.

Attachments: [Comm Packet](#)

[Legislation Ver1](#)

12/8/09; ASSIGNED to the Land Use and Economic Development Committee. President Chiu waived the 30 day rule.

12/10/09; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation. Referred to the Human Rights Commission, Public Utilities Commission and the Department of Public Works for informational purposes.

7. [091200](#) **[Inter-Departmental Coordination with Large Public and Private Events in Golden Gate Park]**

Sponsors: Mar; Chu

Hearing to discuss inter-departmental coordination with large public and private events in Golden Gate Park which will be based around transportation, parking, noise, outreach, and neighborhood notification.

Attachments: [Comm Packet](#)

10/20/09; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

8. **090835** **[Residential Rent Ordinance: Prohibiting Owner Move-In Evictions of Families with Children; and Changing the Definition of "Disabled" Tenants Protected from Owner Move-In Evictions]**

Sponsors: Mar; Chiu

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.9(i) to prohibit owner move-in evictions where any tenant is under the age of 18 and a member of a household which has resided in the unit for at least 12 months.

Attachments: [Legislation Ver2](#)
[Comm Packet](#)

6/23/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

6/30/09; REFERRED TO DEPARTMENT. Referred to City Attorney to approve as to form.

8/17/09; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee.

Speakers: Dr. Mitch Katz, Director, Department of Public Health; Alexa Delwiche, Office of the Legislative Analyst; Delene Wolf, Executive Director, SF Rent Board; Maria Luz Torre; Ethel S. Silverstein; Richard Hanlin; Cinthya, St. Peter's Housing Committee; Peter Reitz, Small Property Owners of SF; Lisa Tresca; Noni Richen, Small Property Owners of SF; Susan Prentice, SEIU; Ted Gullicksen, SF Tenants Union; Jazzie Collins, SOMCAN; Hene Kelly, SAN; Mai Doan and Jack DeJesus, SOMCAN; Andrew Long; Christina Olague, Senior Action Network; Mr. Leong (translated); Sara Shortt, Housing Rights Committee; Lupe Arreola, SF Human Rights Commission; Karen Luchiana; Natasha; Andreas Benjamin; Chelsea Boilard, Coleman Advocates; Carla Lechne; Janan New, Apartment Association; Male Speaker.

08/17/09 - Amendment of the whole, bearing a new title.

08/17/09 - Supervisor Chiu requested to be added as a co-sponsor.

8/17/09; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

8/18/09; REFERRED TO DEPARTMENT. Referred to Youth Commission for review and recommendation.

9/24/09; RESPONSE RECEIVED. Youth Commission voted to support the proposed ordinance with modifications.

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.

091334

[Booths and Other Private Spaces in Places of Entertainment and Extended Hours Premises]

Sponsor: Mar

Ordinance amending Sections 1060.10 and 1070.13 of the Police Code to state the visibility requirement applicable to booths and other private spaces in Places of Entertainment and Extended-Hours Premises; to state the purpose of the visibility requirement; and to authorize the Entertainment Commission to adopt regulations implementing the visibility requirement.

Attachments: [Legislation_Ver1](#)

11/17/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

12/2/09; REFERRED TO DEPARTMENT. Referred to the Police Department for informational purposes. Referred to the Entertainment Commission for informational purposes.

091406**[Street Encroachment at 1 Webster Street]****Sponsor: Dufty**

Ordinance granting revocable permission to Cross Cultural Family Center, Inc. to occupy a portion of the public right-of-way to construct and maintain a fenced outdoor play space with a trellised entry, a seating area and stroller parking on the west side of Webster Street between Duboce Avenue and Hermann Street, for a new child development center at 1 Webster Street (Block No. 0874, Lot No. 014); waiving the annual right-of-way occupancy assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)

12/8/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

091407**[Recreation and Park Department - Naming Parcel 4 as Sutro Dunes]****Sponsors: Mar; Maxwell**

Ordinance amending the San Francisco Park Code by renaming Article 1 as "Title and General Provisions" and adding Section 1.05 to name the parcel located at the junction of the Great Highway and Balboa Street "Sutro Dunes".

Attachments: [Legislation Ver1](#)

12/8/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

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

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.

**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

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.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 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics