



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, November 14, 2024

10:00 AM

Legislative Chamber, Room 250

Regular Meeting

Present: 2 - Joel Engardio, and Matt Dorsey

Excused: 1 - Catherine Stefani

The Public Safety and Neighborhood Services Committee met in regular session on Thursday, November 14, 2024, with Vice Chair Joel Engardio presiding. Vice Chair Engardio called the meeting to order at 10:04 a.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Vice Chair Engardio and Member Dorsey were noted present. Chair Stefani 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.

Supervisor Stefani Excused from Attendance

Vice Chair Engardio moved to excuse Supervisor Stefani from attending the Public Safety and Neighborhood Services Committee meeting on November 14, 2024. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

REGULAR AGENDA

240966 [Police Code - Public Bath Houses]

Sponsors: Mandelman; Dorsey and Engardio

Ordinance repealing Article 26 of the Police Code to delete in its entirety the City's regulations governing public bath houses, including but not limited to fee requirements, operating requirements, and permitting requirements.

10/01/24; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 10/31/2024.

10/08/24; REFERRED TO DEPARTMENT. Referred to the Police Department, Office of the Controller, Department of Public Health, Building Inspection Department, Fire Department, Planning Department, Office of the Treasurer and Tax Collector for informational purposes.

Heard in Committee. Speaker(s): Supervisor Rafael Mandelman (Board of Supervisors); Carl Nicita (Police Department); provided an overview and responded to questions raised throughout the discussion. David Hyman (Leather and LGBTQ Cultural District); Harry; Laura Thomas, Speaker (San Francisco AIDS Foundation); Andy Stone; shared support for the hearing matter.

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

Vice Chair Engardio moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

240978 [Liquor License Issuance- 1779 Folsom Street - Nihon Whisky Lounge]

Hearing to consider that the issuance of a Type-48 on-sale general public premises liquor license to Nihon SF Inc., to do business as Nihon Whisky Lounge, located at 1779 Folsom Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

09/24/24; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the issuance of a Type-48 on-sale general public premises liquor license to Nihon SF Inc., to do business as Nihon Whisky Lounge located at 1779 Folsom Street (District 9).

09/27/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

10/03/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

10/09/24; RESPONSE RECEIVED. The Police Department is 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 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.

10/11/24; RESPONSE RECEIVED. The Planning Department recommends approval of the PCN request for 1779 Folsom Street (DBA Nihon Whisky Lounge). The subject tenant space is an existing retail sales and services use and pursuant to Planning Code Section 210.3 a type 48 is permitted for the space. Therefore, the Department's recommendation for approval.

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

Vice Chair Engardio moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the issuance 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 - Engardio, Dorsey
Excused: 1 - Stefani

Resolution determining that the issuance of a Type-48 on-sale general public premises liquor license to Nihon SF Inc., to do business as Nihon Whisky Lounge, located at 1779 Folsom 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)

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

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

240948 [Liquor License Transfer - 1250 Market Street - AJ's Bar]

Hearing to consider that the transfer of a Type-48 on-sale general public premises liquor license to Club Allure, Inc., doing business as AJ's Bar, located at 1250 Market Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

09/17/24; 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 Club Allure Inc. to do business as AJ's Bar, located at 1250 Market Street (District 6).

09/27/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

09/27/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

10/07/24; RESPONSE RECEIVED.

10/15/24; RESPONSE RECEIVED. The Police Department recommends 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 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.

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

Vice Chair Engardio 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 - Engardio, Dorsey

Excused: 1 - Stefani

Resolution determining that the transfer of a Type-48 on-sale general public premises liquor license to Club Allure, Inc., doing business as AJ's Bar, located at 1250 Market 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)

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

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

240919 [Authorizing Access to State and Federal Background Checks for Massage Permits]

Sponsor: Mandelman

Resolution authorizing the Department of Public Health to access state and federal level summary criminal history for the licensing, permitting, and/or certification of massage business applicants. (Public Health Department)

09/17/24; RECEIVED FROM DEPARTMENT.

10/01/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

10/08/24; REFERRED TO DEPARTMENT. Referred to the Department of Public Health for informational purposes.

Heard in Committee. Speaker(s): Patrick Fosdahl (Department of Public Health); presented information and answered questions raised throughout the discussion.

Vice Chair Engardio moved that this Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

240957 [Mental Health Services Act Annual Update - FY2024-2025]

Resolution authorizing adoption of the San Francisco Mental Health Services Act Annual Update Fiscal Year (FY) 2024-2025. (Public Health Department)

09/27/24; RECEIVED FROM DEPARTMENT.

10/08/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

Heard in Committee. Speaker(s): Jessica Brown (Department of Public Health); presented information and answered questions raised throughout the discussion.

Vice Chair Engardio moved that this Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

241040 [Police, Administrative Codes - Protecting Access to Reproductive Health Facilities]

Sponsors: Stefani; Ronen, Dorsey, Mandelman, Peskin and Engardio

Ordinance amending the Police Code to extend the zone in which shouting and using amplified sound is prohibited outside a reproductive health care facility from 50 feet from the property line to 100 feet from the facility entrance or driveway, extend the zone in which following or harassing a person is prohibited from 25 feet from the facility entrance to 100 feet from the facility entrance, and specify that approaching within eight feet of a person inside the 100-foot perimeter of the facility entrance while impersonating a facility worker with the effect of intimidating the person is unlawful harassment; and amending the Administrative Code to direct that Police Department officers be trained annually on enforcement of local and state laws protecting access to reproductive health care facilities, and that the Police Department meet with representatives of a reproductive health care facility every two years, on request, to develop a plan to prevent and respond to incidents that interfere with access to the facility, the facility's operations, and/or the lawful exercise of First Amendment rights by the public.

10/22/24; ASSIGNED to Public Safety and Neighborhood Services Committee. President Peskin waived the 30-day rule pursuant to Board Rule No. 3.22.

10/28/24; REFERRED TO DEPARTMENT. Referred to the Police Department, Sheriff's Department, Office of the District Attorney, Office of the Public Defender, and San Francisco Public Works for informational purposes.

Heard in Committee. Speaker(s): Sam Logan (Office of Supervisor Catherine Stefani); Diana Aroche (Police Department); presented information and answered questions raised throughout the discussion. Julia; Ruth Nunez (Planned Parenthood); shared support for the hearing matter.

Vice Chair Engardio moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

241039 [Administrative Code - Firearms and Ammunition Procurement Policy]

Sponsor: Stefani

Ordinance amending the Administrative Code to set an end date of June 24, 2025, to the time period within which, without complying with the firearms and ammunition procurement requirements of Administrative Code, Section 21H.4, the City may purchase firearms and ammunition from a supplier from whom it had, within the 24 months prior to June 24, 2024, purchased such goods.

10/22/24; ASSIGNED to Rules Committee.

10/28/24; REFERRED TO DEPARTMENT. referred to Office of Contract Administration, Sheriff's Dept., Police Dept.; Juvenile Probation Dept., District Attorney; Airport Dept. and the Human Services Agency for informational purposes.

11/07/24; TRANSFERRED to Public Safety and Neighborhood Services Committee. President Peskin transferred this Ordinance from the Rules Committee to the Public Safety and Neighborhood Services Committee.

Heard in Committee. Speaker(s): Dominica Donovan (Office of Supervisor Catherine Stefani); presented information and answered questions raised throughout the discussion.

Vice Chair Engardio moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 11:03 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.