

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
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TDD/TTY No. 554-5227

MEMORANDUM

LAND USE AND TRANSPORTATION COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Mark Farrell, Chair
Land Use and Transportation Committee

FROM: Erica Major, Assistant Clerk

DATE: June 13, 2017

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, June 13, 2017

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, June 13, 2017. This item was acted upon at the Committee Meeting on Monday, June 12, 2017, at 1:30 p.m., by the votes indicated.

Item No. 37 File No. 170630

Resolution authorizing and approving the acceptance of Shoreview Park, located at 1 Lillian Court, from the Office of Community Investment and Infrastructure to the City and County of San Francisco on behalf of its Recreation and Park Department, at no cost; and making findings that such acceptance is in accordance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section, 101.1.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Mark Farrell - Aye
Supervisor Aaron Peskin - Aye
Supervisor Katy Tang - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Jon Givner, Deputy City Attorney

File No. 170630

Committee Item No. 3

Board Item No. 37

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date June 12, 2017

Board of Supervisors Meeting

Date JUNE 13, 2017

Cmte Board

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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Rec and Park Reso No. 1703-007</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral FYI 053117</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Committee Report Request 060817</u> |
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Completed by: Erica Major Date June 9, 2017

Completed by: [Signature] Date 6/13/2017

1 [Real Property Conveyance - 1 Lillian Court, also known as Shoreview Park - Office of
2 Community Investment and Infrastructure - Recreation and Park - At No Cost]

3 **Resolution authorizing and approving the acceptance of Shoreview Park, located at 1**
4 **Lillian Court, from the Office of Community Investment and Infrastructure to the City**
5 **and County of San Francisco on behalf of its Recreation and Park Department, at no**
6 **cost; and making findings that such acceptance is in accordance with the California**
7 **Environmental Quality Act, the General Plan, and the eight priority policies of Planning**
8 **Code, Section, 101.1.**

9
10 WHEREAS, State law dissolved the Redevelopment Agency of the City and County of
11 San Francisco, a public body, corporate and politic (the "Former Agency"), on February 1,
12 2012, pursuant to California Health and Safety Code Sections 34170 et seq. (the
13 "Redevelopment Dissolution Law"); and

14 WHEREAS, As a result of dissolution, the Successor Agency to the Redevelopment
15 Agency of the City and County of San Francisco (the "Successor Agency") (commonly known
16 as the Office of Community Investment and Infrastructure or "OCII"), assumed all of the
17 remaining authority, rights, powers, duties, and obligations of the Former Agency and became
18 the owner of all of the Former Agency's real property; and

19 WHEREAS, The Redevelopment Dissolution Law requires that OCII dispose of the
20 Former Agency's real property pursuant to a Long Range Property Management Plan
21 ("PMP"), that identifies, among other things, those properties that were constructed and used
22 for a governmental purpose, such as parks, and are to be transferred to the City and County
23 of San Francisco ("City"), all pursuant to California Health & Safety Code Section 34191.5;
24 and
25

1 WHEREAS, The Board of Supervisors has previously approved, by Resolution
2 No. 51-17 (March 10, 2017), the acceptance of affordable housing assets that OCII is required
3 to transfer to the Mayor's Office of Housing and Community Development under the
4 Redevelopment Dissolution Law; and

5 WHEREAS, In preparing the PMP, OCII consulted with the City regarding the
6 appropriate disposition of Former Agency properties constructed and used for governmental
7 purposes; and

8 WHEREAS, The Oversight Board of the City and County of San Francisco, approved,
9 by Resolution Nos. 12-2013 (November 25, 2013) and 14-2015 (November 23, 2015), a PMP
10 that estimated the transfer of Shoreview Park to the City by 2016/2017; and

11 WHEREAS, The California Department of Finance ("DOF") approved the PMP on
12 December 7, 2015; and

13 WHEREAS, DOF has objected to the delay in the transfer of governmental purpose
14 properties to the City and has disallowed certain OCII expenditures for costs associated with
15 such properties: "[P]roperties approved for transfer for governmental use should immediately
16 be transferred to the City and County." (Letter, J. Howard, DOF, to B. Mawhorter, OCII, Re:
17 "2017-18 Annual Recognized Obligation Payment Schedule (May 17, 2017)); and

18 WHEREAS, The Board of Supervisors has previously approved, by Resolution
19 No. 144-14 (May 13, 2014), the acceptance and expenditure of Community Development
20 Block Grant program income from OCII for capital improvements to Shoreview Park, in an
21 amount initially estimated at \$1,149,746 and which now totals \$1,962,200; and

22 WHEREAS, On March 16, 2017, the Recreation and Park Commission recommended,
23 by Resolution No. 1703-007, that the Board of Supervisors approve the transfer of Shoreview
24 Park to the City; and

