

**City and County of San Francisco**

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



**MEETING MINUTES**

**Monday, August 10, 2009**

**1:00 PM**

**City Hall, Committee Room 263**

**Regular Meeting**

Land Use and Economic Development Committee

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

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

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

**Members Excused:** *None.*

**Members Absent:** *None.*

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**MEETING CONVENED**

The meeting convened at 1:06 p.m.

**REGULAR AGENDA**

**090810 [Street Artist Spaces - Hayes Street near Octavia]**

Resolution approving designation for six (6) months of four (4) temporary selling spaces on Hayes Street, north side, near Octavia Street for street artists certified by the Arts Commission, City and County of San Francisco; said spaces subject to Board of Supervisors review. (Arts Commission)

6/11/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/13/09, CONTINUED. Heard in Committee. Speakers: Supervisor Dufty; Howard Lazar, Arts Commission; William Clark; Robert Clark; Russell Pritchard, Hayes Valley Merchant Association. Continued to August 10, 2009.

Speakers: None.

Continued to September 21, 2009.

**CONTINUED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**090966 [Opposing BART surcharge]**

**Supervisors Chiu, Dufty,  
Campos, Mirkarimi, Maxwell,  
Avalos**

Resolution opposing BART surcharge on SFO employees.

7/28/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

8/4/09, REFERRED to Land Use and Economic Development Committee. Supervisor Avalos requested to be added as a co-sponsor.

Heard in Committee. Speakers: Carter Mau, Executive Manager, Planning and Budget, BART; Riddhi Mehta, Unite Here, Local 2; Jim Stevens, Air Transport Association.

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**090889 [Regulations for Mortgage Modification Consultants]**

**Supervisors Campos, Maxwell,  
Mirkarimi, Dufty, Chiu, Chu**

Ordinance amending the San Francisco Police Code by adding Article 27 to regulate mortgage modification consultants by: (1) requiring a written contract describing mortgage modification services to be provided prior to initiation of services; (2) requiring that any contract entered into for these services provide notice that the contract may be cancelled within fourteen calendar days and that services may be obtained free of charge from nonprofit sources; (3) prohibiting collection of fees until the consultant has obtained a written loan modification offer for the homeowner; and (4) providing for enforcement by criminal penalties and a private cause of action for homeowners, and making environmental findings.

7/7/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/7/2009.

7/23/09, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; referred to Small Business Commission for comment and recommendation.

7/24/09, RESPONSE RECEIVED. Not a project under CEQA Guidelines Section 15378.

Heard in Committee. Speakers: Katie Mullencamp, Assessor's Office; Lenore Anderson, District Attorney's Office; Supervisor David Campos; Vherny Rustmar and Josie Ramirez, Mission Economic Development Agency; Karen Becker; Dwayne Archie, San Francisco Acorn; Male Speaker; Dairo Romero, MEDA.

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**090866 [Traffic Regulation - Closure of McCoppin Street west of  
Valencia Street to vehicular traffic]**

**Supervisor Mirkarimi**

Resolution closing McCoppin Street west of Valencia Street to vehicular traffic; adopting findings, including environmental and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1; and authorizing official acts in connection with the street closure.

6/30/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speaker: Frank Lee, Department of Public Works.

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**090933 [Unpermitted Subsidewalk Encroachment into Public Right-of-  
Way]**

**Supervisors Chiu, Elsbernd**

Ordinance amending Article 15 of the San Francisco Public Works Code by adding Section 723.3, establishing that an unpermitted subsidewalk encroachment into the public right-of-way along the Central Subway Corridor constitutes a public nuisance.

7/21/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speaker: Judson True, Municipal Transportation Authority.

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**090934 [Public Works Code - Appellate body for minor sidewalk encroachments] Supervisors Chiu, Elsbernd**

Ordinance amending Public Works Code Section 723.2 to change the appellate body for Minor Sidewalk Encroachment Permits for subsidewalk encroachments from the Board of Appeals to the Board of Supervisors.

7/21/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speaker: Judson True, Municipal Transportation Authority.

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**090554 [Building Code - Registration of Vacant/Abandoned Buildings; Maintenance and Security Requirements; Annual Fee and Penalties for Violation] Supervisors Chiu, Duffy**

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 secured and 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. 6/30/09 - Submitted ad for publication on July 2 and July 9, 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.

5/26/09, RESPONSE RECEIVED. Non-physical per CEQA Guidelines Section 15060(c)(2).

6/1/09, RESPONSE RECEIVED. Planning Commission Resolution No. 17895 recommending approval with modifications; Historic Preservation Commission Resolution No. 635 recommending approval with modifications.

6/15/09, RESPONSE RECEIVED. Building Inspection Commission recommended non-support.

7/13/09, CONTINUED. Heard in Committee. Speakers: Tara Sullivan, Planning Department; Bill Strawn, Department of Building Inspection; Debra Walker, Building Inspection Commission; Eric Smith, Mission Bay-EN CAC; Richard Zillman, Preservation Consortium; Lisa Fricke, SF Apartment Association; Peter Masiak, Central City SRO; Nancy Wuerfel; Josh Vining, Mission SRO Collaborative; Matthias Mormino, SRO Families Collaborative; Nancy Huang; Jazzie Collins, SOMCAN; F. Joseph Butler; Little House Committee; Sue Hestor; Male Speaker. Continued to July 27, 2009.

7/21/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/21/09, SUBSTITUTED. Supervisor Chiu submitted a substitute ordinance bearing the same title.

7/23/09, REFERRED TO DEPARTMENT. Referred to Building Inspection Commission, Planning Commission and Historic Preservation Commission for informational purposes.

7/27/09, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Noni Richen, Small Property Owners of San Francisco; Peter Masiak, Central City SRO; Nancy Wuerfel; Rodrigo Santos, SF Coalition for Reasonable Growth; Henry Karnilowicz; Jazzie Collins, SOMCAN; Male Speaker; Bob Noelke; Sue Hestor; Vivian Day, Department of Building Inspection. 7/27/09 Amendment of the whole bearing same title.

7/27/09, CONTINUED AS AMENDED. Continued to August 3, 2009.

Heard in Committee. Speakers: None.

08/10/09 - Amended on page 6, line 7, by replacing "Six" with "Four and One-Half" before "Hours."

**AMENDED.**

**RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

#### **ADJOURNMENT**

The meeting adjourned at 1:52 p.m.