

File No. 111250

Committee Item No. 8

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: December 7, 2011

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Budget & Legislative Analyst Report          |
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#### OTHER

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Completed by: Victor Young

Date: December 2, 2011

Completed by: Victor Young

Date: \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Sale of City Property - Northeast Corner of Fulton and Gough Streets - Boys and Girls Clubs  
2 - \$2,500,000]

3  
4 **Resolution authorizing: 1) the sale of City property at the northeast corner of Fulton**  
5 **Street and Gough Street to the Boys and Girls Clubs of San Francisco for \$2,500,000**  
6 **subject to a declaration of economic covenants and a project use restriction; 2)**  
7 **adopting environmental findings and other findings that the actions set forth in this**  
8 **Resolution are consistent with the City's General Plan and Eight Priority Policies of**  
9 **City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of**  
10 **this Resolution.**

11  
12 WHEREAS, The State of California transferred a former Central Freeway property  
13 located at the northeast corner of Fulton Street and Gough Street and commonly known as  
14 Assessor's Block 0785, Lot 029 (Parcel F) to the City and County of San Francisco (City)  
15 under Section 72.1 of the California Streets and Highways Code; and,

16 WHEREAS, Under Ordinance No. 104-09, adopted by the Board of Supervisors on  
17 June 16, 2009, City's Director of Property is authorized to sell Parcel F and other former  
18 Central Freeway property (Excess Central Freeway Properties) at fair market value, subject to  
19 a declaration of economic justice and community development covenants (Declaration of  
20 Economic Covenants), and a copy of Ordinance No. 104-09 is on file with the Clerk of the  
21 Board of Supervisors in File No. 081525 and is incorporated herein by reference; and,

22 WHEREAS, The Boys and Girls Clubs of San Francisco (BGCSF), a registered  
23 501(c)(3) non-profit organization whose mission is to offer our youth a safe place to learn and  
24 grow, wishes to purchase Parcel F for \$2,500,000, subject to the Declaration of Economic  
25 Covenants and the terms and conditions of an agreement for the sale of real estate between

1 BGCSF and City (Agreement), a copy of which is on file with the Clerk of the Board of  
2 Supervisors in File No. 111250 and is incorporated herein by reference; and,

3 WHEREAS, The \$2,500,000 purchase price is less than fair market value, but the  
4 Agreement requires BGCSF to develop Parcel F with a clubhouse that will serve low-income  
5 youth, which will include a pool facility and administrative offices for the organization and may  
6 include a residential component (Project); and,

7 WHEREAS, The Agreement requires BGCSF to sign a Declaration of Covenants and  
8 Use Restrictions (Project Use Declaration) restricting the use of Parcel F to the development  
9 and operation of the Project for thirty years, a copy of which is on file with the Clerk of the  
10 Board of Supervisors in File No. 111250 and is incorporated herein by reference; and,

11 WHEREAS, The use of Parcel F for the development and operation of the Project will  
12 provide a community-serving purpose in an area of the City and County of San Francisco that  
13 could benefit greatly from additional recreational facilities; and,

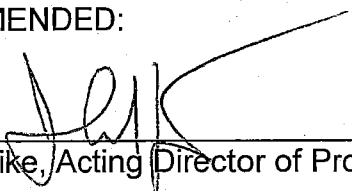
14 WHEREAS, The City's Planning Department reported its findings that that the sale of  
15 the Excess Central Freeway Properties was consistent with the City's General Plan and with  
16 Planning Code Section 101.1(b) in a letter dated October 1, 2008, a copy of which is on file  
17 with the Clerk of the Board of Supervisors in File No. 081525 and is incorporated herein by  
18 reference, which were adopted by the Board of Supervisors in Ordinance No. 104-09, and the  
19 Board of Supervisors confirms its reliance on such findings for the sale of Parcel F; and,

20 WHEREAS, The City's Planning Department determined the sale of Parcel F is  
21 categorically exempt from review under the California Environmental Quality Act (CEQA),  
22 State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code in a letter  
23 dated October 1, 2008, and a copy of such letter is on file with the Clerk of the Board of  
24 Supervisors in File No.018525 and is incorporated herein by reference, and the Board of  
25 Supervisors adopts and relies on such determination by the City's Planning Department; and,

