

City and County of San Francisco

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



MEETING MINUTES
Thursday, July 17, 2008
1:00 PM
City Hall, Room 263
Regular Meeting

City Operations and Neighborhood Services Committee

Members: Carmen Chu, Jake McGoldrick, Sean Elsbernd

Clerk: Gail Johnson (415) 554-4445

Members Present: *Carmen Chu, Jake McGoldrick, Sean Elsbernd.*

Members Excused: *None.*

Members Absent: *None.*

MEETING CONVENED

The meeting convened at 1:10 p.m.

REGULAR AGENDA

080438 [Prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums] **Supervisor Daly**

Ordinance updating findings based on recent studies; amending San Francisco Health Code Sections 1009.20, 1009.21, 1009.22, 1009.23, 1009.25, and 1009.81, and adding Sections 1009.26, 1009.27, 1009.28, and 1009.29, to prohibit smoking in 1) business establishments and bars regardless of whether owner-operated, 2) common areas of multi-unit housing complexes, 3) tourist lodging facilities, 4) tobacco shops, 5) charity bingo games, 6) taxicabs and other motor vehicles for hire, 7) unenclosed dining areas of restaurants, 8) service waiting areas, 9) areas within twenty feet of entrances to private, nonresidential buildings, 10) farmers markets, and 11) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas, defining secondhand smoke from a business establishment located in a mixed-use residential and commercial building as a nuisance; adding administrative procedures and penalties; deleting criminal penalties; adding provisions for cost recovery and liens; adding provisions for private enforcement of the 4/1/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/1/2008.

4/9/08, REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation.

6/19/08, RESPONSE RECEIVED. The Small Business Commission transmitted a list of its recommended amendments to the proposed ordinance.

Heard in Committee. Speakers: Lena Gomes, Legislative Assistant to Supervisor Daly; Cheryl Adams, Deputy City Attorney; Serena Bardell; John Ready, Foundation for Voice Restoration; Michael Nulty, Tenant Association Coalition; Joe Barron, Grant's Pipe Shop; Bob Lofroos, Occidental Cigar Bar; Audrey Joseph; Male Speaker; Anjali Nath, Breathe California; Dr. Stanton Glantz, UCSF; Julie Waters, Communities Under Siege; Bob Lofroos, Occidental Cigar Bar; Yan Fen Liu, SRO Families; Gordon Mar, Chinese Progressive; Curtis Post, Occidental Post; Paul

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Continued to August 7, 2008.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Chu, McGoldrick, Elsbernd

080578 [Liquor license transfer - 17 Third Street]

Hearing to consider that the transfer of a Type 21 off-sale general license from 1701 Taraval Street to 17 3rd Street (District 6), to Brian Sheehy for Future Beverage Inc. dba Cask, will serve the convenience of the people of the City and County of San Francisco.

5/13/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

5/21/08 - Sent referral letter to Planning and the Police Department.

6/9/08, RESPONSE RECEIVED. Planning Department approved liquor license request.

Heard in Committee. Speakers: Inspector Dave Falzon, SFPD; Brian Sheehy; Donnie Donnelly; Michael Nulty; Blanford Stockdale, Joi de Hotels; Stephen Beal, Grace Cathedral; Maureen Futtner, Urban Solutions; Christine Garcia.

PREPARED IN COMMITTEE AS A RESOLUTION APPROVING THE REQUEST WITH CONDITIONS.

Resolution determining that the transfer of a Type 21 off-sale general license from 1701 Taraval Street to 17 Third Street (District 6), to Brian Sheehy for Future Beverage, Inc. dba Cask will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

RECOMMENDED.. by the following vote:

Ayes: 3 - Chu, McGoldrick, Elsbernd

080933 [SFPUC Water System Improvement Program, Local San Francisco Program]

Supervisor Chu

Hearing to review the Local San Francisco Program component of the Water System Improvement Program, with particular attention paid to aging pipes and timelines for replacing them, particularly in light of the July 7th 100-year-old pipe burst on Taraval Street. The breakage created a major disruption along a major neighborhood commercial corridor. The hearing will also cover the PUC's policy for addressing merchant losses as a result of the disruption.

7/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Heard in Committee. Speakers: Howard Fung and Bill Teahan, SFPUC; Rodney Templeton.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Chu, McGoldrick, Elsbernd

080876 [Recurring FY 2008-2009 State grant funds to the Department of Public Health] Supervisor Alioto-Pier

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (DPH) for FY 2008-2009.

(Fiscal Impact.)

6/17/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Heard in Committee. Speaker: Frances Culp, Department of Public Health.

RECOMMENDED by the following vote:

Ayes: 2 - Chu, Elsbernd

Absent: 1 - McGoldrick

080688 [Helping Hands for Animals Program policy welcoming attorneys to volunteer with the District Attorney's Office to help prosecute animal cruelty cases] Supervisor Alioto-Pier

Resolution approving the "Helping Hands for Animals" Program which would welcome private attorneys to aid in the prosecution against animal cruelty as volunteer attorneys under the District Attorney's Office of San Francisco County.

5/20/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Heard in Committee. Speakers: Catherine Stefani, Legislative Assistant to Supervisor Alioto-Pier; Christine Garcia, Animal Control Commission; Lindsay Bruick; Beth Sullivan; Greg.
Continued to August 7, 2008.

CONTINUED by the following vote:

Ayes: 3 - Chu, McGoldrick, Elsbernd

080774 [DSW training and reporting and employee contact information] Supervisor Alioto-Pier

Ordinance requiring departments to update employee contact information and report annually on the status of required Disaster Service Worker Training.

6/3/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Heard in Committee. Speaker: Micki Callahan, Department of Human Resources.

RECOMMENDED by the following vote:

Ayes: 3 - Chu, McGoldrick, Elsbernd

080594 [Prohibiting pharmacies from selling tobacco products] Mayor, Supervisors Peskin, McGoldrick

Ordinance amending the San Francisco Health Code by amending Section 1009.53 and adding Section 1009.60 and Article 19J, to prohibit pharmacies from selling tobacco products.

(No Economic Impact)

4/29/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/29/2008. (Referred to the Small Business Commission for comment and recommendation.)

6/11/08, RESPONSE RECEIVED. The Small Business Commission unanimously supports proposed ordinance, with recommendations to the Mayor.

Heard in Committee. Speakers: Dr. Mitchell Katz, Department of Public Health; Cheryl Adams, Deputy City Attorney; Michael Sharpe, UFCW Local 648; Brajah Norris, Small Business Commission; Dr. Steven Fugaro, SF Medical Society; Edward Al-Ghani, UFCW Local 648; Jean Lopez, Walgreens; Christian Pradia, UFCW Local 648; Rob Black, SF Chamber of Commerce; Lisa Kroon, UCSF School of Pharmacy; James Ray, American Cancer Society; Bob Gordon, Tobacco Free Coalition; Ralph Morals,

American Lung Association; Ted Guggenheim, Tobacco Free Coalition; Dave Devencenzi,

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Chu, McGoldrick, Elsbernd

080910 [State grant to support environmental health pest exclusion activities - \$47,694.36]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$47,694.36 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2007 through June 30, 2008.

6/24/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/8/08, REFERRED to City Operations and Neighborhood Services Committee.

Heard in Committee. Speaker: Richard Lee, Department of Public Health.

RECOMMENDED.. by the following vote:

Ayes: 2 - Chu, Elsbernd

Absent: 1 - McGoldrick

ADJOURNMENT

The meeting adjourned at 5:23 p.m.