



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: Gordon Mar, Catherine Stefani, Matt Haney

Clerk: John Carroll (415) 554-4445

Thursday, September 23, 2021

10:00 AM

Regular Meeting

Present: 3 - Gordon Mar, Catherine Stefani, and Matt Haney

The Public Safety and Neighborhood Services Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Thursday, September 23, 2021, with Chair Gordon Mar presiding. Chair Mar called the meeting to order at 10:04 a.m.

Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: john.carroll@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Public Safety and Neighborhood Services Committee Meetings begin at 10:00 a.m. on the second and fourth Thursdays of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Mar and Vice Chair Stefani were noted present. Member Haney was noted not present.

A quorum was present.

Member Haney was noted present at 10:06 a.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

210854 [Liquor License Transfer - 907 Post Street - Presidio Cocktail Corp.]

Hearing to consider that the transfer of a Type-48 on-sale general public premises liquor license to Presidio Cocktail Corporation, doing business as Presidio Cocktail Corp. at 907 Post Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

07/23/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

07/26/21; REFERRED TO DEPARTMENT. Referred to the Planning and Police Departments for comment and recommendation.

08/24/21; RESPONSE RECEIVED. The Planning Department submitted a recommendation for approval: Retail Sales and Service Use is principally permitted at the Ground Floor in the RC-4 Zoning District pursuant to Planning Code, Section 209.3.

09/16/21; 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 ABC-253; and
- 2) No noise shall be audible at any nearby residence.

Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); Jon Gasparini (Presidio Cocktail Corporation); presented information and answered questions raised throughout the discussion. Speaker; spoke on various concerns related to the hearing matter.

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

Chair Mar moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the 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 - Mar, Stefani, Haney

Resolution determining that the transfer of a Type-48 on-sale general public premises liquor license to Presidio Cocktail Corporation, doing business as Presidio Cocktail Corp. at 907 Post Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco; 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 Mar moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Haney

210343 [Designating Various Departments as Health Care Components of the City and County of San Francisco - Hybrid Entity Under HIPAA]

Resolution accepting the report of the City Administrator and designating the Department of Public Health, Fire Department, Health Service System, City Attorney, Treasurer-Tax Collector and Department of Technology as Health Care Components under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), pursuant to Administrative Code, Chapter 22H. (City Administrator)

04/02/21; RECEIVED FROM DEPARTMENT.

04/13/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

04/21/21; REFERRED TO DEPARTMENT. Referred to the City Administrator, Department of Public Health, Fire Department, Health Service System, City Attorney, Treasurer-Tax Collector, and Department of Technology for informational purposes.

Heard in Committee. Speakers: Bill Barnes (Office of the City Administrator); presented information and answered questions raised throughout the discussion. Speaker; spoke on various concerns related to the hearing matter.

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

Ayes: 3 - Mar, Stefani, Haney

210421 [Police Code - Cannabis Regulation]**Sponsor: Mayor**

Ordinance amending the Police Code to 1) allow Cannabis Business Permit applicants to qualify as Equity Incubators by supporting Equity Applicants prior to Cannabis Business Permit issuance and not only after permit issuance; 2) specify that Equity Incubators must provide support to Equity Applicants with which the Equity Incubators and their Owners have no ownership or profit-sharing arrangement in order to qualify as Equity Incubators; 3) give first priority for permit application processing to Equity Applicants that are sole proprietors or whose business is 100% owned by a combination of Owners that are verified Equity Applicants, give second processing priority to holders of Temporary Cannabis Business Permits that commit to sharing use of their facilities with one or more Equity Applicants, and add to the sixth (formerly fourth) processing priority Applicants that previously held Temporary Cannabis Permits, in addition to those that currently hold such permits; 4) prohibit transfers of more than a 50% ownership interest in a Cannabis Business for five years after the Office of Cannabis acknowledges receipt of an application for a Cannabis Business Permit for that Cannabis Business, instead of ten years from the date of permit issuance; 5) exempt transfers of ownership in a Cannabis Business triggered by an Owner's death from transfer limits that would otherwise apply; 6) require that a Cannabis Business seeking a permit amendment tied to reduction in the combined ownership interest of all verified Equity Applicants in that Cannabis Business below 20% meet substantial equity commitments as a condition of amending the permit; 7) establish that an Applicant's withdrawal of a Cannabis Business Permit application, unlike the abandonment of an application, will not bar a subsequent application from that Applicant from qualifying for priority processing; and 8) authorize the Director of the Office of Cannabis, at any point after an Applicant has submitted a Cannabis Business Permit application, to require an Applicant to submit needed information or documentation within 45 days, and declare an application abandoned if the Applicant fails to comply with the deadline without showing good cause for the failure; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/20/21; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 5/20/2021.

04/28/21; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. Referred to the Planning Commission for comment and recommendation. Referred to the Office of Cannabis, the Police Department, and the Office of Racial Equity for informational purposes. Referred to the Small Business Commission for comment and recommendation.

