



City and County of San Francisco

Meeting Minutes - Final

City Operations and Neighborhood Services Committee

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

Members: Bevan Dufty, Chris Daly, Sean Elsbernd

Clerk: Victor Young (415) 554-7723

Monday, October 26, 2009

9:30 AM

City Hall, Legislative Chamber, Room 250

Rescheduled Meeting

MEETING CONVENED

The meeting convened at 9:38 a.m.

President Chiu appointed Supervisor Mirkarimi to the City Operations and Neighborhood Services Committee for the meeting of October 26, 2009. (File Nos. 091021, 091164, 091170, 091172, and 091039)

President Chiu appointed himself to the City Operations and Neighborhood Services Committee for the meeting of October 26, 2009. (File Nos. 080323 and 080324)

Present: 4 - Bevan Dufty, Chris Daly, Ross Mirkarimi and David Chiu

Excused: 1 - Sean Elsbernd

AGENDA CHANGES

REGULAR AGENDA

091021 [Liquor License Transfer - 1201 Howard Street]

Hearing to consider that the transfer of a Type 21 off-sale general license from 2401 Irving Street to 1201 Howard Street (District 6), to Richard Yu for Skylane International USA Inc. dba Unimart will serve the convenience of the people of the City and County of San Francisco.

08/20/09; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 09/03/09 - Referred to Planning and Police for review. 09/09/09 - Response received from Planning approving PCN request.

Heard in Committee. Speakers: None.

CONTINUED TO CALL OF THE CHAIR

Ayes: 3 - Dufty, Daly, Mirkarimi

Excused: 1 - Elsbernd

Absent: 1 - Chiu

091164 [Accept and Expend Grant - Department of Public Health - \$282,150]

Sponsor: Chu

Resolution authorizing the San Francisco Department of Public Health of the City and County of San Francisco to accept and expend retroactively a grant from the Health and Human Services Administration in the amount of \$282,150 to upgrade radiology equipment in the Trauma Center at San Francisco General Hospital; for the period of September 1, 2009, through February 28, 2011.

10/06/09; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Heard in Committee. Speakers: Kathy Jung, Dept. of Public Health.

RECOMMENDED..

Ayes: 3 - Dufty, Daly, Mirkarimi

Excused: 1 - Elsbernd

Absent: 1 - Chiu

091170 [Accept and Expend State Grant - Urban Auto Fraud Interdiction Program - \$250,000]

Sponsor: Chiu

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$250,000 through the California Department of Insurance, Fraud Division, Local Assistance Program, for a program entitled Organized Automobile Fraud Activity Interdiction Program ("Urban Auto") for FY 2009-2010.

10/06/09; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Heard in Committee. Speakers: Sheila Arcelona and Bob Ring, District Attorney's Office.

RECOMMENDED..

Ayes: 3 - Dufty, Daly, Mirkarimi

Excused: 1 - Elsbernd

Absent: 1 - Chiu

091172 [Accept and Expend Federal Grant - Back on Track Re-entry Program Infrastructure and Replication Grant - \$400,000]

Sponsor: Chiu

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$400,000 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Back On Track Re-entry Program Infrastructure and Replication Grant" for FY 2009-2012.

10/06/09; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Heard in Committee. Speakers: Katie Miller, District Attorney's Office.

RECOMMENDED..

Ayes: 3 - Dufty, Daly, Mirkarimi

Excused: 1 - Elsbernd

Absent: 1 - Chiu

**091039 [Prohibiting Onychectomy (Declawing) and Tendonectomy Procedures on Cats]
Sponsors: Mirkarimi; Campos, Avalos and Maxwell**

Ordinance amending the San Francisco Health Code by adding Section 45 to prohibit onychectomy (declawing) and tendonectomy procedures on cats except when necessary for a therapeutic purpose.

08/18/09; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/17/2009.

Heard in Committee. Speakers: Sally Stevenson, Animal Care and Control; Female Speaker, Animal Care and Control; Dave Weisman; Karin Olsson; Antonia Moore; Pam Rugvist; Dr. Lisa Fromer; Dr. Barbara Hodges; Dr. Susanna Russo; Bill Hamilton; Mr. Cowling; Dr. Paul Clearly, Balboa Pet Hospital; Nancy Wuerfel; Laura Fairbanks; Vicki Tiernan; Linsey Vurek; Pam Pincile; Philip Gerrie; Pam Hemphill; Linda Yacobucci; Michael Collins; Walter Paulson; Nancy Scanlon, Dog Walker Association; Dwight Smith; Cook Johnson; Richard Pasture; Martha Hoffman; Arron Kepman.

