



City and County of San Francisco

Meeting Minutes

Public Safety and Neighborhood Services Committee

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

Members: Catherine Stefani, Joel Engardio, Matt Dorsey

Clerk: John Carroll (415) 554-4445

Thursday, March 9, 2023

10:00 AM

Regular Meeting

IN-PERSON MEETING

City Hall, Legislative Chamber, Room 250

(remote access provided)

(remote public comment provided via teleconference)

Present: 3 - Catherine Stefani, Joel Engardio, and Matt Dorsey

The Public Safety and Neighborhood Services Committee met in regular session, in-person with remote access and public comment via telephone, on Thursday, March 9, 2023, with Chair Catherine Stefani presiding. Chair Stefani called the meeting to order at 10:01 a.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access, and remote public comment via teleconference (<https://sfbos.org/remote-meeting-call>). Members of the public may submit their comments by email to: john.carroll@sfgov.org; all comments received will be made a part of the official record.

Live watch San Francisco Cable Channels 26, 28, 78 or 99 (depending on your provider) or stream meetings on the SFGovTV website (www.sfgovtv.org). Regularly scheduled Public Safety and Neighborhood Services Committee Meetings begin at 10:00 a.m. every second and fourth Thursday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

Visit the Board's website (www.sfbos.org) for additional information or contact the Clerk, John Carroll, at (415) 554-4445 or john.carroll@sfgov.org.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Stefani, Vice Chair Engardio, and Member Dorsey were noted present.

A quorum of the committee was present.

COMMUNICATIONS

John Carroll, Public Safety and Neighborhood Services Committee Clerk, instructed members of the public, when general public comment is called, to contribute live comments in-person or by dialing the telephone number published on the agenda and scrolling across the screen. In-person public comment will be taken before remote public comment is called.

*(Those who are providing public comment remotely must dial *3 to be added to the remote queue to speak. Written comments may be submitted through email (john.carroll@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.)*

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

230021 [Liquor License Issuance - 1198 Pacific Avenue - Dapper]

Hearing to consider that the issuance of a Type-20 off-sale beer and wine liquor license to Dapper Nob Hill LLC, to do business as Dapper located at 1198 Pacific Avenue (District 3) will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

01/10/23; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the issuance of a Type-20 off-sale beer and wine liquor license to Dapper Nob Hill LLC, to do business as Dapper, located at 1198 Pacific Avenue.

01/13/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

01/13/23; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

01/18/23; RESPONSE RECEIVED. The Planning Department recommends approval of the ABC Type-20 (Off-Sale Beer & Wine) License for a new General Grocery Store d.b.a. Dapper at 1198 Pacific Avenue. A General Grocery Store, as defined by Planning Code, Section 102 is a Retail Sales and Service Use, which is principally permitted in the Pacific Avenue Neighborhood Commercial District per Planning Code, Section 726. Area devoted to alcohol sales may not exceed 15% of the Occupied Floor Area of the establishment and shall operate with the specified conditions in Section 202.2(a)(1).

03/03/23; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with no additional conditions.

Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); Andrea Fogelbach (Dapper Nob Hill); presented information and answered questions raised throughout the discussion.

A determination that the public convenience or necessity would be served was recommended by the committee.

Chair Stefani moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the issuance of a Type-20 off-sale beer and wine liquor license to the applicant will serve the public convenience or necessity. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

Resolution determining that the issuance of a Type-20 off-sale beer and wine liquor license to Dapper Nob Hill LLC, to do business as Dapper located at 1198 Pacific Avenue (District 3) will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose no additional conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Member Dorsey moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

230022 [Liquor License Transfer - 3801-3 Street - Lucky Bayview]

Hearing to consider that the person-to-person, premises-to-premises transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Save Mart Supermarkets LLC, doing business as Lucky Bayview, located at 3801-3 Street (District 10), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

01/11/23; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the issuance of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Save Mart Supermarkets LLC, to do business as Lucky Bayview, located at 3801-3rd Street.

