



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: Rafael Mandelman, Hillary Ronen, Aaron Peskin

Clerk: John Carroll (415) 554-4445

Wednesday, September 12, 2018

10:00 AM

City Hall, Committee Room 263

Regular Meeting

Present: 2 - Rafael Mandelman, and Hillary Ronen

Excused: 1 - Aaron Peskin

The Public Safety and Neighborhood Services Committee met in regular session on Wednesday, September 12, 2018, with Chair Rafael Mandelman presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Mandelman called the meeting to order at 10:11 a.m. On the call of the roll, Chair Mandelman, and Vice Chair Ronen were noted present. Member Peskin was noted not present. There was a quorum.

Supervisor Peskin Excused from Attendance

Vice Chair Ronen moved to excuse Supervisor Peskin from attending the Public Safety and Neighborhood Services Committee regular meeting of September 12, 2018. The motion carried by the following vote:

Ayes: 2 - Mandelman, Ronen

Excused: 1 - Peskin

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

180103 [Liquor License - 98 Turk Street - BIIG]

Hearing to consider that the issuance of an extension on premise of a Type-48 on-sale general public premises liquor license to 98 Bottles of Beer on the Wall, Inc., doing business as BIIG, located at 98 Turk Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

01/26/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

01/26/18; REFERRED TO DEPARTMENT. Referred to the Planning and Police Departments for comment and recommendation.

07/17/18; RESPONSE RECEIVED. The Planning Department submitted their recommendation for approval; Type-48 ABC License is permitted in conjunction with a Bar use within the RC-4 District per Planning Code, Section 209.3, and established use under BPA #2018.04.11.6079. Establishment and use subject to "Good Neighbor Policies" of Planning Code, Section 249.5(D)(6).

09/05/18; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with the following conditions: 1) the sale of alcoholic beverages for consumption off the premises is prohibited; 2) no noise shall be audible at any nearby residents and six (6) consideration points; 3) the petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they control as depicted on the most-recently certified ABC-257 and ABC-253; 4) 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 most recently certified ABC-253; and 5) any graffiti painted or marked upon the premises or on any adjacent area under the controls of the licensee(s) shall be removed or painted over within 72 hours of being applied.

Heard in Committee. Speakers: Sgt. Gigi George (Police Department); Pete Glickshtern (Applicant); presented information and answered questions raised throughout the discussion. Michael Nulty; spoke on various concerns related to the hearing matter. Jordan Langer; spoke in support of the hearing matter.

Determination of public convenience or necessity recommended.

Vice Chair Ronen moved that a determination be PREPARED IN COMMITTEE AS A RESOLUTION, that the public convenience or necessity would be served by the issuance of a Type-48 on-sale general public premises liquor license to the applicant. The motion carried by the following vote:

Ayes: 2 - Mandelman, Ronen

Excused: 1 - Peskin

Resolution determining that the issuance of an extension on premise of a Type-48 on-sale general public premises liquor license to 98 Bottles of Beer on the Wall, Inc., doing business as BIIG, located at 98 Turk 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 Ronen moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 2 - Mandelman, Ronen

Excused: 1 - Peskin

180231 [Liquor License Transfer - 629 Union Street - Giovanni Italian Specialties]

Hearing to consider that the premise-to-premise transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Giovanni Specialties LLC, doing business as Giovanni Italian Specialties located at 629 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)

03/09/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

03/09/18; REFERRED TO DEPARTMENT. Referred to the Planning and Police Departments for comment and recommendation.

06/05/18; RESPONSE RECEIVED. The Planning Department submitted their approval; Type-21 ABC License is permitted with a Specialty Grocery use within the North Beach NCD and SUD, however, food manufacturing onsite which constitutes a "Specialty Food Manufacturing" use is not permitted and would disallow for an ABC license. Recommended for approval as per Planning Code, Sections 722, 780.3, 102, and 703(d).

