



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: Eric Mar, David Campos, Julie Christensen

Clerk: Derek Evans (415) 554-7702

Thursday, April 16, 2015

2:00 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Eric Mar, David Campos, and Julie Christensen

MEETING CONVENED

The meeting convened at 2:04 p.m.

REGULAR AGENDA

141173 [Liquor License Transfer - 201 Folsom Street]

Hearing to consider that the transfer of a Type 21 off-sale general license from 225 11th Street to 201 Folsom Street, Suite 101 (District 6), to Christopher Foley of SMARKET LLC, dba Market on Main, will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

12/01/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

12/03/14; REFERRED TO DEPARTMENT. Referred to the Police and Planning departments for review and approval.

02/25/15; TRANSFERRED to Public Safety and Neighborhood Services Committee. Transferred pursuant to File No. 150103 (M15-026), approved 2/24/15.

03/16/15; RESPONSE RECEIVED. The Planning Department recommends approval per Planning Code, Section 249.1. Type 21 and 41 in combination with grocery store and restaurant uses.

04/09/15; RESPONSE RECEIVED. The Police Department recommends approval with conditions.

Heard in Committee. Speakers: Lieutenant David Falzon, ABC Liaison Unit (Police Department); presented information concerning the matter and answered questions raised throughout the hearing. Elena, Applicant Representative (Market on Main); spoke in support of the hearing matter. Male Speaker; Bruce Wolfe (Alcohol Justice); spoke neither in support nor in opposition of the hearing matter.

PREPARED IN COMMITTEE AS A RESOLUTION

Resolution determining that the transfer of a Type 21 off-sale general license from 225-11th Street to 201 Folsom Street, Suite 101 (District 6), to Christopher Foley for SMARKET LLC, dba Market on Main, 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 recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Supervisor Christensen, seconded by Supervisor Campos, moved that the Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion passed by the following votes:

Ayes: 3 - Mar, Campos, Christensen

150112 [Liquor License Transfer - 4448 Mission Street]

Hearing to consider that the transfer of a Type 21 off-sale general license from 298 Munich Street to 4448 Mission Street (District 11), to Esperanza Gudino for the Golden State Market and Deli, will serve the public convenience or necessity of the City and County and San Francisco. (Public Safety and Neighborhood Services Committee)

02/02/15; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

02/02/15; REFERRED TO DEPARTMENT. Referred to Police and Planning departments for review and approval.

02/05/15; RESPONSE RECEIVED. The Planning Department recommends approval per Planning Code, Section 703.2. Cannot have ads in windows or doors; no more than 25% of square footage of windows and doors shall bear signage of any sort; alcohol sales may not exceed 1/3 of total floor area.

02/25/15; TRANSFERRED to Public Safety and Neighborhood Services Committee. Transferred pursuant to File No. 150103 (M15-026), approved 2/24/15.

04/10/15; RESPONSE RECEIVED. The Police Department recommends approval with conditions.

Heard in Committee. Speakers: Lieutenant David Falzon, ABC Liaison Unit (Police Department); presented information concerning the matter and answered questions raised throughout the hearing. Frances Hsieh (Supervisor John Avalos' Office); spoke in support of the hearing matter.

PREPARED IN COMMITTEE AS A RESOLUTION

Resolution determining that the transfer of a Type 21 off-sale general license from 298 Munich Street to 4448 Mission Street (District 11), to Esperanza Gudino for the Golden State Market and Deli, 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 recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Supervisor Campos moved that the Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion passed by the following vote:

Ayes: 2 - Mar, Campos

Absent: 1 - Christensen

140832 [Hearing - Access to Broadband Internet Service]**Sponsors: Mar; Campos and Christensen**

Hearing on inequitable access to broadband internet service in San Francisco; and requesting the Budget and Legislative Analyst to report.

07/15/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

12/22/14; REMAIN ACTIVE. (12/22/14 - Supervisor Mar requested that this item remain active for an additional six months; 6/22/14)

02/10/15; SUBSTITUTED AND ASSIGNED to Neighborhood Services and Safety Committee.

