



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: Scott Wiener, Jane Kim, Malia Cohen

Clerk: Andrea Ausberry (415) 554-4442

Monday, February 3, 2014

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Scott Wiener, Jane Kim, and Malia Cohen

MEETING CONVENED

The meeting convened at 1:42 p.m.

REGULAR AGENDA

131185 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]

Resolution approving the acquisition of 33 Avigation Easements from various property owners in San Mateo County to replace expiring Avigation Easements required for the San Francisco International Airport's Noise Insulation Program (Project); adopting findings that the Project is categorically exempt from environmental review under the California Environmental Quality Act, Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

12/05/13; RECEIVED FROM DEPARTMENT.

12/17/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

01/06/14; REFERRED TO DEPARTMENT. Referred to Planning Department for informational purposes.

01/10/14; RESPONSE RECEIVED. Exempt for CEQA per CEQA guidelines Section 15301. Existing facilities.

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

RECOMMENDED.. by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

130938 [Planning Code - Transit Impact Development Fee Exemptions]**Sponsor: Wiener**

Ordinance amending the Planning Code to revise deadlines for certain Transit Impact Development Fee (TIDF) exemptions; eliminate project-specific references in exemptions applicable to redevelopment areas, and make such exemptions dependent on the terms of the controlling development agreement, redevelopment plan, interagency agreement or other contract entered into by the City; require that the TIDF be calculated based on the rate in effect and the time of issuance of the first construction document; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/24/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/24/2013.

10/02/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Department of Building Inspection and Municipal Transportation Agency for informational purposes.

10/04/13; RESPONSE RECEIVED. The Department of Building Inspection provided comments on the proposed legislation.

10/08/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

10/10/13; REFERRED TO DEPARTMENT. Re-Referred the substitute legislation (version 2) to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Department of Building Inspection and Municipal Transportation Agency for informational purposes.

10/10/13; RESPONSE RECEIVED. Exempt from environmental review per CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges).

12/20/13; RESPONSE RECEIVED. the Planning Commission recommended approval of the proposed ordinance. The Commission requested that a finding be added to the Planning Commission Resolution stating that future amendments to the legislation that introduce fees for residential uses should be re-referred to the Planning Commission for consideration.

01/20/14; NOTICED.

01/27/14; NOTICED.

Heard in Committee. Speakers: Lisa Chen (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

140021 [Hearing - Code Enforcement Policies and Procedures]**Sponsors: Wiener; Cohen**

Hearing directed to the Housing and Building divisions of the Department of Building Inspection, the Planning Department, the Department of Public Health, and the Fire Department to report on inspection and enforcement of city code violations in San Francisco's buildings, including internal departmental procedures for inspections, pursuit, and referral of violations; examples of problematic cases; requirements for referral of cases to the City Attorney's Office or departmental committees; description of types of cases, including examples, being referred to the City Attorney's Office or departmental committees; number and percentage of cases not being referred for enforcement and whether lack of referral for enforcement results from the merits of the case or other factors such as budget concerns; yearly statistics, including the number of cases received, the number of referrals made, the number of cases closed; and record-keeping practices, including ability of the public to track process of violations; whether legislation is needed to ensure better coordination on code enforcement and more consistent enforcement, and referrals by the various departments.

01/07/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

01/21/14; REFERRED TO DEPARTMENT. Referred to Department of Building Inspection; Department of Public Health; and Fire Department for informational purposes.

01/31/14; RESPONSE RECEIVED. Fire Department provided suggestions provided in memo.

Heard in Committee. Speakers: Tom Hui, Director (Department of Building Inspection); Rosemary Bosque (Department of Building Inspection); David Lowery (Department of Building Inspection); John Hinchion (Department of Building Inspection); Scott Sanchez (Planning Department); Michie Wong, Fire Marshal (Fire Department); Mary Tse, Lieutenant (Fire Department); Dr. Johnson Ojo (Department of Public Health); Jill Nielson (Adult and Protective Services); presented information concerning the matter and answered questions raised throughout the hearing. Barry Pearl; Leticia Garza; Jerry Dratler (Civil Grand Jury); Vera Hale; spoke in support of the hearing matter.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

110674 [Hearing - Interagency Plan Implementation Committee Annual Progress and Planning Code Development Impact Fee Reports]**Sponsor: Wiener**

Hearing on the Interagency Plan Implementation Committee Annual Progress Report pursuant to the Administrative Code, Article 36, and the Development Impact Fee Report pursuant to the Planning Code, Section 409.

05/17/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

06/13/11; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Kirsten Dischinger (Planning); presented information concerning the matter and answered questions raised throughout the hearing. Walter Paulson; spoke neither in support nor against the matter.

03/12/12; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Kirsten Dischinger (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Dan Murphy; spoke on the hearing matter.

09/12/12; REMAIN ACTIVE. Supervisor Mar requested this matter remain active for an additional six months; 3/12/2013.

01/14/13; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Adam Varat (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing.

06/03/13; REMAIN ACTIVE. Supervisor Mar requested this matter remain active for an additional six months; 12/3/2013.

08/08/13; REMAIN ACTIVE. Supervisor Mar requested this matter remain active for an additional six months; 2/8/2014.

Heard in Committee. Speaker: Kearstin Dischinger (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

131192 [Police, Administrative Codes - Considering Criminal History in Employment and Housing Decisions]**Sponsors: Kim; Cohen, Avalos, Campos, Chiu, Mar and Yee**

Ordinance amending the Police Code to require employers and housing providers to limit the use of criminal history information, and follow certain procedures and restrictions when inquiring about and using conviction history information to make decisions about employment and tenancy in San Francisco; and amending the Administrative Code to require City contractors and subcontractors to adhere to the same limits, procedures, and restrictions when making decisions regarding employment of persons for work on City contracts and subcontracts.

12/10/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 1/9/2014.

12/16/13; REFERRED TO DEPARTMENT. Referred to Police; Planning Department; Human Rights Department; Small Business Commission; and Office of Labor Standards and Enforcement for informational purposes.

01/13/14; TRANSFERRED to Land Use and Economic Development Committee.

01/27/14; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Jane Kim (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. James Tracy; Orlon Ryel; Duane Sears; Michael Hampton; Stephan Tennis; Anakh Rama; Natali Lyons; Vivian Imperiale; Matthew Maeteny; Elihu Hernandez; Tess Davis; Arcelia Hurtado; Tucker Peck; Julianne Harper; Cynthia Foster; Karen Dunker; Jerry Elster; Pete Wolwode; Roxanne B.; Manuel La Fontaine; Marlene Sanchez; Charley Goss; Jessie Stout; Michelle Rodriguez; Roxanne Dominguez; Phoebe Vanderhorst; Desitel; Nisha Ajmani; Tyran Krakoff; Jim Lazareth; Jessica Woletz; Rebecca Welna; Micaela Davis; Ernest Stokes; Jaron Browne; Edmond Juicye; Beatri Herrera; Amurah Tubby; Janetta Johnson; Cynthia Crews; Dorsey Nunn; Vanessa Jackson; Michael Lyon; Vanessa Banks; Isabel Perez; William Gawdy; spoke in support of the proposed legislation.

01/27/14; CONTINUED AS AMENDED.

01/30/14; REFERRED TO DEPARTMENT. Upon request - Referred to the Youth Commission for information purposes.

Heard in Committee. Speakers: Jesse Stout; Marcia Rosen; Roxanne Demichle; Male Speaker; spoke in support of the proposed legislation.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

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

Ayes: 3 - Wiener, Kim, Cohen

ADJOURNMENT

The meeting adjourned at 4:58 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Land Use and Economic Development Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.