

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

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

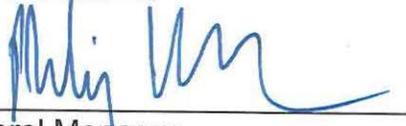
5 FURTHER RESOLVED, That the Board authorizes the Director of Property (or his or
6 her designee) and the General Manager of the Recreation and Park Department, in
7 consultation with the City Attorney, to enter into any additions, amendments or other
8 modifications to the Deed that the Director of 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