



# West of Twin Peaks Central Council

A Resource for Neighborhood Organizations West of Twin Peaks in San Francisco since 1936

PO Box 27112  
San Francisco, CA 94127

<http://www.westoftwinpeaks.org/>

## Meeting Minutes

**Date:** Monday July 27, 2015

**Time:** 7:00pm – 9:00pm

**Location:** **Forest Hill Clubhouse**  
**381 Magellan Avenue**  
**San Francisco, CA 94127**

<b>Associations:</b>	Those Present shown in bold		
Balboa Terrace	<b>Roger Ritter</b>	Monterey Heights	Marco Magallon <b>Susan Zurinaga</b> <b>Helen Scully</b>
Forest Hill	Dena Aslanian William <b>Gus Guibert</b>	Mount Sutro Homeowners	
Forest Knolls	Herbert Dunmeyer	Pine Lake Park	<b>David Golden</b>
Ingleside Terrace	Paul Conroy Carolyn + Bob Karis <b>Sandy G?</b>	Saint Francis Woods	Carolyn Squeri
Golden Gate Heights	<b>Sally Stephens</b>	Sherwood Forest	
Greater West Portal	<b>Avrum Shepard</b> Matt Chamberlain	Sunnyside	<b>Lisa Spinali</b> <b>Estelle Smith</b>
Lakeshore Acres	<b>Barbara Chionsini</b> Bill Chionsini	The Woods	<b>Judy Clarke</b>
Lakeside Property Owners	Joyce Richardson	Twin Peaks	<b>Denise LaPoint</b>
Merced Manor	Mike Garcia	Westwood Highlands	Bhushan Mudbhary <b>Dave Bisho</b>
Midtown Terrace	George Wooding		
Miraloma Park	<b>Karen Breslin</b>		
<b>Officers Present:</b>	<b>President – Roger Ritter</b> <b>Vice President- Sally Stephens</b>	Treasurer- Carolyn Squeri Secretary – David Golden Parliamentarian - Lee Hsu	
<b>Guests Present:</b>	Matthais Mormino		

### Roll Call and Minutes Review:

Meeting called to order: 7:37PM

Roll Call: 13 Member associations present, we have a quorum.

**Prop A:** Bill Barns, speaking in favor “Yes on A”: Housing is the cities most serious problems. Folks in public housing are living in dangerous conditions. Bond Measure will invest in dilapidated housing. Support first time home owners. Were

able through consensus to \$310million. No tax increase. Have support of all 11 supervisor. Will need other sources of funding. This is “really critical”. This is a modest investment that will make a huge difference. We will lose this critical time. Need to build as much affordable housing as possible. As you know we had problems in our housing authority. Looking to create diverse mixed use public housing that will make a huge impact. Want to have teachers be able to afford to live in San Francisco. “teacher next door” program. First time home buyers assistance. One issue that came up to the board. Those that are most in need are the ones we should first support. This bond measure will help middle income families too, not just the most desperate. Veterans and seniors are two of the groups we are eager to support.

**Questions:**

How is the recent ruling by HUD going to affect this bond? HUD ruling made it impossible to separate funding to different group? **Answer:** Speaker is not familiar with the ruling that question refers to. But the intent is make housing that works across income groups. Each family in the housing would pay what they can afford. The sites we are considering are not in the western part of the city.

How does the teachers program work? How does it compare to the similar programs for fireman and policeman. **Answer:** Does not have data on how the first assistance program are working. The program was first included a fund for 1<sup>st</sup> responders. The program has helped thousands of individuals. The program helps provide down payment.