1 WHEREAS, The City's acquisition of the park will further the Recreation and Park
2 Commission's mission, as articulated in its Strategic Plan Objective 1.1: Develop more open
3 space to address population growth in high-needs areas and emerging neighborhoods, by
4 providing enriching recreational activities, beautiful parks, and preserving the environment for
5 the well-being of San Francisco's diverse community; and

6 WHEREAS, This Board desires to accept the conveyance of Shoreview Park (the
7 "Conveyance") pursuant to a quitclaim deed (the "Deed"), in substantially the form filed with
8 the Clerk of the Board of Supervisors in File No. 170630; and

9 WHEREAS, The transfer of Shoreview Park at no cost to the City fulfills the
10 requirements of the Redevelopment Dissolution Law and constitutes a donation of Real
11 Property for purposes of Chapter 23 of the San Francisco Administrative Code; and

12 WHEREAS, The Planning Department of the City (the "Planning Department")
13 determined that the Conveyance is not a project under the California Environmental Quality
14 Act ("CEQA") Guidelines Sections 15060(c) and 15378 found that the Conveyance is
15 consistent with the City's General Plan, and with the eight priority policies of Planning Code,
16 Section 101.1 for the reasons set forth in the May 15, 2017 letter from the Planning
17 Department, which is on file with the Clerk of the Board of Supervisors in File No. 170630;
18 now, therefore, be it

19 RESOLVED, That the Board hereby finds that the Conveyance is consistent with
20 CEQA and the Conveyance is not defined as a project and is consistent with the General
21 Plan, and with the eight priority policies of Planning Code, Section 101.1 for the same reasons
22 set forth in the letter of the Planning Department, dated May 15, 2017, and hereby
23 incorporates such finding by reference as though fully set forth in this Resolution; and, be it

24 FURTHER RESOLVED, That in accordance with the recommendations of the City's
25 Director of Property, the Board hereby approves and authorizes the Director of Property (or

1 his or her designee), along with the General Manager of the Recreation and Park Department
2 to accept said Deed on behalf of the City, and to execute any such other documents that are
3 necessary or advisable to complete the transaction contemplated by the such Deed and to
4 effectuate the purpose and intent of this Resolution; and, be it

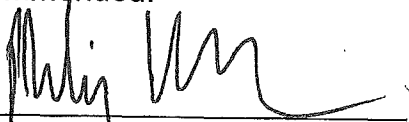
5 FURTHER RESOLVED, That the Board authorizes the Director of Property (or his or
6 her designee) and the General Manager of the Recreation and Park Department, in
7 consultation with the City Attorney, to enter into any additions, amendments or other
8 modifications to the Deed that the Director of Property and General Manager determine are in
9 the best interests of the City, do not decrease the revenues of the City in connection with the
10 Conveyance, or otherwise materially increase the obligations or liabilities of the City, and are
11 in compliance with all applicable laws, including the Redevelopment Dissolution Law and the
12 City's Charter; and, be it

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

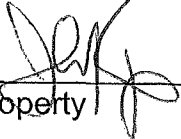
19 FURTHER RESOLVED, That all actions authorized and directed by this Resolution and
20 heretofore taken are hereby ratified, approved and confirmed by this Board of Supervisors.

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Recommended:



General Manager
San Francisco Recreation and Parks Department



Director of Property



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

Date: May 15, 2017
Case No. Case No. 2017-005147GPR
City Transfer of Property at 1 Lillian Court for Future
Use by the Department of Recreation and Parks

Block/Lot No.: 4713/008
Project Sponsor: John Updike, Director
San Francisco Real Estate Department
25 Van Ness Ave. Suite 400
San Francisco, CA 94102

Applicant: Same as Above

Staff Contact: Ben Caldwell – (415) 575-9131
ben.caldwell@sfgov.org

Recommendation: Finding the project, on balance, is **in conformity** with
the General Plan

Recommended
By: 
John Rahaim, Director of Planning

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project is the City's proposed transfer of property at 1 Lillian Court from the Office of Community Investment and Infrastructure (OCII) to the San Francisco Department of Recreation and Parks (RPD) for its future use as a park. The submittal is for a General Plan Referral to recommend whether the Project is in conformity with the General Plan, pursuant to Section 4.105 of the Charter, and Section 2A.52 and 2A.53 of the Administrative Code.

ENVIRONMENTAL REVIEW

On April 26, 2017, the Environmental Planning division of the Department determined that the Project is not defined as a project under CEQA Guidelines Sections 15060(c) and 15378 because it does not result in a physical change in the environment.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The Project is the City's proposed transfer of property at 1 Lillian Court from the Office of Community Investment and Infrastructure to the San Francisco Department of Recreation and Parks for the future use of a park. The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this letter and is, on balance, **in-conformity** with the following Objectives and Policies of the General Plan:

RECREATION AND OPEN SPACE ELEMENT**POLICY 1.2**

Prioritize renovation in highly-utilized open spaces and recreational facilities in high needs areas.

