



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: Alisa Somera (415) 554-7711

Thursday, March 10, 2022

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 - Gordon Mar, Catherine Stefani, and Matt Haney

The Public Safety and Neighborhood Services Committee met in regular session, in-person with remote access and public comment via telephone, on March 10, 2022, with Chair Gordon Mar presiding.

Chair Mar called the meeting to order at 10:06 a.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).

Members of the public may submit their comments by email to: alisa.somera@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. every 2nd and 4th Thursdays of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Clerk, Alisa Somera, at (415) 554-7711 or alisa.somera@sfgov.org.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Mar, Vice Chair Stefani, and Member Haney were noted present.

A quorum of the Committee was present.

AGENDA CHANGES

There were no agenda changes.

COMMUNICATIONS

*Alisa Somera, Public Safety and Neighborhood Services Clerk, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes in-person or by dialing the provided telephone number. 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 (alisa.somera@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

REGULAR AGENDA

211171 [Liquor License Transfer - 453 O'Farrell Street - Wally's Community Market and Deli]

Hearing to consider that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Xpress Market Inc, doing business as Wally's Community Market and Deli, located at 453 O'Farrell Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco. (Clerk of the Board)

11/08/21; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

11/08/21; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for comment and recommendation.

Heard in Committee. Speakers: Office Joel Salmonson (Police Department); Speaker (Applicant Representative); presented information on the hearing matter and answered questions raised throughout the discussion.

A determination that the public convenience or necessity would be served was recommended by the committee, with the following condition: 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.

Chair 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 Xpress Market Inc., doing business as Wally's Community Market and Deli, located at 453 O'Farrell 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. (Clerk of the Board)

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

Ayes: 3 - Mar, Stefani, Haney

211177 [Health Code - Subacute Care Reporting Requirements]**Sponsors: Safai; Ronen**

Ordinance amending the Health Code to require general acute care hospitals in the City to report annually to the Department of Public Health the number of, and certain demographic information regarding, patients transferred to a health facility outside of the City to receive subacute skilled nursing care and patients who qualify for subacute skilled nursing care but are not transferred to a health facility outside of the City.

11/09/21; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 12/9/2021.

11/15/21; REFERRED TO DEPARTMENT. Referred to the Department of Public Health for informational purposes.

02/10/22; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Patrick Monette-Shaw; spoke in support of the proposed legislation and other concerns related to the subject hearing matter.

Heard in Committee. Speakers: Raquel Rivera; Dr. Theresa Palmer; Gloria Simpson; Antonio Rivera; Patrick Monette-Shaw; spoke on various concerns related to the hearing matter.

Chair Mar moved that this Ordinance be CONTINUED to the March 24, 2022 meeting of the Public Safety and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Haney

211151 [Public Works Code - Graffiti Abatement - Lifting Suspension of Issuance of Certain Violations; Reinstating Collection of Certain Fees and Fines]**Sponsors: Peskin; Mandelman**

Ordinance lifting the suspension of certain provisions of the Graffiti Removal and Abatement Ordinance regarding issuance of certain violations, and reinstating the collection of certain assessed fees and fines; and affirming the Planning Department's determination under the California Environmental Quality Act.

11/02/21; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 12/2/2021.

11/15/21; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Public Works for informational purposes.

01/19/22; RESPONSE RECEIVED. 1/10/2022 - The Small Business Commission held a public hearing and unanimously recommended support of this Ordinance, with recommendations.

02/16/22; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines, Sections 15378 and 15060(2), because it would not result in a direct or indirect physical change in the environment.

Heard in Committee. Speakers: Supervisor Aaron Peskin (Board of Supervisors); Jonathan Vaing (Public Works); presented information on the hearing matter and answered questions raised throughout the discussion.

Chair Marmoved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 5-9, by adding 'requiring notice to certain Community Benefits Districts, Business Improvement Districts, or Green Benefits Districts as those districts are defined in Article 15 and 15A of the Business and Tax Regulation Code; and requiring Public Works to report to the Board of Supervisors within 60 days the forms necessary to implement the Graffiti Abatement Ordinance;'; on Page 3, Lines 4-5 by adding 'Article 23 of the Public Works Code is hereby amended by revising Section 2304, to read as follows:'; on Page 4, Lines 8-11, by adding 'The Director shall serve one copy of the notice upon any Community Benefits District, Business Improvement District, or Green Benefits District, as those districts are defined in Article 15 and 15A of the Business and Tax Regulation code, in the neighborhood where the Notice is posted.', Line 13, by changing 'required by' to 'as referenced in'; on Page 5, Lines 14-17, by adding 'Section 6, Report to the Board of Supervisors. Within 60 days of the effective date of this ordinance, Public Work shall provide in a report to the Board of Supervisors or any forms necessary for the administration of the Graffiti Abatement Ordinance.'; and making other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Haney

Ordinance lifting the suspension of certain provisions of the Graffiti Removal and Abatement Ordinance regarding issuance of certain violations, and reinstating the collection of certain assessed fees and fines; requiring notice to certain Community Benefits Districts, Business Improvement Districts, or Green Benefits Districts as those districts are defined in Article 15 and 15A of the Business and Tax Regulation Code; requiring Public Works to report to the Board of Supervisors within 60 days the forms necessary to implement the Graffiti Abatement Ordinance; 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

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 10:48 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.