



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

Clerk: Alisa Somera (415) 554-7711

Thursday, May 12, 2022

10:00 AM

Regular Meeting

IN-PERSON MEETING

City Hall, Legislative Chamber, Room 250

(remote access provided)

(remote public comment provided via teleconference)

President Shamann Walton appointed Supervisor Connie Chan as the third member of the Public Safety and Neighborhood Services Committee for the regular meeting of May 12, 2022.

Present: 3 - Gordon Mar, Catherine Stefani, and Connie Chan

The Public Safety and Neighborhood Services Committee met in regular session, in-person with remote access and public comment via telephone, on May 12, 2022, with Chair Gordon Mar presiding.

Chair Mar called the meeting to order at 10:03 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 Chan were noted present.

A quorum of the Committee was present.

AGENDA CHANGES

There were no agenda changes.

COMMUNICATIONS

*Alisa Somera, 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

220252 [Liquor License Transfer - 3140 Mission Street - Roccapulco]

Hearing to consider that the premise-to-premise/person-to-person transfer of a Type-48 on-sale general public premises liquor license to Blue Ice Entertainment, LLC, doing business as Roccapulco, located at 3140 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)

03/04/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

03/09/22; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

05/05/22; 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.
- 2) The sale of alcoholic beverages for off-sale consumption is strictly prohibited.
- 3) No noise shall be audible at any nearby residence.
- 4) At any time, the premise is providing live entertainment, the petitioner(s) shall have two (2) uniformed security guard(s) on the premises and shall maintain order therein to prevent any activity which would interfere with the quiet enjoyment of their nearby residents, or the surrounding community. The uniform security guards must be licensed by the State of California Department of Consumer Affairs.

05/06/22; RESPONSE RECEIVED. The Planning Department recommended approval.

Heard in Committee. Speakers: Office Joel Salmonson (Police Department); 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: 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; 2) the sale of alcoholic beverages for off-sale consumption is strictly prohibited; 3) no noise shall be audible at any nearby residence; and 4) at any time, the premise is providing live entertainment, the petitioner(s) shall have two (2) uniformed security guard(s) on the premises and shall maintain order therein to prevent any activity which would interfere with the quiet enjoyment of their nearby residents, or the surrounding community; the uniform security guards must be licensed by the State of California Department of Consumer Affairs.

Chair Mar moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the premise-to-premise/person-to-person transfer of a Type-48 on-sale general premises liquor license to the applicant will serve the public convenience or necessity. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Chan

Resolution determining that premise-to-premise/person-to-person transfer of a Type-48 on-sale general public premises liquor license to Blue Ice Entertainment, LLC, doing business as Roccapulco, located at 3140 Mission Street (in 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, Chan

220253 [Liquor License Transfer - 2 Embarcadero Center, Suite R-2105 - SFGIFTBASKETS.COM]

Hearing to consider that the person-to-person and premises-to-premises transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Bear Eagle, Inc., doing business as SFGIFTBASKETS.COM, located at 2 Embarcadero Center, Suite R-2105 (District 3), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

03/09/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

03/09/22; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

03/10/22; RESPONSE RECEIVED. The Planning Department recommended approval of the Type-21 off-site general application.

05/05/22; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with no conditions.

Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); Cheryl Maloney; 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 no conditions.

Chair Mar moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the premise-to-premise/person-to-person 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, Chan

Resolution determining that the issuance of a person-to-person and premises-to-premises transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Bear Eagle, Inc., doing business as SFGIFTBASKETS.COM, located at 2 Embarcadero Center, Suite R-2105 (District 3), will serve the public convenience or necessity of the City and County of San Francisco. (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, Chan

220281 [Administrative Code - Shelter and Permanent Supportive Housing Expansion Program]**Sponsors: Mandelman; Melgar, Stefani and Mar**

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing (“HSH”) to submit to the Board of Supervisors and the Mayor a plan to implement a program to provide unsheltered persons in San Francisco with a safe place to sleep overnight (“Place for All Program”), including a cost estimate of implementation; requiring HSH to fully implement the Place for All Program; and affirming the Planning Department’s determination under the California Environmental Quality Act.

03/22/22; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 4/21/2022.

04/14/22; REFERRED TO DEPARTMENT. Referred to the Planning Department for California Environmental Quality Act (CEQA) determination; and to the Department of Homelessness and Supportive Housing, Public Utilities Commission, Municipal Transportation Agency, Port of San Francisco, Recreation and Park Department, Human Services Agency, and the Real Estate Division for informational purposes.

