



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: Rafael Mandelman, Catherine Stefani, Shamann Walton

Clerk: John Carroll (415) 554-4445

Thursday, December 10, 2020

10:00 AM

Regular Meeting

Present: 3 - Rafael Mandelman, Catherine Stefani, and Shamann Walton

The Public Safety and Neighborhood Services Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Thursday, December 10, 2020, with Chair Rafael Mandelman presiding. Chair Mandelman called the meeting to order at 10:02 a.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. 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 Mandelman, Vice Chair Stefani, and Member Walton were noted present.

A quorum was present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

201174 [Liquor License Transfer - 1098 Howard Street - Tony Baloney's]

Hearing to consider that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Tawfiq Fayez Jodeh, doing business as Tony Baloney's, located at 1098 Howard Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

10/16/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

10/19/20; REFERRED TO DEPARTMENT. Referred to the Planning and Police Departments for comment and recommendation.

10/22/20; RESPONSE RECEIVED. The Planning Department submitted their recommendation for approval: On October 2, 2020, Building Permit Application No. 202010025735 was filed to change the use of the ground floor commercial space at 1098 Howard from Limited Restaurant to Specialty Grocery, in order to allow the business (dba Tony Baloney's) to obtain a Type 21 ABC License. A Type 21 ABC License permits an establishment to sell beer, wine and distilled spirits for consumption off the premises where sold. Under the Planning Code, this license type is permitted in conjunction with a Specialty Grocery use, but not a Limited Restaurant. As such, the Planning Department recommends approval of the requested PCN letter, subject to the following conditions:

1. The sponsor shall COMPLETE BPA 202010025735 by obtaining and issued permit and completing all inspections.
2. The site shall maintain shelves and product sales of a Specialty Grocer and shall not revert to a Limited Restaurant use after license approval. Specifically, the site shall maintain at least 85% of the gross floor area for sale of "specialty food products such as baked goods, pasta, cheese, confections, coffee, meat, seafood, produce, artisanal goods, and other specialty food products, and may also offer additional food and non-food commodities related or complementary to the specialty food products."
3. No more than 15% of the gross floor area shall be devoted to the sale of alcohol products.
4. The business shall comply with the operating conditions of Planning Code Section 202.2(a)(1).

12/03/20; 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 most recently certified ABC-253.

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.

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 - Mandelman, Stefani, Walton

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Tawfiq Fayeze Jodeh, doing business as Tony Baloney's, located at 1098 Howard 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 Mandelman moved that this Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Mandelman, Stefani, Walton

201204 [Liquor License - 408 Merchant Street - San Francisco Wine Society]

Hearing to consider that the issuance of a Type-42 on-sale beer and wine public premises liquor license to TVH Hospitality, LLC, doing business the San Francisco Wine Society, located at 408 Merchant Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

10/23/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

10/27/20; REFERRED TO DEPARTMENT. Referred to the Planning and Police Departments for comment and recommendation.

11/09/20; RESPONSE RECEIVED. The Planning Department submitted their recommendation for approval: Recommend approval retail sales and service use permitted in the C-3-0 per Planning Code, Section 210.2.

12/03/20; 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 most recently certified ABC-253;
- 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 the ABC-253; and
- 3) When the said outdoor patio area of the premises is being utilized for the sales, service and consumption of alcoholic beverages, a premise employee shall be in attendance and maintain continuous supervision at all times of said area to ensure orderly conduct of patrons.

Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); Danielle Kuzinich (San Francisco Wine Society); 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.

PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the issuance of a Type-42 on-sale beer and wine public premises liquor license to the applicant will serve the public convenience or necessity. The motion carried by the following vote:

Ayes: 3 - Mandelman, Stefani, Walton

Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to TVH Hospitality, LLC, doing business the San Francisco Wine Society, located at 408 Merchant Street (District 3), 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 Mandelman moved that this Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Mandelman, Stefani, Walton

201160 [Hearing - Economic Mitigation Working Group Findings and Recommendations Report]**Sponsors: Walton; Fewer**

Hearing on the findings and recommendations from the Economic Mitigation Working Group through the Office of Small Business; and requesting the Office of Economic and Workforce Development, Small Business Development Center, Office of the Controller, Office of the City Attorney, and the Tobacco Retail Permit Program of the Department of Public Health to report.

10/06/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

10/14/20; REFERRED TO DEPARTMENT. Referred to the Office of Small Business, the Office of Economic and Workforce Development, the Office of the Controller, the Office of the City Attorney, and the Department of Public Health for informational purposes.

Heard in Committee. Speakers: Regina Dick-Endrizzi, Director, and Dominica Donovan (Office of Small Business; Jorge Rivas (Office of Economic and Workforce Development); presented information and answered questions raised throughout the discussion. David Zouzounis; Speaker; Miriam Zouzounis; Mike; Henry Kanilowitz; Speaker; spoke on various concerns related to the hearing matter.

