

File No. 150659

Committee Item No. 8
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use & Transportation

Date July 20, 2015

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Andrea Ausberry Date July 16, 2015

Completed by: _____ Date _____

1 [Initiative Ordinance - Administrative Code - Surplus City Property Ordinance]

2
3 **Motion ordering submitted to the voters an Ordinance amending the Administrative**
4 **Code to update provisions of the Surplus City Property Ordinance, expand the**
5 **affordability criteria for housing developed on property acquired for affordable housing**
6 **under the Ordinance, restrict for 120 days any other disposition of surplus City**
7 **property being considered for transfer to the Mayor's Office of Housing and**
8 **Community Development for development of affordable housing under the Ordinance,**
9 **provide for implementation of the State Surplus Property Statute, and provide for**
10 **amendment of the initiative ordinance by the Board of Supervisors, at an election to be**
11 **held on November 3, 2015; and affirming the Planning Department's determination**
12 **under the California Environmental Quality Act.**

13
14 **MOVED, That the Planning Department has determined that the actions contemplated**
15 **in this ordinance comply with the California Environmental Quality Act (California Public**
16 **Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the**
17 **Board of Supervisors in File No. 150659 and is incorporated herein by reference. The Board**
18 **affirms this determination; and be it**

19 **MOVED, That the Board of Supervisors hereby submits the following ordinance to the**
20 **voters of the City and County of San Francisco, at an election to be held on November 3,**
21 **2015.**

22
23 **Ordinance amending the Administrative Code to update provisions of the Surplus City**
24 **Property Ordinance, expand the affordability criteria for housing developed on property**
25 **acquired for affordable housing under the Ordinance, restrict for 120 days any other**

1 disposition of surplus City property being considered for transfer to the Mayor's Office
2 of Housing and Community Development for development of affordable housing under
3 the Ordinance, provide for implementation of the State Surplus Property Statute, and
4 provide for amendment of the initiative ordinance by the Board of Supervisors.

5 NOTE: **Unchanged Code text and uncodified text** are in plain font.
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.
7 **Deletions to Codes** are in ~~strikethrough italics Times New Roman font~~.
8 **Asterisks (* * * *)** indicate the omission of unchanged Code subsections or
9 parts of tables.

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

11 Section 1. The Administrative Code is hereby amended by revising Sections 23A.4,
12 23A.5, 23A.6, 23A.7, 23A.8, 23A.10, and 23A.11, and adding Section 23A.12, to read as
13 follows:

14 **SEC. 23A.4. DEFINITIONS.**

15 For purposes of this *Chapter 23A* section:

16 (a) "Administrator" shall mean the City Administrator as set forth in Section 3.104 of
17 the City's Charter.

18 *"Affordable Housing" shall mean housing that is restricted as affordable to households at*
19 *income levels not exceeding those required under Planning Code Section 415 et seq., as may be*
20 *amended or supplanted, and may also include housing for Homeless or formerly Homeless persons.*

21 (b) "Citizens' Advisory Committee" shall mean the group of citizens appointed pursuant
22 to Section 23A.9.

23 *"Education Districts" shall mean the San Francisco Unified School District and the San*
24 *Francisco Community College District.*

1 (e) "Enterprise Departments" shall mean the following City departments: the Port, the
2 Airport, the Public Utilities Commission, the Municipal Transportation Agency, the Recreation
3 and Parks Commission and the Fine Arts Museums Board of Trustees.

4 (d) "Executive Director" shall mean the Executive Director of MOHCD ~~the Mayor's Office~~
5 ~~of Housing.~~

6 (e) "Homeless" shall mean:

7 1. an individual or family who lacks a fixed, regular and adequate nighttime
8 residence; or

9 2. an individual or family who has a primary nighttime residence that is:

10 A. a supervised publicly or privately operated shelter designed to provide
11 temporary living accommodations; or

12 B. an institution that provides a temporary residence for individuals who
13 have been institutionalized; or

14 C. a public or private place not designed for, or ordinarily used as, a
15 regular sleeping accommodation for human beings; or

16 3. Families with minor children living in single resident occupancy rooms and other
17 overcrowded housing conditions.

18 "MOHCD" shall mean the Mayor's Office of Housing and Community Development, and any
19 successor City department.

20 (f) "Property" shall mean any real property located within and owned by the City and
21 County of San Francisco of one-quarter acre or more, excluding land and buildings reserved for
22 open space or parks purposes, or any land dedicated for public right-of-way purposes, or any
23 land used or reserved for transit lines, or public utility rights-of-way, or any publicly dedicated
24 streets or rights-of-way. "Property" shall not include any real property owned by or on behalf
25 of the Education Districts ~~San Francisco Unified School District.~~

1 "State Surplus Property Statute" shall mean California Government Code Sections 54220
2 through 54233, as may be amended or supplanted.

3 ~~(e)~~ "Surplus Property" shall mean any Property that is not required to fulfill the mission
4 of the City department, commission or agency with jurisdiction or control of such Property ~~or~~
5 and that is not required to fulfill the mission of another governmental agency pursuant to an
6 inter-governmental transfer;

7 ~~(f)~~ "Underutilized Property" shall mean an entire Property or portion thereof (including
8 air rights), with or without improvements, that is used by the City only at irregular periods of
9 time or intermittently, or that is used by the City for current purposes that can be satisfied with
10 only a portion of such Property, or that is not currently occupied or used by the City and for
11 which there are no plans by the City to occupy or use such Property, and that within the next
12 fiscal year has a potential for development as Affordable Housing while maintaining the existing and
13 anticipated City uses of the Property.

