

1 [Successor Agency to the Former Redevelopment Agency - Adoption of the Board of
2 Supervisors' Rules of Order]

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3 **Motion of the Board of Supervisors, acting in its capacity as the legislative body to the**
4 **Successor Agency to the former Redevelopment Agency of the City and County of San**
5 **Francisco, adopting the Board of Supervisors' Rules of Order as the procedural and**
6 **parliamentary rules for the Board when it acts in its capacity as the legislative body for**
7 **the Successor Agency.**

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9 WHEREAS, In accordance with the California Community Redevelopment Law,
10 California Health and Safety Code, Sections 33000 et. seq., the City and County of San
11 Francisco (the "City") created the Redevelopment Agency of the City and County of San
12 Francisco (the "Redevelopment Agency") and approved redevelopment plans to alleviate
13 blight in various parts of the City; and

14 WHEREAS, Under Assembly Bill No. 1X 26 (Chapter 5, Statutes of 2011-12, First
15 Extraordinary Session) ("AB 26") and the California Supreme Court's decision in *California*
16 *Redevelopment Association v. Matosantos*, 53 Cal.4th 231 (2011), all redevelopment
17 agencies in the State, including the Redevelopment Agency, were dissolved by operation of
18 law as of February 1, 2012. Their affordable housing assets and functions were transferred to
19 certain designated successor housing agencies, and their non-affordable housing assets and
20 obligations were transferred to designated "successor agencies," which AB 26 charged with
21 satisfying enforceable obligations of the former redevelopment agencies, preserving their
22 assets for the benefit of taxing entities and winding up their affairs, under the supervision of a
23 new oversight board and review by the State Department of Finance and State Controller; and

24 WHEREAS, AB 26 defined the term "successor agency" as "the county, city, or city and
25 county that authorized the creation of each redevelopment agency. . . ." In San Francisco, the

1 City, as the sponsoring community, is the successor agency to receive the non-affordable
2 housing assets of the former Redevelopment Agency; and

3 WHEREAS, The Successor Agency, commonly known as the Office of Community
4 Investment and Infrastructure, is a separate legal entity from the City and is subject to the
5 governance of the City acting in its legislative capacity. The Board of Supervisors is the
6 legislative body of the Successor Agency. In that capacity, the Board of Supervisors may
7 adopt legislation under the provisions of City Charter relating to the adoption of ordinances
8 and resolutions; and

9 WHEREAS, In Ordinance No. 215-12, this Board created the Successor Agency
10 Commission, commonly known as the Commission on Community Investment and
11 Infrastructure, and delegated to it certain authority to take actions that the State law requires
12 or allows on behalf of the Successor Agency, but the Board retained its authority as the
13 legislative body for the Successor Agency; and

14 WHEREAS, This Board has adopted several resolutions in its capacity as the
15 legislative body for the Successor Agency, including most recently Resolution No. 112-14,
16 Resolution No. 404-14, and Resolution No. 445-14; and

17 WHEREAS, The Board in its capacity as the legislative body for the Successor Agency
18 has not formally adopted procedural rules or a committee structure for holding hearings
19 related to Successor Agency business; now, therefore, be it

20 MOVED, That the Board of Supervisors in its capacity as the legislative body for the
21 Successor Agency adopts as its own the Board of Supervisors Rules of Order, as those rules
22 may be amended from time to time, for all procedural and parliamentary matters; and, be it

23 FURTHER MOVED, That the Board of Supervisors in its capacity as the legislative
24 body for the Successor Agency adopts the committee structure set forth in the Board of
25 Supervisors Rules of Order, such that the President of the Board of Supervisors may refer to

1 those committees any legislation or other items pending before the Board in its capacity as
2 legislative body for the Successor Agency.

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