02/17/15; REFERRED TO DEPARTMENT. Referred substitute hearing request to the Budget and Legislative Analyst for informational purposes.

02/25/15; TRANSFERRED to Public Safety and Neighborhood Services Committee. Transferred pursuant to File No. 150103 (M15-026), approved 2/24/15.

Heard in Committee. Speakers: Fred Brousseau (Budget and Legislative Analyst's Office); Miguel Gamiño, Chief Information Officer and Executive Director (Department of Technology); presented information concerning the matter and answered questions raised throughout the hearing. Marie Jobling, Executive Director (Community Living Campaign); Bruce Wolfe (SF Public Net); Alex Menendez, Partner (Monkey Brains); Charles Barr (Webpass); Eric Brooks (SF Public Net); Chester Williams; Cam Griffith; Scott Adams, Director of External Affairs (Comcast); Vincent Frost; spoke on various concerns relating to the hearing matter.

Supervisor Campos was noted absent at 3:35 p.m. and again present at 3:44 p.m.

Supervisor Mar was noted absent at 4:09 p.m. and again present at 4:14 p.m.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Mar, Campos, Christensen

150096 [Hearing - Update on Herz Playground Shooting]**Sponsor: Cohen**

Hearing for a status update on youth and families who were impacted by the June 2014 shooting at Herz Playground; and requesting City Departments including, but not limited to, the District Attorney, the Department of Public Health, and the Mayor's Office to report.

01/27/15; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

02/17/15; REFERRED TO DEPARTMENT. Referred to the District Attorney, Department of Public Health, and Mayor's Office for informational purposes.

02/26/15; TRANSFERRED to Public Safety and Neighborhood Services Committee. Transferred pursuant to File No. 150103 (M15-026), approved 2/24/15.

Heard in Committee. Speakers: Supervisor Malia Cohen (Board of Supervisors); Diana Oliva-Aroche (Mayor's Office); Kevin Truitt, Associate Superintendent; Thomas Graven, Executive Director, Office of Pupil Services; and Kevin Gogin, Director of Safety and Wellness (San Francisco Unified School District); Stephanie Felder, Director of Crisis Services (Department of Public Health); Dr. Gena Castro Rodriguez, Chief of Victim Services (District Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing.

Supervisor Christensen was noted absent at 4:29 p.m. and for the remainder of the meeting.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Mar, Campos

Absent: 1 - Christensen

150242 [Health Code - Ban on Smokeless Tobacco Use - Defining Tobacco Product to Include Devices for Using Tobacco]**Sponsors: Farrell; Mar, Avalos, Tang, Christensen, Wiener and Cohen**

Ordinance amending the Health Code to ban the use of smokeless tobacco products in stadiums, sports arenas, and playing fields; amending the definition of tobacco product to include a device or any portion of a device used to consume tobacco products; and making environmental findings.

03/10/15; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 4/9/2015.

03/16/15; REFERRED TO DEPARTMENT. Referred to the Public Health Department, Small Business Commission, and Mayor's Office for informational purposes.

03/16/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

03/20/15; RESPONSE RECEIVED. The Planning Department has determined that the Ordinance is not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee. Speakers: Supervisor Mark Farrell (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Kevin O'Flaherty (Campaign for Tobacco-Free Kids); Bob Palacio, Superintendent (Recreation and Park Department); Benjamin Chaffee (University of California, San Francisco, School of Dentistry); Evan Schwartz (San Francisco Parks Alliance); Jay Cheng (Asian Pacific Democratic Club); Christopher Fernandez; Alan Cai; Shoshana Ungerleider, and Kimberly Jablon (San Francisco Medical Society); Vanessa Marvin (American Lung Association in California); John Mai (San Francisco Medical Society); spoke in support of the hearing matter.

Supervisor Campos moved that the Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion passed by the following vote:

Ayes: 2 - Mar, Campos
Absent: 1 - Christensen

Supervisor Campos moved that the Ordinance be RECOMMENDED AS AMENDED AS A COMMITTEE REPORT. The motion passed by the following vote:

Ayes: 2 - Mar, Campos
Absent: 1 - Christensen

ADJOURNMENT

The meeting adjourned at 5:20 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.