14 15 **SEC. 23A.5. AGENCY REVIEW OF PROPERTY.**

16 By ~~February 1~~ April 1st of each year, each City ~~commission~~ Commission, department or
17 agency shall compile and deliver to the Administrator a list of all Property that it occupies or is
18 otherwise under its control. The list shall include at least the following:

19 (a) The street address of the Property (if there is one), and the Assessor's block and
20 lot number;

21 (b) A general description of the Property, including the current use of the Property or
22 any planned use of the Property within the next fiscal year;

23 (c) A general description of any structure(s) on the Property as well as an assessment
24 of their physical condition;

1 (d) Whether the Property is now vacant or scheduled or anticipated to be vacant within
2 the next fiscal year;

3 (e) If the Property is vacant or contains vacant structures, whether the commission
4 Commission, department or agency deems the Property to be "Surplus," or "Underutilized" as
5 defined in *this* Section 23A.4; and

6 (f) A general summary of the terms and conditions of any gift, trust, deed restriction,
7 bond covenant or other covenants or restrictions, deed of trust, lease, license, easement, use
8 agreement or other agreement applicable to the use or disposition of such Property.

9 Each City commission, department or agency shall maintain or shall work with the
10 Administrator to maintain adequate inventory and accountability systems for the Property
11 under its control to determine which Properties are Surplus or Underutilized for purposes of
12 this Chapter 23A, and shall reasonably cooperate with requests for information from the
13 Administrator.

14
15 **SEC. 23A.6. COMPILATION OF INFORMATION BY ADMINISTRATOR.**

16 (a) The Administrator shall review the list of Property submitted by City departments
17 pursuant to Section 23A.5 *above to identify any Property that may be Surplus Property or*
18 *Underutilized Property*, and shall strike from this initial list any Property that *does not meet the*
19 *definition of Surplus Property or Underutilized Property under Section 23A.4*, is under the
20 jurisdiction of the Recreation and Park Department, *the Airport or the Port*, is part of the public
21 right-of-way, or is subject to deed restrictions or other legal restrictions that would prevent the
22 City from disposing of such Property pursuant to this Chapter 23A. *The Administrator shall also*
23 *contact the Education Districts to ask if they have any surplus properties suitable for the development*
24 *of Affordable Housing*. The Administrator shall further consult with other City departments
25 Departments, *the* Mayor, members of the Board of Supervisors and the Citizens' Advisory

1 Committee to identify any Property listed on the initial list for which a City department
2 ~~Department~~ other than the department ~~Department~~ with current jurisdiction has a specific
3 operational need and shall remove such Properties from the Surplus Property Report. The
4 Administrator shall thereafter initiate the transfer of jurisdiction over those identified Properties
5 to the departments ~~Departments~~ that can utilize them. The Administrator shall state in writing the
6 reasons for the removal of each Property from the initial list and shall provide such report to
7 MOHCD the Mayor's Office of Housing, the Board of Supervisors, and the Citizens' Advisory
8 Committee.

9 (b) By April 1 June 1st of each year, the Administrator shall compile a comprehensive
10 report for the remaining Property listed that includes, at a minimum, the following information:
11 the street address, if any, and the block and lot number for each Property; the City department
12 ~~Department~~ with jurisdiction over each Property; a description of the zoning applicable to ~~and~~
13 ~~surrounding~~ such Properties; and any additional information relevant to the potential development of
14 the Property for Affordable Housing, including a plat map for each Property; the area in square
15 footage for each Property; a description of the surrounding properties and neighborhood; any legal
16 restrictions or limitations on ~~the~~ development of the Property; ~~and pictures of the Property~~ (the
17 "Surplus Property Report"). The Surplus Property Report shall also include a list of any and
18 all City-owned properties that are adjacent to each listed Property and appear to be vacant or
19 underutilized, along with the identification of the City department ~~Department~~ with jurisdiction
20 over such adjacent property. The Surplus Property Report may include any property of the
21 Education Districts for information purposes only. No later than May 1 June 30th of each year, the
22 Administrator shall transmit the completed Surplus Property Report to MOHCD the Mayor's
23 Office of Housing and to the Board of Supervisors. If the Administrator determines that there is no
24 Surplus Property or Underutilized Property suitable for the development of Affordable Housing, the
25 Administrator shall notify the Board of Supervisors of this determination. The Administrator shall

1 maintain and release written records of all information compiled under this Chapter 23A in
2 conformance with all state and local laws governing the retention and disclosure of public
3 records.

4 (c) No later than June 1 of each year, the Board of Supervisors or a committee thereof shall
5 hold a public hearing on the Surplus Property Report and determine if any Property should be
6 transferred to MOHCD under Section 23A.7, provided the Board President may elect not to hold a
7 hearing during any year in which the Administrator has determined that there is no Surplus Property
8 or Underutilized Property suitable for the development of Affordable Housing. With respect to the
9 Enterprise Departments and the Education Districts, the Board of Supervisors may make a
10 recommendation of surplus and transfer, but the Enterprise Departments and the Education Districts
11 shall each have the right to determine whether real property under its jurisdiction is surplus or
12 underutilized and whether to dispose of property in any particular manner subject to the requirements
13 of the City's Charter and California law.

14 (d) For a period of 120 days following the public hearing held under subsection (c) above, the
15 City shall not initiate a request for bids or proposals or enter into contracts designed to facilitate the
16 sale of Property (including brokerage and appraisal contracts) that the Board intends to transfer to
17 MOHCD for any purpose other than the development of Affordable Housing, without the prior
18 approval of the Board of Supervisors.

