



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Administrative Code Text Change

HEARING DATE: SEPTEMBER 16, 2010

Project Name: **E-Distribution of Reports**
Case Number: 2010.0790U [Board File No. 10-1098]
Initiated by: Supervisor Mirkarimi / Introduced August 10, 2010
Staff Contact: AnMarie Rodgers, Manager Legislative Affairs
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Recommendation: **Recommend Approval**

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ADMINISTRATIVE CODE AMENDMENT

The proposed Ordinance would amend the San Francisco Administrative Code Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as 8.13, to provide for the electronic distribution of documents more than 10 pages long prepared by City departments.

The Way It Is Now:

City departments are generally permitted to determine whether reports should be produced electronically or via traditional paper publication.

Section 1.56 of the Administrative Code currently requires that City departments publish annual reports in electronic form unless printed reproduction has been previously approved by the Board of Supervisors.

The Way It Would Be:

The proposed Ordinance would provide that no City officer, department, or agency shall publish, print or otherwise reproduce on paper multiple copies of any report, memorandum, study, form, or other document for general distribution where the document is more than 10 pages in length. The officer, department, or agency shall instead distribute copies of such documents electronically. The Director of Administrative Services can waive the requirement where physical copies are required by law. The ordinance allows departments to print materials upon request from members of the public. Boards, commissions, committees or other meeting bodies subject to the Brown Act or the Sunshine Ordinance may provide paper copies of their agenda and related materials to the general public, as well as provide paper copies of their agenda and related materials to their members upon request.

BACKGROUND

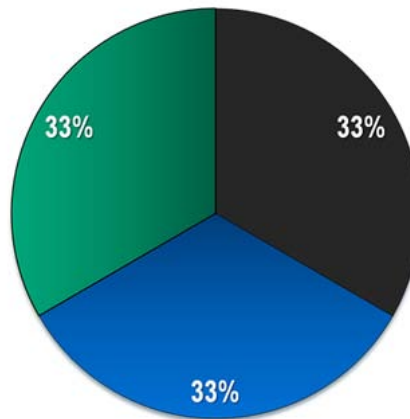
The mission of the Planning Department is to “promote the orderly, harmonious use of land and improved quality of life for our diverse community and future generations”. In order to fulfill that mission it is critical that our research and proposed policy be communicated and distributed to the

public. Printed copies are a key vehicle for the distribution of this information. Each week the Planning Department provides printed copies of material for public hearings before the Planning Commission (14 printed copies), the Historic Preservation Commission (13 printed copies, 2 Commissioners receive e-copies), and the Board of Supervisors (4-16 printed copies, depending if the item is to be heard by a Committee or the Full Board). The Department also publishes community planning reports and annual reports such as the Housing Inventory and the Downtown Monitoring Report.

In 1975 Business Week published an article on the "Future of Office" that predicted a paperless future. The 1980's was abuzz with the potential to reduce or even eliminate paper in the workplace. Despite the push to move to e-publishing, paper use per capita in the United States has generally risen¹. According to the Environmental Protection Agency², the following statistics describe paper use in the United States:

- About 85 million tons of paper and paperboard used per year.
- Each year, more than 2 billion books, 350 million magazines, and 24 billion newspapers are published.
- The average American uses approximately one 100-foot-tall Douglas fir tree in paper and wood products per year.
- Papermaking materials come from the following sources:

- Recycled Paper 33%
- Whole Trees and Other Plants 33%
- Wood Chips and Scraps from Sawmills 33%



REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

¹ The searchable database at EarthTrends (<http://earthtrends.wri.org>) revealed that per person paper use has generally increased in the following increments: 533 lbs/year in 1970; 579 lbs/year in 1980, 675 lbs/year in 1990, and 724 lbs/year in 2000.

² Environmental Protection Agency website. <http://www.epa.gov/osw/consERVE/materials/paper/faqs.htm> as retrieved on September 8, 2010.

RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

BASIS FOR RECOMMENDATION

The amount of printed material published by the Department could be reduced without jeopardizing the Department's ability to communicate with the people of San Francisco. The proposed Ordinance, if adopted, would alter some of the Department's existing practices.

Effect on Material Printed for Public Bodies

The proposed Ordinance would allow Commissions to continue to receive printed materials (*if* the Commission proactively chooses to receive print materials) but would generally transition the City's public bodies into e-distribution *while requiring* the bodies to provide printed materials to the public upon request.

For items (such as environmental impact reports) which need to be lodged with the Board of Supervisors per Article 31 of the Administrative Code or per the State CEQA Guidelines, the Ordinance would allow the Board of Supervisors to receive one hard copy for the official record and e-copies for each Board Member.

As for items to be scheduled for consideration by the Board of Supervisors, currently about half of the members of the Board of Supervisors receive their weekly packet in electronic form instead of print form. If adopted, this Ordinance would allow the Department to transmit all information electronically and the Clerk of the Board would print a hard copy for the official file.

Effect on Material Printed for the Public At Large

The Department's current practice for providing material to the public varies, with hard copies typically distributed for CEQA documents and e-copies typically used for policy documents.

- **For policy and community planning documents**, the practice to encourage the public to use our electronic documents while providing print materials upon request would not change under adoption of the proposed Ordinance. The Department encourages the use of CDs or PDF where possible (both are provided free of charge) and charges full cost recovery³ for printed documents. Members of the public who may be affected by the documents but cannot pay for a hard-copy due to economic hardship are given gratis hardcopies. Under the proposed Ordinance, the Department could continue this practice.
- **For items under active environmental review**, the Department's current practice is to encourage the use of e-copies; to anticipate the number of copies that will be requested; and to provide that number of printed copies free of charge to the public. The project sponsor (be it the City or a private party) bears the burden of printing charges. Under the proposed Ordinance, the Department would need to alter this practice so that copies are

³ The Department currently charges the public for photocopies at a rate of 10 cents per side for black and white and about 25 cents per side for color photocopies.

not printed in advance but are only printed on request. Current CEQA law does require some hard copies to be published and placed in certain places or provided to certain entities. The proposed Ordinance would not apply to hardcopies prepared in accordance with these provisions of CEQA. CEQA regulations currently allow the city to charge reasonable fees for copies to the general public. Charging the public for copies of CEQA documents to encourage the use of e-copies would be a change from current practice but it would not be inconsistent with existing law.

The Department purchased 390 boxes of paper during 2009. At 5000 sheets of paper per box, the Department consumed 1,950,000 pages of paper in 2009.

The proposed Ordinance would not affect public notification practices.

ENVIRONMENTAL REVIEW

The proposal to amend the Administrative Code would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Section 15060(c)(2) of the CEQA Guidelines.

PUBLIC COMMENT

As of the date of this report, the Planning Department has not received any comments in with regard to the proposed Ordinance.

RECOMMENDATION: Recommendation of Approval
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Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 10-1098



SAN FRANCISCO PLANNING DEPARTMENT

Draft Planning Commission Resolution

HEARING DATE: SEPTEMBER 16, 2010

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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE SAN FRANCISCO ADMINISTRATIVE CODE SECTIONS 1.56 AND 8.12.4, ADDING SECTION 8.12.5, AND RE-NUMBERING SECTION 8.12-1 AS 8.13, TO PROVIDE FOR THE ELECTRONIC DISTRIBUTION OF DOCUMENTS MORE THAN 10 PAGES LONG PREPARED BY CITY DEPARTMENTS.

