

AMENDMENT OF THE WHOLE – 1/19/05

FILE NO. 052022

RESOLUTION NO.

1 [Amending the Articles of Formation of the South of Market Project Area Committee to
2 Require new elections.]

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4 **Resolution amending the Articles of Formation of the South of Market Project Area**
5 **Committee to (1) require new elections and (2) add a representative who shall be a**
6 **parent of a student of the Bessie-Carmichael School as a category of membership**
7 **thereof following the adoption of the Redevelopment Plan Amendment for the South of**
8 **Market Redevelopment Project Area.**

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10 WHEREAS, On _____, 2005, the Board of Supervisors adopted Ordinance
11 No. _____ approving and adopting the Redevelopment Plan Amendment for the South
12 of Market Redevelopment Project Area (the "Redevelopment Plan Amendment") following a
13 duly noticed public hearing to consider the adoption of such Redevelopment Plan Amendment
14 in accordance with the requirements of the Community Redevelopment Law (Sections 33000
15 et seq. of the Health and Safety Code, and hereafter referred to as the "Redevelopment
16 Law"). Prior notice of such hearing was published in the San Francisco Chronicle, a
17 newspaper of general circulation, in accordance with Section 33361 of the California Health
18 and Safety Code, describing the boundaries of the proposed Project Area and stating the day,
19 hour and place when and where any interested persons may appear before the Board of
20 Supervisors to object to the proposed Redevelopment Plan Amendment. At such hearing the
21 Board of Supervisors considered the report and recommendations of the Agency and the
22 Planning Commission, the Final Environmental Impact Report for the South of Market
23 Redevelopment Plan ("FEIR"), the Final Supplement to such FEIR, and all evidence and
24 testimony for and against the proposed Redevelopment Plan Amendment. The Board

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1 approved the Redevelopment Plan Amendment, and Ordinance No. _____ became
2 effective on _____, 2005; and,

3 WHEREAS, Prior to the adoption of the Redevelopment Plan Amendment, by
4 Resolution No. 268-97 adopted on March 24, 1997, the Board of Supervisors (i) determined
5 that a project area committee shall be formed for the South of Market Project Area, and (ii)
6 approved and adopted the Articles of Formation of a Project Area Committee for the South of
7 Market Project (the "Articles of Formation"); and,

8 WHEREAS, By Resolution No. 575-97, adopted on June 9, 1997, the Board of
9 Supervisors confirmed the election of the members of the South of Market Project Area
10 Committee ("SOMPAC"); and,

11 WHEREAS, The Articles of Formation provide that the Board of Supervisors may
12 amend such Articles of Formation by resolution after a public hearing pursuant to the
13 Redevelopment Law; and,

14 WHEREAS, Section 33385(b) requires that notices of all meetings and hearings of the
15 Redevelopment Agency or the Board of Supervisors relative to the formation and selection of
16 a project area committee be done in the same manner as specified in Section 65090(a) of the
17 Government Code, which requires a written notice to be published in a newspaper of general
18 circulation at least ten (10) days prior to the date of the hearing; and,

19 WHEREAS, The Board of Supervisors wish to amend the Articles of Formation to (1)
20 require a new election of the members of and (2) add a representative who shall be a parent
21 of a student of the Bessie-Carmichael School as a category of membership to the SOMPAC
22 as set forth in the Amended and Restated Articles of Formation on file with the Clerk of the
23 Board of Supervisors in File No. _____, which is hereby declared to be a part of this
24 resolution as if set forth fully herein; and,

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1 WHEREAS, On _____, 2005, notice of public hearing was published in the San
2 Francisco Chronicle, a newspaper of general circulation, stating the day, hour and place of
3 this Board of Supervisors' meeting when and where any interested persons may appear
4 before the Board of Supervisors to object or comment upon the proposed Amendment to the
5 Articles of Formation; and,

6 WHEREAS, The purpose of the additional representative is to provide representation
7 for the users of the Bessie-Carmichael School which was added to the South of Market
8 Redevelopment Project Area by the recent amendment to the South of Market
9 Redevelopment Plan; and,

10 WHEREAS, The purpose of such new election is to elect new members to the
11 SOMPAC and affirm the SOMPAC as the body that the Redevelopment Agency must consult
12 with and obtain the advice of concerning those policy matters which deal with the planning
13 and provision of residential facilities or replacement housing and other matters that affect the
14 residents of the South of Market Redevelopment Project Area; now, therefore, be it

15 RESOLVED, That the Board of Supervisors hereby determines that (1) an additional
16 representative shall be added to SOMPAC consisting of a parent of a student of the Bessie-
17 Carmichael School and (2) a new election shall be held for the SOMPAC to consult with the
18 Redevelopment Agency concerning those policy matters which deal with the planning and
19 provision of residential facilities or replacement housing and other matters that affect the
20 residents of the South of Market Redevelopment Project Area as set forth in Section 33386 of
21 the Health and Safety Code; and,

22 FURTHER RESOLVED, That the Board of Supervisors hereby adopts the Amended
23 and Restated Articles of Formation on file with the Clerk of the Board of Supervisors in File
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1 No. _____, calling for a new election of the members of the SOMPAC within ___ days
2 following the effective date this Resolution; and, be it

3 FURTHER RESOLVED, That the new election shall be conducted in accordance with
4 the "Procedures for the Election of Members to Redevelopment Project Area Committees in
5 the City and County of San Francisco" approved and adopted by Board of Supervisors
6 Resolution No. 1087-96 on November 25, 1996, a copy of which is on file with the Clerk of the
7 Board of Supervisors in File No. _____; and, be it

8 FURTHER RESOLVED, That nothing in this Resolution is intended to invalidate any of
9 the actions or recommendations made by the SOMPAC in connection with the adoption of the
10 Redevelopment Plan Amendment, and the call for a new election of members of the
11 SOMPAC is only for the purpose of affirming the SOMPAC members who will be consulting
12 with the Redevelopment Agency in connection with the implementation of the Redevelopment
13 Plan Amendment as set forth in Section 33386 of the Health and Safety Code; and, be it

14 FURTHER RESOLVED, That the Redevelopment Agency of the City and County of
15 San Francisco is hereby authorized and directed to take all steps necessary and appropriate
16 to implement the new election of the members of the SOMPAC in accordance with the
17 Amended and Restated Articles of Formation.

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