04/28/22; 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.

Heard in Committee. Speakers: Supervisor Rafael Mandelman and Supervisor Myrna Melgar (Board of Supervisors); Emily Cohen (Department of Homelessness and Supportive Housing); Supervisor Ahsha Safai (Board of Supervisors); Anne Pearson (Office of the City Attorney); presented information on the hearing matter and answered questions raised throughout the discussion. Caitlyn O’Neil; Conrad Mensa; Charles Tsen; David Harrison; William Jake; Francesca Francine; Carrie Barnes; Jordan Lee; Steven Currier; Andrea Ayola; Mike Nuyet; Joe Kunzler; Russell; Steve Bastilles; spoke in support of the proposed legislation. Carlos Watkins; Jennifer Friedenbach; Jordan Davis; Corey; Laurie Brooke; Martha Kelly; Mark Nagel; Susan Marsh; Kelley Cutler; Sara Shortt; EJ; Simon Maganelli; Kristin Evans; Anastasia Yovanapolous; Larry Ackerman; Edna; Mary Bacalao; Speaker; spoke in support of some amendments, but in opposition to the proposed legislation as a whole. Maria Mansell; Christopher Ranka; Tyler Kaiser; Speaker; Francisco Da Costa; Gwendolyn Westbrook; Beverly; Dolores; Speaker; Theresa Flandrich; Leslie; Jorge Garcia; spoke in opposition to the proposed legislation. Marna Reedy; Evelyn Posentier; spoke on various concerns relating to the proposed legislation.

Vice Chair Stefani moved that this Ordinance be AMENDED on Page 8, Line 11, by changing ‘Safe Overnight Parking Lots’, and Lines 11-12, by changing ‘tiny homes’ to ‘non-congregate cabins’; on Page 9, Line 5, by changing ‘tiny home’ to ‘non-congregate cabin’, and Line 7, by changing ‘tiny homes’ to ‘non-congregate cabins, Safe Overnight Parking Lots’; on Page 10, Line 7, by adding ‘Safe Overnight Parking Lots’, and Lines 7-8, by changing ‘tiny homes’ to ‘non-congregate cabins’; on Page 12, Line 18, through Page 13, Line 5, by adding ‘(7) A description of the recommended services that Shelters should offer in order to support and expedite guests moving from Shelters into housing; (8) An estimate of the number of units of housing, including Permanent Supportive Housing and Rapid Rehousing, and rental subsidies needed to ensure that all Shelter guests have the opportunity to move to housing, and an estimate of the associated annual costs; (9) A description of the Homelessness Prevention programs and services (e.g., eviction prevention and relocation services), needed to reduce the number of people entering homelessness in San Francisco, and an estimate of the annual costs of such programs and services; (10) A geographic equity strategy for the allocation of Shelter resources to ensure Shelter is made available to people experiencing homelessness in all neighborhoods of San Francisco.’, on Page 13, Lines 6-7, by changing ‘shall conduct a survey of real property in the City to identify’ to ‘in coordination with HSH, shall create, maintain, and regularly update a list of’, Line 9, by changing ‘findings of such survey’ to ‘initial list’, Lines 15-16m by changing ‘As part of the survey, the’ to ‘The’, and Line 17, by adding ‘included on the list’; on Page 14, Line 7, by changing ‘20%’ to ‘10%’, and Line 9, by adding ‘the Department of Public Works’. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Chan

Chair Mar moved that this Ordinance be AMENDED on Page 10, Line 22, by changing ‘tiny homes’ to ‘Safe Overnight Parking Lots, non-congregate cabins’; on Page 11, Lines 1-3, by adding ‘Further, it shall be the policy of the City that Safe Sleep Sites, Safe Overnight Parking Lots, and Vehicle Navigation Triage Centers be used as short-term options for individuals experiencing homelessness prior to their being offered another shelter or housing option.’, and Lines 24-25, by adding ‘excluding intitules who have accepted an offer of permanent housing and are awaiting placement’; on Page 12, Line 5, by adding ‘and the rate of successful referrals to permanent housing’. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Chan

Member Chan moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to accept all of the amendments proposed by Supervisor Melgar. Before the vote was taken, Chair Mar requested the question to amend be DIVIDED.

