

1 [Relocation Impact Study and Last Resort Housing Plan for Central Subway Project]

2

3 **Ordinance approving the San Francisco Municipal Transportation Agency's Relocation**
4 **Impact Study and Last Resort Housing Plan for the Central Subway Project.**

5 NOTE: Additions are *single-underline italics Times New Roman*;
6 deletions are ~~*strike-through italics Times New Roman*~~.
7 Board amendment additions are double-underlined;
8 Board amendment deletions are ~~strike-through normal~~.

8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. Findings

10 The San Francisco Municipal Transportation Agency (SFMTA) will be acquiring real
11 property for the Central Subway Project, a federal New Starts project. On July 27, 2010, the
12 Board of Supervisors authorized the SFMTA to acquire three easements for the Project tunnel
13 and two fee acquisitions for the Moscone and Chinatown Station sites by eminent domain
14 (Resolution Nos. 0360-10, 0361-10, 0362-10, 0363-10, 0364-10).

15 Federal regulations (49 CFR § 24.205) require that an agency that will be acquiring real
16 property for a federally financed project study the impacts associated with the displacement of
17 commercial and residential occupants and develop solutions to minimize the adverse impacts
18 of displacement. On July 13, 2010, the Federal Transit Administration concurred with the
19 Relocation Impact Study and Last Resort Housing Plan (the "Plan") subject to comments that
20 have been incorporated into the Plan.

21 Federal regulations (49 CFR § 24.10) require that agencies have an appeals process
22 for persons who believe that the agency has failed to properly consider the person's
23 application for relocation assistance with respect to a federally financed project. Chapter 24B
24 of the Administrative Code establishes a Relocation Appeals Board to hear appeals by such
25 persons.

1 The Plan supplements Chapter 24B of the Administrative Code for the Central Subway
2 Project by providing, consistent with federal regulations, (1) a 60-day maximum period for
3 filing appeals; and (2) for a person to be able to review and copy the relevant files of the
4 Agency prior to filing a complaint or appeal. The Plan also clarifies that the appeals process
5 does not apply to eligibility or compensation for goodwill.

6 Section 2. The Board of Supervisors approves the Relocation Impact Study and Last
7 Resort Housing Plan for the Central Subway Project.

8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: _____
11 Robin M. Reitzes
12 Deputy City Attorney