19
20 **SEC. 23A.7. TRANSFER OF JURISDICTION OVER SURPLUS PROPERTIES TO THE**
21 **MAYOR'S OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT.**

22 (a) By July 15 ~~15th~~ of each year, the Administrator, working with the Executive Director
23 and ~~the~~ City Attorney's Office, shall submit to the Mayor and Board of Supervisors legislation
24 transferring jurisdiction over the Surplus Properties to MOHCD, as directed by the Board of
25 Supervisors in accordance , ~~save and except for those Properties that are under the jurisdiction of~~

1 ~~Enterprise Departments, on the Surplus Property Report completed in accord~~ with Section 23A.6
2 ~~above to the Mayor's Office of Housing ("MOH")~~ for the purpose of MOHCD's MOH's assessment
3 of each Surplus Property for development as Affordable Housing ~~affordable housing~~ consistent
4 with this Chapter 23A.

5 (b) For those Surplus Properties transferred to MOHCD MOH that MOHCD MOH does
6 not deem suitable for such development, the Executive Director shall notify the Administrator,
7 who shall prepare and submit to the Mayor and Board of Supervisors legislation either
8 transferring jurisdiction over such Surplus Properties from MOHCD MOH to another City
9 ~~department~~ Department for such department's use or seeking to sell such properties, as
10 determined by the Administrator. It shall be City policy to encourage the sale of such Surplus
11 Property in accordance with the requirements of Administrative Code Section 23.3 and other
12 applicable laws and to designate use of the net proceeds of such sales for the purpose of
13 financing Affordable Housing ~~affordable housing~~ in San Francisco.

14 (c) For those Surplus Properties MOHCD MOH deems suitable for such development,
15 the Executive Director shall publicize the availability of the Surplus Properties and seek
16 applications for development of the Surplus Properties in keeping with MOHCD's standard
17 practices as described further in Section 23.A8 below. The Executive Director also shall take all
18 steps necessary to comply with the State Surplus Property Statute. With respect to real
19 property ~~Surplus Property~~ under the jurisdiction of Enterprise Departments or the Education
20 Districts, the Board of Supervisors may ~~, by separate legislation,~~ urge the Commissions or Boards
21 ~~of such~~ Enterprise Departments or the Education Districts to consider approving a transfer of
22 jurisdiction such property to MOHCD for Affordable Housing over the Properties to MOH for uses
23 consistent with this Chapter. ~~If an~~ In the event any ~~Commissions or Boards of~~ Enterprise Department
24 Departments or an Education District takes ~~take~~ such action, the Administrator shall then prepare
25 and submit to the Mayor and Board of Supervisors the appropriate legislation to transfer the

1 property to MOHCD for the development of Affordable Housing jurisdiction over that Enterprise
2 Department's Surplus Property.

3
4 **SEC. 23A.8. DEVELOPMENT OF PROPERTY.**

5 (a) All real property transferred to MOHCD under this Chapter 23A shall be used to create
6 Affordable Housing consistent with the affordability levels under Planning Code Section 415 et seq.,
7 and may include housing designed for Homeless or formerly Homeless individuals. The Executive
8 Director shall seek to maximize the amount of Affordable Housing, subject to the availability of funds,
9 and nothing in this Chapter shall limit the total number of Affordable Housing units that can be
10 developed on any real property. MOHCD shall solicit development proposals and impose income
11 restrictions on all housing created under this Chapter in accordance with MOHCD's standard
12 procedures and practices and guided by the priorities set forth below and in accordance with housing
13 needs and performance measures identified in the City's Consolidated Plan, including target
14 populations for affordable housing production over the previous two years.

15 Subject to any disposition priority required by State law and other limitations expressly set forth
16 herein, the development of Surplus and Underutilized Property should be guided by the following
17 priorities:

18 (1) First, for the development of affordable housing for people who are Homeless and
19 persons earning less than 20% of the Area Median Income for the San Francisco PMSA as established
20 by the United States Department of Housing and Urban Development and reported by the Mayor's
21 Office of Housing. Provided that:

22 (A) The housing shall remain affordable for the useful life of the Property;
23 (B) Housing costs in such housing shall not exceed 30% of the resident's
24 income.

1 (C) Projects in which people who are homeless rehabilitate and renovate
2 property in exchange for their tenancy or "sweat equity" in the property shall be encouraged.

3 (2) Second, for the development of very low and low income affordable housing for
4 persons earning no more than 60% of the Area Median Income for the San Francisco PMSA as
5 established by the United States Department of Housing and Urban Development and reported by the
6 Mayor's Office of Housing, provided that the housing shall remain affordable for the useful life of the
7 Property.

8 (3) Third, for the development of mixed income housing projects for extremely low, very
9 low, low and moderate income Affordable Housing as defined in Section 23A.4.

