



City and County of San Francisco

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

Meeting Minutes - Final

Land Use and Economic Development Committee

Members: Sophie Maxwell, Eric Mar, David Chiu

Clerk: Alisa Somera (415) 554-4447

Monday, January 25, 2010

1:00 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Sophie Maxwell, Eric Mar and David Chiu

MEETING CONVENED

The meeting convened at 1:04 p.m.

REGULAR AGENDA

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."

12/08/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/7/2010.

12/14/09; REFERRED TO DEPARTMENT. Referred to the Fire Department, Police Department and Department of Public Works for informational purposes.

Heard in Committee. Speakers: Perry Matlock, International Indian Treaty Council; Cheryl Arnold, Coalition to Save Ocean Beach; Amy Meyer, People for a Golden Gate National Recreation Area; Tom Kuhn, Friends of Sutro Park.

To the full Board on February 23, 2010.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

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, Maxwell, Mayor, Dufty, Mirkarimi and Campos**

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.

10/06/09; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/6/2009.

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

10/20/09; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/6/2009.

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

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

12/14/09; CONTINUED. Heard in Committee. Speakers: Supervisor Carmen Chu; Theresa Sparks, Human Rights Commission; Ed Reiskin, Director of Public Works; Veronica Ng, Human Rights Commission; Chris Iglesias; Male Speaker; Lloyd Kraal; Kathy Perry; Byron, Bridge Micro; Ed Lau; Oren Sellstrom, Coalition for Economic Equity; Alex Chu; Andre, Hercules Builders; Aileen Hernandez, Coalition for Economic Equity; Richard Robinson; Bob Moreley.

Continued to January 4, 2010.

12/14/09; RESPONSE RECEIVED. Small Business Commission recommended approval.

01/11/10; CONTINUED. Heard in Committee. Speakers: Theresa Sparks, Human Rights Commission; Ed Reiskin, Director of Public Works; Aaron Goodman, Parkmerced Residents Org.; Juliana Choy Sommer, Asian American Contractors Assoc.; Lloyd Kraal; Leo Choy and Florence Kong, President, Asian American Contractors Assoc.; Richard Robinson; Oren Sellstrom, Coalition for Economic Equity; Rob Black, SF Chamber of Commerce; Myles Stevens, SF African American Chamber of Commerce; Ace Washington, Community Reform Committee; Monica Lim; Herrick Loi, Ameritech Computer Services, Inc.; Julian Lee, Toptek Micro Center, Inc.; Byron Ling, Bridge Micro; Supervisor Carmen Chu, Board of Supervisors; Veronica Ng, Human Rights Commission.

Continued to January 25, 2010.

Heard in Committee. Speakers: Theresa Sparks, Director, Human Rights Commission; Ed Reiskin, Director of Public Works; Aaron Goodman; Stanford Chiang, C.M. Construction; Lloyd Kraal; William Holland, Juliana Choy Sommer and Eric Liu, Asian American Contractors Assoc.; Oren Sellstrom, Coalition for Economic Equity; Supervisor Carmen Chu, Board of Supervisors.

Mayor requested to be added as a co-sponsor.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091163 [Economic Stimulus Measures for Capital Project Acceleration]**Sponsors: Chu; Chiu, Maxwell, Mayor, Dufty, Mirkarimi and Campos**

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.

10/06/09; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/6/2009.

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

12/01/09; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation; referred to the Human Rights Commission for information.

12/08/09; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/09/09; 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.

12/14/09; CONTINUED. Heard in Committee. Speakers: Supervisor Carmen Chu; Theresa Sparks, Human Rights Commission; Ed Reiskin, Director of Public Works; Veronica Ng, Human Rights Commission; Chris Iglesias; Male Speaker; Lloyd Kraal; Kathy Perry; Byron, Bridge Micro; Ed Lau; Oren Sellstrom, Coalition for Economic Equity; Alex Chu; Andre, Hercules Builders; Aileen Hernandez, Coalition for Economic Equity; Richard Robinson; Bob Moreley.

Continued to January 4, 2010.

12/14/09; RESPONSE RECEIVED. Small Business Commission recommended approval.

01/11/10; CONTINUED. Heard in Committee. Speakers: Theresa Sparks, Human Rights Commission; Ed Reiskin, Director of Public Works; Aaron Goodman, Parkmerced Residents Org.; Juliana Choy Sommer, Asian American Contractors Assoc.; Lloyd Kraal; Leo Choy and Florence Kong, President, Asian American Contractors Assoc.; Richard Robinson; Oren Sellstrom, Coalition for Economic Equity; Rob Black, SF Chamber of Commerce; Myles Stevens, SF African American Chamber of Commerce; Ace Washington, Community Reform Committee; Monica Lim; Herrick Loi, Ameritech Computer Services, Inc.; Julian Lee, Toptek Micro Center, Inc.; Byron Ling, Bridge Micro; Supervisor Carmen Chu, Board of Supervisors; Veronica Ng, Human Rights Commission.

