

1 [Sale of City Property - 35 and 45 Onondaga - No Less Than \$640,000]

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3 **Ordinance authorizing the sale, by public competitive bid, of City-owned property**  
4 **located at 35 and 45 Onondaga Avenue for no less than \$640,000; adopting findings**  
5 **that the sale is consistent with the General Plan, and the eight priority policies of**  
6 **Planning Code, Section 101.1; and authorizing other actions in furtherance of this**  
7 **Ordinance.**

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

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

13 Section 1. In accordance with the recommendation of the San Francisco Department  
14 of Public Health and the Director of Property, the Board of Supervisors finds that the public  
15 interest or necessity will not be inconvenienced by the sale of the property known as  
16 Assessor’s Block No. 6959, Lot Nos. 016 and 017, commonly known as 35 and 45 Onondaga  
17 Avenue, San Francisco (the “Property”), owned by the City under the jurisdiction of the  
18 Department of Public Health.

19 Section 2. The Director of Planning, by letter dated August 13, 2010, found that the  
20 sale of the Property is categorically exempt from environmental review under the California  
21 Environmental Quality Act (CEQA) and is consistent with the City’s General Plan and the  
22 Eight Priority Policies of City Planning Code Section 101.1, which letter is on file with the Clerk  
23 of the Board of Supervisors in File No. 150460, and incorporated herein by this reference.  
24 The Board of Supervisors finds that the proposed sale of the Property is consistent with the  
25 City's General Plan and with Planning Code Section 101.1(b) for the reasons set forth in the  
Director of Planning’s letter.

1           Section 3. The Board of Supervisors authorizes the Director of Property, on behalf of  
2 the City and County of San Francisco, to sell the Property through a competitive bid without  
3 subsequent approval or confirmation by the Board of Supervisors on the conditions that the  
4 sale price is equal to or greater than Six Hundred and Forty Thousand Dollars (\$640,000) and  
5 that the sale be effectuated by a conveyance deed that provides for proper conservation of  
6 the mural located on the Property within the building at 45 Onondaga Avenue (the "Mural")  
7 and the City's rights to inspect and remove the Mural. Following any such sale, the Director of  
8 Property shall report the final sales price in writing to the Clerk of the Board of Supervisors.

9           Section 4. Because the Board of Supervisors hereby determines that the Mural should  
10 be preserved, the City will form a Citizens Advisory Committee, with three members appointed  
11 by the Supervisor representing the district in which the Property is located. The Citizens  
12 Advisory Committee will advise the Director of Property and Executive Director of the Arts  
13 Commission regarding methods to maintain and preserve the Mural.

14           Section 5. The provisions of San Francisco Administrative Code Chapter 23A, the  
15 Surplus City Property Ordinance, shall not apply to the sale of the Property. Subject to a  
16 separate appropriation ordinance, if necessary, the Department of Public Health ("DPH")  
17 expects that the sales proceeds will be included in DPH's budget, and such proceeds shall be  
18 applied toward capital improvements related to supportive housing projects.

19           Section 6. The Clerk of the Board, Controller, and Director of Property are hereby  
20 authorized and directed to take any and all actions that they, in consultation with the City  
21 Attorney, deem necessary or advisable to effectuate the purpose of this ordinance, which  
22 shall include, but not be limited to, securing sealed bids for the sale of the Property, accepting  
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1 the highest responsive bid, executing a purchase and sale agreement, and closing an escrow  
2 for the sale of the Property.

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4 RECOMMENDED:

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6 \_\_\_\_\_  
Director of Property

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Director  
9 Department of Public Health

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

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14 By: \_\_\_\_\_  
Richard Handel  
Deputy City Attorney

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