PREAMBLE

Whereas, on August 10, 2010, Supervisor Mirkarimi introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 10-1098 which would amend the San Francisco Administrative Code Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as 8.13, to provide for the electronic distribution of documents more than 10 pages long prepared by City departments; and

Whereas, on September 16, 2010, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas, the proposed legislative changes have been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2); and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinance; and

MOVED, that the Commission hereby recommends that the Board of Supervisors recommends *approval of the proposed Ordinance* and adopts the attached Draft Resolution to that effect.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. According to the Environmental Protection Agency , the following statistics describe paper use in the United States:
 - About 85 million tons of paper and paperboard are consumed per year;
 - Each year, more than 2 billion books, 350 million magazines, and 24 billion newspapers are published; and
 - The average American uses approximately one 100-foot-tall Douglas fir tree in paper and wood products per year; and
2. The Planning Department consumed nearly 2 million sheets of paper in fulfillment of its mission in 2009; and
3. The amount of print material currently published by the Department could be reduced without jeopardizing the Department's ability to communicate with the people of San Francisco;
4. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

I. TRANSPORTATION ELEMENT

POLICY 1.1

Involve citizens in planning and developing transportation facilities and services and in further defining objectives and policies as they relate to district plans and specific projects.

Citizen involvement in all planning is essential. At least three different levels of citizen participation can be recognized in transportation planning. First, citywide participation is required for decisions on citywide problems, policies, and facilities. Almost all major improvements have citywide implications and should be subject to citywide, perhaps regional, discussion and debate. Members of community groups as well as advocacy groups representing relevant issues and viewpoints should be included. Second, most citywide facilities have some special impact on a particular part of the city, and therefore affect the residents and businesses in that area. Residents should participate actively in the specific design of these facilities, even though some of the basic decisions have been made on a citywide basis. Third, some improvements and changes have only very localized impacts and, in such cases, the owners and residents of the affected properties should be directly involved in planning decisions.

Staff Discussion: The General Plan recognizes the importance of community involvement in planning. Publicizing and communicating about planning is crucial. However, not all information need be provided by printed material. The proposed Ordinance would not address public notices (which would still be sent via mail) but instead would just address the printing of reports greater than 10 pages. Printed materials would still be provided on paper upon request.

5. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed Ordinance will not affect neighborhood-serving retail uses.

B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed legislation will allow for electronic distribution of reports while not negatively affecting existing residential development, housing or neighborhood character.

C) The City's supply of affordable housing will be preserved and enhanced:

The proposed Ordinance will have no adverse effect on the City's supply of affordable housing.

D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed amendments.

- G) That landmark and historic buildings will be preserved:

Landmarks and historic buildings would be unaffected by the proposed amendments.

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed amendments.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on September 16, 2010.

Linda Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 16, 2010

FILE NO. 101098

ORDINANCE NO.

1 [Electronic Distribution of Multi-Page Documents]

2

3 **Ordinance amending the San Francisco Administrative Code by amending**
 4 **Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as**
 5 **8.13, to provide for the electronic distribution of documents more than 10 pages long**
 6 **prepared by City departments.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
 8 deletions are ~~*strike-through italics Times New Roman*~~.
 9 Board amendment additions are double-underlined;
 Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. The San Francisco Administrative Code is hereby amended by amending
 12 Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as 8.13, to
 13 read as follows:

14 **SEC. 1.56. ANNUAL REPORTS.**

15 (a) Subject to the requirements of Section 8.12.5, every ~~Every~~ board or commission of the
 16 City and County shall prepare an annual report describing its activities as part of the Annual
 17 Statement of Purpose required under Charter Section 4.102(2). The report shall contain a
 18 general summary of the department's services and programs presented in terms and format
 19 accessible to the average citizen, and any highlights and achievements of the prior year that
 20 the department wishes to include.

21 (b) Boards, commissions and department heads required to prepare annual reports
 22 pursuant to this Section or Section 2A.30 shall post the reports on the City's official website,
 23 and transmit the Uniform Resource Locator (URL) for each report to the Documents
 24 Department of the San Francisco Public Library within 10 days of final approval of the report.
 25 The Documents Department shall maintain a directory of the URLs for posted reports.