The motion to amend the Ordinance as proposed by Supervisor Melgar was DIVIDED, on Page 1, Line 1, by adding ‘and Permanent Supportive Housing’, Lines 6-7, by changing ‘a safe place to sleep overnight’ to ‘access to shelter and permanent supportive housing’; and making conforming changes throughout the legislation. The motion carried by the following vote:

Ayes: 2 - Mar, Chan

Noes: 1 - Stefani

The motion to amend the Ordinance as proposed by Supervisor Melgar was DIVIDED, on Page 11, Lines 5-9, by adding ‘118.5. IMPLEMENTATION OF TELEPHONIC SHELTER REGISTRATION SYSTEM. By no later than July 1, 2023, HSH shall implement a system by which people experiencing homelessness may register for Shelter by telephone (“Telephonic Shelter Registration System”). Registration through such system shall not entitle an individual to Shelter, but shall place an individual on a list of people seeking Shelter.’; and on Page 15, Line 2, by adding ‘Telephonic Shelter Referral System’, Lines 4-5 by adding ‘Permanent Supportive Housing and Safe Overnight Vehicle Lots’. The motion carried by the following vote:

Ayes: 2 - Mar, Chan

Noes: 1 - Stefani

The motion to amend the Ordinance as proposed by Supervisor Melgar was **DIVIDED**, on Page 9, Lines 19-20, by adding "Homelessness Prevention" means policies, practices, and interventions that reduce the likelihood that someone will experience homelessness, including but not limited to, rental assistance and eviction prevention programs.', and Lines 23-24, by adding "Permanent Supportive Housing" has the meaning set forth in Section 20.54.3 of Chapter 20 of the Administrative Code, as may be amended from time to time.'; on Page 10, Lines 1-2, by adding "Safe Overnight Parking Lot" has the meaning set forth in Section 119.1 of Chapter 119 of the Administrative Code, as may be amended from time to time.' The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Chan

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

Ayes: 3 - Mar, Stefani, Chan

The motion to amend the Ordinance as proposed by Supervisor Melgar was **DIVIDED**, on Page 2, Line 3, by changing '118.9' to '118.10'; on Page 9, Lines 19-20, by adding "Homelessness Prevention" means policies, practices, and interventions that reduce the likelihood that someone will experience homelessness, including but not limited to, rental assistance and eviction prevention programs.', and Lines 23-24, by adding "Permanent Supportive Housing" has the meaning set forth in Section 20.54.3 of Chapter 20 of the Administrative Code, as may be amended from time to time.'; on Page 10, Lines 1-2, by adding "Safe Overnight Parking Lot" has the meaning set forth in Section 119.1 of Chapter 119 of the Administrative Code, as may be amended from time to time.'; on Page 10, Lines 18-19, by changing 'supplement permanent housing' to 'ensure that the needs of unhoused San Franciscans are met'; on Page 10, Lines 34-25, by adding 'Permanent Supportive Housing and Shelter should be envisioned holistically to ensure efficient use of emergency resources and to establish a pathway out of homelessness.'; Page 11, Line 11, by changing 'Sec. 118.5' to 'Sec. 118.6', Lines 16-17, by adding 'and Permanent Supportive Housing', Lines 17-18, by changing 'may be expected o accept a referral to' to 'are in need of', Lines 22-23, by changing 'may be expected o accept a referral to' to 'are in need of'; on Page 12, Line 2, by adding 'counts of individuals in vehicles', Lines 3-4, by adding 'Permanent Supportive Housing, and Safe Overnight Parking Lots', Lines 10-12, by changing 'models' to 'Homelessness Prevention, and Permanent Supportive Housing models, which addresses the association between each model and successful outcomes for clients'; on Page 13, Line 8, by changing 'or' to 'buildings, and', Lines 8-9, Lines 12-13, and 17-18, by adding 'Permanent Supportive Housing, or Safe Overnight Parking Lots', and Line 15, by adding 'buildings'; on Page 14, Line 3, by adding 'Permanent Supportive Housing Units, and Safe Overnight Parking Lots', Lines 4-5 by striking 'who may be expected to accept a referral to such Shelters', Lines 13-15, by adding '(c) The City shall not fund the opening or operation of new Shelters with funds that may not lawfully be used for those purposes, including tax revenue designated by the voters for use to support behavioral health treatment or permanent housing.', Lines 20-21, by striking 'may be expected to accept a referral to a' to 'are in need of', and Lines 21-22 by adding 'Permanent Supportive Housing, or referral to a Safe Overnight Parking Lot'; and on Page 16, Lines 1-2 by changing 'Sec. 118.9. Undertaking for the General Welfare' to 'Sec. 118.10. UNDERTAKING FOR THE GENERAL WELFARE.' The motion carried by the following vote:

Ayes: 2 - Mar, Chan

Noes: 1 - Stefani

After the **DIVIDED** motions to amend were taken, the Ordinance was **AMENDED**, AN **AMENDMENT OF THE WHOLE BEARING NEW TITLE**, as a whole.

