

WEST OF TWIN PEAKS CENTRAL COUNCIL MINUTES
April 22, 2013

12 Associations Present:

Balboa Terrace, Roger Ritter
Forest Hill, Gus Guibert
Forest Knolls, Walter Caplan
Golden Gate Heights, Sally Stephens
Greater West Portal, Matt Chamberlain
Lakeshore Acres, Bill Chionsini
Midtown Terrace, George Wooding
Miraloma Park, Karen Breslin
Monterey Heights, Stacy Pinoris
Sunnyside, Estelle Smith
Westwood Highlands, Dave Bisho
The Woods, Judy Clarke

8 Associations Absent:

Ingliside Terraces, Lakeside Property Owners,
Merced Manor, Mount Sutro Homeowners, Pine
Lake, Saint Francis Homes, Sherwood Forest, Twin
Peaks Improvement

Officers Present:

Matt Chamberlain, President
Roger Ritter, Vice President
Sally Stephens, Secretary
Avrum Shepard, Parliamentarian

Guests Present:

Mitch Bull, Westside Observer
John Farrell, Forest Hill
Ron Sherman, Recology
Gary Naguera, Miraloma Park
Matthias Mormino, Sup. Norman Yee's Office
Barbara Chionsini, Lakeshore Acres
Lee Hsu, Greater West Portal
Annie Chou, State Sen. Yee's Office
Rob Chua, Assemblymember Ting's Office
F.X. Crowley
Lisa Spinali, Sunnyside
Rae Doyle, Greater West Portal
Loretta Wasacz, Forest Hill
Andrew Bley
Joel Engardio, Golden Gate Heights
Michael Breyer
Al Harris, District 11 Council, OMI-NIA
Mary Harris, District 11 Council, OMI-NIA
Eric Brooks

Meeting called to order: 7:34 pm, there was a quorum (12 of 20)

Minutes: The draft of the March 25, 2013 minutes were approved – Dave Bisho moved, Bill Chionsini seconded.

President's Report: Matt Chamberlain noted that the Nominating Committee for this year's election of officers consists of five Past Presidents – Paul Conroy, Dave Bisho, Denise La Pointe, Don Dutil, and Bill Chionsini. If you want to be an officer, let them know.

There was no Vice-President's, Treasurer's, or Secretary's Report

Parliamentarian's Report: Avrum Shepard noted that MTA will have a few ballot measures for the November 2013 election that will total up to \$590 million.

Committee Reports:

Planning and Land Use Committee: Estelle Smith reported that the Committee will email delegates to get reactions to the four issues the Committee decided to follow: serial permitting, CEQA, secondary units, the Housing Element, and the Monterey Blvd Safeway. People should let them know if there are other issues they

should monitor. Avrum Shepard reported that the email was sent earlier this week.

Tech Committee: Avrum Shepard noted that he has put together a preliminary roster of delegates that he will pass out to Officers. One issue raised is that people don't want their phone and addresses listed, although most are not concerned about email addresses being included. So the roster will include name and email addresses.

Public Health Committee: George Wooding reported that City Attorney Dennis Herrera had sent a letter to Nevada accusing them of giving mental patients a one-way bus ticket to California and sending them there. Laguna Honda received a \$500,000 gift from an elderly woman in Ingleside.

Open Space Committee: No Update.

Transportation Committee: Bill Chionsini gave an update on pedestrian safety on Sloat Blvd. The City is moving forward with the \$1 million grant for pedestrian safety on Sloat. The project is more complicated than originally thought because, for example, many of the roads are offset (not straight through on both sides of Sloat). They are now talking about adding a Hawk light for pedestrians at both 23rd Ave and Sloat, and at Forestview and Sloat. At a Hawk light, a pedestrian pushes a button, at which point lights along the crosswalk switch from flashing yellow to solid yellow, to make it clear to drivers that there is a pedestrian in the crosswalk. There will be Community Meetings in late May, at which the public can comment.