The transfer of property for the existing open space area at 1 Lillian Court to the Recreation and Parks Department assures that recreational open space will be preserved and enhanced in this area, a part of Bayview Hunter's Point specifically designated as having a high need for open space.

POLICY 1.3

Preserve existing open space by restricting its conversion to other uses and limiting encroachment from other uses, assuring no loss of quantity or quality of open space.

The shortage of vacant sites and the intensity of development in San Francisco produce pressures on the City's public open spaces, sometimes putting spaces at risk of conversion to uses not serving the public purpose of respite and recreation. These same factors generate considerable public demand for access to open spaces. It is essential that the City protect its public open spaces from conversion to other uses, which threatens the overall integrity of the open space network.

The transfer of property for the existing open space area at 1 Lillian Court to the Recreation and Parks Department assures that this important existing open space will be preserved, assuring no loss of open space in this high-need area.

POLICY 2.1

Prioritize acquisition of open space in high need areas.

Priority for acquisition of new space to address open space inequities should be given to high need areas, defined as places where there is low access to open space...a conglomeration of high density, high percentages of children, youth, seniors, and low income households...and in which the most growth is projected to occur between now and 2040.

This existing open space at 1 Lillian Court is in an area of high need for open space, in the Bayview/Hunter's Point neighborhood. The neighborhood has high percentages of children, youth, seniors, and low-income households. While the area has moderate population density today, it is in an

area with the highest projected growth in the City. Transferring this property to RPD for future use as a park will ensure this open space is preserved in this area of high-need and high future growth.

POLICY 2.7

Expand partnerships among open space agencies, transit agencies, private sector and nonprofit institutions to acquire, develop and/or manage existing open spaces.

The City should facilitate efforts of existing agencies and organizations working toward regional open space goals. The City should encourage and work with these groups to secure additional land for open space retention and management, and to maintain existing open space areas in their current undeveloped open space status. The City should also support use of selected areas of open space lands within its jurisdiction for appropriate recreational uses.

This transfer of property directly supports this Recreation and Open Space Element goal of encouraging partnership among City agencies to facilitate the preservation and development of open space. Transferring this property to the RPD from OCII is an exemplary illustration of the benefits of these expanded partnerships.

POLICY 2.8

Consider repurposing underutilized City-owned properties as open space and recreational facilities.

Publicly Owned Sites: The City should evaluate all publicly-owned sites in high needs areas to determine their feasibility for full or partial park site usage. Some of these sites may be underutilized and therefore available for purchase or swap—these should be reviewed for potential transfer to or purchase by RPD.

This policy specifically encourages evaluating underutilized surplus and publicly-owned sites in high-need areas for potential transfer to RPD. This specific site at 1 Lillian Court is an underutilized open space owned by OCII that is a prime example of putting this policy to work in an important high-need area.

BAYVIEW HUNTERS POINT AREA PLAN

POLICY 10.1

Better define Bayview's designated open space areas by enabling appropriate, quality development in surrounding areas.

Bayview Hunters Point has a unique assortment of public open space, including Bay View Hill Park, Hilltop Plaza, Adam Rogers Park, Youngblood Coleman Playground, Bayview Playground, the Candlestick Point State Recreation Area, India Basin Shoreline Park, and the former Bayview Farm. Yet some of these areas do not stand out visually, and some are not fully accessible to the community, due in part that some of them, such as Bay View Hill and Candlestick Point State Recreation Area, are not fully improved as public open space areas and

the surrounding privately owned property is not clearly delineated. Development of appropriate uses and the introduction of more intense pedestrian-oriented activity around their edges would help to accent their existence as open space areas, and promote their use.

The existing open space at 1 Lillian Court is an undeveloped open space with no facilities, programs, or improvements. The Project would transfer ownership to RPD for the future development of a park at this location, to better define this space as a park and provide the open space amenities and programming residents in the growing surrounding community will most need.

POLICY 12.3

Renovate and expand Bayview's parks and recreation facilities, as needed.

Parks and recreation facilities throughout Bayview Hunters Point need regular maintenance and periodic renovation in order to attract and accommodate continued and increasing neighborhood use. Bayview should receive its fair share of funds for this purpose.

Transferring the ownership of the existing open space at 1 Lillian Court for the future development of a park at this location will ensure the open space is developed in this high-need area, helping assure Bayview receives its fair share of open space funding.

PROPOSITION M FINDINGS – PLANNING CODE SECTION 101.1

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

Eight Priority Policies Findings

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

The proposed project is found to be consistent with the eight priority policies of Planning Code Section 101.1 in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The Project would have no effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.

The Project would have no adverse effect on the City's housing stock or on neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced.

The Project would have no adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project would not affect commuter traffic or parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

The Project would not affect the existing economic base in this area.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake.

7. That landmarks and historic buildings be preserved.

This site is existing open space and has no landmarks or buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project would assure that this existing open space, in an area identified as high-need for new open space, will be protected from development and transferred to the Department of Recreation and Parks for use as a future neighborhood park.