**Prop-C- the housing trust fund was supported by many of us? I believe there was \$260 mil. Answer: The housing trust fund did pass, and it will support many of the things we tried to do with the housing trust fund. This bond measure does more than the original Prop-C. The funds are not yet all spent, but they are committed to funding projects in the “pipe-line.” We need additional tools. Supervisor Kim- The housing Trust fund did not represent new money, but rededication of funds that were potentially going away.**

**Will you have provisions will limit the potential for damages? Answer: We are relying on experts to help make sure that the projects are well designed, and that contain a array of services that are exactly tuned to the needs of the inhabitants of a particular project. Property manger should make all the difference.**

**Are the funds that you are mentioning completely funded? Answer: No, you are correct they are not all funded.**

**What are the percentages**

**80 Million public housing**

**80 Middle income housing- 80% of AMI**

**100 Million affordable housing- below 80% of AMI**

**50 Million to housing in the mission neighborhood housing**

**Who would allocate the funding? Is a new agency required? Answer- Mayor’s office on housing would be in change of funding.**

**Is there any risk of eminent domain? Answer- No I am not aware of properties that will require eminent domain.**

**What is the average cost including land per unit? Answer- We deliver housing in many different ways? If we are rehabilitating a unit it would different than- building new. Per supervisor Kim- cost \$250K - \$400K/\$500 in the her district.**

**How are we leveraging this fund? We are hoping to get support from HUD, which would allow us to get a 4 or 5 times on investment. But there are many variables, including entitlements.**

**Speaker asks that even if we can’t take a position he urges us to stay silent, that so far they have had no significant opposition due to the work of the supervisors.**

**Is there still any plan for legalization of inlaws units? Answer: That’s not part of the equation for our 30,000 units.**

**Down payment system? Is that in the form of loans? Answer: We basically pay the down payment for people who can’t afford it. Its then returned when they sell the house, its**

**The question notes that there is no master plan, as it is it doesn’t seem thoughtful and that it will solve the problem in any long term way? Its not a good story. A lot of noise, but not a clear picture. Answer: I appreciate the feed back. Planning in the city has not been very thoughtful in the long term, but at the same time we are in a crises.**

President Ritter asks if there is a motion. No motion is made.

**Surplus Property Owners:** In favor Supervisor Kim and Fernando Marti: We are looking to create another tool to build and acquire land. The single greatest line item in the a development budget is the acquisition of the land. The city passed an ordinance to use city owned land many years ago, but only 2 housing units were developed. The original measure only made housing for homeless. The new measure would require the board of supervisors to revisit the issue every year, and open the housing to a mix of different housing needs from middle income to the homeless and veterans. Some properties are opportunity sites: Such as building the air rights over a new subway stations. We expand the range to 150% of AMI. For house hold of 4 that goes from \$50K to \$150K. Fernando adds to the comments by Kim, that this measure will add to the state measure. Any local agency who are thinking of disposing or leasing public land can do one of: Use for affordable housing, Use for Schools, Use for Public Spaces. So the measure proposed clarifies how the mayors office would use the public lands. Some asked about the Prop C money. A lot of that money was caught up in the public housing fight. Fernando lists a variety of projects would.

#### Questions-

**What funds this?** Answer- This is not a funding measure, it only sets rules for how the land would be distributed. Fernando notes that public housing typically stays as public land. No funding is attached to this, it keeps the property.

**By restricting the sale of the land for other uses are cutting off funding for other uses?** Answer: The properties can be traded between public agencies for other uses. Why different agencies should buy property from each other is a different story. Per Supervisor Kim, all projects do pay impact fees, regardless of type. Some of the largest sites may include a mix of housing from affordable housing to market rate housing. Per Kim, this ordinance does create any set answers, but just clarifies the

**Does this ordinance take all lands out of market rate sales?** Answer: No, does not require all land to be set aside for public housing? There are properties that the city owns which is being sold to the highest bidders.

**On one hand one of these bond measure is asking for money, the other bond measure is dedicating the use of public land for housing. If we sold off the public lands would we be able to pay for the housing.** Answer: No, this is just another tool for our use.

**Why are we voting on this, doesn't the power to deal with this without this measure?** Answer: The Board does have the power to sell public lands. Its not legal necessary, but in practice we have found that it has not had enough teeth to the the government to

**Mt. Davison, we had a public vote? Does that apply to all public lands?** No, Mt. Davison may have been part of a park. Park lands do require a public vote that

**My questions is about homeless, you said that homeless is the 1<sup>st</sup> priority, how are we doing?** According to experts, major cities around the world, homelessness keeps increasing, while in SF, it have succeeded by staying static. The problem is that with more development we are seeing more of them on our streets.