New Business:

1) Recology Rate Hike: Gary Naguera reported on the notice ratepayers received from Recology announcing that they will raise rates, and will now charge for blue and green bins (from \$2 to \$4 per bin, depending on size of the bin). Recology says the rates will increase by \$6 per month. Naguera thought this was counterproductive – they want us to recycle more but now will charge us to do so. If Recology gets enough negative feedback, the raise will not go through. If you send letter opposing rate increase, you have to address the letter exactly as stated in the notice from Recology, and you have to include your address and your account number. You also have to say you oppose the rate increase, and you have to sign the letter. Letters are due by May 30, 2013. Dave Bisho suggested having someone from Recology to speak at the May meeting.

2) CEQA Appeal Reform #1: Supervisor Scott Wiener described his proposed legislation to change the appeal process under the California Environmental Quality Act (CEQA). His legislation has been discussed at 7 public hearings, including the Land Use Committee of the Board of Supervisors today, with the 8th hearing in two weeks. CEQA is important legislation that requires developers, officials, and the public to consider negative impacts from proposed projects. If you make a change to your home or remodel a playground, you usually get a categorical exemption (a finding that no significant environmental impact is expected), but this decision can be appealed to the Board of Supervisors. In San Francisco, for smaller projects, the Board never set a statutory process for appeals. So the appeals process is opaque and unclear. Note he is only talking about smaller projects; this is not for large projects such as Parkmerced. Wiener said it is not even clear when an appeal can be filed. Indeed when appeals are filed with the Board, the City Attorney's Office has to rule on whether the appeal is timely or not. For example, when a woman filed an appeal of the Glen Canyon rec center project, it took the City Attorney's Office two weeks to decide that the appeal was not timely, but even they could not explain what rationale they used to decide that. Wiener said his legislation would set a deadline for a CEQA appeal at 30 days from the time of the first approval that describes the entire project. If the project changes significantly, it would be considered a new project and there would be a new deadline for an appeal. Currently, anyone can appeal at anytime during a project, every time a new permit is needed during construction. A CEQA appeal freezes all work on a project until the appeal is decided. Wiener said his legislation would allow work to continue on a project while the appeal process takes place. Big developers can deal with an unpredictable appeal process because they have lots of money and lawyers. However, homeowners and city departments like the Rec and Park Dept do not have lots of money to deal with delays.

Delegates raised the issue of serial permitting, where a contractor originally files plans for a small project, then pulls a second permit later for a larger addition to the project, so that the final total project is much larger than the original permit implied. Wiener said that under today's process as well as under his proposed legislation, that kind of change would require a new CEQA determination. When asked how many projects had been delayed by CEQA appeals, Wiener noted that about 7-10 appeals come before the Board every year. They're not being flooded with appeals, but the appeals process now is unclear. People should be able to know when the deadline for an appeal is, whether they are the ones trying to do the small project or neighbors who oppose it. If the ground rules are clear, people will know what to do. Wiener noted that San Francisco cannot change CEQA. But each city is responsible for setting up procedures for appeals.

3) Update on City College: John Rizzo, President of the Board of Trustees for City College, gave an update on the threats to withdraw accreditation of City College. In October 2012, they released a plan to address the issues with accreditation. In a March 15, 2013 report, City College outlined the progress made on the plan and what still needs to be done. At the beginning of April, a team from the accreditation committee came to campus and interviewed people. They expect a decision at the end of June, which they will be hear about in the beginning of July. City College has proposed four major reorganizations of management structures; these reorganizations are in different stages of being done. They have looked at the Finance Office and the Payroll Office and how they work. The audit this year revealed no new findings. The reserve fund will be fully funded. They are collecting data on how well students are doing and will use this data to make changes in classes next time. They still have contract negotiations with the faculty union, the Department Chair's Council, and SEIU (non-faculty). Enrollment is down, which means they receive less money from the state. However, their proposed budget is balanced. Rizzo said he is cautiously optimistic, that City College is on the right track.

