



# City and County of San Francisco

## Meeting Minutes

### Land Use and Economic Development Committee

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

*Members: Eric Mar, Malia Cohen, Scott Wiener*

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

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Monday, January 24, 2011

1:00 PM

City Hall, Committee Room 263

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### Regular Meeting

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**Present:** 3 - Eric Mar, Malia Cohen and Scott Wiener

## MEETING CONVENED

*The meeting convened at 1:04 p.m.*

## REGULAR AGENDA

### 110001 [Agreement to Acquire Easement in Connection with the Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel]

Resolution approving and authorizing acceptance of a Right of Way Easement deed for a 50-year, exclusive, subsurface easement, at no charge, from United States Department of the Interior, for the purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

12/28/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speaker: John Updike, Acting Director (Real Estate); presented information concerning the matter and answered questions raised throughout the hearing.*

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

Ayes: 3 - Mar, Cohen, Wiener

### 110002 [Exchange of Quitclaim Deeds - San Francisco Unified School District]

Resolution (1) authorizing and directing execution of a quitclaim deed from the City and County of San Francisco to the San Francisco Unified School District, a political subdivision of the State of California, for 110 public school properties; (2) authorizing and directing the acceptance of a quitclaim deed by the City and County of San Francisco from the San Francisco Unified School District for five properties owned in fee by the City and County of San Francisco; and (3) adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

12/30/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speaker: John Updike, Acting Director (Real Estate); presented information concerning the matter and answered questions raised throughout the hearing.*

#### **RECOMMENDED by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**101522 [Public Works Code - Handbill Distribution]****Sponsor: Chiu**

Ordinance amending the San Francisco Public Works Code by amending Sections 184.69, 184.70, and 184.72 to ban distribution of handbills on private premises unless the handbills are securely placed upon or attached to and do not damage the premises, specifying a minimum of 30-point font size for "No Handbills" signs, and replacing criminal penalties for unlawful distribution of handbills with administrative penalties, and making environmental findings.

12/07/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/6/2011.

12/15/10; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation; Planning Department for environmental review; and Department of Public Works and Department of Public Health for informational purposes only.

12/22/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines, Section 15060(c)(2).

01/18/11; RESPONSE RECEIVED. 1/10/11 - The Small Business Commission considered the legislation and recommended approval.

*Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); Grace Moore (Public Works); Regina Dick-Endrizzi (Small Business Commission); Dawn Trennert and Steven Currier (Menu and Flyer Littering Task Force); and Cheryl Adams (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing.*

**AMENDED on Page 5, Line 6, by replacing the word 'fees' with 'penalties'.**

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**101105 [Environment Code - Existing Commercial Buildings Energy Performance]****Sponsors: Mayor; Chiu, Wiener and Mar**

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.

08/10/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/9/2010.

09/01/10; 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.

09/28/10; RESPONSE RECEIVED. On September 13, 2010 the Small Business Commission heard and recommended approval.

09/28/10; RESPONSE RECEIVED. Non-physical per CEQA Guidelines Section 15060 (c)(2).

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

12/06/10; CONTINUED. Heard in Committee. Speakers: Johanna Partin, Mayor's Office; Melanie Nutter, Director, and Barry Hooper, Department of the Environment; Francisco Da Costa; Kathy Diehl, U.S. Environmental Protection Agency; Ken Cleaveland, BOMA San Francisco; Steven Ring, Cushman & Wakefield; Hal Brownstone, BOMA San Francisco; Walter Paulson; Steven Krolik; Dan Geiger, U.S. Green Building Council; Matt Macko, Environmental Building Strategies; Jim Cantrell, Cantrell Harris & Associates; Jim Lazarus, SF Chamber of Commerce; Eric Brooks, SF Green Party; John Malamut, City Attorney's Office.

Continued to December 13, 2010.

12/13/10; AMENDED. Heard in Committee. Speakers: Johanna Partin, Mayor's Office; Melanie Nutter, Department of the Environment; Francisco Da Costa; Ken Cleveland; Steven Krolik; Ron Black, SF Chamber of Commerce; Eric Brooks, SF Green Party; Barry Hooper, Department of the Environment.

Supervisor Chiu requested to be added as a co-sponsor.

12/13/10; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

*Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); Johanna Partin (Mayor's Office); Melanie Nutter (Environment); presented information concerning the matter and answered questions raised throughout the hearing.*

*Supervisors Wiener and Mar requested to be added as co-sponsors.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**110036 [Adoption of Guidelines for the Establishment and Use of Infrastructure Financing Districts]****Sponsor: Elsbernd**

Resolution adopting guidelines for the establishment and use of Infrastructure Financing Districts in the City and County of San Francisco.

01/11/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning); Michael Yarne (OEWD); presented information concerning the matter and answered questions raised throughout the hearing.*

*Continued to January 31, 2011.*

**CONTINUED to January 31, 2011 by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**101557 [Creating an Infrastructure Financing District and Adopting an Infrastructure Financing Plan - Rincon Hill Area]****Sponsor: Mayor**

Ordinance creating an Infrastructure Financing District and adopting an Infrastructure Financing Plan for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area). (Fiscal Impact.)

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

01/05/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning); Michael Yarne (OEWD); presented information concerning the matter and answered questions raised throughout the hearing.*

*Continued to January 31, 2011.*

**CONTINUED to January 31, 2011 by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**101558 [Formation of an Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution proposing the formation of an Infrastructure Financing District for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area). (Fiscal Impact.)

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

01/05/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning); Michael Yarne (OEWD); presented information concerning the matter and answered questions raised throughout the hearing.*

*Continued to January 31, 2011.*

**CONTINUED to January 31, 2011 by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**101559 [Approving the Infrastructure Financing Plan - Rincon Hill Area]****Sponsor: Mayor**

Resolution approving the Infrastructure Financing Plan for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).  
(Fiscal Impact.)

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

01/05/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning); Michael Yarne (OEWD); presented information concerning the matter and answered questions raised throughout the hearing.*

*Continued to January 31, 2011.*

**CONTINUED to January 31, 2011 by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**101560 [Special Election for the Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution calling for a special election for the City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).  
(Fiscal Impact.)

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

01/05/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning); Michael Yarne (OEWD); presented information concerning the matter and answered questions raised throughout the hearing.*

*Continued to January 31, 2011.*

**CONTINUED to January 31, 2011 by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**101561 [Declaring the Results of the Special Election for the Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution declaring the results of special election for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).  
(Fiscal Impact.)

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

01/05/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning); Michael Yarne (OEWD); presented information concerning the matter and answered questions raised throughout the hearing.*

*Continued to January 31, 2011.*

**CONTINUED to January 31, 2011 by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**101562 [Intention to Issue Bonds for the Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution of intention to issue bonds for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).  
(Fiscal Impact.)

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

01/05/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning); Michael Yarne (OEWD); presented information concerning the matter and answered questions raised throughout the hearing.*

*Continued to January 31, 2011.*

**CONTINUED to January 31, 2011 by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**101563 [Authorizing Issuance of Bonds for the Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution authorizing the issuance of bonds for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).  
(Fiscal Impact.)

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

01/05/11; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning); Michael Yarne (OEWD); presented information concerning the matter and answered questions raised throughout the hearing.*

*Continued to January 31, 2011.*

**CONTINUED to January 31, 2011 by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**ADJOURNMENT**

*The meeting adjourned at 2:30 p.m.*