

1 [Transfer of Redevelopment Agency Real Property Assets - Office of Community Investment
2 and Infrastructure - Public Works, Mayor's Office of Housing and Community Development,
3 and Recreation and Park Department]

4 **Resolution authorizing and approving the acceptance of certain real property assets**
5 **from the Office of Community Investment and Infrastructure to the City and County**
6 **of San Francisco; placing parcels under the jurisdiction of Public Works (Assessor's**
7 **Parcel Block (Block) No. 5203, Lot Nos. 037 and 044; Block No. 4570, Lot Nos. 020,**
8 **021, and 028; and Block No. 3751, Lot Nos. 167 and 168); placing parcels under the**
9 **Mayor's Office of Housing and Community Development (Block No. 5423A, Lot 009;**
10 **and Block No. 3731, Lot Nos. 240 and 241); placing property commonly known as the**
11 **Adam Rogers Park Addition under the jurisdiction of the Recreation and Park**
12 **Department; finding the proposed transaction is in conformance with the General**
13 **Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting**
14 **findings under the California Environmental Quality Act.**

15
16 WHEREAS, The Successor Agency to the Redevelopment Agency of the City and
17 County of San Francisco (commonly known as the Office of Community Investment and
18 Infrastructure) (the "Successor Agency" or "OCII") is completing the enforceable obligations of
19 the Redevelopment Agency of the City and County of San Francisco (the "Former Agency") in
20 the Mission Bay North and Mission Bay South Projects, the Hunters Point
21 Shipyard/Candlestick Point Project and the Transbay Transit Center Project (collectively, the
22 "Major Approved Development Projects") under California Community Redevelopment Law,
23 Cal. Health & Safety Code §§ 33000 et seq., as amended by the Redevelopment Dissolution
24 Law, Cal. Health & Safety Code §§ 34170 et seq. and under Ordinance No. 215-12 (Oct. 4,
25 2012); and

1 WHEREAS, Upon dissolution of the Former Agency, the Successor Agency prepared,
2 in consultation with the City’s Real Estate Division and other City Departments, a Long Range
3 Property Management Plan (“PMP”) providing for the disposition of certain Former Agency’s
4 real property and interests in real property (“Former Agency Real Property”) as required under
5 Cal. Health & Safety Code § 34191.5; and

6 WHEREAS, The Redevelopment Dissolution Law authorizes the donation, to a city
7 and county, of real property that a former redevelopment agency constructed and used for a
8 governmental purpose, such as roads, school buildings, parks, police and fire stations,
9 libraries, parking facilities and local agency administrative buildings; and

10 WHEREAS, The Redevelopment Dissolution Law authorizes the transfer, to a city and
11 county, of real property of a former redevelopment agency that would be used for future
12 development purposes, provided that the city and county enters into a compensation
13 agreement with other taxing entities whereby the taxing entities receive a proportionate share
14 of any available funds received from final disposition of the property as described in Cal.
15 Health & Safety Code § 34188 (a “Compensation Agreement”), a form of which is on file with
16 the Clerk of the Board of Supervisors in File No. 200083; and

17 WHEREAS, The PMP is on file with the Clerk of the Board of Supervisors in File No.
18 200083 and identifies, among other things, the Former Agency Real Property that will be
19 transferred to the City and County of San Francisco (“City”) for governmental use and for
20 future development, as authorized under Cal. Health & Safety Code § 34191.5 (c) (2); and

21 WHEREAS, The Former Agency Real Property that is subject to this Resolution is
22 identified in the “List of Former Agency Real Property,” which is on file with Clerk of the Board
23 of Supervisors in File No. 200083 (“Future City Assets”) and any additional future assets not
24 listed will be brought back to the Board for consideration and approval; and

1 WHEREAS, On December 7, 2015, the California Department of Finance (“DOF”)
2 approved the PMP, as adopted by Oversight Board Resolution No. 14-205 (Nov. 23, 2015),
3 and the Former Agency Real Property, including the Future City Assets, was transferred,
4 under Cal. Health & Safety Code § 34191.4 (a), to the Community Redevelopment Property
5 Trust Fund, pending transfer to the City; and