1           WHEREAS, The Board of Supervisors hereby declares that the public interest or  
2 necessity will not be inconvenienced by the sale of Parcel F to BGCSF under the Agreement;  
3 now, therefore, be it

4           RESOLVED, That the Director of Property is hereby authorized to enter into the  
5 Agreement, in a form substantially as on file with the Clerk of the Board of Supervisors in File  
6 No. 111250, and incorporated herein by reference, and further authorized and directed to  
7 do any and all things to execute and deliver the Agreement and related documents specified  
8 in the Agreement that the Director of Property determines, in consultation with the City  
9 Attorney, are in the best interest of the City, including any modifications or amendments that  
10 do not materially increase the obligations of the City or materially decrease the benefits to the  
11 City, are necessary or advisable to consummate the performance of the purposes of this  
12 Resolution, and are in compliance with all applicable laws, including the City's Charter.

13  
14 RECOMMENDED:

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16 \_\_\_\_\_  
17 John Updike, Acting Director of Property  
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23  
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25

**Item 8**  
**File 11-1250**

**Department:**  
Real Estate Division  
Office of Economic Workforce Development (OEWD)

## EXECUTIVE SUMMARY

### Legislative Objective

- The proposed resolution would (a) authorize the sale of Parcel F on the northeast corner of Fulton Street and Gough Street to the Boys and Girls Club of San Francisco at the below market sales price of \$2,500,000, (b) adopt environmental findings and other findings that the actions are consistent with the City's General Plan and City Planning Code Section 101.1, and (c) authorize other actions.

### Fiscal Impacts

- On March 16, 2006 the subject Parcel F was appraised at \$9,900,000. On March 26, 2009, the Office of Economic and Workforce Development (OEWD) and the Real Estate Division revised the appraised value, based on updated economic conditions, to \$8,415,000, pending a public auction of the property.
- Under the proposed resolution, the City would sell Parcel F to the Boys and Girls Club at a below market rate sales price of \$2,500,000. The proposed sales price of \$2,500,000 is \$5,915,000, or 70.3 percent less than the estimated market rate sales price of \$8,415,000.
- The clubhouse to be developed by the Boys and Girls Club on Parcel F would have significant community service benefit and investment, which has not been quantified. In addition, although the proposed sales agreement provides that if the Boys and Girls Club develop residential units on Parcel F, the City shall receive 50 percent of the net sale or lease proceeds, the potential additional revenue that the City might receive from such residential sales or leases cannot be quantified.
- Both the \$2,500,000 sales proceeds and any proceeds the City might receive from the 50 percent sharing of residential sales or leases in the future would be expended, in accordance with the cooperative agreement between the City and Caltrans, for specified street, transportation and auxiliary projects.

### Policy Considerations

- The Real Estate Division is proposing to sell Parcel F at below market rate and without a competitive selection process and without selling the property through a competitive public auction to the highest bidder. The sales agreement does not require the Boys and Girls Club to obtain a certificate of occupancy for seven years and the City will not receive the below market sales price of \$2,500,000 until the earlier of either: (a) 30 days after the conditional use permit is approved, or (b) 24 months after the proposed resolution is approved. The sales agreement does not require the Boys and Girls Club to develop residential units.

### Recommendation

The Budget and Legislative Analyst cannot recommend approval of the proposed resolution because (1) the proposed sales price for Parcel F of \$2,500,000 is \$5,915,000 or 70.3 percent less than the estimated market rate sales price of \$8,415,000, (2) the Real Estate Division did not competitively solicit other non-profit agencies or for-profit developers to purchase the subject property or conduct a competitive auction to the highest bidder, as is the usual procedure when the City sells City-owned property (3) the Real Estate Division and OEWD did not conduct a formal or public planning process to determine the best use of Parcel F, (4) the sales agreement does not require the Boys and Girls Club to obtain a certificate of occupancy until 7 years after the date of sale, (5) the sales agreement does not require development of residential units, therefore the

City cannot be assured of any additional sale or lease proceeds, (6) if commercial or non-residential property is developed, the sales agreement does not require the Boys and Girls Club to make any participation payments to the City with respect to any sales or lease revenues from such commercial or non-residential property, and (7) after 30 years, if the property is sold, the Boys and Girls Club would retain all sale proceeds at full market value, with no proceeds required to be returned to the City.