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing (“HSH”) to submit to the Board of Supervisors and the Mayor a plan to implement a program to provide unsheltered persons in San Francisco with access to shelter and permanent supportive housing (“Place for All Program”), including a cost estimate of implementation; requiring HSH to fully implement the Place for All Program; requiring HSH to implement a system to allow individuals experiencing homelessness to register for shelter by telephone; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Chan moved that this Ordinance be CONTINUED AS AMENDED to the Public Safety and Neighborhood Services Committee meeting of May 26, 2022. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Chan

211177 [Health Code - Skilled Nursing Care Transfer Reporting Requirements]

Sponsors: Safai; Ronen, Mar and Stefani

Ordinance amending the Health Code to require general acute care hospitals and hospital-based skilled nursing facilities 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 skilled nursing care and patients who qualify for 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.

03/10/22; CONTINUED. 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.

03/24/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Mar requested to be added as a co-sponsor.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Kelly Hiramoto (Department of Public Health); presented information on the hearing matter and answered questions raised throughout the discussion. Raquel Rivera; Antonio Rivera; Dr. Theresa Palmer; Vivian Anterelli; Patrick Monette-Shaw; Carolyn Kennedy; spoke in support and on various concerns relating to the hearing matter.

03/24/22; CONTINUED AS AMENDED.

04/14/22; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Bill Barnes (Office of Supervisor Ahsha Safai); presented information on the hearing matter and answered questions raised throughout the discussion. Patrick Monette-Shaw; spoke in support of the proposed legislation.

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

Duplicated into File No. 220410.

04/14/22; DUPLICATED.

Heard in Committee. Speakers: Anne Pearson (Office of the City Attorney); presented information on the hearing matter and answered questions raised throughout the discussion.

Chair Marmoved that this Ordinance be CONTINUED to the Public Safety and Neighborhood Services Committee meeting of May 26, 2022. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Chan

220240 [Administrative Code - Community Policing Plans and Foot and Bike Patrols]**Sponsors: Mar; Walton**

Ordinance amending the Administrative Code to require the Police Department to create a Community Policing Plan ("CPP") at each district police station, that, among other strategies, incorporates a foot and bike patrol deployment, and also includes a community process for eliciting input; and to require the public posting of the CPPs with a yearly update.

03/08/22; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/7/2022.

03/14/22; REFERRED TO DEPARTMENT. Referred to the Police Department for informational purposes. Referred to the Small Business Commission for review and report.

03/30/22; TRANSFERRED to Public Safety and Neighborhood Services Committee.

04/14/22; RESPONSE RECEIVED. April 11, 2022, the Small Business Commission held a public hearing and unanimously voted (4-0; 2 absences) to support the proposed legislation.

04/28/22; CONTINUED. Heard in Committee. Speakers: None.

Vice Chair Stefani moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 8-10, by adding 'Support the Police Department's ongoing reform efforts to increase community engagement, trust, positive interactions, and relations between the community and police officers.', Lines 14-15, by adding 'Subject to the budgetary and fiscal provisions of the Charter and staffing availability.', Lines 17-18, by adding '(6) Include a succession plan for the transfer and continual implementation of CPPs when changes in district station captains occur.', and Lines 19-22, by adding 'The Police Department shall provide time and resources for departmental involvement in community events, relationship-building exercises and problem-solving activities. The Police Department shall serve the diverse populations represented in the district stations using the principles of the CPPs.'; on Page 3, Lines 1-2, by adding "Police Officers working outside the confines of a patrol car may find it easier to interact with community members and to identify otherwise overlooked problems.', Lines 7-9, by adding 'The Police Department shall continue to evaluate the effectiveness of this deployment and readjust the strategy by considering the numbers of calls for service, crime prevention initiatives, and individual interactions with the community.', Lines 11-12, by adding , and identify alternatives to criminal law enforcement for quality of life issues', and Lines 21-22, by adding 'This public process is intended to allow the community provide valuable input to SFPD as a measure of accountability'. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Chan

Chair Mar moved that this Ordinance be CONTINUED AS AMENDED to the Public Safety and Neighborhood Services Committee meeting of May 26, 2022. The motion carried by the following vote:

Ayes: 3 - Mar, Stefani, Chan

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 1:47 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.