01/13/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

01/13/23; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

01/19/23; RESPONSE RECEIVED. Planning recommends approval of the type 20 proposed at 3801 03rd Street - Approved as an accessory use to the roughly 10,000 square foot grocery store dba "Lucky's" with the following conditions: apply to General Grocery and Specialty Grocery stores that exceed 5,000 square feet in size and shall not: (1) sell any malt beverage with an alcohol content greater than 5.7 percent by volume; any wine with an alcohol content of greater than 15 percent by volume, except for "dinner wines" that have been aged two years or more and maintained in a corked bottle; or any distilled spirits in container sizes smaller than 600 milliliters; (2) devote more than 15 percent of the gross square footage of the establishment to the display and sale of alcoholic beverages; and (3) sell single servings of beer in container sizes 24 ounces or smaller.

03/03/23; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with no additional conditions.

Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); Rajneel (Reggie) Chand (Save Mart Supermarkets, LLC); presented information and answered questions raised throughout the discussion.

A determination that the public convenience or necessity would be served was recommended by the committee.

Chair Stefani moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to the applicant will serve the public convenience or necessity. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

Resolution determining that the person-to-person, premises-to-premises transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Save Mart Supermarkets LLC, doing business as Lucky Bayview, located at 3801-3 Street (District 10), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose no additional conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Vice Chair Engardio moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

230162 [Police Code - Cannabis Regulation]

Sponsor: Mandelman

Ordinance amending the Police Code to allow holders of temporary cannabis business permits to transfer an aggregate ownership interest of 50% or more in the business to persons that were not owners at the time the temporary permit was issued so long as five years or more have passed since the Office of Cannabis Director first acknowledged receipt of the business's application for a temporary cannabis business permit, regardless of whether the business has received a permanent cannabis business permit.

02/14/23; ASSIGNED to Public Safety and Neighborhood Services Committee. 2/16/23 - President Peskin waived the 30-day rule pursuant to Board Rule No. 3.22.

02/17/23; REFERRED TO DEPARTMENT. Referred to the Office of Cannabis and the Police Department for informational purposes. Referred to the Small Business Commission for review and comment.

Heard in Committee. Speakers: Jackie Thornhill (Office of Supervisor Mandelman); Nikesh Patel, Director (Office of Cannabis); presented information and answered questions raised throughout the discussion.

Vice Chair Engardio moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

Chair Stefani requested that File Nos. 230132 and 230133 be heard together.

230132 [Authorizing Parole Entry Agreement for Sex Offense Prosecution - Department of Homeland Security/District Attorney and Sheriff]

Sponsor: Mayor

Ordinance authorizing the District Attorney and Sheriff to enter into an agreement with the United States Department of Homeland Security ("DHS") under which DHS would agree to facilitate parole entry into the United States of a criminal defendant for prosecution on multiple sex offenses in San Francisco, and the District Attorney and Sheriff would agree to notify DHS immediately if the defendant posts bail or is otherwise to be released from custody during or after the criminal proceeding.

02/07/23; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 3/9/2023.

Heard in Committee. Speakers: None.

Chair Stefani moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

230133 [Authorizing Parole Entry Agreement for Murder Prosecution - Department of Homeland Security/District Attorney and Sheriff]

Sponsor: Mayor

Ordinance authorizing the District Attorney and Sheriff to enter into an agreement with the United States Department of Homeland Security ("DHS") under which DHS would agree to facilitate parole entry into the United States of a criminal defendant for prosecution in San Francisco on a charge of murder, and the District Attorney and Sheriff would agree to notify DHS immediately if the defendant posts bail or is otherwise to be released from custody during or after the criminal proceeding.

02/07/23; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 3/9/2023.

Heard in Committee. Speakers: None.

Chair Stefani moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 10:29 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Public Safety and Neighborhood Services Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.