Member Walton moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 3 - Mandelman, Stefani, Walton

Chair Mandelman noted absent at 1:00 p.m., and for the remainder of the meeting.

Chair Mandelman Excused from Attendance

Vice Chair Stefani moved to excuse Chair Mandelman from attending the Public Safety and Neighborhood Services Committee regular meeting beginning at 1:00 p.m. The motion carried by the following vote:

Ayes: 2 - Stefani, Walton

Excused: 1 - Mandelman

201199 [Hearing - Overdose Death Reporting and Update on Overdose Prevention Program at Single Room Occupancy Hotels]

Sponsor: Haney

Hearing on the findings and data from the Overdose Death Report from January through August 2020 and on the progress and findings of the Overdose Prevention Program for Single Room Occupancy hotels; and requesting the Office the Chief Medical Examiner, Department of Public Health, and Department of Homelessness and Supportive Housing to report.

10/20/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

10/28/20; REFERRED TO DEPARTMENT. Referred to the Office of the Chief Medical Examiner, the Department of Public Health, and the Department of Homelessness and Supportive Housing for informational purposes.

Heard in Committee. Speakers: Supervisor Matt Haney (Board of Supervisors); Luke Rodda (Office of the Chief Medical Examiner); Katie Burk, Eileen Loughran, and Judith Martin (Department of Public Health); presented information and answered questions raised throughout the discussion. Laura Thomas (San Francisco AIDS Foundation); Speaker; Wesley Saver (Glide Foundation); Andrew Reynolds (San Francisco AIDS Foundation); Jason Norelli (Glide Foundation); Speaker; Speaker; Ande Stone (San Francisco AIDS Foundation) Tony Castro (Glide Foundation); spoke on various concerns related to the hearing matter.

Vice Chair Stefani moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 2 - Stefani, Walton

Absent: 1 - Mandelman

Vice Chair Stefani moved to rescind the preceding vote. The motion carried by the following vote:

Ayes: 2 - Stefani, Walton

Absent: 1 - Mandelman

Vice Chair Stefani moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 2 - Stefani, Walton

Excused: 1 - Mandelman

200133 [Hearing - San Francisco Housing Conservatorship Preliminary Evaluation Report]**Sponsor: Mandelman**

Hearing to discuss the San Francisco Housing Conservatorship Preliminary Evaluation Report; and requesting the Department of Public Health and Office of the Public Conservator to report.

02/04/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

02/12/20; REFERRED TO DEPARTMENT. Referred to the Department of Public Health and the Office of the Public Conservator, care of the Human Services Agency, for informational purposes.

06/25/20; CONTINUED. Heard in Committee. Speakers: Dr. Angelica Almeida (Department of Public Health); Jill Nielsen (Department of Aging and Adult Services); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Jennifer Esteen (Housing Conservatorship Working Group); Gabby Ruiz (Tenderloin Community Development Corporation); Zach Carlson; Michael Lyon (Senior and Disability Action); Juliana Morris (Do No Harm Coalition); Sherry Park; Tom Metz; Carolyn Kennedy; Chelsea (Coalition on Homelessness); Lauren; Dr. Allen Cooper; Ashley; Raia Small (Senior and Disability Action); Gracie; Rachel Rodriguez (Housing Conservatorship Working Group); David Brighton; Fred Winograd; Carolyn Thomas; David Mauroff (San Francisco Pretrial Diversion Project); Jennifer; Jessica Lehman, Executive Director (Senior and Disability Action); spoke on various concerns related to the hearing matter.

07/23/20; CONTINUED. Heard in Committee. Speakers: Dr. Angelica Almeida (Department of Public Health); Jill Nielsen (Human Services Agency); presented information and answered questions raised throughout the discussion. Paulina Fayer; Michael Lyon (Senior and Disability Action); Justin; Michael Godwin; Reya Small; Linda Chapman; Carolyn Thomas; Darby Morris; Carolyn Kennedy; Marlayne Morgan (Cathedral Hill Neighborhood Association); Ben Bleiman (Discover Polk Community Benefit District); Jennifer; Curtis Bradford (Tenderloin People's Congress); Cheryl Travers (Rescue SF); Gabby Ruiz (Tenderloin Community Development Corporation); Francis Gorman (Rescue SF); Anakh Sul Rama (Community Housing Partnership); George Wooding; Lauren; Raul de la Rosa; spoke on various concerns related to the hearing matter.

09/24/20; CONTINUED. Heard in Committee. Speaker: Dr. Angelica Almeida (Department of Public Health); presented information and answered questions raised throughout the discussion.

11/12/20; CONTINUED. Heard in Committee. Speakers: None.

Heard in Committee. Speakers: None.

Vice Chair Stefani moved that this Hearing be CONTINUED to the Public Safety and Neighborhood Services Committee meeting of February 11, 2021. The motion carried by the following vote:

Ayes: 2 - Stefani, Walton

Excused: 1 - Mandelman

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 2:08 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.