RECOMMENDATION:	Finding the Project, on balance, in-conformity with the General Plan
------------------------	-----------------------------------------------------------------------------

Attachments:

None

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

Real Estate Division
City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, CA 94102
Attention: Director of Property

The undersigned hereby declares this instrument to be exempt from Recording Fees (CA Govt. Code§ 27383) and Documentary Transfer Tax (CA Rev. & Tax Code § 11922 and S.F. Bus. & Tax Reg. Code§ 1105)

Assessor's Block 4713, Lot 008

Space Above This Line Reserved for Recorder's Use

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, the receipt and adequacy of which are hereby acknowledged, the SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO, commonly known as the Office of Community Investment and Infrastructure, a public body organized and existing under the laws of the State of California ("**Grantor**"), pursuant to California Health and Safety Code Section 34181(a)(1) and Resolution No. 2015-014, adopted by its Oversight Board on November 23, 2015 and approved by the California Department of Finance on December 7, 2015, hereby RELEASES, REMISES AND QUITCLAIMS to the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation, and its successor and assigns, any and all right, title and interest in the real property situated in the City and County of San Francisco, State of California, as more particularly described in Exhibit A attached hereto and made a part hereof.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the Grantor has executed this instrument as of the _____ day of _____, 2017.

GRANTOR:

SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO, a public body,
organized and existing under the laws of the State of
California

By: _____
Nadia Sesay
Interim Executive Director

APPROVED AS TO FORM:

By: _____
James B. Morales
Agency General Counsel

EXHIBIT A

**Legal Description
(Shoreview Park)**

The land referred to herein below is situated in the City of San Francisco, in the County of San Francisco, State of California, and is described as follows:

Lot 8, Block 4713, as described and delineated upon that certain Map entitled, "PARCEL MAP OF THE NEW HUNTERS POINT COMMUNITY, UNIT 5", which Map was filed for record October 19, 1976, in Book 4 of Parcel Maps, Pages 78-80, inclusive.

APN: Lot 008, Block 4713

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the foregoing Quitclaim Deed to the City and County of San Francisco, a municipal corporation, is hereby accepted pursuant to Board of Supervisors' Resolution No. _____, approved _____, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: _____

By: _____

John Updike
Director of Property

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of San Francisco)

On _____ before me, _____,
Date Here Insert Name and Title of the Officer

personally appeared Nadia Sesay

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

Signature of Notary Public

Place Notary Seal Above

RECREATION AND PARK COMMISSION
City and County of San Francisco
Resolution Number 1703-007

TRANSFER OF REAL PROPERTY

WHEREAS, the City of considering purchasing certain real property located at 1 Lillian Court (Assessor's Block 4713/Lot 008) having a total area of 21,780 square feet site (hereinafter referred to as the "Site", or as "Shoreview Park"); and

WHEREAS, the Recreation and Park Department (RPD) has provided the Commission oral and written reports regarding the proposed Site acquisition, and has explained in those reports that the proposed acquisition will further RPD's mission, as articulated in the Strategic Plan Objective 1.1 ("Develop more open space to address population growth in high-needs areas and emerging neighborhoods"), by providing enriching recreational activities, beautiful parks, and preserving the environment for the well-being of San Francisco's diverse community; and

WHEREAS, the San Francisco Redevelopment Agency ("SFRA") dissolved in February 2012 by order of the California Supreme Court, and the Office of Community Investment and Infrastructure ("OCII") was formed to serve as the successor to the former SFRA; and

WHEREAS, OCII's Long-Range Property Management Plan ("PMP") includes the disposition of seven mini-parks located in the former Hunters Point Redevelopment Project Area, and states that Shoreview Park will be transferred to the City and County of San Francisco; and

WHEREAS, Shoreview Park is located within a High Needs Area as identified by the Recreation and Open Space Element of the San Francisco General Plan; and

WHEREAS, Shoreview Park is located in a neighborhood within the lowest median income bracket in San Francisco and abuts an area of high youth and overall population density; and

WHEREAS, Shoreview Park is located within an equity zone, as adopted by the Recreation and Park Commission on October 20, 2016 as required by Section 16.107 of the Charter as approved by voters as Proposition B in June 2016; and

WHEREAS, Shoreview Park will be acquired for \$0 from OCII; and

WHEREAS, the Planning Department determined that the acquisition of the Site would not be subject to the California Environmental Quality Act Public Resources Code Section 21000 *et seq.* (CEQA), pursuant to CEQA Guidelines Sections 15378 and 15060(c)(2), which provides that an activity is not subject to CEQA if the activity will not result in a "direct or reasonably foreseeable indirect physical change on the environment"; and

WHEREAS, OCII will transfer up to \$2.1 million to RPD through the Mayor's Office of Housing and Community Development from Community Development Block Grant (CDBG) program income to fund the capital improvements at Shoreview Park; and

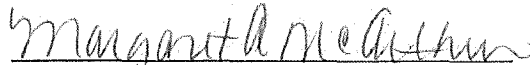
WHEREAS, the requirement to use these CDBG funds for Shoreview Park improvements was approved by the Board of Supervisors under the 2014-2015 CDBG Action Plan; now therefore be it

RESOLVED, The Recreation and Park Commission recommends that the Board of Supervisors approve the transfer of the property located at 1 Lillian Court (Assessor Block/Lot 4713/008) to the City and County of San Francisco pursuant to the PMP and for zero dollars.

