

1 [Exchange Agreement - San Francisco Unified School District and Mayor’s Office of Housing  
2 and Community Development - 1950 Mission Street, 555 Franklin, and 380 Fulton Streets]

3 **Resolution authorizing the exchange of City property located near the**  
4 **intersection of McAllister Street and Ash Alley (555 Franklin and 380 Fulton**  
5 **Streets) under the jurisdiction of the Mayor’s Office of Housing and Community**  
6 **Development and an additional fee of \$2,675,000 for real property owned by the**  
7 **San Francisco Unified School District located at 1950 Mission Street, San**  
8 **Francisco; adopting findings under the California Environmental Quality Act;**  
9 **and adopting findings that the conveyance is consistent with the City’s General**  
10 **Plan, and the eight priority policies of Planning Code, Section 101.1.**

11  
12 WHEREAS, San Francisco Unified School District (“SFUSD”) is the fee owner  
13 of 1950 Mission Street (Assessor’s Block No. 354, Lot No. 005) (the “SFUSD  
14 Property”); and,

15 WHEREAS, The City owns the fee interest in: (i) the real property located at  
16 the intersection of McAllister Street and Ash Alley, as depicted on a map (Project  
17 Map) on file with the Clerk of the Board of Supervisors in File No. 081525 and  
18 incorporated herein by reference, and as commonly referred to as “Parcel E”; and (ii)  
19 the real property located at 380 Fulton Street, commonly referred to as Lot 53  
20 (collectively, the “City Property”); and

21 WHEREAS, The Mayor’s Office of Housing and Community Development  
22 (“MOHCD”) obtained jurisdiction over Parcel E in exchange for \$4,584,000, as  
23 approved by the Board of Supervisors on December 17, 2013, under Board  
24 Resolution 456-13; and

25 WHEREAS, MOHCD has identified the SFUSD Property as suitable for the

1 development of affordable housing, and wishes to obtain and have jurisdiction over  
2 the SFUSD Property in order to further the City's general plan priority of preserving  
3 and enhancing the supply of affordable housing; and

4 WHEREAS, SFUSD wishes to exchange (the "Exchange") the SFUSD  
5 Property to the City for the City Property and \$2,675,000 (the "Additional Fee"); and

6 WHEREAS, Based on reviews of an independent appraisal, the Director of  
7 Property has determined that the fair market value of the SFUSD Property is  
8 \$9,775,000 and the fair market value of the City Property is \$7,100,000; and

9 WHEREAS, On December 10, 2013, at a meeting of the SFUSD Board of  
10 Education, a motion was passed approving staff to enter into negotiation of an  
11 agreement with MOHCD for the Exchange; and

12 WHEREAS, MOHCD proposes to convey the City Property and the additional  
13 fee to SFUSD in exchange for the SFUSD Property on the terms and conditions  
14 substantially as shown in the Agreement for the Exchange and Conveyance of Real  
15 Estate between the City and SFUSD (the "Exchange Agreement"), a copy of which is  
16 on file with the Clerk of the Board of Supervisors under File No. 140810 and  
17 incorporated herein by reference; and

18 WHEREAS, By letter dated January 23, 2014, the Department of City Planning  
19 found the Exchange to be categorically exempt from environmental review, and by  
20 letter dated January 28, 2014, the Department of City Planning also found that the  
21 Exchange is consistent with the City's General Plan and with the eight priority policies  
22 under Planning Code, Section 101.1, which letters are on file with the Clerk of the  
23 Board of Supervisors under File No. 140810 and incorporated herein by reference;  
24 now, therefore, be it

25 RESOLVED, That the Board of Supervisors hereby adopts the findings

1 contained in the document dated July 8, 2013, from the Department of City Planning  
2 regarding the California Environmental Quality Act, and hereby incorporates such  
3 findings by reference as though fully set forth in this Resolution; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors hereby finds that the  
5 Exchange is consistent with the General Plan, and with the eight priority policies of  
6 Planning Code, Section 101.1, for the same reasons as set forth in the letter of the  
7 Department of City Planning, dated January 28, 2014, and hereby incorporates such  
8 findings by reference as though fully set forth in this Resolution; and, be it

9 FURTHER RESOLVED, That in accordance with the recommendation of the  
10 Director of Property, the execution, delivery and performance of the Exchange  
11 Agreement is hereby approved and the Director of Property (or his designee) and the  
12 Director of MOHCD are hereby authorized to execute the Exchange Agreement on  
13 behalf of the City, and to execute any such other documents that are necessary or  
14 advisable to complete the transaction contemplated by the Exchange Agreement and  
15 effectuate the purpose and intent of this Resolution; and, be it

16 FURTHER RESOLVED, That the Mayor, the Clerk of the Board of  
17 Supervisors, the Director of Property, and the Director of MOHCD are each  
18 authorized and directed to enter into any and all documents and take any and all  
19 actions which such party, in consultation with the City Attorney, determines are in the  
20 best interest of the City, do not materially increase the obligations of the City or  
21 materially decrease the benefits to the City, are necessary and advisable to  
22 consummate the performance of the purposes and intent of this Resolution and  
23 comply with all applicable laws, including the City's Charter; and, be it

24 FURTHER RESOLVED, That within 30 days of the Exchange Agreement  
25 being fully executed by all parties, the Director of Property shall provide

1 the Exchange Agreement to the Clerk of the Board for inclusion into the official file;  
2 and, be it

3 FURTHER RESOLVED, That all actions authorized and directed by this  
4 Resolution and heretofore taken are hereby ratified, approved and confirmed by this  
5 Board of Supervisors and, be it

6 FURTHER RESOLVED, The Exchange Agreement shall be subject to  
7 certification as to funds by the Controller, pursuant to Charter, Section 3.105.

8  
9 \$2,675,000 available  
Index Code:

10  
11  
12 \_\_\_\_\_  
13 Controller

14 RECOMMENDED:

15  
16 \_\_\_\_\_  
17 John Updike  
Director of Property

18  
19  
20 \_\_\_\_\_  
21 Olson Lee, Director  
Mayor's Office of Housing and Community Development