



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 9, 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 9, 2021, with Chair Gordon Mar presiding. Chair Mar called the meeting to order at 10:01 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

210826 [Liquor License - 2519 & 2521 Mission Street - Teatro Tin Tan]

Hearing to consider that the issuance of a Type-64 special on-sale general theater liquor license to Bigote de Gato Arts and Music, Inc., doing business as Teatro Tin Tan, located at 2519 & 2521 Mission Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

07/16/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

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

07/22/21; RESPONSE RECEIVED. The Planning Department submitted their recommendation for approval: Recommend approval to establish a Non-profit Theater with an accessory bar use per BPA 202003116802.

09/01/21; 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 or (5) consideration points.

Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); Krista Garritano (Bigote de Gato Arts and Music Inc.); 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 Mar moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the issuance of a Type-64 special on-sale general theater 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 issuance of a Type-64 special on-sale general theater liquor license to Bigote de Gato Arts and Music, Inc., doing business as Teatro Tin Tan, located at 2519 & 2521 Mission Street (District 9), 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

210853 [Liquor License Transfer - 2695 San Bruno Avenue - La Loma Produce #7]

Hearing to consider that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to La Loma #7, Inc., doing business as La Loma Produce #7, located at 2695 San Bruno Avenue (District 9), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

07/16/21; 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.

08/06/21; RESPONSE RECEIVED. The Planning Department submitted their recommendation for approval: Recommend to approve with the following conditions: principally classified as a General Grocery, a Specialty Grocery; Gross Floor Area devoted to alcoholic beverages that is within the applicable accessory use limits for the use district in which it is located; Pursuant to Planning Code Section 703, areas dedicated to alcoholic sales and displays are limited to no more than one-third of the total floor area occupied by the grocery store.

09/01/21; 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.

Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); Agustin Martinez (La Loma #7, Inc.); 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 Mar 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 - Mar, Stefani, Haney

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to La Loma #7, Inc., doing business as La Loma Produce #7, located at 2695 San Bruno Avenue (District 9), 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 a condition 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

190725 [Hearing - Sub-Acute Care in San Francisco]**Sponsors: Safai; Mar**

Hearing to discuss the status of sub-acute care in San Francisco and plans to care for this vulnerable population to prevent unnecessary deaths; and requesting the Department of Public Health to report.

06/18/19; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

06/26/19; REFERRED TO DEPARTMENT. Referred to the Department of Public Health for informational purposes.

09/26/19; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisors Hillary Ronen and Sandra Lee Fewer (Board of Supervisors); Kelly Hirimoto (Department of Public Health); Susan Philip (Milliman); Gloria Rivera; Mark Ericson (UC Hastings College of the Law); Siony Servillon (California Nurses Association); Benson Nadell (Felton Institute); Jim Macksood (California Pacific Medical Center); presented information and answered questions raised throughout the discussion. Speaker; Sylvia Aquino; Michael Lyon; Theresa Palmer; Kim Tavaglione (San Francisco Labor Council); Tony Rivera; spoke on various concerns related to the hearing matter.

01/23/20; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Kelly Hiramoto (Department of Public Health); Dr. Jian Zhang, Chief Executive Officer (Chinese Hospital); Raquel and Gloria Rivera; presented information and answered questions raised throughout the discussion. Benson Nadell; Theresa Palmer; Feng Kung (Jobs with Justice); Ligia Montano (Senior and Disability Action); Kim Tavaglione (San Francisco Labor Council); Katy Rose (California Nurses Association); Mark Aaronson (UC Hastings College of Law); spoke on various concerns related to the hearing matter.

09/30/20; REMAIN ACTIVE. Supervisor Safai requested this matter remain active for an additional six months until March 30, 2021.

04/19/21; REMAIN ACTIVE. Supervisor Safai requested this matter remain active for an additional six months until October 19, 2021.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Kelly Hiramoto (Department of Public Health); Dr. Jian Zhang, Chief Executive Officer (Chinese Hospital); presented information and answered questions raised throughout the discussion. Dr. Theresa Palmer; Vivian Imperiale; Michael Lyon; Gloria Rivera Simpson; Patrick Monette-Shaw; Suzzane Saft; Benson Nadel; spoke on various concerns related to the hearing matter.