Adopted by the following vote:

Ayes	4
Noes	0
Absent	2

I hereby certify that the foregoing resolution was adopted at the Recreation and Park Commission meeting held on March 16, 2017.



Margaret A. McArthur, Commission Liaison

Oversight Board

RESOLUTION NO. 12-2013
Adopted November 25, 2013

APPROVAL OF THE SUCCESSOR AGENCY'S LONG-RANGE PROPERTY
MANAGEMENT PLAN ("PMP") GOVERNING THE DISPOSITION OF REAL
PROPERTY UNDER REDEVELOPMENT DISSOLUTION LAW

- WHEREAS, The Successor Agency (otherwise known as the Office of Community Investment and Infrastructure, or OCII) became the successor to the Redevelopment Agency of the City and County of San Francisco, a public body, corporate and politic, exercising its functions and powers and organized and existing under the Community Redevelopment Law of the State of California (the "Former Redevelopment Agency"), after the Former Redevelopment Agency was dissolved on February 1, 2012, pursuant to the California Assembly Bill known as AB 26 and the California Supreme Court's decision and order in the case entitled *California Redevelopment Association et al. v. Ana Matosantos*. Shortly thereafter, all of the Former Redevelopment Agency's non-housing assets, including all real property, were transferred to the Successor Agency; and,
- WHEREAS, As a result of AB 26, the Successor Agency continues to own or lease certain real property in redevelopment project areas and other areas of the City and County of San Francisco (the "Agency Property"); and,
- WHEREAS, On June 27, 2012, California's Governor approved legislation amending Assembly Bill No. 26 (statutes 2011, chapter 5) ("AB 26") entitled Assembly Bill No. 1484 (statutes 2012, chapter 26) ("AB 1484") (together, AB 26 and AB 1484 are the "Redevelopment Dissolution Law"). AB 1484 imposes certain requirements on successor agencies to redevelopment agencies established by AB 26, including a requirement that suspends certain dispositions of former redevelopment agency property until certain state-imposed requirements are met (Cal. Health & Safety Code § 34191.3) and the retention of certain housing assets subject to the successor agency's enforceable obligations (Cal. Health & Safety Code § 34176 (a)); and,
- WHEREAS, Redevelopment Dissolution Law requires successor agencies to prepare a long range property management plan ("PMP") to dispose of any of its properties (Cal Health & Safety Code § 34191.5). The plan must include an inventory of all successor agency properties, with information about date of acquisition, purpose of acquisition, parcel data, current value, revenue generation, environmental contamination, potential for transit-oriented development, and previous development proposals for each property. The plan must also categorize each property by one of four permissible uses: (1) retention for

governmental use; (2) retention for future development; (3) disposition; or (4) use of the property to fulfill an enforceable obligation; and,

WHEREAS, The PMP includes disposition plans for certain housing assets that the Successor Agency has retained to fulfill enforceable obligations, but that are proposed for transfer to the Housing Successor for the City and County of San Francisco (the "Housing Successor"), pursuant to future Oversight Board actions under Cal. Health & Safety Code § 34181 (c), when the housing project is complete; and,

WHEREAS, Redevelopment Dissolution Law requires the Oversight Board to make certain findings regarding housing assets that include both low- and moderate-income housing and other uses, such as commercial uses. The Oversight Board must consider "the overall value to the community as well as the benefit to taxing entities of keeping the entire development intact or dividing the title and control over the property between the housing successor and the successor agency or other public or private agencies." (Cal. Health & Safety Code § 34176 (f)); and,

WHEREAS, The Agency Property includes two parcels located at 227-255 Seventh Avenue that comprise a portion of Westbrook Plaza, a mixed-use project containing affordable housing, a neighborhood-serving health clinic, and garage ("Westbrook Plaza"). The Successor Agency owns the parcels containing the health clinic and the garage, and the Housing Successor owns the parcel containing the affordable housing. The Successor Agency has proposed in its PMP to transfer the health clinic and garage to the Housing Successor Agency, pursuant to Cal. Health & Safety Code § 34176 (f); and,

WHEREAS, In approving the PMP, the Oversight Board has considered the overall value to the community as well as the benefit to taxing entities of keeping Westbrook Plaza intact, and has made the following findings: (1) the overall value of Westbrook Plaza is enhanced by keeping it intact as was originally intended, (2) the affordable housing complements the vision of the health clinic to serve the needs of low-income households, and the residents of the affordable housing benefit from having the clinic within their building, and (3) keeping Westbrook Plaza under single ownership results in greater management efficiency because the affordable housing and the health clinic share various operating expenses; and,