6 WHEREAS, This Board desires to accept the conveyance of the Future City Assets
7 (the “Conveyance”) pursuant to a grant deed (the “Deed”) and an assignment of the Leases
8 and the Assets, if necessary (the “Assignment”), each in substantially the forms filed with the
9 Clerk of the Board of Supervisors in File No. 200083; and

10 WHEREAS, The Planning Department of the City (the “Planning Department”) found
11 that the Conveyance is consistent with California Environmental Quality Act (“CEQA”) and is
12 not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2), as defined
13 by CEQA for the reasons set forth in the letters from the Planning Department dated
14 September 13, 2019, September 19, 2019, and January 10, 2020 (collectively, the “Planning
15 Letters”), which are on file with the Clerk of the Board of Supervisors in File No. 200083; and

16 WHEREAS, The Planning Department found that the Conveyance is consistent with
17 the City’s General Plan and with the eight priority policies of Planning Code Section 101.1 for
18 the reason for the reasons set forth in the Planning Letter; now, therefore, be it

19 RESOLVED, That the Board hereby finds that the Conveyance is consistent with the
20 General Plan, and with the eight priority policies of Planning Code Section 101.1 for the same
21 reasons set forth in the Planning Letter, and hereby incorporates such finding by reference as
22 though fully set forth in this Resolution; and, be it

23 FURTHER RESOLVED, That the Board hereby finds that the Conveyance is consistent
24 with CEQA and not defined as a project under CEQA for the reasons set forth in the Planning
25 Letter; and be it

1 FURTHER RESOLVED, That in accordance with the recommendations of the City’s
2 Director of Property, the Director of San Francisco Public Works (“SFPW”), the General
3 Manager of San Francisco Recreation and Parks Department, and the Acting Director of the
4 Mayor’s Office of Housing and Community Development (“MOHCD”), the Board hereby
5 approves and authorizes the Director of Property (or his or her designee), to accept said
6 Deed(s) and Assignment(s) of Future City Assets on behalf of the City, and place under the
7 jurisdictions of the City departments in accordance with the List of Former Agency Real
8 Property and to execute any such other documents that are necessary or advisable to
9 complete the transaction contemplated by the such Deed(s) and/or Assignment(s) and to
10 effectuate the purpose and intent of this Resolution; and be it

11 FURTHER RESOLVED, That the Board authorizes the Director of Property (or his or
12 her designee), in consultation with the City Attorney, to enter into any additions, amendments
13 or other modifications to the Deed(s) and Assignment(s) (including in each instance, without
14 limitation, the attachment of exhibits and the Compensation Agreement) that the Director of
15 Property and Director of SFPW, the Director of MOHCD, and the General Manager of the San
16 Francisco Recreation and Parks Department, respectively and as applicable, determine are in
17 the best interests of the City, do not decrease the revenues of the City in connection with the
18 Future City Assets, or otherwise materially increase the obligations or liabilities of the City,
19 and are in compliance with all applicable laws, including the Redevelopment Dissolution Law
20 and the City’s Charter; and be it

21 FURTHER RESOLVED, That the Board authorizes the Controller (or his or her
22 designee) to enter into the form of Compensation Agreement, subject to modifications and
23 amendments the Controller determines, in consultation with the City Attorney, are in the best
24 interest of the City, do not materially increase the obligations or liabilities of the City, are
25

1 necessary or advisable to effectuate the purposes of this Resolution, and are in compliance
2 with all applicable laws, including City's Charter; and be it

3 FURTHER RESOLVED, Any such actions are solely intended to further the purposes
4 of this Resolution, and are subject in all respects to the terms of this Resolution, and such
5 official shall consult with the City Attorney before execution of documents that include
6 amendments from what was previously submitted to the Board, and thereafter provide to the
7 Clerk of the Board the final document, as signed by all parties, together with a marked copy to
8 show any changes, within 30 days of execution, for inclusion in the official file; and be it

9 FURTHER RESOLVED, That all actions authorized and directed by this Resolution
10 andheretofore taken are hereby ratified, approved and confirmed by this Board of
11 Supervisors.

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RECOMMENDED:

Office of the City Administrator
City Administrator

San Francisco Public Works
Director

San Francisco Recreation and Parks Department
General Manager

Mayor's Office of Housing and Community Development
Director

Real Estate Division
Director of Property