10 (4) Fourth, and exclusively for sites larger than (2) acres the Executive Director of MOHCD
11 may propose to use the property for a mixed housing project by a qualified Affordable Housing
12 developer, however consistent with Section 23A.10(c) of this chapter not less than 33% of the
13 residential units developed on the property must be Affordable Housing with at least 15% of the
14 residential units developed on the property affordable to extremely low, very low and low income
15 households and at least 50% of the residential units developed on the property affordable in
16 furtherance of the 2014 Proposition K affordable housing goals.- The Executive Director shall solicit
17 applications from non-profit agencies serving the Homeless to lease or acquire Property that is listed
18 as Surplus or Underutilized in any Surplus Property Report for use to assist the Homeless in
19 accordance with the priorities set forth below in Section 23A.10(i) and (ii). The Executive Director
20 shall require that all applications describe in detail (i) the type of conveyance the applicant seeks (i.e.,
21 a lease for a specific term or transfer of fee title) and the legal consideration, if any, the applicant
22 proposes to pay for such conveyance, (ii) the intended use of the Property, including how it relates to
23 the priorities of uses set forth in Section 23A.10 below; (iii) a specific plan and schedule for the
24 development or improvement of the Property, including compliance with all applicable federal, state
25 and local laws, including, without limitation, laws regarding disabled access, health, building and

1 ~~safety codes, and environmental compliance with the California Environmental Quality Act (CEQA"),~~
2 ~~California Public Resources Code Sections 21000 et seq., and San Francisco Administrative Code~~
3 ~~Chapter 31; and (iv) a plan to secure adequate financial resources to develop, improve, insure, manage~~
4 ~~and maintain the Property. The Executive Director shall make available to all interested non-profit~~
5 ~~agencies contact information: (a) identifying any independent organizations working on behalf of~~
6 ~~homeless people that can assist homeless service providers in resolving any problems that may arise in~~
7 ~~the application processes; and (b) City staff persons who are available to assist in the application~~
8 ~~process. The Executive Director shall require submission of applications by September 30th of each~~
9 ~~year, but may, in its sole discretion, grant extensions of the deadline, provided in no event shall such~~
10 ~~extensions exceed thirty (30) days.~~

11 ~~(b) Upon receipt of all applications for development of housing or other on-site services for the~~
12 ~~Homeless, the Executive Director shall work with the City Attorney's Office to prepare legislation~~
13 ~~containing the Executive Director's recommendations as to the terms of disposition and development of~~
14 ~~each Surplus Property for submission for the Board of Supervisors' approval in accord with the~~
15 ~~policies and procedures set forth in this Chapter. The Clerk of the Board of Supervisors shall calendar~~
16 ~~a hearing before a committee of the Board of Supervisors no later than January 30 of each year to~~
17 ~~review the status of applications and the recommendations of the Surplus Property Citizens' Advisory~~
18 ~~Committee made pursuant to Section 23A.9(e) below.~~

19 ~~(c) In the event the Executive Director does not receive any acceptable applications for certain~~
20 ~~of the Surplus Properties for development of housing or other on-site services for the Homeless, then~~
21 ~~the Executive Director may solicit applications from developers for the development of affordable~~
22 ~~housing other than solely housing for the Homeless, provided that the Executive Director first obtains~~
23 ~~the agreement of the Surplus Property Citizens' Advisory Committee that such solicitation of~~
24 ~~applications is warranted. The Executive Director shall require that any proposed affordable housing~~
25 ~~development under this subsection (c) shall serve persons earning no more than 60% of the Area~~

1 ~~Median Income for the San Francisco PMSA and, in preparing recommendations as to the applications~~
2 ~~received, shall give priority to projects that include the highest percentage of extremely low income~~
3 ~~persons.~~

4 ~~(d) Upon receipt of all applications for development of affordable housing, the Executive~~
5 ~~Director shall work with the City Attorney's Office to prepare legislation containing the Executive~~
6 ~~Director's recommendations as to the terms of disposition and development of each Surplus Property~~
7 ~~for submission for the Board of Supervisor's approval in accord with the policies and procedures set~~
8 ~~forth in this Chapter.~~

9 ~~(b) (e) The Executive Director shall prepare and submit a report to the Administrator~~
10 ~~explaining MOHCD's analysis and conclusion regarding the feasibility of developing the first priority~~
11 ~~above, for affordable housing for people who are Homeless, and the subsequent priorities outlined~~
12 ~~above. If the Executive Director determines that any real property transferred to MOHCD under this~~
13 ~~Chapter 23A cannot be developed and used for Affordable Housing, the Executive Director shall If,~~
14 ~~after solicitation of applications pursuant to both subsections (a) and (c), the Executive Director~~
15 ~~determines that further efforts to solicit applications would likely be futile, the Executive Director shall~~
16 ~~notify the Administrator, who shall~~ prepare and submit to the Mayor and Board of Supervisors
17 legislation either transferring jurisdiction over such ~~Properties~~ properties from ~~MOHCD~~ MOH to
18 another City ~~department~~ Department for such department's use or seeking to sell such
19 properties, ~~as determined by the Administrator.~~ It shall be City policy to encourage the sale of
20 such ~~property~~ Surplus Property in accordance with the requirements of Administrative Code
21 23.3 and other applicable laws and to designate use of the net proceeds of such sales for the
22 purpose of financing Affordable Housing ~~affordable housing~~ in San Francisco.

23
24 **SEC. 23A.10. CITY POLICY REGARDING AFFORDABLE HOUSING BOARD OF**
25 **SUPERVISORS REVIEW AND CRITERIA.**

1 The City Board of Supervisors shall be guided by the following policy regarding the
2 disposition of Surplus and Underutilized Property, which policy shall be the official policy of
3 the City. This policy applies to Surplus and Underutilized Property regardless of whether such
4 Property has been included in ~~on~~ an annual Surplus Property Report.

5 (a) In furtherance of the State Surplus Property Statute, the City encourages all local agencies
6 that own real property within the City and County of San Francisco (including the Education Districts,
7 the Bay Area Rapid Transit District, and other local agencies) and that intend to dispose of real
8 property located in the City consisting of one-quarter acre or larger, to give the Executive Director
9 advance notice of the proposed disposition together with an opportunity to negotiate for the acquisition
10 of such real property for a period of not less than 120 days.