WHEREAS, Redevelopment Dissolution Law requires that both the Oversight Board and the Department of Finance ("DOF") approve the PMP. Cal. Health & Safety Code § 34191.5 (b); and,

WHEREAS, In compliance with AB 1484, the Successor Agency has prepared the PMP (attached hereto as Exhibit A) for the Agency Property, and is seeking the Oversight Board's approval of the PMP prior to the statutory deadline, which

is six months from the date the Successor Agency received its "Finding of Completion" from DOF (i.e., the deadline is November 29, 2013); and,

WHEREAS, The PMP is exempt from the California Environmental Quality Act ("CEQA") on the following grounds: (1) under Section 15262 of the State CEQA Guidelines, the PMP is a planning study for a future action that has not yet been approved and does not legally bind the Successor Agency to transfer the Agency Property; (2) under Section 15061 (b) (3) of the CEQA Guidelines, the PMP does not have the potential for causing a significant effect on the environment because it merely provides documentation for pre-disposition and planning activities; and (3) under Section 15268 of the CEQA Guidelines, the PMP is a ministerial act required under the Redevelopment Dissolution Law; now therefore be it

RESOLVED, That the Oversight Board hereby finds that the PMP is exempt from CEQA for the reasons stated above and approves the PMP in compliance with Redevelopment Dissolution Law for the subsequent disposition of the Agency Property.

Exhibit A: Long Range Property Management Plan ("PMP")

I hereby certify that the foregoing resolution was adopted by the Oversight Board at its meeting of November 25, 2013.

Natasha Jones
Oversight Board Secretary

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE
REDEVELOPMENT AGENCY OF THE CITY COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 14-2015
Adopted November 23, 2015

**AUTHORIZING REVISIONS TO THE SUCCESSOR AGENCY'S LONG-RANGE
PROPERTY MANAGEMENT PLAN GOVERNING THE DISPOSITION OF REAL
PROPERTY UNDER REDEVELOPMENT DISSOLUTION LAW**

- WHEREAS, The Redevelopment Agency of the City and County of San Francisco, a public body (the "Former Redevelopment Agency"), was dissolved on February 1, 2012, pursuant to California Health and Safety Code Sections 34170 et seq. (the "Redevelopment Dissolution Law"); and,
- WHEREAS, As a result of dissolution, all of the Former Redevelopment Agency's non-housing assets, including all real property, were transferred to the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (the "Successor Agency") (commonly known as the Office of Community Investment and Infrastructure or "OCII"), and the Successor Agency assumed all of the authority, rights, powers, duties, and obligations of the Former Redevelopment Agency that remained after its dissolution. Cal. Health & Safety Code 34173 (a)
- WHEREAS, On November 25, 2013, by Resolution No. 12-2013, the Oversight Board approved the Successor Agency's Long-Range Property Management Plan (the "2013 PMP") and the 2013 PMP was subsequently transmitted to the State Department of Finance ("DOF"), pursuant to Redevelopment Dissolution Law; and,
- WHEREAS, The 2013 PMP provided an inventory and disposition plan for all the property OCII owns or leases now or in the future in the major approved project areas (Transbay, Mission Bay, and Hunters Point Shipyard/Candlestick Point) as well as OCII's properties in expired redevelopment project areas (Yerba Buena Center, Hunters Point, South of Market, Western Addition A-2, and Golden Gateway), and elsewhere in San Francisco (the "Agency Property"); and,
- WHEREAS, Certain of the non-housing properties included in the 2013 PMP – namely Yerba Buena Gardens, the Fillmore Heritage Center, and 345 Williams – were purchased with federal urban renewal grant funds (the "CDBG Properties") under contracts approved by the U.S. Department of Housing and Urban Renewal (the "HUD Contracts"). See attached list of CDBG Properties, Exhibit A. Under the HUD Contracts, the Former Redevelopment Agency was required to use the federal funds to carry out redevelopment activities in accordance with various redevelopment plans and the federal standards for

urban renewal under Title I of the Housing Act of 1949. Upon the demise of the federal urban renewal grant program, HUD required that the Former Redevelopment Agency treat all future proceeds from the sale or lease of the CDBG Properties as program income under the federal Community Development Block Grant (“CDBG”) program; and,

WHEREAS, The Former Redevelopment Agency, and now the Successor Agency, have held the CDBG Properties for the governmental purposes described in the CDBG program (See Title 24 in the CFR, Section 570.201 (completion of urban renewal projects under Title I of the Housing Act of 1949) and Title 24 in the CFR, Section 570.800 (pre-1996 federal urban renewal regulations continue to apply to completion of urban renewal projects)) (the “CDBG Program Requirements”) and all future proceeds from the sale or lease of the CDBG Properties will be treated as program income under the CDBG Program Requirements. See Exhibit B, Western Addition Area Two Redevelopment Project Closeout Agreement; Exhibit C, Letter, H. Dishroom to D. Feinstein (August 15, 1983); and Exhibit D, Letter, M. Cremer to O. Lee (September 26, 2014); and,