04/29/21; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Section 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

Heard in Committee. Speakers: Marisa Rodriguez, Director (Office of Cannabis); presented information and answered questions raised throughout the discussion. Speaker; Lance Williams; Speaker; Conor Johnston; Mitchel Salazar; Angelica White; Speaker; Francisco da Costa; Nina Parks; Johnny Delaplaine; Terry Jones; Rudy Corpuz; Speaker; spoke on various concerns related to the hearing matter.

Chair Mar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 2, Lines 20-25, by striking '(b) On _____, the Planning Commission, in Resolution No. _____, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference.' The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Haney

Ordinance amending the Police Code to 1) allow Cannabis Business Permit applicants to qualify as Equity Incubators by supporting Equity Applicants prior to Cannabis Business Permit issuance and not only after permit issuance; 2) specify that Equity Incubators must provide support to Equity Applicants with which the Equity Incubators and their Owners have no ownership or profit-sharing arrangement in order to qualify as Equity Incubators; 3) give first priority for permit application processing to Equity Applicants that are sole proprietors or whose business is 100% owned by a combination of Owners that are verified Equity Applicants, give second processing priority to holders of Temporary Cannabis Business Permits that commit to sharing use of their facilities with one or more Equity Applicants, and add to the sixth (formerly fourth) processing priority Applicants that previously held Temporary Cannabis Permits, in addition to those that currently hold such permits; 4) prohibit transfers of more than a 50% ownership interest in a Cannabis Business for five years after the Office of Cannabis acknowledges receipt of an application for a Cannabis Business Permit for that Cannabis Business, instead of ten years from the date of permit issuance; 5) exempt transfers of ownership in a Cannabis Business triggered by an Owner's death from transfer limits that would otherwise apply; 6) require that a Cannabis Business seeking a permit amendment tied to reduction in the combined ownership interest of all verified Equity Applicants in that Cannabis Business below 20% meet substantial equity commitments as a condition of amending the permit; 7) establish that an Applicant's withdrawal of a Cannabis Business Permit application, unlike the abandonment of an application, will not bar a subsequent application from that Applicant from qualifying for priority processing; and 8) authorize the Director of the Office of Cannabis, at any point after an Applicant has submitted a Cannabis Business Permit application, to require an Applicant to submit needed information or documentation within 45 days, and declare an application abandoned if the Applicant fails to comply with the deadline without showing good cause for the failure; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

Ayes: 3 - Mar, Stefani, Haney

210156 [Hearing - Crime and Violence Targeting Asian-American Seniors]**Sponsors: Mar; Chan, Melgar, Preston, Safai, Walton, Haney, Ronen and Stefani**

Hearing to address concerns on crime and violence targeting Asian-American seniors and other vulnerable groups and the rise of anti-Asian racism, including crime prevention efforts, status of investigations, victim services programs, other public safety resources, and strategies the departments are deploying to reduce crime and violence targeting the Asian Pacific Islander and person of color communities and to promote cross-racial solidarity; and requesting the Police Department, Office of the District Attorney, Human Rights Commission, Office of Civic Engagement and Immigrant Affairs, Adult Probation Department, and Juvenile Probation Department to report.

02/09/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

02/16/21; REFERRED TO DEPARTMENT. Referred to the Police Department, Office of the District Attorney, Human Rights Commission, Office of Civic Engagement and Immigrant Affairs, Adult Probation Department, and Juvenile Probation Department for informational purposes.

02/26/21; REFERRED TO DEPARTMENT. Referred by request to the Youth Commission, for review and comment.

03/15/21; RESPONSE RECEIVED. On March 15, 2021, the Youth Commission drafted questions, recommendations, and comments for the hearing file.

04/08/21; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisors Myrna Melgar, Connie Chan, and Hillary Ronen (Board of Supervisors); Cynthia Choi (Coalition for Community Safety and Justice); Supervisor Ahsha Safai (Board of Supervisors); Sarah Wan, Executive Director (Community Youth Center); Lai Wa Wu (Chinese Progressive Association); Shakirah Simley, Director (Office of Racial Equity); Adrienne Pon, Director, and Richard Whipple (Office of Civic Engagement and Immigrant Affairs); Arturo Carrillo (Street Violence Intervention Program); Stephanie Felder (Department of Public Health); Chief William Scott, Commander Raj Vaswani, and Commander Daryl Fong (Police Department); Chesa Boudin, District Attorney (Office of the District Attorney); presented information and answered questions raised throughout the discussion. David Woo (SoMa Pilipinas); Jenny Fox (API Council); Nikita Saini (Office of the Public Defender); Ashley Renick (Safe & Sound); Lai Wa Wu (Chinese Progressive Association); Crystal Yan (Chinese for Affirmative Action); Francisco da Costa; Khanh Nguyen (Southeast Asian Development Center); Speaker; spoke on various concerns related to the hearing matter.

06/10/21; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

Heard in Committee. Speakers: Sarah Tseng (Human Rights Commission); Brittni Chicuata, Director (Office of Racial Equity); presented information and answered questions raised throughout the discussion. Speaker; Francisco da Costa; spoke on various concerns related to the hearing matter.

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

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

Ayes: 3 - Mar, Stefani, Haney

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 11:39 a.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.