Supervisor Mar 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

210472 [Hearing - Starting a Small Business]**Sponsors: Haney; Ronen and Mar**

Hearing regarding City processes and services as it relates to starting a small business in San Francisco and an update on the implementation of Proposition H passed by voters in November 2020; and requesting the Office of Small Business, Small Business Commission, Department of Building Inspection, Planning Department, Planning Commission, Office of Economic and Workforce Development, Department of Public Health, Public Works, and Municipal Transportation Agency to report.

04/27/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

05/05/21; REFERRED TO DEPARTMENT. Referred to the Office of Small Business, Small Business Commission, Department of Building Inspection, Planning Department, Planning Commission, Office of Economic and Workforce Development, Department of Public Health, Public Works, and Municipal Transportation Agency for informational purposes.

07/08/21; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

Heard in Committee. Speakers: Laurel Arvanitidis (Office of Economic and Workforce Development); Bridget Hicks (Planning Department); Regina Dick-Endrizzi, Director (Office of Small Business); Javier Rivera and Jeremy Spitz (Public Works); presented information and answered questions raised throughout the discussion. Steve Martin Tinto; Paul; Sharky Laguana; spoke on various concerns related to the hearing matter.

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

Ayes: 3 - Mar, Stefani, Haney

210536 [Health, Business and Tax Regulations Codes - Alternate Water Sources for Non-Potable Applications]**Sponsors: Mandelman; Mar, Melgar, Ronen and Haney**

Ordinance amending the Health Code to 1) lower the threshold, from 250,000 to 100,000 square feet of gross floor area, for requiring that new buildings be constructed, operated, and maintained using specified alternate water sources for required non-potable uses; 2) exempt certain affordable housing projects and property uses from that requirement; 3) require that certain categories of new buildings use specific sources of nonpotable water for specific purposes; 4) modify certain administrative review fees; 5) require the payment of excess use charges and penalties for failure to properly use and maintain alternate water source systems; and 6) the completion of reports on purified water, recycled water, and Non-potable District Systems; amending the Business and Tax Regulations Code to update certain annual license fee amounts for operating alternate water source systems; and affirming the Planning Department's determination under the California Environmental Quality Act.

05/11/21; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 6/10/2021.

05/19/21; REFERRED TO DEPARTMENT. Referred to the City Administrator, the Recreation and Parks Department, Public Works, Port, Airport, Real Estate Division, Planning Department, Mayor's Office of Housing and Community Development, Department of Public Health, Department of Building Inspection, and the San Francisco Public Utilities Commission for informational purposes. Referred to the Planning Department for CEQA review.

06/29/21; SUBSTITUTED AND ASSIGNED to Public Safety and Neighborhood Services Committee. Supervisor Mandelman substituted an Ordinance bearing a new title.

07/02/21; REFERRED TO DEPARTMENT. Referred to the Planning Department for CEQA review.

07/02/21; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

07/08/21; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

08/29/21; NOTICED. First 10-Day Fee Ad for September 9, 2021, Public Safety and Neighborhood Services Committee hearing published in the Examiner; per Government Code Section 6062(a).

09/03/21; NOTICED. Second 10-Day Fee Ad for September 9, 2021, Public Safety and Neighborhood Services Committee hearing published in the Examiner; per Government Code Section 6062(a).

Heard in Committee. Speakers: Jacob Bintliff (Office of Supervisor Mandelman); John Scarpulla and Paula Kehoe (San Francisco Public Utilities Commission); presented information and answered questions raised throughout the discussion. Dave Fahey; Johnny Cotoure; Tom Enslow; Melissa Yu; Paul Wermer; Corey Smith (Housing Action Coalition); Larry Mazzolla, Jr.; Paul Armer; Aaron Tartakovsky spoke on various concerns related to the hearing matter.

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

Chair Mar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 12, Lines 4-11, by inserting '(b) Nothing in the ordinance in Board File No. 201536 amending this Article 12C is intended to impair or limit any contract right that exists as of the effective date of said ordinance. In connection with the application of Article 12C as it relates to development agreements or similar development contracts, or approved development plans administered by the Office of Community Investment and Infrastructure, the General Manager shall consult with the City Attorney to determine whether the application of this Article 12C to a specific Development Project will violate the terms of contracts that the City entered into before the aforementioned effective date.' The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Haney

Chair Mar moved that this Ordinance be RECOMMENDED AS AMENDED. 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 1:15 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.