WHEREAS, Pursuant to Redevelopment Dissolution Law, the 2013 PMP included information about date of acquisition, purpose of acquisition, parcel data, current value, revenue generation, environmental contamination, potential for transit-oriented development, and previous development proposals for each Agency Property. The 2013 PMP also categorized each property by one of four permissible uses: (1) retention for governmental use; (2) retention for future development; (3) disposition; or (4) use of the property to fulfill an enforceable obligation; and,

WHEREAS, DOF has completed its review of the 2013 PMP and has requested that OCII revise and update the 2013 PMP and submit a revised version to both the Oversight Board and DOF for approval (the “Revised PMP”). The Revised PMP, attached hereto as Exhibit E, includes updates to the inventory of Agency Property, given that a number of acquisitions and dispositions have occurred since 2013 and the Redevelopment Dissolution Law has been recently amended, as well as updates to future acquisition/disposition dates and corrections to property-related data such as Assessor Parcel Numbers, lot sizes, and addresses; and,

WHEREAS, The Revised PMP also includes new disposition plans for three properties: 1) the Fillmore Heritage Center Garage; (2) the Fillmore Heritage Center Commercial Parcel, and (3) 345 Williams Avenue; and,

WHEREAS, The new disposition plan for the Fillmore Heritage Center Garage Parcel is a transfer to the City and County of San Francisco (the “City”) for a governmental purpose – that is, a public parking garage – pursuant to Section 34181(a)(1) of the California Health and Safety Code. Under recent

amendments to Redevelopment Dissolution Law, the Garage Parcel meets the definition of a parking facility dedicated solely to public parking because it does not "generate revenues in excess of reasonable maintenance costs." Section 34181 (a) (2) of the California Health and Safety Code; and,

WHEREAS, The new disposition plan for the Fillmore Heritage Center Commercial Parcel is a transfer to the City for future redevelopment pursuant to Sections 34191.5(c)(2)(A)(i)-(ii) of the California Health and Safety Code. Consistent with these Sections, the development of the Commercial Parcel was included in the Former Redevelopment Agency's 1999-2004 and 2004-2009 Implementation Plans for the Western Addition A-2 Redevelopment Project Area. A transfer to the City will ensure: (1) that the original community development purpose for acquiring the property continues to be met and (2) that the Former Redevelopment Agency's economic development goals for the property – that is, the development of the property as a catalyst to the successful revitalization of the lower Fillmore Street commercial corridor and the creation of employment opportunities for the community – continue to be met; and

WHEREAS, The new disposition plan for 345 Williams Avenue is a transfer to the City for future redevelopment pursuant to Section 34191.5(c)(2)(A)(i)-(ii) of the California Health and Safety Code. Transferring the site to the City will ensure: (1) that the original economic development purpose for acquiring the site – that is, to develop a full-service supermarket in an underserved neighborhood – continues to be met and (2) that the objective in the City's 2014-2015 Action Plan for CDBG activities related to the development of a new grocery store in the Bayview Hunters Point area is fulfilled; and

WHEREAS, Under Section 34191.5(c)(2)(A)(i)-(ii) of the California Health and Safety Code, the Oversight Board or DOF may require approval of a compensation agreement, as described in Section 34180(f), prior to the transfer of property that the City retains for future redevelopment activities. The compensation agreement requires the City and other taxing entities to reach agreement on payments proportionate to their share of base property taxes for the value of the property retained. In the case of the Fillmore Heritage Center Commercial Parcel and 345 Williams Avenue, the Successor Agency is recommending that the payments under the compensation agreement consist of covenants and conditions on these properties restricting their use and any future disposition to purposes consistent with the CDBG Program Requirements, and with the economic development objectives for these properties, as defined in redevelopment, five-year implementation or community plans; and

WHEREAS, Pursuant to Redevelopment Dissolution Law, OCII must have a DOF-approved PMP by January 1, 2016 to avoid the application of those provisions of Redevelopment Dissolution Law requiring DOF's review and approval of each property disposition. After DOF's final approval of the Revised PMP, individual implementing actions related to the Revised PMP – such as the

acquisition or disposition of property – do not require further approvals by the Oversight Board or DOF; and,

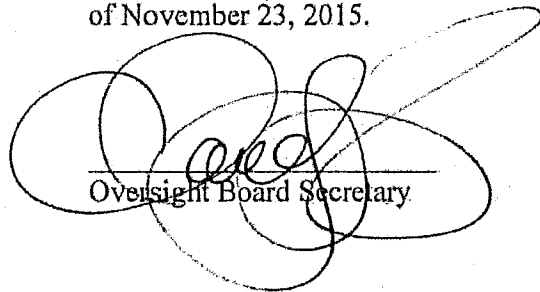
WHEREAS, The Revised PMP is required under Redevelopment Dissolution Law as part of the wind down of the activities of the Former Redevelopment Agency and, if approved by the Oversight Board and DOF, the Revised PMP is not a project under Section 15378 (b)(5) of the California Environmental Quality Act (“CEQA”) Guidelines because it is an organization or administrative activity that will not result in a direct or indirect physical change in the environment; now therefore be it