## MANDATE STATEMENT / BACKGROUND

### Mandate Statement

In accordance with Section 9.118(c) of the City's Charter, any sale of real property owned by the City and County of San Francisco must first be approved by resolution of the Board of Supervisors.

### Background

In 1989, the Central Freeway sustained damage due to the Loma Prieta Earthquake. After discussions between the City and the California Department of Transportation (Caltrans), in 1999, the Central Freeway right-of-way, located along Octavia Boulevard, was transferred from the State to the City. As part of transferring this right-of-way, the State transferred 22 properties, including the subject Parcel F property, to the City at no cost but specified that the proceeds from the sale or lease of those properties were to be used to fund the Octavia Boulevard Project and ancillary transportation projects and related street improvements. Specifically, the City and Caltrans entered into a cooperation agreement, which specified that the proceeds from the sales or lease be used for the Octavia Boulevard replacement, repaving and rehabilitation of portions of Van Ness Avenue, specified street improvements, and related ancillary projects, including alley and traffic calming projects, lighting improvements, a new skate park, dogrun, and basketball courts in the adjacent areas.

According to Mr. John Updike, Director of the Real Estate Division, the City has sold 16 of the 22 properties to date for total sales proceeds of \$31,400,000, and two additional properties are currently in escrow to be sold for an additional approximately \$11,000,000, or a total potential sales proceeds of \$42,400,000 for the 18 properties sold or pending sale. Seven of these 18 properties were sold to the San Francisco Redevelopment Agency (SFRA) for affordable housing and other related housing developments. The remaining 11 of the 18 properties were sold at full market value for various residential and commercial developments. Of the original 22 properties, four properties (22 less 18 sold) including Parcel F, which is the subject of this resolution, remain unsold. Mr. Updike advises that, excluding Parcel F, the remaining three properties are anticipated to be sold at full market value.

Parcel F is located on the northeast corner of Fulton Street and Gough Street, and was originally part of a package of properties (Ordinance No. 104-09) that was previously approved by the Board of Supervisors to be sold at market rate price. Parcel F is a rectangular shaped parcel of 28,350 square feet currently being used as a parking lot, under a lease awarded by the City to the San Francisco Opera. The City currently receives \$7,750 per month, or a total of \$93,000

annually, with these revenues used for transportation and recreation projects, in accordance with the specified Caltrans and City cooperative agreement discussed above.

On March 16, 2006 Real Estate Appraiser Carneghi-Blum and Partners, retained by the Real Estate Division, appraised Parcel F at \$9,900,000. On March 26, 2009, the Office of Economic and Workforce Development (OEWD) and the Real Estate Division revised the appraised value, based on updated economic conditions, to \$8,415,000, pending a public auction of the property. According to Mr. Updike, the Real Estate Division did not submit Parcel F to a public auction, wherein City properties are sold to the highest bidder, or request proposals from other nonprofit agencies or from for-profit developers for the sale of Parcel F because the Boys and Girls Club approached the SFRA, OEWD and the Real Estate Division for assistance to purchase Parcel F to construct a new clubhouse to provide needed services to low-income youth in the immediate Western Addition and Hayes Valley neighborhoods.

The Boys and Girls Club of San Francisco (Boys and Girls Club), a nonprofit organization, currently operates nine clubhouses throughout the City, including two that serve adjacent areas, in (a) the Haight neighborhood at 1950 Page Street, near Stanyon Street, and (b) in the Tenderloin neighborhood at 115 Jones Street near Turk Street. Based on information provided by the SFRA, OEWD and the Real Estate Division, the Boys and Girls Club selected Parcel F as the site for the tenth clubhouse because Parcel F is both the right size and location to serve families in the Western Addition and Hayes Valley, which are the Boys and Girls Club's target population for their tenth clubhouse.

Mr. Updike states that the Real Estate Division negotiated with the Boys and Girls Club and determined that selling Parcel F at below market rate to the Boys and Girls Club was the best use of the property based on discussions between with OEWD and SFRA. According to Mr. Updike, the Real Estate Division entered into negotiations with the Boys and Girls Club for the sale of Parcel F to the Boys and Girls Club in the fall of 2010.