11 (b) Upon receipt of any such notice under subsection (a) above, if the Executive Director
12 believes that the real property is feasible for Affordable Housing, the Executive Director shall negotiate
13 in good faith to acquire the property and, if successful, shall seek an appropriation and any required
14 approvals for such acquisition. If the Executive Director determines that the real property is suitable
15 for Affordable Housing but that the City cannot acquire the property for financial or other reasons, the
16 Executive Director shall notify Affordable Housing developers of the proposed disposition so that they
17 may seek to acquire the property. The Executive Director shall maintain a list of Affordable Housing
18 developers that are active in the City for purposes of this notification.

19 (c) Pursuant to the State Surplus Property Statute, if the Executive Director and the local
20 agency negotiate in good faith but cannot reach agreement on the terms for the City's acquisition of the
21 real property, and the local agency then disposes of the property to another person or entity for the
22 development of 10 or more residential units, then: (1) the local agency shall require that not less than
23 15% of the residential units developed on the property be affordable housing; and (2) rental units shall
24 remain affordable to, and occupied by, lower income households for a period of at least 55 years, each
25 as determined in accordance with the State Surplus Property Statute, as it may be amended. These

1 requirements shall be contained in a covenant or restriction recorded against the real property at the
2 time of disposition and be enforceable by the local agency against any subsequent owner.

3 (d) The Board of Supervisors encourages all local agencies that intend to dispose of real
4 property in the City to determine the fair market value of that real property assuming that not less than
5 33% of the total number of units developed on that property will be affordable housing, to the extent
6 permitted by applicable law. Any local agency selling or leasing real property to the City for
7 affordable housing may provide for an extended payment period equal to the period during which the
8 property will be restricted as affordable housing.

9 (e) Nothing in this Section 23A.10 shall be interpreted to limit the power of any local agency to
10 sell or lease real property at fair market value or at less than fair market value, consistent with
11 applicable law.

12 ~~Subject to any disposition priority required by State law and other limitations expressly set forth~~
13 ~~herein, Surplus and Underutilized Property shall be used in the following order of priority:~~

14 ~~(i) First, for the development of affordable housing for people who are Homeless and~~
15 ~~persons earning less than 20% of the Area Median Income for the San Francisco PMSA as established~~
16 ~~by the United States Department of Housing and Urban Development and reported by the Mayor's~~
17 ~~Office of Housing. Provided that:~~

18 ~~1. The housing shall remain affordable for the useful life of the Property;~~
19 ~~2. Housing costs in such housing shall not exceed 30% of the resident's income;~~
20 ~~3. Projects in which people who are homeless rehabilitate and renovate~~
21 ~~property in exchange for their tenancy or "sweat equity" in the property shall be encouraged.~~

22 ~~(ii) Second, for other on-site services for people who are Homeless or for non-profit~~
23 ~~agencies serving people who are Homeless, including not limited to job training, senior services,~~
24 ~~healthcare and childcare for people who are homeless.~~

1 ~~(iii) Third, for the development of affordable housing for persons earning no more than~~
2 ~~60% of the Area Median Income for the San Francisco PMSA as established by the United States~~
3 ~~Department of Housing and Urban Development and reported by the Mayor's Office of Housing,~~
4 ~~provided that the housing shall remain affordable for the useful life of the Property.~~

5 ~~When the Executive Director determines Surplus Property is unsuitable for the uses described~~
6 ~~in subsections (i), (ii), and (iii) above because it is unsafe, inconveniently located or located in an area~~
7 ~~inappropriate for housing, or otherwise cannot meet the purposes of this Chapter, or when the~~
8 ~~Executive Director receives no acceptable applications pursuant to Section 23A.8, it shall be City~~
9 ~~policy to encourage the sale of such Surplus Property in accordance with the requirements of~~
10 ~~Administrative Code Section 23.3 and other applicable laws and to designate use of the net proceeds of~~
11 ~~such sales and/or leases for the purpose of financing affordable housing in San Francisco that meets~~
12 ~~the criteria set forth in subsection (i) above.~~

13
14 **SEC. 23A.11. DISPOSITION AND UTILIZATION OF SURPLUS, AND UNDERUTILIZED**
15 **~~AND UNUTILIZED~~ PROPERTY.**

16 (a) Subject to ~~(1) (i)~~ the terms and conditions of any gift, trust, deed restriction, bond
17 covenant or other covenants or restrictions, mortgage, deed of trust, lease, license, use
18 agreement or other agreement applicable to such Property, ~~(2) (ii)~~ state or federal laws
19 related to the disposition of surplus ~~property~~ City Property, including, without limitation, ~~the State~~
20 ~~Surplus Property Statute California Government Code Section 54220 et seq.~~, and ~~(3) (iii)~~ the
21 jurisdictional authority over ~~City~~ Property granted to certain ~~commissions~~ Commissions under the
22 City's Charter, including, without limitation, as set forth in Charter Sections 4.112, 4.113,
23 4.114, 4.115, 5.101, and 8A.102, the Board of Supervisors may by resolution approve the
24 dispositions recommended by the Executive Director in accordance with this Chapter ~~23A~~ or
25 approve dispositions different from those recommended by the Executive Director. Upon

1 approval of such a resolution, it shall be the duty of the Executive Director to take all steps
2 necessary to implement the resolution.