RESOLVED, That the Oversight Board hereby finds that the Revised PMP is exempt from CEQA for the reasons stated above and approves the Revised PMP; substantially in the form attached hereto as Exhibit E, for the subsequent disposition of the Agency Property; and be it further

RESOLVED, That the Oversight Board authorizes OCII, upon approval of the Revised PMP by DOF, to take all actions as needed, to the extent permitted under applicable law, to effectuate compliance with the Revised PMP.

- Exhibit A: CDBG Properties
- Exhibit B: Western Addition Area Two Redevelopment Project Closeout Agreement
- Exhibit C: Letter, H. Dishroom to D. Feinstein (August 15, 1983)
- Exhibit D: Letter, M. Cremer to O. Lee (September 26, 2014)
- Exhibit E: Revised Long-Range Property Management Plan

I hereby certify that the foregoing resolution was adopted by the Oversight Board at its meeting of November 23, 2015.



Oversight Board Secretary

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Nadia Sesay, Interim Executive Director, Office of Community Investment and Infrastructure
Phil Ginsburg, General Manager, Recreation and Parks Department
Olson Lee, Director, Mayor's Office of Housing and Community Development
John Updike, Director, Real Estate Division

FROM: *em* Erica Major, Assistant Clerk
Land Use and Transportation Committee

DATE: May 31, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Cohen on May 23, 2017:

File No. 170630

Resolution authorizing and approving the acceptance of Shoreview Park, located at 1 Lillian Court, from the Office of Community Investment and Infrastructure to the City and County of San Francisco on behalf of its Recreation and Park Department, at no cost; and making findings that such acceptance is in accordance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section, 101.1.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

c: Sarah Madland, Recreation and Parks Department
Eugene Flannery, Mayor's Office of Housing and Community Development
Kate Hartley, Mayor's Office of Housing and Community Development
Amy Chan, Mayor's Office of Housing and Community Development

Member, Board of Supervisor
District 2



City and County of San Francisco

MARK FARRELL

RECEIVED
BOARD OF SUPERVISORS
2017 JUN - 8 AM 9:45
AK

DATE: June 8, 2017
TO: Angela Calvillo
Clerk of the Board of Supervisors
FROM: Supervisor Mark Farrell
RE: Land Use and Transportation Committee
COMMITTEE REPORTS

Mark S. Farrell

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, June 13, 2017, as Committee Reports:

*** 170630 Real Property Conveyance - 1 Lillian Court, also known as Shoreview Park - Office of Community Investment and Infrastructure - Recreation and Park - At No Cost**

Resolution authorizing and approving the acceptance of Shoreview Park, located at 1 Lillian Court, from the Office of Community Investment and Infrastructure to the City and County of San Francisco on behalf of its Recreation and Park Department, at no cost; and making findings that such acceptance is in accordance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section, 101.1.

170349 Administrative Code - Owner Move-In Reporting Requirements

Ordinance amending the Administrative Code to require a landlord seeking to recover possession of a rental unit based on an owner move-in ("OMI") or relative move-in ("RMI") to provide a declaration under penalty of perjury stating that the landlord intends to occupy the unit for use as the principal place of residence of the landlord or the landlord's relative for at least 36 continuous months; require a landlord seeking to recover possession of a rental unit based on an OMI or RMI to provide the tenant with a form prepared by the Rent Board to be used to advise the Rent Board of any change in address; require a landlord to file annual documentation with the Rent Board for three years after an OMI or RMI showing whether the landlord or relative is occupying the unit as his or her principal place of residence; require the Rent Board to annually notify the unit occupant of the maximum rent for the unit for three years after an OMI or RMI; and extend the statute of limitations for wrongful eviction claims based on an unlawful OMI or RMI from one year to three years.

170702 Fee Waiver – LMC San Francisco I Holdings, LLC – 1515 Van Ness Avenue

Ordinance approving a fee waiver under Building Code, Section 106A.4.13, for LMC San Francisco I Holdings, LLC's project at 1515 South Van Ness; and adopting findings under the California Environmental Quality Act.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, June 12, 2017, at 1:30 p.m.

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
 BOARD OF SUPERVISORS
 3111 FRANKLIN ST
 2017 MAY 23 PM 3:03
 Time stamp
 or meeting date *RJ*

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Cohen

Subject:

Transfer of Shoreview Park - 1 Lillian Court, to City by OCII

The text is listed:

Attached

Signature of Sponsoring Supervisor:

Malia Cohen

For Clerk's Use Only