## DETAILS OF PROPOSED LEGISLATION

The proposed resolution would (a) authorize the sale of Parcel F located on the northeast corner of Fulton Street and Gough Street, to the Boys and Girls Club of San Francisco at the below market rate sales price of \$2,500,000, without having the sale of this property undergo a competitive public auction process, (b) adopt environmental findings and other findings that the actions set forth in this resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1, and (c) authorize other actions in furtherance of this resolution.

### **Sale of Parcel F**

According to Mr. Updike, the Boys and Girls Club intends to construct a clubhouse on Parcel F that includes a high school-size gymnasium, competition-size pool, learning center, arts room, and dedicated community center for teenagers. Mr. Updike advises that the total estimated costs to construct the clubhouse is \$16,000,000, of which the Boys and Girls Club has an unknown

amount of available capital. According to Mr. Updike, the Boys and Girls Club has a history of achieving its fundraising targets and, during informal discussions, the Boys and Girls Club indicated that they would likely undertake a major capital fundraising campaign and potentially sell the rights to develop residential units above the clubhouse on Parcel F.

The sale agreement between the City's Real Estate Division and the Boys and Girls Club contains the following provisions:

#### Project Covenants and Restrictions

Because the Boys and Girls Club is purchasing Parcel F from the City at less than fair market value, the sales agreement requires the Boys and Girls Club to use the property to provide services and programs for low-income San Francisco youth for 30 years. After 30 years, this requirement terminates, such that if the property is then sold, the Boys and Girls Club would retain all sale proceeds at full market value, with no proceeds required to be returned to the City.

#### Conditions to Closing

Under the proposed sales agreement, the effective date of sale of the proposed Parcel F property and the transfer of the \$2,500,000 from the Boys and Girls Club to the City will occur the earlier of either: (a) 30 days after the conditional use permit is approved, or (b) 24 months after the proposed resolution is approved.

#### Performance Benchmarks

Under the proposed sales agreement, the Boys and Girls Club must:

- Submit an application to the Planning Department for an environmental assessment within 9 months of the sales date.
- Submit an application to the Planning Department for a conditional use permit to develop the clubhouse within 18 months, including any applications for variances or discretionary approvals.
- Respond to any deficiencies identified by OEWD, who would review the Boys and Girls Club's conditional use application or other applications for use of Parcel F within a specified timeframe.

Failure to meet these performance benchmarks could cause the City's Real Estate Division to terminate the sales agreement. However, the performance benchmarks do not require the Boys and Girls Club to obtain financing or building permits for the development of the clubhouse within a specified period of time. Nor does the sales agreement provide penalties, including termination of the sales agreement, if the Boys and Girls Club fails to obtain sufficient financing to develop the clubhouse project as proposed.

According to the project covenants and restrictions, the Boys and Girls Club agrees to timely construction and operation of the clubhouse that includes a pool and gymnasium. Although the project covenants and restrictions contain a template, requiring the Boys and Girls Club to



obtain site permits and building permits within a specified timeframe after obtaining the conditional use permits, the exact timeframe has not yet been written into the sales agreement. However, the sales agreement does not require the Boys and Girls Club to obtain a temporary certificate of occupancy until seven years after the sale date.

#### City Participation in the Proceeds of the Sale of Residential Units

According to the proposed sales agreement, if the Boys and Girls Club obtain conditional use permits to develop residential units on Parcel F, the following provisions apply:

- The Boys and Girls Club must sell or lease the residential units at fair market or fair rental value, except for the sale or lease of affordable housing units.
- If the Boys and Girls Club sells or leases all or a portion of the residential development to a third party, the City shall receive 50 percent of the net sale or lease proceeds.

However, the proposed sales agreement does not require the Boys and Girls Club to develop any residential units on Parcel F. Furthermore, if the Boys and Girls Club develop any non-residential uses on Parcel F, there are no provisions for sharing in any sale or lease proceeds with the City.

#### Economic Justice Covenants

When the Board of Supervisors authorized the sale of Parcel F and the other Central Freeway parcels (Ordinance No. 104-09), the Board of Supervisors required developers to use good faith efforts to hire local residents to perform the construction work for developments greater than 60 units. The proposed sales agreement requires the construction contractors to pay not less than the City's prevailing wages to their employees and to adhere to the City's first source local hiring requirements, which requires the developer to use their best efforts to hire San Francisco residents.