**I would like to see working poor taking priority?** Answer- Discuss problems are of working poor who are homeless, who are at times working poor. We are setting priorities to try and help folks making \$50K-\$60K per year. A single entry level teacher, someone how makes 70% of medium income.

**Chris Bowman, will speak in opposition to the measure.**

I first found out about this on the 16<sup>th</sup> of June, when they placed the measure on the ballot explaining their position. Chris states he has been working with a moving target. They have put out a duplicate measure, which wound its way through the board of supervisors. It has been amended a few times, the latest being the last week. If you look at the documents they have prepared, you can't tell which is the original measure and what are the changes. The bottom line is that there are some good things in the ordinance, it does help get the city to organize the surplus property. There are some other things decent- not just going to about homeless, but also for low income and middle income. The bottom line is, and poison pill, that they strip the language on the finding, that land goes to homelessness. The original measure was put forth by Chris Daly and Matt Gonzalas. The measure is based on data that goes back to 2002. The new measure has not updated the data from the original measure. If you read on page 2 of the hand out, "the first priority is to provide housing, shelter, etc. to people who are homeless... (?)" Per Chris they will never get to the 2<sup>nd</sup> and 3<sup>rd</sup> priorities because they will not

fulfill the needs of the homeless. Not every parcel of land should be built on. They eliminate the requirement of the neighborhood zoning at the same time recommending that we maximizing

Do you have a map of the surplus properties? No, I don't. I can tell you that the supervisors have been attacking the agencies who have not been forthcoming with their surplus?

Improve annual review of surplus public housing? Why can't they do this now, without input from voter? They can. But they want the support of the voters. David notes that no agency will be forthcoming to say they have public land.

Who are supporting this measure? Who is against it? The affordable housing coalition, progressive coalition is for it?

Dave Bisho comments that the measure seems poorly defined, none of the terms are defined. Dave Bisho makes a motion to oppose the measure, and seconded by Karen at Miraloma Park.

5 in Favor, 7 against measure, 2 abstain. Measure fails.

Fernando@sfc-409.org

Proposition to limit short term rentals, share better San Francisco. Dale ? Coalition of a wide cross section of the city. We have been working on this issue for more than 1.5 years. People came to us noting that did you know that 3 largest websites in the city are listing over 12,000 units? We felt this was a huge concern given that we are arguably in the worst housing crises since 1906. We spoke to all the supervisors. They passed the Chew legislation- requiring owners to get a business licenses, requires the units to pay taxes. It wasn't until early this year that we made any effort to collect taxes, estimates over \$30M was collected. The initial legislation does not require real reporting. Legislation makes different rules if unit is occupied or not. Only 700 units have been registered, AirBnB there are over 6000 units listing. 40% of the units are people renting room in their houses. 60% are renting full units. Other companies are renting even more. We told the board the work was unenforceable. There is no requirement to make AirBnB comply with the 5300 units that are not licensed. The mayor agreed to a 90 day cap. Mayors office agreed to require AirBnB to delist un-registered units. The legislation that went through the board actually makes the measure worse. Our measure-

- Requires neighbors to be notified. Public posting
- If a hosting platform lists an unregistered unit, the listing agency can be fined.
- Denis Herrera did go after 2 cases, and won \$250K judgements
- There were 3 cases brought to the planning department, there were no fines, no request for back taxes, no repercussions. According to the city agency, they claimed they didn't have sufficient evidence.

This is an issue that will not be mandated by the voters. AirBnB grew by 14%. The only way we can rain this in is by voting to limit this issue?

Question:

What is the position of the hotel business? Answer: The hotel business is booming, the occupancy is the highest during the week, they believe the weekend drop is due to the airBnB?

Most of the argument is based on Party houses and noise, what percentage are "scofflaws" like that? I don't know the statistics. 60% of the units on AirBnB are for hole units. There are some really ugly isolated units.

Does this apply to all platforms? Yes, it applies to all listings.