3 (b) Any final declaration that Property is Surplus or Underutilized and any final
4 conveyance of Property under this Chapter 23A shall be in accordance with and subject to all
5 applicable laws, including (1) (i) the terms and conditions of any gift, trust, deed restriction,
6 bond covenant or other covenants or restrictions, mortgage, deed of trust, lease, license, use
7 agreement or other agreement applicable to such Property, (2) (ii) state or federal laws
8 related to the disposition of ~~surplus property~~ Surplus City Property, including, without limitation,
9 ~~the State Surplus Property Statute Government Code Section 54220 et seq.~~, (3iii) the jurisdictional
10 authority over ~~City~~ Property granted to certain ~~commissions~~ Commissions under the City's
11 Charter, including, without limitation, as set forth in Charter Sections 4.112, 4.113, 4.114,
12 4.115, 5.101, and 8A.102, and (4) (iv) the requirements set forth in Administrative Code Section
13 ~~See~~ 23.3 of further Board of Supervisors approval by resolution or ordinance of final
14 transaction documents after the completion of all required environmental review under the
15 California Environmental Quality Act (Cal. Pub. Res. Code Secs. 21000 et seq.) CEQA, provided,
16 however, that the requirements set forth in ~~Administrative Code~~ Section 23.3 of sale by public
17 auction or competitive bidding and a sales price of at least 100% ~~100 percent~~ of appraised fair
18 market value shall not apply to dispositions pursuant to this Chapter. Any such duly approved
19 conveyance may be at no cost or less than fair market value as a conveyance that furthers a
20 proper public purpose.

21 (c) Any conveyance of Property at less than fair market value ~~or for homeless uses~~
22 Affordable Housing under this ~~section~~ Section 23A.11 shall include covenants that require that the
23 Property be used for Affordable Housing in conformance with this Chapter 23A and prohibit any
24 developer of Property from reselling, transferring or subleasing Property at a profit, or such
25 other "anti-speculation" requirements as the Executive Director may approve. ~~In the case of~~

1 ~~home ownership development, the limited equity is subject to the Property remaining available to the~~
2 ~~Homeless population in the calculation of any resale price.~~

3 (d) Any City department other than an Enterprise Department wishing to dispose of
4 Surplus or Underutilized Property under such department's jurisdiction in a manner other than
5 pursuant to this Chapter 23A, regardless of whether such Surplus or Underutilized Property is
6 listed on the then current Surplus Property Report, shall notify the Administrator, the
7 Executive Director and the Surplus Property Citizens' Advisory Committee prior to seeking
8 any approvals of any proposed disposition. The notice shall include the same information
9 about the Surplus or Underutilized Property required under Section 23A.5. The Administrator,
10 the Executive Director and the Surplus Property Citizens' Advisory Committee shall review
11 such information and, within 45 days after submission, make recommendations to the Board
12 of Supervisors regarding the disposition of the Surplus or Underutilized Property *and*
13 consistent with the policy set forth in Section 23A.10. The Board of Supervisors may by
14 resolution approve a disposition consistent with such recommendations and this Chapter or
15 approve a different disposition. Upon approval of such a resolution, it shall be the duty of the
16 Administrator, the Executive Director and other City officials, as appropriate, to take all steps
17 necessary to implement the resolution.

18 (e) The failure by any City department to comply with this Chapter 23A shall not invalidate the
19 transfer or conveyance of any real property to a purchaser or encumbrancer for value.

20
21 **SEC. 23.12. AMENDMENT.**

22 The Board of Supervisors may by ordinance amend the provisions of this Chapter 23A,
23 including those provisions adopted by the voters, in order to further the purposes of the Chapter.
24
25


1 Section 2. Scope of Ordinance. In enacting this ordinance, the People of the City and
2 County of San Francisco intend to amend only those words, phrases, paragraphs,
3 subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other
4 constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions
5 or deletions, in accordance with the "Note" that appears under the official title of the
6 ordinance.

7
8 Section 3. Undertaking for the General Welfare. In enacting and implementing this
9 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
10 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
11 is liable in money damages to any person who claims that such breach proximately caused
12 injury.

13
14
15 APPROVED AS TO FORM:

16 DENNIS J. HERRERA, City Attorney

17
18 By:


THOMAS J. OWEN
Deputy City Attorney

19
20
21 n:\egana\as2015\1500843\01024157.docx

LEGISLATIVE DIGEST

[Initiative Ordinance - Administrative Code - Surplus City Property Ordinance]

Motion ordering submitted to the voters an Ordinance amending the Administrative Code to update provisions of the Surplus City Property Ordinance, expand the affordability criteria for housing developed on property acquired for affordable housing under the Ordinance, restrict for 120 days any other disposition of surplus City property being considered for transfer to the Mayor's Office of Housing and Community Development for development of affordable housing under the Ordinance, provide for implementation of the State Surplus Property Statute, and provide for amendment of the initiative ordinance by the Board of Supervisors, at an election to be held on November 3, 2015; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

The City has a "Surplus City Property Ordinance" that governs the disposition of surplus City property, favoring the use of that property for the development of affordable housing and housing for the homeless.

The State's "Surplus Property Statute" governs the disposition of surplus property by local public agencies, also favoring the use of the property for the development of affordable housing, among other uses.

Amendments to Current Law

The proposal is an initiative ordinance that would amend the Surplus City Property Ordinance. The proposal would expand the definition of "homeless" for purposes of the Ordinance, and expand the affordability requirements for housing developed under the Ordinance. It would also update and expand the procedures used by the City to identify surplus and underutilized property and to make such property available for the development of affordable housing. Finally, the proposal would add procedures to facilitate local implementation of the State Surplus Property Statute.