#### **Environmental Determination**

The City's Planning Department has determined that the sale of the subject Parcel F property (a) conforms to the City's General Plan, (b) is categorically exempt from the California Environmental Quality Act (CEQA), and (c) is consistent with the City's General Plan and City Planning Code Section 101.1(b).

#### **Other Actions**

The proposed resolution states that the Director of Real Estate can execute the agreement and related documents, such as deeds of trust, property title, and other real estate documents. The Director of Real Estate can also make modifications or amendments that do not materially increase the obligations of the City, which according to Mr. Updike, is standard in every real estate transaction authorization.

## FISCAL IMPACT

Under the proposed resolution, the City would sell Parcel F to the Boys and Girls Club at a below market rate sales price of \$2,500,000. The proposed sales price of \$2,500,000 is \$5,915,000, or 70.3 percent less than the estimated market rate sales price of \$8,415,000.

According to Mr. Updike, the clubhouse to be developed by the Boys and Girls Club on Parcel F has significant community service benefit and investment. However, the Real Estate Division has provided no documentation to the Budget and Legislative Analyst with respect to quantifying such benefit and investment.

In addition, although the proposed sales agreement provides that, if the Boys and Girls Club develops residential units on Parcel F, the City shall receive 50 percent of the net sale or lease proceeds, Mr. Updike could not quantify the potential additional revenue that the City might receive from such residential sales or leases. Both the \$2,500,000 sales proceeds and any proceeds the City might receive from the 50 percent sharing of residential sales or leases in the future would be expended, in accordance with the cooperative agreement between the City and Caltrans, for specified street, transportation and auxiliary projects, such as recreation projects, as discussed above.

## POLICY CONSIDERATIONS

### **The Real Estate Division is proposing to sell Parcel F at below market rate and without a competitive selection process through sale by public auction**

Because the Real Estate Division did not competitively solicit other non-profit agencies or for-profit developers to purchase Parcel F and because the City is not selling the subject property through a competitive public auction, the City cannot be assured that the proposed sales agreement is the highest and best use of the property.

Although the Real Estate Division considers development of the clubhouse to provide significant community benefit to low-income youth in the Western Addition, the Real Estate Division has provided no documentation to the Budget and Legislative Analyst with respect to quantifying the community benefits.

The Real Estate Division and OEWD did not undergo formal or public planning processes to determine the best use of Parcel F. This resolution sets a precedent for other non-profit agencies to request to purchase the three remaining Central Freeway parcels, or other City properties, at below market rates without conforming to formal policies or plans as adopted by the Board of Supervisors.

### **The sales agreement does not require the Boys and Girls Club to obtain a certificate of occupancy for seven years**

While the sales agreement requires the Boys and Girls Club to obtain conditional use, site, or building permits within a specified period of time, the actual date for obtaining the certificate of occupancy is not until seven years after the sale date, or approximately 2018 or 2019. In

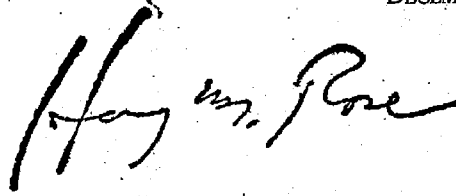
addition, the City would not receive the \$2,500,000 sale proceeds until the earlier of either: (a) 30 days after the conditional use permit is approved, or (b) 24 months after the proposed resolution is approved. Further, the Boys and Girls Club has not yet fully identified the sources of funding for the total estimated cost of \$16,000,000 in order to complete construction of the new clubhouse.

**While the sales agreement provides for the City to receive 50 percent of net sales or lease proceeds from the development of residential units, the sales agreement does not require the Boys and Girls Club to develop such residential units**

The City could realize additional proceeds from Parcel F if the Boys and Girls Club ultimately develops residential units on the site. Specifically, the City would receive 50 percent of the net sales or lease proceeds from the development by the Boys and Girls Club of such residential units. However, the sales agreement does not require the Boys and Girls Club to develop the residential units, and the City would not receive any participation payments if non-residential uses are developed. Also, the City would only receive net sale or lease proceeds if the Boys or Girls Club were to sell or lease the residential development to a third party.

