



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: Hillary Ronen, Jeff Sheehy, Sandra Lee Fewer

Clerk: John Carroll (415) 554-4445

Wednesday, September 13, 2017

10:00 AM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Hillary Ronen, Jeff Sheehy, and Sandra Lee Fewer

The Public Safety and Neighborhood Services Committee met in regular session on Wednesday, September 13, 2017, with Chair Hillary Ronen presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Ronen called the meeting to order at 10:05 a.m. On the call of the roll Chair Ronen, and Member Fewer were noted present. There was a quorum.

Vice Chair Sheehy was noted present at 10:08 a.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

170643 [Liquor License - 543-2nd Street - Zaza Nail Spa]

Hearing to consider that the issuance of an extension on premise of a Type-42 on-sale beer and wine public premises license to Rachel Cheng for Zaza Nail Spa, located at 543-2nd Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

06/05/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

06/07/17; REFERRED TO DEPARTMENT. Referred to the Planning and Police Departments for comment and recommendation.

06/15/17; RESPONSE RECEIVED. Planning Department approved the PCN application noting the ABC Type 42 license is permitted by Planning Code, Section 842.45; outdoor activity area permitted by Planning Code, Section 842.13.

09/06/17; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with conditions.

PREPARED IN COMMITTEE AS A RESOLUTION

Resolution determining that the issuance of an extension on premise of a Type-42 on-sale beer and wine public premises license to Rachel Cheng for Zaza Nail Spa, located at 543-2nd 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 recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

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

Member Fewer moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Ronen, Sheehy, Fewer

170915 [Liquor License - 195 Pine Street - 7-Eleven]

Hearing to consider that the transfer of a Type-20 off-sale beer and wine liquor license to Jennifer Bernardo, dba 7-Eleven, Inc., located at 195 Pine Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

08/16/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

08/17/17; REFERRED TO DEPARTMENT. Referred to the Planning and Police Departments for comment and recommendation.

08/21/17; RESPONSE RECEIVED. The Planning Department submitted their approval.

09/06/17; RESPONSE RECEIVED. The Police Department submitted a response recommending approval with conditions.

PREPARED IN COMMITTEE AS A RESOLUTION

Resolution determining that the transfer of a Type-20 off-sale beer and wine liquor license to Jennifer Bernardo, dba 7-Eleven, Inc., located at 195 Pine 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 recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

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

Member Fewer moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Ronen, Sheehy, Fewer

170556 [Park Code - Using Glass Beverage Containers in Parks]**Sponsor: Sheehy**

Ordinance amending the Park Code to authorize an administrative penalty of up to \$1,000 per violation for littering or dumping waste material in Dolores Park; to prohibit the use of glass beverage containers, with certain exceptions, in all City parks; and to authorize Park Patrol to issue citations for violations of the Park Code.

05/09/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 6/8/2017.

05/15/17; REFERRED TO DEPARTMENT. Referred to the Recreation and Parks Department and Recreation and Parks Commission for informational purposes.

07/12/17; CONTINUED. Heard in Committee. Speakers: Dennis Kern and Gary McCoy (Recreation and Parks Department); Amanda Kahn Fried (Office of the Treasurer/Tax Collector); presented information and answered questions raised throughout the discussion. Jim Woods; Robert Novoa; Sean Savinski (Laborer's International Union Local 261); Robert Brust (Park, Recreation, and Open Space Advisory Committee); spoke in support of the hearing matter. Jordan Davis; Alex Aldritch; Jesus Barragan; spoke in opposition of the hearing matter. Tom Borden; Otto Dufty; spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Sarah Madland (Recreation and Parks Department); Jon Givner (Office of the City Attorney); Amanda Kahn Fried (Office of the Treasurer/Tax Collector); presented information and answered questions raised throughout the discussion. Vince Courtney (Laborer's International Union Local 261); spoke in support of the hearing matter; Tom Borden (San Francisco Forest Alliance) spoke on various concerns relating to the hearing matter.

Vice Chair Sheehy moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 15-25, by striking findings which address littering in Dolores Park; on Page 2, Lines 6-7, by striking 'Finally, this ordinance expressly recognizes the authority of the Park Patrol to issue citations to enforce the Park Code'; on Page 2, Line 21, through Page 3, Line 7, by striking the authorization of an administrative penalty of up to \$1,000 per violation for littering or dumping waste material in Dolores Park; on Page 3, Line 9, by striking '; ISSUANCE OF CITATIONS' and Line 11 by striking '(e) The Park Patrol may issue citations to enforce any section of this Code'; and making other conforming and clerical amendments. The motion carried by the following vote:

Ayes: 3 - Ronen, Sheehy, Fewer

Ordinance amending the Park Code to prohibit the use of glass beverage containers, with certain exceptions, in all City parks.