Continued to January 25, 2010.

Heard in Committee. Speakers: Theresa Sparks, Director, Human Rights Commission; Ed Reiskin, Director of Public Works; Aaron Goodman; Stanford Chiang, C.M. Construction; Lloyd Kraal; William Holland, Juliana Choy Sommer and Eric Liu, Asian American Contractors Assoc.; Oren Sellstrom, Coalition for Economic Equity; Supervisor Carmen Chu, Board of Supervisors.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091404 [Procedures to Attain Local Business Enterprise Subcontracting Goals for Design-Build and Integrated Project Delivery Contracts]**Sponsors: Chiu; Mayor, Dufty, Mirkarimi, Campos and Chu**

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.

12/08/09; ASSIGNED to Land Use and Economic Development Committee. President Chiu waived the 30 day rule.

12/09/09; 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.

12/14/09; CONTINUED. Heard in Committee. Speakers: Supervisor Carmen Chu; Theresa Sparks, Human Rights Commission; Ed Reiskin, Director of Public Works; Veronica Ng, Human Rights Commission; Chris Iglesias; Male Speaker; Lloyd Kraal; Kathy Perry; Byron, Bridge Micro; Ed Lau; Oren Sellstrom, Coalition for Economic Equity; Alex Chu; Andre, Hercules Builders; Aileen Hernandez, Coalition for Economic Equity; Richard Robinson; Bob Moreley.

Continued to January 4, 2010.

01/11/10; CONTINUED. Heard in Committee. Speakers: Theresa Sparks, Human Rights Commission; Ed Reiskin, Director of Public Works; Aaron Goodman, Parkmerced Residents Org.; Juliana Choy Sommer, Asian American Contractors Assoc.; Lloyd Kraal; Leo Choy and Florence Kong, President, Asian American Contractors Assoc.; Richard Robinson; Oren Sellstrom, Coalition for Economic Equity; Rob Black, SF Chamber of Commerce; Myles Stevens, SF African American Chamber of Commerce; Ace Washington, Community Reform Committee; Monica Lim; Herrick Loi, Ameritech Computer Services, Inc.; Julian Lee, Toptek Micro Center, Inc.; Byron Ling, Bridge Micro; Supervisor Carmen Chu, Board of Supervisors; Veronica Ng, Human Rights Commission.

Continued to January 25, 2010.

Heard in Committee. Speakers: Theresa Sparks, Director, Human Rights Commission; Ed Reiskin, Director of Public Works; Aaron Goodman; Stanford Chiang, C.M. Construction; Lloyd Kraal; William Holland, Juliana Choy Sommer and Eric Liu, Asian American Contractors Assoc.; Oren Sellstrom, Coalition for Economic Equity; Supervisor Carmen Chu, Board of Supervisors.

Mayor requested to be added as a co-sponsor.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091405 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance]**Sponsors: Chiu; Chu, Maxwell, Mayor, Dufty, Mirkarimi and Campos**

Ordinance amending the San Francisco Administrative Code by amending Sections 14B.2, 14B.3, 14B.7, 14B.8, 14B.13 and 14B.15 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 to establish a goal to set aside not less than 25% of other contracts worth \$100,000 or less for the Micro-Local Business Enterprise Set Aside Program, but the 25% goal shall become a requirement after 120 days, (2) permit departments to designate public works/construction 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 \$400,000 and \$20 million, except that in the case of contracts \$10 million and under, the 2% discount shall not apply if a Small or Micro-LBE would otherwise be the winning bidder or proposer, and (6) provide that subcontracting participation goals may be satisfied only with Small and Micro-LBEs, except that if there are insufficient Small and Micro-LBEs available, the HRC Director may set goals based on the availability of all LBEs and permit contractors to satisfy those goals with SBA-LBEs, in addition to Small and Micro LBEs, or set separate goals for Small and Micro-LBEs and SBA LBEs, (7) contractors who achieve total LBE participation on a bid or proposal in excess of 35% of their established LBE subcontracting participation goals are to be exempt from satisfying good faith outreach requirements, and (8) total LBE participation on a bid or proposal is to be calculated using only Micro and Small-LBE contractors, joint venture partners and subcontractors and subconsultants, except that SBA-LBE subcontractors and subconsultants may be counted if the Director has established subcontracting goals for them on the contract.

