

1 [City property to be sold for at least 100 percent of City appraised value, except for property  
2 sold at public auctions and competitively bid sales.]

3 **Ordinance amending Section 23.3 of the Administrative Code to provide that the sale of**  
4 **City real property shall be at a sales price of at least 100 percent of the Director of**  
5 **Property's appraised value of the real property, rather than the current 90 percent**  
6 **requirement, except for sales resulting from public auctions or competitive bidding.**

7 Note: Additions are *single-underline italics Times New Roman*;  
8 deletions are *~~strikethrough italics Times New Roman~~*.  
9 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. The San Francisco Administrative Code is hereby amended by amending  
12 Section 23.3, to read as follows:

13 SEC. 23.3. CONVEYANCE OF REAL PROPERTY.

14 The Director of Property may Convey any Real Property owned by the City upon  
15 recommendation of the department responsible for the administration of such Real Property,  
16 excepting park lands pursuant to Charter Section 4.113(2) or where a Conveyance of such  
17 Real Property would violate the terms of any gift, trust, deed restriction, bond covenant, or  
18 other covenant or restriction under which the City holds the Real Property. Such Conveyance  
19 may be made after the Board of Supervisors, by resolution, determines that the public interest  
20 or necessity demands, or will not be inconvenienced by such Conveyance, and approves the  
21 Conveyance. If the Conveyance is a Competitive Bidding Process or a public auction, the  
22 Board shall approve and confirm by resolution any such Conveyance after such Competitive  
23 Bidding Process or auction process is complete. The Board's resolution authorizing a  
24 Conveyance shall set forth the means of Conveyance, whether by public auction, Competitive  
25 Bidding Process or such other means of disposition as the Board may authorize by resolution.

1 The Board of Supervisors may authorize such Conveyance by resolution without  
2 advertisement, public auction, or Competitive Bidding Process if it determines that an auction  
3 or Competitive Bidding Process is impractical or impossible, including, for example only and  
4 not by way of limitation, when the Real Property is not capable of independent development,  
5 will be exchanged for other Real Property, or when the Board determines that a negotiated  
6 direct Conveyance of the Real Property will further a proper public purpose.

7 Before the Board of Supervisors approves a Conveyance, the Director of  
8 Property shall appraise the fair market value of such Real Property and give the notices  
9 required by California Government Code Section 54220 et seq. or any other applicable  
10 provision of state law. The Director of Property shall also advertise by publication the  
11 proposed Conveyance if the Conveyance will be by public auction or Competitive Bidding  
12 Process, for an appropriate period as determined by the Director of Property. Every  
13 Conveyance other than a sale at public auction or through a Competitive Bidding Process  
14 shall be for a sales price of at least ~~90~~ 100 percent of the Director of Property's appraisal of  
15 such Real Property, except where the Board determines either that (i) a lesser sum will further  
16 a proper public purpose, or (ii) based on substantial evidence in the record, the terms and  
17 conditions of such Conveyance are reflective of the fair market value of the Real Property  
18 notwithstanding the appraisal.

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20 APPROVED AS TO FORM:  
21 DENNIS J. HERRERA, City Attorney

22 By: \_\_\_\_\_  
23 Theodore R. Lakey  
24 Deputy City Attorney  
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