I check AirBnB a lot to see what is happening in our neighborhood, they don't show the picture or the address so I don't think there are any in our neighborhood?

Is there anything in the legislation

SF for Everything – George Marshall. We see it as circumventing the reforms that were just passed and put in place a few weeks ago. We need to give these rules some time to work. The new proposal would violate data privacy right, neighbors a tangible incentive to spy on each other. It has loop wholes that are different for different parts of the city. The rules are not unenforceable. They have just in place too short a time. We believe the new rules will be affective over time. AirBnB has been an active participant to set up rules that work for all parties. The private right of action that is in the ballot measure is very extreme, and instead of

funding going to the city, it goes to the persons complaints. The notion that there are 1000's of illegal hotels is not true. This legislation would hamstring the board Supervisors to make changes in the future. There is a lot of evidence that financial incentives would increase legislation. 90% of AirBnB hosts are individuals who are sharing their own home. Most of those individuals use that extra income to pay their expenses. AirBnB claims that the ½ billion dollars is generated by

Who is supporting your position? Answer: We are supported by Scott Wiener, Supervisor Chu, Internet Association.

You state 90% share their home, while 60% share their home? Answer: I don't know how to explain the difference. But I am confident of my data?

How do you know your data is correct, who do you know if you don't have access to the data and if someone is occupying? Answer: No real answer?

Who do you work for? That's funded by? Answer: Its primarily funded by AirBnB.

We have CCnR's and Tenants that prohibit subleasing or commercial use are violating the rules of the leases and CCnR's, what is your position? Answer: AirBnB does not endorse the violation of any other law. Someone in the audience adds that there is a public notifications requirement in the new rules.

Why is there resistance to paying taxes? AirBnB is making lots of money so why can't you pay your taxes? Answer: There was a conversation with the city, that was worked out with the city. It included language that the renter is responsible for the taxes.

You stated that this isn't something that voters should be decide, that the supervisors should be allowed to decided? Answer: The supervisors passed legislation and it should be allowed to take its course. If the voters pass this legislation then the supervisors would be prevented from making changes in the future-

What changes are you concerned about? Answer: I'm not prepared to speculate on hypotheticals.

Why is AirBnB reluctant to using its tech savvy to address legality issue? Answer: There are privacy concerns.

I really don't understand their objection? Answer: No answer.

I'm concerned about the freewheeling term policing? It sounds like you don't want to be held accountable? Answer: I don't believe we should be enforcing city rules.

Karen Breslin moves that we support the short term rental ballot measure, Dave Bisho seconds.

Question to Dale: How will tenants and neighbors not be asked to police each other? Answer: I have a copy of the ordinance if you want to read it. The Chew ordinance made it difficult for neighbors to find out what was happening. The ordinance would require posting of 30 days on a property.

Our neighborhood has suffered political impact, social impact, etc. Our neighbor fabric is being worn away. These seem like very minor enforcement efforts. This is been a big problem. 11 in favor, 1 abstention. Measures passes.

President asks for support to write an argument to write a ballot argument which would be circulated to members for comments, with a cost of up to \$800. Limited to 300. Dave Bisho moves, seconds, Judy. Motions carries.

**Short update on Balboa reservoir:** Frist meeting will happen the last week of August. They have been doing a great job of trying to get all 9 members present. The agenda will include setting up bylaws and rules for meetings. The Mayors office will run the first part of the meeting, and then the committee will run the meeting themselves. We will go back to polling our constituency between drafts. They will not have the RFP done in the fall. We will be scheduling the meeting so that the process can be participatory. We want the comments at the beginning of the process. We want the process to be as transparent as possible.

Question:

Will your decisions be final? Answer: My understanding is that the committee will have real authority? If the proposals come in without meeting our criteria, then they will be eliminated.

Are there are any other options than housing? Answer: Our mandate is to see if housing if it can work. Notes that regarding Kim's discussion, that if there was an annual meeting, we would have known about this sooner. The two high schools are being asked to participate. Happy with participation.

Kim motions to Adjourn. We are adjourned.

Adjourned.

Minutes by David Golden, Secretary