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

Ayes: 3 - Ronen, Sheehy, Fewer

170442 [Public Works, Administrative Codes - Requirements for Surface-Mounted Facility Site Permits]**Sponsor: Cohen**

Ordinance amending the Public Works Code to modify the exceptions to the Surface-Mounted Facility Site Permit requirement; to allow a permittee to choose to pay an "in-lieu" fee instead of installing a street tree; to allow a permittee to choose to pay an "in-lieu" fee instead of permitting the installation of a mural on its Surface-Mounted Facility; to repeal the requirements that a permittee install landscaping or pay an "in-lieu" fee and maintain the required landscaping; to repeal the requirement that an applicant for a Surface-Mounted Facility Site Permit make reasonable efforts to locate the facility on private property before submitting an application; to require Public Works to submit a report to the Board of Supervisors every two years on the number of applications for Surface-Mounted Facility Site Permits submitted and issued and on maintenance and graffiti abatement activities at existing Surface-Mounted Facilities; to amend the requirement that a permittee maintain any required street tree; and to amend the Administrative Code to require that the mural "in-lieu" fees be deposited in the Public Works Street Beautification Fund to be used to fund murals and other beautification projects in the public right-of-way.

04/18/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 5/18/2017.

04/24/17; REFERRED TO DEPARTMENT. Referred to Public Works, Planning Department, Recreation and Parks Department, and the Arts Commission for informational purposes.

05/30/17; REFERRED TO DEPARTMENT. Referred to the Urban Forestry Council for informational purposes.

06/02/17; NOTICED. First 10-Day Fee Ad for 6/12/2017 Public Safety and Neighborhood Services Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

06/07/17; NOTICED. Second 10-Day Fee Ad for 6/12/2017 Public Safety and Neighborhood Services Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

06/12/17; CONTINUED. Heard in Committee. Speakers: Catherine Joor; Ted Sullivan; spoke in support of the hearing matter. Paul Slade; spoke on various concerns relating to the hearing matter.

06/28/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Yoyo Chan (Office of Supervisor Malia Cohen); Andrew Shen (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Marilee Mondehar; Rex Tabora; Jennifer Garcia (United Food and Commercial Workers Local 648); Dimitri Rizos; spoke in support of the hearing matter. Donna Partner; spoke in opposition of the hearing matter.

06/28/17; CONTINUED AS AMENDED. Vice Chair Sheehy moved that this Ordinance be CONTINUED AS AMENDED to the Public Safety and Neighborhood Services Committee meeting of July 12, 2017. The motion carried by the following vote:

Ayes: 3 - Ronen, Sheehy, Fewer

Vice Chair Sheehy moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 3 - Ronen, Sheehy, Fewer

07/02/17; NOTICED. First 10-Day Fee Ad for July 12, 2017 Public Safety and Neighborhood Services Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

07/07/17; NOTICED. Second 10-Day Fee Ad for July 12, 2017 Public Safety and Neighborhood Services Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

07/12/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Malia Cohen (Board of Supervisors); Jon Givner (Office of the City Attorney); Debra Lutske (Public Works); John D. Benni and Tedi Vriheas (AT&T); presented information and answered questions raised throughout the discussion. Paul Slade; David Quimby; spoke in support of the hearing matter. Tom Borden (San Francisco Forest Alliance); Otto Duffy; spoke on various concerns relating to the hearing matter.

07/12/17; REFERRED WITHOUT RECOMMENDATION AS AMENDED.

07/18/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Privilege of the floor was granted unanimously to Jerry Sanguinetti (Public Works), Jon Givner (Office of the City Attorney), and Susan Pontious, Director of Public Arts (Arts Commission) who responded to questions raised throughout the discussion.

07/18/17; RE-REFERRED AS AMENDED to Public Safety and Neighborhood Services Committee. Supervisor Cohen requested this Ordinance be DUPLICATED.

Supervisor Cohen, seconded by Supervisor Tang, moved to AMEND the DUPLICATED Ordinance to define 'Service Mounted Facilities' as being no more than 25 feet.

Before the vote was taken on the previous motion, Supervisor Cohen withdrew her request to DUPLICATE the Ordinance and the motion to AMEND the DUPLICATED Ordinance, without objection.

07/26/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Malia Cohen (Board of Supervisors); Diane Lutske (Public Works); Tom DeCaigny (Arts Commission); Jon Givner (Office of the City Attorney); Cammy Blackstone (AT&T Company); presented information and answered questions raised throughout the discussion. Male Speaker; spoke on various concerns relating to the hearing matter.

07/26/17; CONTINUED AS AMENDED.

