



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: Monique Crayton

(415) 554-7750 ~ monique.crayton@sfgov.org

Thursday, September 26, 2024

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 2 - Catherine Stefani, and Matt Dorsey

Excused: 1 - Joel Engardio

The Public Safety and Neighborhood Services Committee met in regular session on Thursday, September 26, 2024, with Chair Catherine Stefani presiding. Chair Stefani called the meeting to order at 10:02 a.m.

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 was present.

COMMUNICATIONS

Monique Crayton, Public Safety and Neighborhood Services Committee Clerk, instructed members of the public that public comment is taken on each item on the agenda. Alternatively, written comments may be submitted through email (monique.crayton@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

AGENDA CHANGES

There were no agenda changes.

Vice Chair Engardio Excused from Attendance

Chair Stefani moved that Vice Chair Engardio be excused from attendance from the Public Safety and Neighborhood Services Committee Meeting of September 26, 2024. The motion carried by the following vote:

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

REGULAR AGENDA

240785 [Liquor License Transfer - 1210 Union Street - Union & Hyde]

Hearing to consider that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Union & Hyde LLC., doing business as Union & Hyde, located at 1210 Union Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

07/16/24; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the transfer of a Type-21 off-sale beer, wine and distilled liquor license to UNION & HYDE LLC., to do business as UNION & HYDE located at 1210 Union Street (District 3).

07/19/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

07/23/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

07/26/24; RESPONSE RECEIVED. The Planning Department is recommending approval of the attached Type 21 License (Off-sale General). Liquor/convenience store (dba Union & Hyde) permitted in NC-1. The permitted hours of operation in NC-1 are 6 a.m. - 11 p.m.; operating 11 p.m. – 2 a.m. requires Conditional Use Authorization.

08/21/24; RESPONSE RECEIVED. The Police Department submitted a response recommending approval 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 the ABC-253.

Heard in Committee. Speaker(s): Officer Andrew Froines (Police Department); presented information and answered questions raised throughout the discussion.

Chair Stefani moved that this Resolution 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: 2 - Stefani, Dorsey

Excused: 1 - Engardio

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Union & Hyde LLC., doing business as Union & Hyde, located at 1210 Union Street (District 3), 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 a condition on the issuance of the license. (Public Safety and Neighborhood Services Committee)

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

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

240822 [Liquor License Issuance - 3089-16 Street - Skylark]

Hearing to consider that the issuance of a Type-90 on-sale general music venue liquor license to 3089 16th Street LLC., to do business as Skylark located at 3089-16 Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

08/16/24; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the issuance of a Type-90 on-sale general music venue liquor license to 3089 16th Street, LLC to do business as Skylark located at 3089-16 Street (District 9).

08/16/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

08/16/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

08/19/24; RESPONSE RECEIVED. Planning Department recommends approval of the PCN request for the Skylark located at 3089-16 Street. The proposal to eliminate the existing Type-48 (Bar use) and convert to a Type-90 is permitted (Existing Nighttime entertainment venue) at the site. The Use for 3089-16 Street is now considered a Nighttime Entertainment Use per Planning Code, Section 102.

09/05/24; RESPONSE RECEIVED. The Police Department submitted a response recommending approval 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 the 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 ABC-253.
- 3) (1) Except as provided in Condition 2 below, no noise shall be audible beyond the area under the control of the licensee. (2) Any noise caused by entertainment or amplified sound that is subject to the provisions of an active Entertainment Permit issued by the San Francisco Entertainment Commission shall be authorized in accordance with the limits established by that Entertainment Permit, including any limitation on hours during which entertainment or amplified sound is permitted. A violation of the entertainment or amplified sound noise conditions of the Entertainment Permit, as determined by the San Francisco Entertainment Commission (or any successor agency), shall be deemed to be a violation of this Condition. Any noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be subject to Condition 1 above. "Entertainment Permit" means any of the following: a Just Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit, a Fixed Place Amplified Sound permit, or any similar such permit issued by the San Francisco Entertainment Commission.
- 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.

Heard in Committee. Speaker(s): Officer Andrew Froines (Police Department); presented information and answered questions raised throughout the discussion. Kimberly and Dave Competente (Skylark); spoke in support of the matter.

Chair Stefani moved that this Resolution be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the issuance of a of a Type-90 on-sale general music venue 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 issuance of a Type-90 on-sale general music venue liquor license to 3089 16th Street LLC, to do business as Skylark located at 3089-16 Street (District 9), 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. The motion carried by the following vote:

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

240700 [Administrative Code - Clarifying Duties of Office of Victim and Witness Rights (OVWR); Moving Office of Sexual Harassment and Assault Response and Prevention to OVWR]

Sponsors: Stefani; Ronen, Peskin and Melgar

Ordinance amending the Administrative Code to provide for the confidentiality of client information received by the Office of Victim and Witness Rights ("OVWR"); establish and clarify the responsibilities of OVWR; move the Office of Sexual Harassment and Assault Response and Prevention ("SHARP") from the Human Rights Commission to OVWR, and require SHARP to offer trauma-informed assistance to victims in navigating City processes, including by supporting victims in non-custodial law enforcement interviews, provided a SHARP employee's presence does not obstruct a police investigation or interfere with the District Attorney's investigative or prosecutorial function.

06/18/24; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/18/2024.

06/24/24; REFERRED TO DEPARTMENT. Referr to Victim Services Division (District Attorney's Office) for informational purposes.

07/01/24; REFERRED TO DEPARTMENT. Referred to the Youth Commission for review and report.

09/13/24; TRANSFERRED to Public Safety and Neighborhood Services Committee.

Heard in Committee. Speaker(s): None.

Chair Stefani moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 4-5, by inserting 'The Office shall have no authority to subpoena a crime victim for information regarding a crime of which the person is a victim;' on Page 5, Lines 4-5, by inserting 'except those services provided by the Victim Services Division of the District Attorney's Office;' on Page 10, Lines 16-19, to read, 'All employees, including the Director, shall be responsible for interacting directly with individual survivors of sexual assault and sexual harassment, and their advocates, to receive and resolve individual complaints, consistent with subsections (b)(1)-(4), (8).' The motion carried by the following vote:

Ayes: 2 - Stefani, Dorsey

Excused: 1 - Engardio

Chair Stefani moved that this Ordinance be RECOMMENDED AS AMENDED. 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 10:18 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.