1 (c) Where no date is otherwise specified by law, each board, commission or
2 department head required to prepare an annual report pursuant to this Section or
3 Section 2A.30 shall inform the Clerk of the Board of Supervisors in writing of the date by
4 which the board, commission or department head shall annually post the report.

5 ~~(d) No board, commission or department head may authorize the expenditure of City funds for~~
6 ~~the purpose of procuring the printing of an annual report without prior approval of the Board of~~
7 ~~Supervisors. Where a board, commission or department head proposes to cause an annual report to be~~
8 ~~printed, the board, commission or department head shall submit a written request to the Board of~~
9 ~~Supervisors explaining the need for a printed report and the projected cost of printing. The Board of~~
10 ~~Supervisors may approve or deny the request by resolution. Nothing in this paragraph is intended to~~
11 ~~prohibit any City official or employee from printing a copy of an annual report from the City website,~~
12 ~~or to prohibit a board, commission or department head from retaining hard copies of an annual report~~
13 ~~pursuant to a record retention policy. City Department officials or employees, including City Library~~
14 ~~employees shall print or assist in arranging for the prompt printing of a copy of an annual report from~~
15 ~~the City website when requested to do so by a member of the public.~~

16 17 **SEC. 8.12.4. FREE PUBLICATIONS.**

18 Copies of publications of the Board of Supervisors required for the use of a City and
19 County department shall be furnished upon issuance of a proper requisition supported by
20 available funds of the requisitioning department. Subject to the requirements of Section 8.12.5, the
21 The Purchaser of Supplies shall, upon requisition from the Clerk of the Board of Supervisors,
22 furnish, free of charge, copies of publications for distribution to such governmental agencies,
23 persons or institutions affected with a public interest outside the City and County as request
24 them, and which, in the opinion of the Clerk, are entitled to them by reason either of
25 reciprocity or policy.

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2 **SEC. 8.12.5. ELECTRONIC DISTRIBUTION OF MULTI-PAGE DOCUMENTS.**

3 (a) Subject to the provisions of subsection (b), no City officer, department, or agency shall
4 publish, print or otherwise reproduce on paper multiple copies of any report, memorandum, study,
5 form, or other document for general distribution, including an annual report required under
6 Section 1.56, where the document is more than 10 pages in length. The officer, department, or agency
7 shall instead distribute copies of such documents electronically. Transmission of an electronic copy of
8 the document to the appropriate person shall satisfy any requirement of the Municipal Code that a City
9 officer, department, or agency submit or file the document.

10 (b) The Director of Administrative Services may waive the requirements of subsection (a) in
11 whole or in part where an officer, department, or agency demonstrates that the use of paper copies is
12 required by law or standard business practice, or that the use of paper copies will best inform members
13 of the public.

14 (c) The Director may adopt regulations to implement this Section, including regulations
15 addressing the publication of particular classes of documents. Nothing in this Section shall prohibit a
16 City officer or employee from printing a copy of any document for individual use, or upon request from
17 a member of the public.

18 (d) Notwithstanding the provisions of subsection (a), boards, commissions, committees or other
19 meeting bodies subject to the Brown Act or the Sunshine Ordinance may provide paper copies of their
20 agenda and related materials to the general public, as well as provide paper copies of their agenda and
21 related materials to their members upon request.

22
23 **SEC. 8.13 ~~8.12-1~~. SALE OF SYSTEMS TIME AND PROGRAMMING TIME.**

24 The Purchaser of Supplies, with the approval of the Director of Telecommunications
25 and Information Services, and the recommendation of the Controller, is authorized to enter

1 into agreements to sell systems time and programming time at rates established by the
2 Purchaser and the Controller.

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5 APPROVED AS TO FORM:
6 DENNIS J. HERRERA, City Attorney

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By: _____
THOMAS J. OWEN
Deputy City Attorney

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