**RECOMMENDATION**

The Budget and Legislative Analyst cannot recommend approval of the proposed resolution because (1) the proposed sales price for Parcel F of \$2,500,000 is \$5,915,000 or 70.3 percent less than the estimated market rate sales price of \$8,415,000, (2) the Real Estate Division did not competitively solicit other non-profit agencies or for-profit developers to purchase the subject property or conduct a competitive auction to the highest bidder, as is the usual procedure when the City sells City-owned property (3) the Real Estate Division and OEWD did not conduct a formal or public planning process to determine the best use of Parcel F, (4) the sales agreement does not require the Boys and Girls Club to obtain a certificate of occupancy until 7 years after the date of sale, (5) the sales agreement does not require development of residential units, therefore the City cannot be assured of any additional sale or lease proceeds, (6) if commercial or non-residential property is developed, the sales agreement does not require the Boys and Girls Club to make any participation payments to the City with respect to any sales or lease revenues from such commercial or non-residential property, and (7) after 30 years, if the property is sold, the Boys and Girls Club would retain all sale proceeds at full market value, with no proceeds required to be returned to the City.

A handwritten signature in black ink, appearing to read "Harvey M. Rose". The signature is written in a cursive style with a large initial "H".

Harvey M. Rose

cc: Supervisor Chu  
Supervisor Mirkarimi  
Supervisor Kim  
President Chiu  
Supervisor Avalos  
Supervisor Campos  
Supervisor Cohen  
Supervisor Elsbernd  
Supervisor Farrell  
Supervisor Mar  
Supervisor Wiener  
Clerk of the Board  
Cheryl Adams  
Controller  
Rick Wilson

AGREEMENT FOR SALE OF REAL ESTATE

by and between

CITY AND COUNTY OF SAN FRANCISCO,  
as Seller

and

BOYS & GIRLS CLUBS OF SAN FRANCISCO,  
as Buyer

For the sale and purchase of  
Parcel F - San Francisco, California

\_\_\_\_\_, 2011

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**LIST OF EXHIBITS:**

- EXHIBIT A** Legal Description of Property **(To be confirmed)**
- EXHIBIT B** Form of Quitclaim Deed
- EXHIBIT C** Form of City Declaration of Economic Justice Covenants
- EXHIBIT D** Form of Buyer Project Declaration
- EXHIBIT E** Performance Benchmarks
- EXHIBIT F** Deed of Trust for Participation Payment Obligations



# SAN FRANCISCO PLANNING DEPARTMENT

File 111250

## Note to File

Case 2008.0879R

*Date:* November 18, 2011  
*Case No.:* 2008.0879R - Note to File  
*Project Name:* SALE OF TWELVE PARCELS FORMERLY PART OF  
CENTRAL FREEWAY – REVISED TO CONSIDER SALE OF AB  
0785/029 BELOW MARKET RATE  
*Block/Lot:* 0785/029  
*Project Sponsor:* Mayor's Office

*Recommendation:* Sale of City-owned parcel (AB 0785/029) earlier considered in Case 2008.0879R below Market Rate (rather than at Market Rate) would not be subject to a separate General Plan Referral or Environmental Review.

### BACKGROUND

In 2008, received a General Plan Referral application for the proposed sale of twelve City-owned lots that had formerly been part of the Central Freeway and were transferred to the City after demolition of the Central Freeway at this location. In Case No. 2008.0879R, the Department recommended finding the Project (sale of the twelve properties) in conformity with the General Plan. The text described the project as the sale of 7 of the lots through public auction and the remainder of the parcels to be sold through an RFP process that would help facilitate neighborhood involvement and high quality design.

### CURRENT PROPOSAL

On November 14, Kelley Pretzer, with the Mayor's Office of Economic and Workforce Development, requested the Department to determine whether sale of the one of the parcels proposed for sale in Case 2008.0879R (AB 0785/029) below market rate (rather than at market rate) would require reevaluation of the General Plan Referral and/or Environmental Review findings.

### RECOMMENDATION

Sale of the referenced City-owned parcel(s) below market rate – or at the market rate - would not be subject to a separate General Plan Referral or additional Environmental Analysis. The General Plan is silent on the value of properties, which may change over time, or the methods that the City may use to acquire or sell real property.

