



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 ~ john.carroll@sfgov.org

Thursday, September 28, 2023

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Agenda

Present: 4 - Catherine Stefani, Joel Engardio, Matt Dorsey, and Rafael Mandelman

The Public Safety and Neighborhood Services Committee met in regular session, in-person with remote access and public comment via telephone, on Thursday, September 28, 2023, with Chair Catherine Stefani presiding. Chair Stefani called the meeting to order at 10:00 a.m.

Remote Access to Information and Participation

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

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll Chair Stefani, Vice Chair Engardio, and Member Dorsey were noted 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. Clerk Carroll further announced that 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

230890 [Liquor License Transfer - 779 Bush Street - Ad Hoc]

Hearing to consider that the premise-to-premise transfer of a Type-48 on-sale general public premises liquor license to 790 Bush Street Ventures, Inc., to do business as Ad Hoc, located at 779 Bush Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco. (Clerk of the Board)

08/17/23; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the transfer of a Type-48 on-sale general public premises liquor license to do business as Ad Hoc located at 779 Bush Street.

08/18/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

08/18/23; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

08/31/23; RESPONSE RECEIVED. Recommend approval of Type-48 ABC license for a new Bar use, which is permitted per 2022 010729CUA, Planning Commission Motion 21367, and Planning Code, Sections 202.12, 209.3, and 303.

09/21/23; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with the following conditions:

- 1) Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the ABC-253; and
- 2) Entertainment provided shall not be audible at any nearby residence or consideration point.

Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); David Villa Lobos (CLA Consulting); 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 premise-to-premise transfer of a Type-48 on-sale general public premises 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 premise-to-premise transfer of a Type-48 on-sale general public premises liquor license to 790 Bush Street Ventures, Inc., to do business as Ad Hoc, located at 779 Bush Street (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 conditions on the issuance of the license. (Clerk of the Board)

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

Ayes: 3 - Stefani, Engardio, Dorsey

230891 [Liquor License Transfer - 999 Valencia Street - Valencia Whole Foods]

Hearing to consider that the person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Valencia WF Inc., to do business as Valencia Whole Foods, located at 999 Valencia Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

08/24/23; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Valencia WF Inc, located at 999 Valencia Street.

08/25/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

08/25/23; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

08/25/23; RESPONSE RECEIVED. Recommend to approve the Type-20 proposed at 999 Valencia Street Per Planning Case No. 2023-002340PRJ Project Profile (PRJ) and Resolution No. M-21370.

09/21/23; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with the following conditions:

- 1) Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the ABC-253; and
- 2) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on ABC-253.

Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); Lana Nazzal (Valencia Whole Foods); 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 premise-to-premise transfer 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 person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Valencia WF Inc., to do business as Valencia Whole Foods, located at 999 Valencia Street (District 9), 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 conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

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

Ayes: 3 - Stefani, Engardio, Dorsey

230708 [Police Code - Drawing of Firearms by Armed Guards]

Sponsors: Preston; Walton, Ronen, Peskin, Chan and Engardio

Ordinance amending the Police Code to prohibit armed guards from drawing or exhibiting firearms, other than a holster, to protect property.

06/06/23; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 7/6/2023.

06/15/23; REFERRED TO DEPARTMENT. Referred to the Police Department for informational purposes.

09/18/23; CONTINUED. Heard in Committee. Speaker: Speaker; spoke neither in support nor against the hearing matter.

Heard in Committee. Speakers: Supervisor Dean Preston (Board of Supervisors); presented information and answered questions raised throughout the discussion. Jordan Davis; Geoffrea Morris; Speaker; Alan; shared various concerns regarding the ordinance matter.

Supervisor Engardio requested to be added as a co-sponsor.

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

Ayes: 3 - Stefani, Engardio, Dorsey

221206 [Urging Creation of Programming and Resources for Victims of Gun Violence]

Sponsors: Chan; Walton and Preston

Resolution urging the San Francisco Department of Public Health to create a program to provide resources and education for victims of gun violence regarding their rights to file lawsuits against gun manufacturers in accordance to California State Assembly Bill No. 1594.

11/29/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

12/06/22; REFERRED TO DEPARTMENT. Referred to the Department of Public Health, the Office of the City Attorney, the Office of the City Administrator, and the Mayor's Office for informational purposes. Referred by request to the Youth Commission for review and comment.

12/30/22; RESPONSE RECEIVED. On December 19, 2022, the Youth Commission met and recommended support for the proposed legislation, and submitted questions and recommendations for the file.

07/10/23; REMAIN ACTIVE. Supervisor Chan requested this matter remain active for an additional six months until January 10, 2024.