Supervisors Daly and Duffy requested to be added as co-sponsors.

RECOMMENDED

Ayes: 3 - Duffy, Daly, Mirkarimi

Excused: 1 - Elsbernd

Absent: 1 - Chiu

SPECIAL ORDER - 1:00 P.M.

080323 [Place of Entertainment Permits and Board of Appeals Procedures]

Sponsors: Mayor; Dufty, Chiu and Campos

Ordinance amending the San Francisco Police Code by amending Sections 2.26, 1060, 1060.1, 1060.2, 1060.3, 1060.5, 1060.24, 1060.25 and 1060.29, by adding Sections 1060.20.1, 1060.20.2, 1060.20.3, 1060.20.4, 1060.24.1, 1060.24.2, 1060.29.1, 1060.30, 1060.31, 1060.32, 1060.33, 1060.34, 1060.35, 1060.36, and 1060.37, by repealing Sections 1060.4, 1060.20, and 1060.22, and by adding new Sections 1060.4 and 1060.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Place of Entertainment Permits and One Night Event Permits (now called "One Time Event Permits"), including changes in penalties, and amending the San Francisco Business and Tax Regulations Code by amending Sections 8 and 26 to provide the time for appealing to the Board of Appeals, to provide an additional category of permit suspension and revocation actions that are not suspended pending a decision by the Board of Appeals, and to clarify the standards governing the review of permits.

03/04/08; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2008. (Referred to Entertainment Commission for informational purposes.) (Referred to Small Business Commission for comment and recommendation.)

06/03/08; RESPONSE RECEIVED. The Small Business Commission unanimously approved the proposed ordinance.

06/05/08; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Bob Davis, Director, Entertainment Commission; Kevin Ryan, Mayor's Office of Criminal Justice; Inspector Varja Granelli, Police Department; Captain T. Jimenez, Commander, Tenderloin Station, Police Department; Officer Fred Crisp, Permit Officer, Central Station, Police Department; Harold Johnson, Johnson Security; Ray Bobbitt; Sean; Andrew Boggs.

10/28/08; SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/28/08; ASSIGNED to City Operations and Neighborhood Services Committee.

11/20/08; AMENDED. Speakers: None.
Amended on page 35, line 5, by replacing "or" with "and."
Continued to December 4, 2008.

11/20/08; CONTINUED AS AMENDED.

12/04/08; CONTINUED TO CALL OF THE CHAIR. Speakers: None.

02/24/09; SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

02/24/09; ASSIGNED to City Operations and Neighborhood Services Committee.

03/03/09; REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comment.

03/23/09; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Bob Davis, Executive Director, Entertainment Commission; Audrey Joseph, Entertainment Commission; Terrance Alan; Raymond Bobbett, SF Pubs; William White; Steven Lee; Francisco Da Costa; Vash Edward; Matt Kumin; Male speaker; Maurice Salina; Michael Spearman.

04/27/09; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Deputy Chief Kevin Cashman, Police Dept.; Captain Jim Dudley, Police Dept.; Paul Zarefsky, Deputy City Attorney; Bob Davis, Executive Director, Entertainment Commission; Mr. Ryan, Mayor's Office; Male Speaker; David Orverdorth; Bob; Matt Clifesky; Terrance Alan; Audrey Joseph, Entertainment Commission.

04/27/09 - Amendment of the whole bearing the same title.

04/27/09; CONTINUED AS AMENDED. Continued to May 11, 2009.

05/11/09; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Paul Zarefsky, Deputy City Attorney; Bob Davis, Executive Director, Entertainment Commission;

Supervisor Chiu; Robert Garcia; David Orverdorf; Tom Ferriole, Citizens United for Neighborhood Planning; Francisco Da Costa; Terrance Alan; Mark Rene.

05/11/09; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

05/18/09; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Tom Ferriole, Citizens United for Neighborhood Planning; Robert Garcia, Save Our Streets; David Overdorf, Greater Nob Hill Neighborhoods; Cheryl Adams, Deputy City Attorney; Mr. Cashman, Police Department; Alan; Mr. Davis, Entertainment Commission; Paul Zarefsky, Deputy City Attorney.

05/18/09; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

06/08/09; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Bob David, Executive Director, Entertainment Commission; President David Chiu, Board of Supervisors; Francisco Da Costa; David Orverdort; Robert Garcia, Save Our Streets.