When asked about how Proposition 30 affected City College, Rizzo said that Prop 30 prevented further cuts to colleges and K-12 education. Proposition A prevented huge cutting of classes and layoffs. City College is now in a fairly stable place. They want to increase numbers of classes offered to get enrollment up. All of Dean's job descriptions were all rewritten. How Department Chairs interact with classes is changing. Top management is changing. When asked about a Permanent Chancellor, Rizzo said they will not start preliminary search until they hear from the accreditation committee. They hope to hire someone by the end of this year. When asked about using parcel tax money to fund their reserve, Rizzo noted that they are required to fund the reserve. If they don't fund it, City College will go away. They would have funded the reserve anyway, but because of Prop A, they had the money to fund the reserve without having to cut elsewhere.

4) CEQA Appeal Reform #2: Supervisor Jane Kim described her proposed legislation to reform the CEQA appeals process. She noted that there are three CEQA determinations: 1) Big projects have to do an Environmental Impact Report; 2) Negative Declaration – Planning Dept decides that they can mitigate any impacts so there is no impact; and 3) Categorical Exemption – projects that normally do not have significant impacts. The vast majority of projects in San Francisco get categorical exemptions – about 5000 exemptions each year, with about 5 appealed to the Board of Supervisors each year. Supervisor Wiener's proposed legislation makes the CEQA process easier for the Planning Dept. Her legislation makes it easier for the public. She noted that if you set up a process that caters to horror stories, you hurt average citizens' ability to appeal. Kim said that 80% of projects that get categorical exemptions go unnoticed; people don't know about the project until construction starts. Because these projects get little attention, she wants a wider window for appeal for these projects. Her legislation sets the deadline for appeals as 30 days after the last permit approval in a project. She noted that for the average small project, the first and last permit approval are essentially the same. Kim said her legislation would provide a more robust notification process for projects. Homeowners would not be responsible for the increased notification; the Planning Dept would be responsible. Kim also noted that for homes that are more than 50 years old, her legislation would require the Planning Dept to do even more notification. She noted that one of the values of CEQA appeals is that developers have included more pedestrian safety improvements into their projects because they were being sued on CEQA grounds.

When asked about budget implications of her legislation, Kim said it will require 3-4 more FTEs for the Planning Dept to do the added work. When asked how her legislation would affect smaller projects, Kim said that she would require notification would be required 300 feet in any direction from a proposed project. In addition, people can sign up to get notice of any project with specific criteria, for example, to get notice of any project done in a park. She said she thinks that electronic notifications (emails, texts, etc) will make it easier for the Planning Dept to deal with increased notifications. Kim noted that her legislation had been introduced on April 9, and she was starting to go to neighborhood groups and others to get endorsements and she hoped WTPCC would support her legislation. She added that she feels that the community's perspective has not been represented in the discussions about CEQA appeal reform, and she hopes her legislation does that.

5) Safeway on Monterey Blvd: Estelle Smith noted that she had met with Supervisor Norman Yee about the issue of where the entrance for the Safeway should be. A plan to use Monterey Blvd for the entrance, with bulb outs paid for by Safeway, is appropriate and mutually beneficial.

Meeting Adjourned at 9:05 pm
Minutes submitted by Sally Stephens, Secretary

2013 SCHEDULE OF MEETINGS:

Fourth Monday of every month – January 28, February 25 (location TBD), March 25, April 22, May 20 (note the date change for May due to the Memorial Day holiday), June 24 (annual meeting), September 23, October 28, November 25. No meetings in July, August, and December. *All meetings are at 7:30 pm. Location at Miraloma Park Clubhouse, 350 O'Shaughnessy Blvd at least through the summer, as the Forest Hill Clubhouse is renovated.*

MEMBER ORGANIZATIONS: Balboa Terrace – Forest Hill – Forest Knolls – Golden Gate Heights – Greater West Portal – Ingleside Terraces – Lakeshore Acres – Lakeside Property Owners – Merced Manor – Midtown Terrace – Miraloma Park Improvement Club – Monterey Heights – Mount Sutro Homeowners – Pine Lake Park – St. Francis Homes – Sherwood Forest – Sunnyside – Twin Peaks Improvement Association – Westwood Highlands – The Woods