



City and County of San Francisco
Meeting Minutes
Government Audit and Oversight Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Aaron Peskin, Norman Yee, London Breed

Clerk: Erica Major (415) 554-4441

Monday, November 14, 2016

11:00 AM

City Hall, Legislative Chamber, Room 250

Special Meeting

President London Breed assigned Supervisor David Campos in place of Vice Chair Norman Yee, until 11:45 a.m., for the November 14, 2016, Government Audit and Oversight Committee special meeting.

Present: 3 - Aaron Peskin, London Breed, and David Campos

Excused: 1 - Norman Yee

The Government Audit and Oversight Committee met in special session on Monday, November 14, 2016, with Chair Aaron Peskin presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Peskin called the meeting to order at 11:06 a.m. On the call of the roll, Chair Peskin, Member Breed, and Supervisor Campos were noted present. Vice Chair Yee was noted not present. There was a quorum.

Supervisor Yee Excused from Attendance

Member Breed moved that Supervisor Yee be excused from the November 14, 2016, Government Audit and Oversight Committee meeting. The motion carried by the following vote:

Ayes: 3 - Peskin, Breed, Campos

Excused: 1 - Yee

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

161093 [Administrative Code - Short-Term Residential Rental Limit of 60 Days per Year and Private Right of Action]

Sponsors: Breed; Peskin, Campos and Kim

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to limit short-term rental of a residential unit to no more than 60 days per calendar year if the unit was registered on or after October 11, 2016; prohibit neighbors outside the building at issue from filing a private right of action; allow certain nonprofit organizations to file a private right of action prior to a final determination of a violation by the Director of the Planning Department; shorten the waiting period for certain interested parties to file a private right of action; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/12/16; RECEIVED. Supervisor Breed submitted the legislative package on 10/12/16

10/18/16; ASSIGNED to Land Use and Transportation Committee. 11/10/2016 - President Breed waived the 30-Day Rule on this matter.

10/25/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and to Office of Short-Term Rental Administration and Enforcement and Planning Department for informational purposes.

10/26/16; RESPONSE RECEIVED. 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.

11/10/16; TRANSFERRED to Government Audit and Oversight Committee. 11/10/2016 - President Breed transferred this matter from the Land Use and Transportation Committee to the Government Audit and Oversight Committee.

Heard in Committee. Speakers: Mike Casey (San Francisco Labor Council); Kevin Carroll, Executive Director (Hotel Council); Calvin Welch and Dale Carlson (ShareBetterSF); Tes Welborn (District 5 Action); Jennifer Fieber (San Francisco Tenants Union); Male Speaker; Theresa Flandrich (Senior and Disability Action); Tony Robles (Senior and Disability Action); Sue Hestor; spoke in support of the proposed legislation. Virginia Pozo; Glenn Wyatt; Raphael Pepi; Kevin Krejci; Phil Li (Home Sharers Democratic Club); Male Speaker; Dina Dwyer; Skate Stone; Jeanie Stone; Henry Karnilowicz; Laura Thompson; Carlo Jaeger; Lawrence Gordon; Bruce Bennet; Linda Litehiser; John Kantor; Jan Neufeld; Keith Freedman; Rose Hawayek; James Jason Wisner; Brendan Cadam; Karen Cancino; Maria Herreros; Jacqueline French; Tracy Tanner; Male Speaker; Lenore Long; Michael McNamee; Jefferson McCarley; Sarah Sutro; Phil Zakhour; Female Speaker; Mading; Female Speaker; Michael Dimas; Jonathan Burbaum; Alice Chiu; Stella Charbakshi; Farzad Nejat; Linda Finch; Jim Marks; Female Speaker; Female Speaker; Gina Khoo; Gregg De Meza; Tom Murphy; Anne Burke; Male Speaker; Lawrence Seidler; Jennifer Andary; Maury Argento; Dell Greger; Male Speaker; Ivan Abeshaus; Ashley Valdespino; Antoinetta Valdespino; Susan Van Kuiken (Home Sharers); Eric Menard; Claudia Zeiler; Female Speaker; Michelle Arrais; Kenix Zhong; Male Speaker; Lisa Fromer; Charlie Gauss; Kurt Gibson; spoke in opposition to the proposed legislation. Male Speaker; spoke neither in support of the proposed legislation.

Supervisor Campos was noted absent at 11:43 a.m. and for the remainder of the meeting.

Member Breed moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING A NEW TITLE, to make the following nonsubstantive changes: on page 4, line 8, replacing 'to register' with 'for initial registration of'; lines 9 and 13, replacing 'October 11' with 'November 15'; and on page 5, line 10, by adding 'and the Permanent Resident continues to use the Residential Unit as his or her Primary Residence. Registrations on the Short-Term Residential Rental Registry are not transferable and may only be renewed by the Permanent Resident that initially registered the Residential Unit'. The motion carried by the following vote:

Ayes: 2 - Peskin, Breed

Excused: 1 - Yee

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to limit short-term rental of a residential unit to no more than 60 days per calendar year if the unit was registered on or after November 15, 2016; prohibit neighbors outside the building at issue from filing a private right of action; allow certain nonprofit organizations to file a private right of action prior to a final determination of a violation by the Director of the Planning Department; and shorten the waiting period for certain interested parties to file a private right of action; and affirming the Planning Department's determination under the California Environmental Quality Act.

Member Breed moved that this Ordinance be RECOMMENDED AS AMENDED AS A COMMITTEE REPORT to the November 15, 2016, Board of Supervisors meeting. The motion carried by the following vote:

Ayes: 2 - Peskin, Breed

Excused: 1 - Yee

ADJOURNMENT

There being no further business, the Government Audit and Oversight Committee adjourned at the hour of 2:03 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Government Audit and Oversight Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.