09/03/17; NOTICED. First 10-Day Fee Ad for September 13, 2017 Public Safety and Neighborhood Services Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

09/08/17; NOTICED. Second 10-Day Fee Ad for September 13, 2017 Public Safety and Neighborhood Services Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

Heard in Committee. Speakers: Yoyo Chan, Legislative Aide (Office of Supervisor Malia Cohen); presented information and answered questions raised throughout the discussion.

Member Fewer moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Ronen, Sheehy, Fewer

Chair Ronen recessed the meeting at 10:45 a.m. and reconvened at 11:04 a.m.

Chair Ronen requested that File Nos. 170421 and 161065 be heard together.

170421 [Police Code - Rental Car Restrictions to Reduce Burglaries]

Sponsors: Yee; Ronen and Sheehy

Ordinance amending the Police Code to prohibit visible barcodes and advertising on rental cars rented in the City or at San Francisco International Airport.

04/11/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 5/11/2017.

04/17/17; REFERRED TO DEPARTMENT. Referred to the Airport Department, Police Department, Office of the City Administrator, Sheriff's Department, Office of the District Attorney, and the San Francisco Municipal Transportation Agency for informational purposes; Small Business Commission for comment and recommendation.

05/23/17; RESPONSE RECEIVED. The Small Business Commission submitted their response noting there was no comment on the proposed ordinance.

Heard in Committee. Speakers: Supervisor Norman Yee (Board of Supervisors); Commander David Lazar (Police Department); Brian Rothery (Enterprise Holdings, Inc.); President London Breed (Board of Supervisors); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. David Hooper; George Wooding; Frank Noto; Richard Hashimoto (Japantown Merchant's Association); Cathy Widener (San Francisco International Airport); Brigitte Churnin; Helene Frakes; Lydia Cassorla; Claude Imbault (Union Square Business Improvement District); spoke in support of the hearing matter.

Chair Ronen and Vice Chair requested to be added as cosponsors for agenda item nos. 5 and 6.

Member Fewer moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by changing the Ordinance from a prohibition on visible barcodes to a restriction on visible barcodes, rendering rental cars less conspicuous; to add a provision that the Police Department request, but not require, that each Rental Company submit voluntary reports detailing the known or estimated number of automobiles owned, the known or estimated number of automobile burglaries within the previous 90 days affecting automobiles owned by the Rental Company within the City or on property owned by the City, the known or estimated number of automobiles that are owned by the Rental Company and physically present within the City or on property owned by the City that could be rented as of the date of the report; adding a provision that the Police Department shall submit a written report concerning the effectiveness of the Ordinance to the Board of Supervisors, the Mayor, and the Airport Commission on or before April 1, 2019; and making other clarifying, conforming, and clerical changes throughout. The motion carried by the following vote:

Ayes: 3 - Ronen, Sheehy, Fewer

Ordinance amending the Police Code to restrict visible barcodes and advertising on rental cars rented in the City or at San Francisco International Airport.

Member Fewer moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Ronen, Sheehy, Fewer

161065 [Police Code - Rental Car Disclosure Requirements]**Sponsors: Breed; Yee, Farrell, Ronen and Sheehy**

Ordinance amending the Police Code to require rental car companies to provide written disclosures to customers advising them to remove valuables from the rental vehicle and lock the doors.

10/04/16; ASSIGNED to Land Use and Transportation Committee. 10/6/16 - President Breed waived the 30 day hold pursuant to Board Rule 3.22.

10/13/16; REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation; Police Department, Office of the District Attorney, Office of the Controller for informational purposes.

10/25/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Yee submitted a substitute Ordinance bearing the same title.

11/01/16; REFERRED TO DEPARTMENT. Referred substitute legislation (version 2) to Small Business Commission for comment and recommendation; and to Police Department, Sheriff's Department, Office of the District Attorney, and Office of the Controller for informational purposes.

03/21/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Breed submitted a substitute Ordinance bearing the same title.

09/05/17; TRANSFERRED to Public Safety and Neighborhood Services Committee. President Breed transferred this matter from Land Use and Transportation to Public Safety and Neighborhood Services Committee.

Heard in Committee. Speakers: Supervisor Norman Yee (Board of Supervisors); Commander David Lazar (Police Department); Brian Rothery (Enterprise Holdings, Inc.); President London Breed (Board of Supervisors); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. David Hooper; George Wooding; Frank Noto; Richard Hashimoto (Japantown Merchant's Association); Cathy Widener (San Francisco International Airport); Brigitte Churnin; Helene Frakes; Lydia Cassorla; Claude Imbault (Union Square Business Improvement District); spoke in support of the hearing matter.

Member Fewer moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Ronen, Sheehy, Fewer

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 12:17 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.