09/05/18; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with the following conditions: 1) alcoholic beverages shall be permitted between the hours of 10:00 a.m. and 8:00 p.m. daily; 2) no distilled spirits shall be sold in bottles or containers smaller than 600 milliliters; and 3) 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 most-recently certified ABC-253.

Heard in Committee. Speakers: Sgt. Gigi George (Police Department); Tony Gemignani (Applicant); presented information and answered questions raised throughout the discussion.

Determination of public convenience or necessity recommended.

Vice Chair Ronen moved that a determination be PREPARED IN COMMITTEE AS A RESOLUTION, that the public convenience or necessity would be served by the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to the applicant. The motion carried by the following vote:

Resolution determining that the premise-to-premise transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Giovanni Specialties LLC, doing business as Giovanni Italian Specialties located at 629 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 conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

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

Ayes: 2 - Mandelman, Ronen

Excused: 1 - Peskin

180763 [Liquor License - 691-14th Street - Fig & Thistle]

Hearing to consider that the issuance of a Type-42 on-sale beer and wine public premises liquor license to Lay Brothers, LLC, doing business as Fig & Thistle, located at 691-14th Street (District 8), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

07/27/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

07/27/18; REFERRED TO DEPARTMENT. Referred to the Planning and Police Departments for comment and recommendation.

07/30/18; RESPONSE RECEIVED. The Planning Department submitted their recommendation for approval; Type-42 continuation of bar use, doing business as Fig & Thistle, was approved on February 22, 2018 by Planning Commission Motion No. 20114, authorizing a Conditional Use to allow a bar within the Upper Market Neighborhood Commercial Transit District.

09/05/18; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with the following conditions: 1) signs shall be posted at a conspicuous space at the entrances and/or exits of the premises as depicted on the ABC-257 dated May 31, 2018, which will state: "NO ALCOHOLIC BEVERAGES BEYOND THIS POINT." Said sign shall be no less than 7 by 11 inches in size and contain lettering no less than 1 inch in height.

Heard in Committee. Speakers: Officer Patrick Macchi (Police Department); Nguey Lay (Applicant); presented information and answered questions raised throughout the discussion.

Determination of public convenience or necessity recommended.

Vice Chair Ronen moved that a determination be PREPARED IN COMMITTEE AS A RESOLUTION, that the public convenience or necessity would be served by the issuance of a Type-42 on-sale beer and wine public premises liquor license to the applicant. The motion carried by the following vote:

Ayes: 2 - Mandelman, Ronen

Excused: 1 - Peskin

Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to Lay Brothers, LLC, doing business as Fig & Thistle, located at 691-14th Street (District 8), 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 Ronen moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 2 - Mandelman, Ronen

Excused: 1 - Peskin

180617 [Police Code - Access to Reproductive Health Care Facilities]**Sponsor: Ronen**

Ordinance amending the Police Code to require law enforcement officials to provide either a verbal warning or a written warning, rather than having to provide a written warning, prior to issuing a dispersal order to ensure access to a reproductive health care facility.

06/05/18; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 7/5/2018.

06/12/18; REFERRED TO DEPARTMENT. Referred to the Police Department, the Sheriff's Department, the District Attorney, the Public Defender, and the Department of Public Health for informational purposes

Heard in Committee. Speaker: Sophia Navarro (Planned Parenthood Northern California); spoke in support of the hearing matter.

Vice Chair Ronen moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 4, to strike 'either' and 'or a written warning' and on Page 2, Line 6, to strike 'written or'. The motion carried by the following vote:

Ayes: 2 - Mandelman, Ronen

Excused: 1 - Peskin

Ordinance amending the Police Code to require law enforcement officials to provide a verbal warning, rather than having to provide a written warning, prior to issuing a dispersal order to ensure access to a reproductive health care facility.

Vice Chair Ronen moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 2 - Mandelman, Ronen

Excused: 1 - Peskin

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 10:37 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.