



# 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: Catherine Stefani, Joel Engardio, Matt Dorsey*

*Clerk: John Carroll  
(415) 554-4445 ~ [john.carroll@sfgov.org](mailto:john.carroll@sfgov.org)*

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Thursday, April 27, 2023

10:00 AM

City Hall, Legislative Chamber, Room 250

#### Regular Meeting

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**Present:** 2 - Catherine Stefani, and Matt Dorsey

**Excused:** 1 - Joel Engardio

*The Public Safety and Neighborhood Services Committee met in regular session, in-person with remote access and public comment via telephone, on Thursday, April 27, 2023, with Chair Catherine Stefani presiding. Chair Stefani called the meeting to order at 10:05 a.m.*

## Remote Access to Information and Participation

*The Board of Supervisors ([www.sfbos.org](http://www.sfbos.org)) and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access (watch: [www.sfgovtv.org](http://www.sfgovtv.org)), and remote public comment via teleconference (<https://sfbos.org/remote-meeting-call>). Members of the public may also submit their comments by email to the Clerk listed above; all comments received will be made a part of the official record.*

## ROLL CALL AND ANNOUNCEMENTS

*On the call of the roll, Chair Stefani and Member Dorsey were noted present. Vice Chair Engardio was noted not present. A quorum of the committee was present.*

## COMMUNICATIONS

*John Carroll, Public Safety and Neighborhood Services Committee Clerk, instructed members of the public, that when general public comment is called, to contribute live comments in-person or by dialing the telephone number published on the agenda and scrolling across the screen. Clerk Carroll further announced that 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 ([john.carroll@sfgov.org](mailto:john.carroll@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.)*

### **Vice Chair Engardio Excused from Attendance**

Chair Stefani moved to excuse Vice Chair Engardio from attending the Public Safety and Neighborhood Services Committee Regular Meeting of April 27, 2023. The motion carried by the following vote:

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

### **AGENDA CHANGES**

*There were no agenda changes.*

### **REGULAR AGENDA**

**230196 [Liquor License Transfer - 140-10 Street - Rye Bar]**

Hearing to consider that the transfer of a Type-48 on-sale general public premises liquor license to Rye Bar, Inc., to do business as Rye Bar, located at 140-10 Street (District 6) will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

02/17/23; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the transfer of a Type-48 on-sale general public premises liquor license to do business as Rye Bar located at 140-10 Street.

02/17/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

02/22/23; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

03/03/23; RESPONSE RECEIVED. The Planning Department recommends approval. ABC Types 48 and 58 permit bar and catering. Bar uses principally permitted in RCD Zoning District per Planning Code, Section 758. Catering component to be 10% of business model, so permitted as accessory use.

04/06/23; 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) Entertainment provided shall not be audible at any nearby residence or consideration point.

*Heard in Committee. Speakers: Officer Joel Salmonson (Police Department); Greg Lindgren (Rye Bar); 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 Stefani 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: 2 - Stefani, Dorsey

Excused: 1 - Engardio

Resolution determining that the transfer of a Type-48 on-sale general public premises liquor license to Rye Bar, Inc., to do business as Rye Bar, located at 140-10 Street (District 6) will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; 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 Stefani moved that this Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:**

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

**230242 [Liquor License Transfer - 72 Dorman Avenue - The Gifted Basket]**

Hearing to consider that the premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to The Gifted Basket, Inc., to do business as The Gifted Basket, located at 72 Dorman Avenue (District 10) will serve the public convenience or necessity of the City and County of San Francisco. (Clerk of the Board)

03/03/23; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to The Gifted Basket Inc., located at 72 Dorman Avenue (District 10).

03/03/23; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

03/03/23; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

03/06/23; RESPONSE RECEIVED. The Planning Department recommends approval. Recommend to approve provided that the Type-20 is limited to online sales only - no in person shopping or pick up - shipping only.

04/20/23; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with no additional conditions.