Sale of the property would allow for the redevelopment of these properties which were formerly part of the Central Freeway and have remained vacant since demolition of the Freeway structure. Upon sale of the properties, they would be available for infill development, improving the character of the Market Octavia neighborhood, which includes a mix of residential and

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BOARD OF SUPERVISORS  
SAN FRANCISCO  
650 Mission St.  
Suite 400  
San Francisco, CA 94103-2479  
Reception: 415.558.6378  
Fax: 415.558.6409  
Planning Information: 415.558.6377



neighborhood commercial uses. Future use of and development of the lots would be subject to Planning Code controls including design controls, and public notice about future plans. The project, as revised, would not be subject to a separate General Plan Referral and is covered in the original Case 2008.0879R findings.

In the original Case 2008.0879R, the Department determined that the project (sale of the properties) was not subject to CEQA. Staff has further determined that the revised project (sale of one of the parcels considered in case 2008.0879R at below market rate would not raise any new issues that would be subject to review under CEQA. Staff therefore determined that the project as revised, and would not require separate Environmental Review as it would not be subject to review under CEQA .



**FORM SFEC-126:**  
**NOTIFICATION OF CONTRACT APPROVAL**  
(S.F. Campaign and Governmental Conduct Code § 1.126)

<b>City Elective Officer Information</b> (Please print clearly.)	
Name of City elective officer(s): Members, Board of Supervisors	City elective office(s) held: Members, Board of Supervisors
<b>Contractor Information</b> (Please print clearly.)	
Name of contractor: Boys and Girls Clubs of San Francisco	
Please list the names of (1) members of the contractor's board of directors; (2) the contractor's chief executive officer, chief financial officer and chief operating officer; (3) any person who has an ownership of 20 percent or more in the contractor; (4) any subcontractor listed in the bid or contract; and (5) any political committee sponsored or controlled by the contractor. Use additional pages as necessary.	
1. See attached list of Board of Governors.	
2. Board Chair: Larry Nibbi, Nibbi Brothers General Contractors; President and CEO: Rob Commolly; Vice President of Operations: Maxine Wilson; controller: Kris Jackson.	
3. NA	
4. NA	
5. NA	
Contractor address: 55 Hawthorne Street, Suite, 600, San Francisco, CA 94105	
Date that contract was approved: (By the SF Board of Supervisors)	Amount of contract: \$2,500,000
Describe the nature of the contract that was approved: Purchase and Sale Agreement	
Comments:	

This contract was approved by (check applicable):

the City elective officer(s) identified on this form

a board on which the City elective officer(s) serves: San Francisco Board of Supervisors  
Print Name of Board

the board of a state agency (Health Authority, Housing Authority Commission, Industrial Development Authority Board, Parking Authority, Redevelopment Agency Commission, Relocation Appeals Board, Treasure Island Development Authority) on which an appointee of the City elective officer(s) identified on this form sits

Print Name of Board

<b>Filer Information</b> (Please print clearly.)	
Name of filer: Angela Calvillo, Clerk of the Board	Contact telephone number: ( 415 ) 554-5184
Address: City Hall, Room 244, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102	E-mail: Board.of.Supervisors@sfgov.org

\_\_\_\_\_  
Signature of City Elective Officer (if submitted by City elective officer)

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Signature of Board Secretary or Clerk (if submitted by Board Secretary or Clerk)

\_\_\_\_\_  
Date Signed



**BOYS & GIRLS CLUBS  
OF SAN FRANCISCO**

**Board of Governors  
FY 2011-2012**

**Board Chair**                      **President**  
Larry Nibbi                              Rob Connolly

**Governors**

Fernando Aguilar  
Larry Baer  
Glenn Bauer  
Mark Birkhead  
Marty Bohlen  
Park Boneysteel

Jerry Brooner – *Guardsmen President*

Bruce Callander  
Clark Callander  
John Callander  
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Curtis Chan  
Monique Covington-Moore  
Jill Cowan  
Peter Crawford  
David Cumming  
John Dissmeyer  
Amanda Duckworth  
Bob Emery  
Rocky Fried  
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Harry Haigood  
Phil Halperin  
Erin Hawthornthwaite  
Lynda Hutton  
Kevin Johnson  
Jim Keenan  
Roger Lazarus  
Andrew Livingston  
Gordon Marks  
Stephanie Mellin  
Jamie Moldafsky  
Larry Nibbi  
Su-Moon Paik  
Ellen Parsons  
Lorna Randlett  
Lisa Roberts  
Christopher Roeder  
Don Shaver  
Steve Strandberg  
Jennifer Steinmann  
Greg Suhr  
Ellen Takayama