The proposal would authorize the Board of Supervisors to amend the provisions of the initiative to further its purposes.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

June 22, 2015

File Nos. 150659 & 150661

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On June 16, 2015, Supervisor Kim introduced the following Motion to consider the proposed Initiative Ordinance for submission by the full Board, for the November 3, 2015 Election:

File No. 150659 Initiative Ordinance - Administrative Code - Surplus City Property Ordinance

Motion ordering submitted to the voters an Ordinance amending the Administrative Code to update provisions of the Surplus City Property Ordinance, expand the affordability criteria for housing developed on property acquired for affordable housing under the Ordinance, restrict for 120 days any other disposition of surplus City property being considered for transfer to the Mayor's Office of Housing and Community Development for development of affordable housing under the Ordinance, provide for implementation of the State Surplus Property Statute, and provide for amendment of the initiative ordinance by the Board of Supervisors, at an election to be held on November 3, 2015; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Kim also introduced the following Hearing to consider the same proposed Initiative Ordinance submitted by four or more Supervisors, for the November 3, 2015 Election:

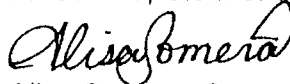
File No. 150661 Hearing - Initiative Ordinance - Administrative Code - Surplus Public Lands

Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 3, 2015, Election entitled "Ordinance amending the Administrative Code to update and expand the applicability of

provisions of the Surplus City Property Ordinance and the public process around its implementation, expand the affordability criteria for housing developed on property acquired for affordable housing under the Ordinance, restrict for 120 days any other disposition of surplus City property being considered for transfer to the Mayor's Office of Housing and Community Development for development of affordable housing under the Ordinance, provide for implementation of the State Surplus Property Statute, and provide for amendment of the initiative ordinance by the Board of Supervisors."

These matters are being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board



By: Alisa Somera, Committee Clerk
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner
Jeanie Poling, Environmental Planner

Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

-Jeanie Poling 7/6/15



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Todd Rydstrom
Deputy Controller

July 8, 2015

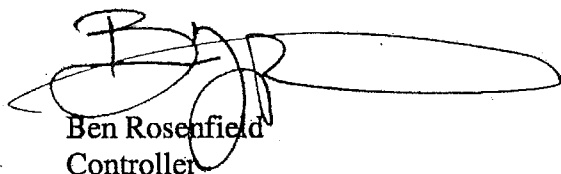
Ms. Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place Room 244
San Francisco, CA 94102-4689

RE: File 150661 - Surplus Public Lands & File 150659 - Surplus City Property Ordinance

Dear Ms. Calvillo,

This letter references both files, which contain the same amendment language. Should the proposed ordinance be approved by the voters, it would have little impact on the cost of government. The amendment expands the affordability criteria for housing developed through the process established by the original ordinance and creates a waiting period of 120 days before property can be used for any purpose other than affordable housing. Additionally, the amendment clarifies City policy priorities for how the City should develop these surplus properties and the intended recipients of the resulting affordable housing. Barring these administrative changes, the essential components of the ordinance, and their associated costs, remain the same.

Sincerely,



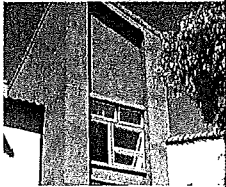
Ben Rosenfield
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.



THE NON-PROFIT HOUSING ASSOCIATION OF NORTHERN CALIFORNIA

**THE
VOICE OF
AFFORDABLE
HOUSING
SINCE 1979**



EXECUTIVE DIRECTOR

Amie Fishman

BOARD OF DIRECTORS

Matthew O. Franklin
MidPen Housing
President

Jacque Hoffman
Mercy Housing
Management Group
Vice President

Dan Sawislak
Resources for
Community Development
Treasurer

Leslye Corsiglia
Formerly of the
City of San Jose
Department of Housing
Secretary

Chuck Cornell
Burbank Housing
Development Corporation

Jack Gardner
The John Stewart Company

Gail Gilman
Community Housing
Partnership

Matt Huerta
Neighborhood Housing
Services Silicon Valley

Andrea Papanastassiou
Northern California
Community Loan Fund

Cynthia Parker
BRIDGE Housing

Dan Wu
Charlites Housing

Malcolm Yeung
Chinatown Community
Development Center

July 8, 2015

Supervisor John Avalos, Chair
Supervisor Katy Tang, Vice Chair
Supervisor Malia Cohen
Board of Supervisors Rules Committee
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-3689

Dear Supervisors Avalos, Tang, and Cohen,

On behalf of The Non-Profit Housing Association of Northern California (NPH), I write to communicate our strong support for the proposed initiative to revise the Surplus City Property Ordinance and urge you to vote to place this initiative on the November 3, 2015 ballot.

NPH is the collective voice of those who support, build and finance affordable housing. We promote the proven methods of the non-profit sector and focus government policy on housing solutions for lower-income people who suffer disproportionately from the housing affordability crisis.

Given the current real estate pressures in San Francisco, finding and securing sites for affordable housing is extremely difficult. With land for development scarce, nonprofit affordable housing developers are forced to compete with market-rate developers of luxury apartments and condominiums. Therefore, the dedication of publicly-held land for 100% affordable housing developments is a best practice and a key to increasing the supply of long-term affordable homes in the City. For sites sold or leased to private development, a 50% affordable housing minimum is required. Public land should be used for public benefit and not for real estate speculation and private, market-rate development.