12/08/09; ASSIGNED to 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.

12/14/09; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Carmen Chu; Theresa Sparks, Human Rights Commission; Ed Reiskin, Director of Public Works; Veronica Ng, Human Rights Commission; Chris Iglesias; Male Speaker; Lloyd Kraal; Kathy Perry; Byron, Bridge Micro; Ed Lau; Oren Sellstrom, Coalition for Economic Equity; Alex Chu; Andre, Hercules Builders; Aileen Hernandez, Coalition for Economic Equity; Richard Robinson; Bob Moreley.

12/14/09; CONTINUED AS AMENDED. Continued to January 4, 2010.

12/14/09; RESPONSE RECEIVED. Small Business Commission recommended approval.

01/11/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Theresa Sparks, Human Rights Commission; Ed Reiskin, Director of Public Works; Aaron Goodman, Parkmerced Residents Org.; Juliana Choy Sommer, Asian American Contractors Assoc.; Lloyd Kraal; Leo Choy and Florence Kong, President, Asian American Contractors Assoc.; Richard Robinson; Oren Sellstrom, Coalition for Economic Equity; Rob Black, SF Chamber of Commerce; Myles Stevens, SF African American Chamber of Commerce; Ace Washington, Community Reform Committee; Monica Lim; Herrick Loi, Ameritech Computer Services, Inc.; Julian Lee, Toptek Micro Center, Inc.; Byron Ling, Bridge Micro; Supervisor Carmen Chu, Board of Supervisors; Veronica Ng, Human Rights Commission.

01/11/10; CONTINUED AS AMENDED. Continued as amended to January 25, 2010.

Heard in Committee. Speakers: Theresa Sparks, Director, Human Rights Commission; Ed Reiskin, Director of Public Works; Aaron Goodman; Stanford Chiang, C.M. Construction; Lloyd Kraal; William Holland, Juliana Choy Sommer and Eric Liu, Asian American Contractors Assoc.;

Oren Sellstrom, Coalition for Economic Equity; Supervisor Carmen Chu, Board of Supervisors.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Administrative Code by amending Sections 14B.2, 14B.3, 14B.7, 14B.8, 14B.13 and 14B.15 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 to establish a goal to set aside not less than 25% of other contracts worth \$100,000 or less for the Micro-Local Business Enterprise Set Aside Program, but the 25% goal shall become a requirement after 120 days, (2) permit departments to designate public works/construction 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 \$400,000 and \$20 million, except that in the case of contracts \$10 million and under, the 2% discount shall not apply if a Small or Micro-LBE would otherwise be the winning bidder or proposer, and (6) provide that subcontracting participation goals may be satisfied only with Small and Micro-LBEs, except that if there are insufficient Small and Micro-LBEs available, the HRC Director may set goals based on the availability of all LBEs and permit contractors to satisfy those goals with SBA-LBEs, in addition to Small and Micro LBEs, or set separate goals for Small and Micro-LBEs and SBA LBEs, (7) contractors who achieve total LBE participation on a bid or proposal in excess of 35% of their established LBE subcontracting participation goals are to be exempt from satisfying good faith outreach requirements , and (8) total LBE participation on a bid or proposal is to be calculated using only Micro and Small-LBE contractors, joint venture partners and subcontractors and subconsultants, except that SBA-LBE subcontractors and subconsultants may be counted if the Director has established subcontracting goals for them on the contract.

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

Ayes: 3 - Maxwell, Mar, Chiu

100047 [Planning Code - Interim Controls Related to Affordable Housing Requirements]

Sponsors: Mayor; Chiu

Resolution approving interim controls providing that the alternatives provided to project applicants of residential development under Planning Code Section 315 et seq. shall, except for certain eligible projects, be suspended and replaced by an interim affordable housing fee that is equivalent to the current in lieu fee and amending the housing requirements for residential projects in the Rincon Hill Area Plan for 18 months or until a permanent ordinance amending Planning Code Section 315 et seq. is adopted; and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

01/12/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Notice of 1/25/10 public hearing in committee; published on 1/16/2010.

01/14/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

01/20/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15378(b)(4).

Speaker: Aaron Goodman.

Continued to February 1, 2010.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091231 [Authorizing the Municipal Transportation Agency to Implement On-Street Parking Meter and Parking Control Pilot Projects]

Ordinance authorizing the Municipal Transportation Agency to implement and extend SFpark parking meter and parking control pilot projects. (Municipal Transportation Agency)

10/23/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/22/2009.

Heard in Committee. Speakers: Judson True, Municipal Transportation Agency; Aaron Goodman; Female Speaker.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

ADJOURNMENT

The meeting adjourned at 2:18 p.m.