*Heard in Committee. Speaker: Officer Joel Salmonson (Police Department); informed the committee that the applicant has withdrawn their application with the state of California for a Type-20 liquor license, and is instead seeking a Type-85 license; and answered questions raised throughout the discussion.*

*The applicant is no longer seeking findings of public convenience or necessity from the Board of Supervisors.*

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

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

## **221160 [Health Code - Massage Permit Requirements]**

### **Sponsors: Mandelman; Ronen**

Ordinance amending the Health Code to exempt applicants for Massage Establishment, Sole Practitioner Massage Establishment, and Outcall Massage Service permits from fingerprinting requirements if the applicant holds a valid license issued by the California Massage Therapy Council; remove certain departments (Building Inspection, Police, Fire) from the list of departments that the Department of Public Health (DPH) must notify regarding new Massage Establishment permit applications, and remove all notification requirements to departments in cases of change in ownership of Massage Establishments or Sole Practitioner Massage Establishments; remove the requirement that departments receiving notice of new Massage Establishment permit applications conduct inspections with written findings of the applying massage establishment; allow Massage Establishments to install an exterior door keyless lock system upon prior DPH approval and upon providing DPH with a valid and up-to-date access code; and remove from the Health Code the inoperative local application process for new Massage Practitioner permits.

11/15/22; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 12/15/2022.

11/18/22; REFERRED TO DEPARTMENT. Referred to the Department of Public Health, the Planning Department, the Department of Building Inspection, the Fire Department, and the Police Department for informational purposes. Referred to the Small Business Commission for review and comment.

*Heard in Committee. Speakers: Adam Thongsavat (Office of Supervisor Mandelman); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion.*

**Chair Stefani moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 16 through 19, by inserting 'include solicitation of lewd conduct or prostitution by Massage Practitioners as conduct subject to penalty under this Article; and clarify that violations of certain sections of the Health Code regulating Massage Practitioners are also subject to enforcement as public nuisances'; on Page 3, Lines 21 through 23, to read '(b) Lewd Conduct and Prostitution Prohibited. Consistent with California Penal Code Section 647, as may be amended, and San Francisco Police Code Section 225, as may be amended'; on Page 4, Lines 6 through 10, by inserting '(c) Solicitation of Lewd Conduct and Prostitution Prohibited. Consistent with the California Penal Code Section 647, as may be amended, and San Francisco Police Code Section 225, as may be amended, Massage Practitioners shall not engage in the solicitation of lewd conduct or prostitution, on business premises, including locations designated by the client through an Outcall Massage Service'; on Page 6, Lines 19 through 20, by inserting 'Solicitation of Lewd Conduct or Prostitution in Violation of Section 29.17'; on Page 7, Lines 15-18 by inserting '(g) Violation of Certain Health Code Sections as Nuisances. As stated in Health Code Section 581(b)(15), any violation of Sections 29.10, 29.17, 29.25, 29.27, or 29.31 of this Article 29 shall be considered a nuisance and may be subject to enforcement, penalty, or other action under Article 11 of this Code'; and making conforming changes throughout the ordinance text. The motion carried by the following vote:**

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

Ordinance amending the Health Code to exempt applicants for Massage Establishment, Sole Practitioner Massage Establishment, and Outcall Massage Service permits from fingerprinting requirements if the applicant holds a valid license issued by the California Massage Therapy Council; remove certain departments (Building Inspection, Police, Fire) from the list of departments that the Department of Public Health (DPH) must notify regarding new Massage Establishment permit applications, and remove all notification requirements to departments in cases of change in ownership of Massage Establishments or Sole Practitioner Massage Establishments; remove the requirement that departments receiving notice of new Massage Establishment permit applications conduct inspections with written findings of the applying massage establishment; allow Massage Establishments to install an exterior door keyless lock system upon prior DPH approval and upon providing DPH with a valid and up-to-date access code; remove from the Health Code the inoperative local application process for new Massage Practitioner permits; include solicitation of lewd conduct or prostitution by Massage Practitioners as conduct subject to penalty under this Article; and clarify that violations of certain sections of the Health Code regulating Massage Practitioners are also subject to enforcement as public nuisances.

**Chair Stefani moved that this Ordinance be CONTINUED AS AMENDED to the regular Public Safety and Neighborhood Services Committee meeting of May 11, 2023. The motion carried by the following vote:**

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

**230309 [Police Code - Limited Live Performance Permit in Polk Street Neighborhood Commercial District]**

**Sponsor: Peskin**

Ordinance amending the Police Code to change from 10:00 p.m. to 11:00 p.m., the time at which a Live Performance in the Polk Street Neighborhood Commercial District under a Limited Live Performance Permit must conclude; and affirming the Planning Department's determination under the California Environmental Quality Act.