Heard in Committee. Speakers: Supervisor Connie Chan (Board of Supervisors); Stephanie Felder (Department of Public Health); Monifa Willis (Office of the District Attorney); Dr. Sarah Metz (University of California San Francisco); presented information and answered questions raised throughout the discussion. Speaker; Joe Kunzler; Speaker; Speaker; spoke neither in support nor against the hearing matter.

Chair Stefani moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Lines 8 and 9, to read 'According to San Francisco Police Department data, there have been 139 shootings in 2022 resulting in injury or loss of life in the City and County of San Francisco;' and on Page 3, Line 16, to clarify the beginning date of the program as January 1, 2024. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

Chair Stefani moved that this Resolution be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

230766 [Health Code - Requiring Retail Pharmacies to Stock Opioid Antagonists]

Sponsors: Dorsey; Safai

Ordinance amending the Health Code to require each retail pharmacy in the City to stock at least two boxes of an opioid antagonist, such as naloxone, used to reverse opioid overdoses.

06/27/23; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 7/27/2023.

07/03/23; REFERRED TO DEPARTMENT. Referred to the Department of Public Health, the Office of the Chief Medical Examiner, and the City Attorney for informational purposes.

09/18/23; CONTINUED. Heard in Committee. Speaker: Speaker; spoke neither in support nor against the hearing matter.

Heard in Committee. Speakers: Dr. Jeffrey Hom (Department of Public Health); presented information and answered questions raised throughout the discussion. Joe Kunzler; Speaker; shared various concerns regarding the ordinance matter.

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

Ayes: 3 - Stefani, Engardio, Dorsey

230149 [Hearing - Accidental Overdose Death Report - Departmental Responses]

Sponsors: Safai; Stefani

Hearing on the Office of the Chief Medical Examiner's report on Accidental Overdose Deaths, issued on January 18, 2023, and departmental responses to accidental overdose deaths; and requesting the Office of Chief Medical Examiner, Department of Public Health, Department of Homelessness and Supportive Housing, Police Department, and Office of the District Attorney to report.

02/07/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

02/14/23; REFERRED TO DEPARTMENT. Referred to the Office of the Chief Medical Examiner, Department of Public Health, Department of Homelessness and Supportive Housing, Police Department, and Office of the District Attorney for informational purposes.

08/23/23; REMAIN ACTIVE. Supervisor Safai requested this matter remain active for an additional six months until February 23, 2024.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Dr. Luke Rodda (Office of the Chief Medical Examiner); Brooke Jenkins, District Attorney (Office of the District Attorney); Commander Derrick Lew (Police Department); Dr. Hillary Kunins (Department of Public Health); Emily Cohen (Department of Homelessness and Supportive Housing); presented information and answered questions raised throughout the discussion. Geoffrey Grier (San Francisco Recovery Theater); Wesley Saver (HeathRight360); Francisco da Costa; Joe Kunzler; Speaker; Speaker; Speaker; Forrest Cameron; shared various concerns regarding the hearing matter.

Chair Stefani moved that this Hearing be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

Supervisor Stefani was noted not present at 2:00 p.m., and for the remainder of the meeting.

President Aaron Peskin appointed Supervisor Mandelman, in place of Supervisor Stefani, to the Public Safety and Neighborhood Services Committee for the regular meeting of September 28, 2023, beginning at 2:00 p.m.

Supervisor Stefani Excused from Attendance

Member Mandelman moved to excuse Chair Stefani from attending the Public Safety and Neighborhood Services Committee regular Meeting of September 28, 2023, beginning at 2:00 p.m. The motion carried by the following vote:

Ayes: 3 - Engardio, Dorsey, Mandelman

Excused: 1 - Stefani

220961 [Hearing - Traffic Enforcement and Street Safety]

Sponsor: Mandelman

Hearing on the state of traffic enforcement and street safety in San Francisco; and requesting the Police Department and Municipal Transportation Agency to report.

09/06/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

09/14/22; REFERRED TO DEPARTMENT. Police Department and Metropolitan Transportation Agency

10/13/22; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Stephen Braitsch (Transpomaps.org); Luke Bornheimer (Community Spaces SF); Peter Walsh (Police Department); Tom Maguire, Director of Streets Division, and Shawn McCormick (San Francisco Municipal Transportation Agency); presented information and answered questions raised throughout the discussion. Sara Benson; Wesley Saver; Brian Haagsman; Francisco DaCosta; Alan Emmanuel; Speaker; Lisa Trempton; Speaker; Speaker; spoke on various concerns relating to the hearing matter.

07/11/23; REMAIN ACTIVE. Supervisor Mandelman requested this matter remain active for an additional six months until January 11, 2024.

Member Mandelman moved that this Hearing be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Engardio, Dorsey, Mandelman

Excused: 1 - Stefani

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 2:53 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.