08/10/09; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Paul Zarefsky, Deputy City Attorney; President Chiu; Female Speaker; Kevin Ryan, Director of the Mayor's Office of Criminal Justice; David Overdorf, Greater Nob Hill Neighborhood Association; John LeFan; Dorothy Jane McElhiney; Frank Therre; Tina Serano; William McElhiney; Robert Taxin; Francisco Da Costa; Ms. Winston; Terrance Allen; Beverly McAdams, Mothers Against Drunk Driving; Male Speaker; Robert Garcia, Save Our Streets.

08/10/09 - Amendment of the whole bearing the same title.

08/10/09; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

Heard in Committee. Speakers: Kevin Ryan, Director of the Mayor's Office of Criminal Justice; Deputy Chief Kevin Cashman, Police Dept.; Bob Davis, Executive Director, Entertainment Commission; Paul Zarefsky, Deputy City Attorney; Timothy Bennetti, Bonville Nightclub; Robert Garcia, Save Our Streets; Robert Taxin; Bill McElhiney; Female Speaker; Wyatt Turner; Male Speaker; Mr. Newsom; Patricia Glassy and Bridget Lienessey donated their time for a video; Tom Perriole, Citizens United for Neighborhood Planning; David Overdorf; Mark Wayne; Elizabeth Rood; Male Speaker; Jessica Jenslie; Michael Casey; Mark Ellinger; Mike Madrid; Jose Segue; Patrick Stevens; Tyler Crowley; Neil Martinson; Katharin Weir; Tater Lesburn; Tyler Krehik; Mr. Gordy; Female Speaker; Dan Makey; David Katenelson; Deborah Jackman; John Miles; Michael Winger; Andre Pessis; Ms. Malard; Robert Kowal; John Hinman; Jay Siegan; Eric Stone; Steve Woo; Denise Roe; Siu Cheung; Don Alan; Jerry Crisps; Dustin Everon; Male Speaker; Adina Sorolo; Jeanie West; Female Speaker; Andrew Woods; Gabriela Foreman; Mr. Caslow; Scott Kiper; Tina Hillard; Mike Wilkomar; Lee Curry; Female Speaker; Moe Abulo; Jenny Kiley; Elaine Zamora; Terrance Allen; Richard Robinson; Serine Russo.

RECOMMENDED

Ayes: 3 - Dufty, Daly, Chiu

Excused: 1 - Elsbernd

Absent: 1 - Mirkarimi

080324 [Extended-Hours Premises Permits]

Sponsors: Mayor; Dufty, Chiu and Campos

Ordinance amending the San Francisco Police Code by amending Sections 1070, 1070.1, 1070.2, 1070.3, 1070.5, 1070.7, 1070.8, 1070.19, 1070.22, and 1070.24, by adding Sections 1017.17.1, 1017.17.2, 1017.17.3, 1070.28, 1070.29, 1070.30, 1070.31, 1070.32, 1070.33, 1070.34, 1070.35, and 1070.36; by repealing Sections 1070.4, 1070.17, 1070.20, 1070.20-1, 1070.21, and 1070.26; and by adding new Sections 1070.4, 1070.17, and 1070.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Extended-Hours Premises Permits, including changes in penalties.

03/04/08; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2008. (Referred to Entertainment Commission for informational purposes.)
(Referred to Small Business Commission for comment and recommendation.)

06/03/08; RESPONSE RECEIVED. The Small Business Commission unanimously approved the proposed ordinance.

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10/28/08; SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/28/08; ASSIGNED to City Operations and Neighborhood Services Committee.

11/20/08; CONTINUED. Speakers: None.
Continued to December 4, 2008.

12/04/08; CONTINUED TO CALL OF THE CHAIR. Speakers: None.

02/24/09; SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

02/24/09; ASSIGNED to City Operations and Neighborhood Services Committee.

03/03/09; REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comment.

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Supervisor Daly moved to divide the question relating to "SEC. 1070.36. PROSPECTIVE MORATORIUM ON GRANT OF EXTENDED-HOURS PREMISES PERMITS" located on Page 41, Line 17, through Page 44, Line 18.

The question relating to "SEC. 1070.36. PROSPECTIVE MORATORIUM ON GRANT OF EXTENDED-HOURS PREMISES PERMITS" was passed as divided by the following vote:

RECOMMENDED AS DIVIDED by the following vote:

Ayes: 11 - Duffy, Chiu

Noes: 1 - Daly

RECOMMENDED

Ayes: 3 - Duffy, Daly, Chiu

Excused: 1 - Elsbernd

Absent: 1 - Mirkarimi

ADJOURNMENT

The meeting adjourned at 4:55 p.m.