03/21/23; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 4/20/2023.

03/28/23; REFERRED TO DEPARTMENT. Referred to the Police Department, Office of Economic and Workforce Development, and the Entertainment Commission for informational purposes.

03/28/23; REFERRED TO DEPARTMENT. Referred to the Planning Department for CEQA determination.

03/31/23; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 1506(c)(2) because it would not result in a direct or indirect physical change in the environment.

*Heard in Committee. Speakers: Melody Hsu (Office of Supervisor Peskin); presented information and answered questions raised throughout the discussion. Kevin Thomason; Efram; Chris Schulman; spoke in support of the hearing matter.*

**Chair Stefani moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:**

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

**221219 [Hearing - Implementation of the Recovery Summit Working Group Recommendations - Final Report of the Housing Needs of Justice Involved Adults Research Project]**

**Sponsor: Stefani**

Hearing regarding the implementation of recommendations approved by the Reentry Council in October 2020 and discussed in the Board of Supervisors' Public Safety and Neighborhood Services Committee in February 2021; new recommendations from the Recovery Summit Working Group to improve drug treatment services in San Francisco and address the open-air drug scenes, and support for people struggling with addiction; and discussion of the final report of the Housing Needs of Justice Involved Adults research project of the Reentry Council's Direct Services Subcommittee; and requesting the Reentry Division of the Adult Probation Department to report.

11/29/22; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

12/06/22; REFERRED TO DEPARTMENT. Referred to the Reentry Division of the Adult Probation Department for informational purposes.

*Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Steve Adami (San Francisco Adult Probation Department); Cedric Akbar, Director of Forensic Services (Westside Community Services); Cregg Johnson, Director (Positive Directions TRP Academy); Destiny Pletsch (Adult Probation Department); presented information and answered questions raised throughout the discussion. Victoria Westbrook; Richard Beal (Tenderloin Housing Clinic); Speaker; Robert Powell; Lori Scott; Duane Thomas; Jay Connor; Speaker; Alisea Wesley-Clark, Program Director (HER House, Westside Community Services); Ms. Wade; Shana Hardiman; Jackson West; Ms. Delorio; Yvette Corcoran; Sandra; Jaquelyn Holmes; Deborah Tucker; Speaker; Speaker; Martin Hardy; Speaker; Nathan Reed; Javier Omar Gutierrez; Samuel Miller; James Betts; Dominique; Speaker; Ellen Grantz (Mothers Against Drug Addiction and Deaths); shared various concerns regarding the hearing matter.*

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

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

**221218 [Hearing - 2022 Aging and Disability Affordable Housing Needs Assessment Report]**

**Sponsor: Stefani**

Hearing requesting the key findings and recommendations made in the 2022 Aging and Disability Affordable Housing Needs Assessment Report; and requesting the Department of Disability and Aging Service, Mayor's Office on Housing and Community Development, Planning Department, Department of Homelessness and Supportive Housing, and Mayor's Office on Disability to report.

11/29/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

12/02/22; REFERRED TO DEPARTMENT. Referred to the Department of Disability and Aging Service, Mayor's Office of Housing and Community Development, Planning Department, Executive Director, Department of Homelessness and Supportive Housing, and Mayor's Office on Disability for informational purposes.

02/01/23; TRANSFERRED to Public Safety and Neighborhood Services Committee. President Peskin transferred this matter from Land Use and Transportation Committee to the Public Safety and Neighborhood Services Committee.

*Heard in Committee. Speakers: Cindy Kauffman (Department of Disability and Aging Services); Lisa Chen (Planning Department); Sheila Nickolopoulos (Mayor's Office of Housing and Community Development); presented information and answered questions raised throughout the discussion. Anakh Sul Rama (Senior and Disability Action); Efram; Denise Dory (Senior and Disability Action); Speaker; Jessica Lehman, Executive Director (Senior and Disability Action); Kathy Lipscomb (Senior and Disability Services); Speaker; Fiona Hinze; Speaker; Joe Kunzler; shared various concerns regarding the hearing matter.*

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

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

## **ADJOURNMENT**

*There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 12:41 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.*