

BOARD of SUPERVISORS



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June 23, 2020

File No. 200647

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson:

On June 16, 2020, the following proposed Initiative Ordinance for the November 3, 2020, Election was received by the Board of Supervisors' Rules Committee:

File No. 200647

Motion ordering an Ordinance to be submitted to the voters at an election to be held on November 3, 2020, authorizing the City and County of San Francisco (City) to own, develop, construct, acquire, or rehabilitate up to 10,000 affordable rental units in the City under Article 34 of the California Constitution.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Assistant Clerk
Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning
Laura Lynch, Environmental Planning

1 [Initiative Ordinance - Authorizing the Development of Up to 10,000 Affordable Rental Units in
2 the City Under Article 34 of the California Constitution]

3 **Motion ordering an Ordinance to be submitted to the voters at an election to be held on**
4 **November 3, 2020, authorizing the City and County of San Francisco (City) to own,**
5 **develop, construct, acquire, or rehabilitate up to 10,000 affordable rental units in the**
6 **City under Article 34 of the California Constitution.**

7
8 MOVED, That the Board of Supervisors hereby submits the following ordinance to the
9 voters of the City and County of San Francisco, at an election to be held on November 3,
10 2020.

11
12 **Ordinance authorizing the City and County of San Francisco (“City”) to own, develop,**
13 **construct, acquire, or rehabilitate up to 10,000 affordable rental units in the City under**
14 **Article 34 of the California Constitution.**

15 NOTE: **Unchanged Code text and uncodified text** are in plain font.
16 **Additions to Codes** are in *single-underline italics Times New Roman font*.
17 **Deletions to Codes** are in ~~italics Times New Roman font~~.
18 **Asterisks (* * * *)** indicate the omission of unchanged Code subsections or
19 parts of tables.

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

21 Section 1. Article 34 Authorization. Consistent with Article 34 of the California
22 Constitution, the voters authorize the City and County of San Francisco (the “City”) to own,
23 develop, construct, acquire, and/or rehabilitate up to 10,000 residential units of low-rent
24 housing projects within the City for the purpose of providing affordable rental housing.
25 Subject to applicable laws, the City is further authorized to take any actions necessary to
implement this ordinance, including, but not limited to, causing private sponsors to develop,

1 construct, and/or rehabilitate low rent affordable housing under contracts or agreements with
2 the City. This ordinance shall not take effect if Article 34 of the California Constitution is
3 repealed by a vote of the People of California before the effective date of this ordinance.

4 Section 2. Severability. If any section, subsection, sentence, clause, phrase, or word
5 of this ordinance, or any application thereof to any person or circumstance, is held to be
6 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
7 shall not affect the validity of the remaining portions or applications of the ordinance.

8 Section 3. Effective Date. The effective date of this ordinance shall be ten days after
9 the date the official vote count is declared by the Board of Supervisors.

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By: /s/
14 KEITH NAGAYAMA
15 Deputy City Attorney
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LEGISLATIVE DIGEST

[Initiative Ordinance - Authorizing the Development of Up to 10,000 Affordable Rental Units in the City Under Article 34 of the California Constitution]

Ordinance authorizing the City and County of San Francisco (“City”) to own, develop, construct, acquire, or rehabilitate up to 10,000 affordable rental units in the City under Article 34 of the California Constitution.

Existing Law

Article 34 of the State Constitution provides, in part, that no low rent housing project shall be developed, constructed, or acquired by any public body, including a city and county, until the voters in the jurisdiction where the project will be located have approved the project.

Amendments to Current Law

The proposal would authorize the City by ordinance to own, develop, construct, rehabilitate, or acquire up to 10,000 residential units of low rent housing projects within the City for the purpose of providing affordable rental housing. The proposal further authorizes the City to take any actions necessary to implement the ordinance subject to applicable laws.