Amending the Administrative Code to update and expand the applicability of provisions in the Surplus City Property Ordinance and the public process around its implementation will help address the urgent crisis of housing affordability and displacement in San Francisco that requires immediate action. Surplus and underutilized public land is a unique opportunity for San Francisco to meet its affordable housing needs by maximizing the amount of housing affordable to households of extremely low, very low, low, and moderate incomes. Proposed changes to the existing ordinance will also clarify that the sale or lease of surplus land at less than fair market value for affordable housing development is consistent with the goals and objectives of San Francisco's Housing Element and in line with California Government Code Section 54226.

Passage of the initiative will update the existing code to match the State of California's recently adopted Assembly Bill 2135, requiring local agencies and school districts to give first priority to affordable housing when disposing of surplus land through sale or lease. It will also create a policy that other state and special district agencies with land in San Francisco should prioritize permanently affordable housing when considering disposition and development of sites.



THE NON-PROFIT HOUSING ASSOCIATION OF NORTHERN CALIFORNIA

**THE
VOICE OF
AFFORDABLE
HOUSING
SINCE 1979**



EXECUTIVE DIRECTOR

Amie Fishman

BOARD OF DIRECTORS

Matthew O. Franklin
MidPen Housing
President

Jacque Hoffman
Mercy Housing
Management Group
Vice President

Dan Sawlsak
Resources for
Community Development
Treasurer

Leslye Corsiglia
Formerly of the
City of San Jose
Department of Housing
Secretary

Chuck Cornell
Burbank Housing
Development Corporation

Jack Gardner
The John Stewart Company

Gail Gilman
Community Housing
Partnership

Matt Huerta
Neighborhood Housing
Services Silicon Valley

Andrea Papanastassiou
Northern California
Community Loan Fund

Cynthia Parker
BRIDGE Housing

Dan Wu
Charities Housing

Malcolm Young
Chinatown Community
Development Center

We thank you for your leadership in addressing the affordability crisis in San Francisco and urge you to vote to place this initiative on the ballot.

Sincerely,

Amie Fishman
Executive Director
Non-Profit Housing Association of Northern California (NPH)

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ben Rosenfield, City Controller

FROM: Alisa Somera, Clerk, Rules Committee
Board of Supervisors

DATE: June 22, 2015

SUBJECT: INITIATIVE ORDINANCE MOTION & HEARING INTRODUCED
November 3, 2015 Election

The Board of Supervisors' Rules Committee has received the following Motion to consider the proposed Initiative Ordinance for submission by the full Board, for the November 3, 2015 Election, introduced by Supervisor Kim on June 16, 2015.

File No. 150659 Initiative Ordinance - Administrative Code - Surplus City Property Ordinance

Motion ordering submitted to the voters an Ordinance amending the Administrative Code to update provisions of the Surplus City Property Ordinance, expand the affordability criteria for housing developed on property acquired for affordable housing under the Ordinance, restrict for 120 days any other disposition of surplus City property being considered for transfer to the Mayor's Office of Housing and Community Development for development of affordable housing under the Ordinance, provide for implementation of the State Surplus Property Statute, and provide for amendment of the initiative ordinance by the Board of Supervisors, at an election to be held on November 3, 2015; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Kim also introduced the following Hearing to consider the same proposed Initiative Ordinance submitted by four or more Supervisors, for the November 3, 2015 Election:

File No. 150661 Hearing - Initiative Ordinance - Administrative Code - Surplus Public Lands

Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 3, 2015, Election entitled "Ordinance amending the Administrative Code to update and expand the applicability of provisions of the Surplus City Property Ordinance and the public process around

its implementation, expand the affordability criteria for housing developed on property acquired for affordable housing under the Ordinance, restrict for 120 days any other disposition of surplus City property being considered for transfer to the Mayor's Office of Housing and Community Development for development of affordable housing under the Ordinance, provide for implementation of the State Surplus Property Statute, and provide for amendment of the initiative ordinance by the Board of Supervisors."

These matters are being referred to you in accordance with Elections Code, Section 305(B)(2) and Rules of Order 2.22.3. Please review and prepare a financial analysis on the proposed measures prior to the first Rules Committee hearing.

If you have any questions or concerns please call me at (415) 554-4447 or email: alisa.somera@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Todd Rydstrom, Deputy City Controller
Peg Stevenson, City Performance Director

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

June 22, 2015

File Nos. 150659 & 150661

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On June 16, 2015, Supervisor Kim introduced the following Motion to consider the proposed Initiative Ordinance for submission by the full Board, for the November 3, 2015 Election:

File No. 150659 Initiative Ordinance - Administrative Code - Surplus City Property Ordinance

Motion ordering submitted to the voters an Ordinance amending the Administrative Code to update provisions of the Surplus City Property Ordinance, expand the affordability criteria for housing developed on property acquired for affordable housing under the Ordinance, restrict for 120 days any other disposition of surplus City property being considered for transfer to the Mayor's Office of Housing and Community Development for development of affordable housing under the Ordinance, provide for implementation of the State Surplus Property Statute, and provide for amendment of the initiative ordinance by the Board of Supervisors, at an election to be held on November 3, 2015; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Kim also introduced the following Hearing to consider the same proposed Initiative Ordinance submitted by four or more Supervisors, for the November 3, 2015 Election:

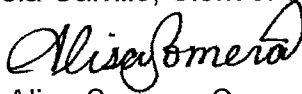
File No. 150661 Hearing - Initiative Ordinance - Administrative Code - Surplus Public Lands

Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 3, 2015, Election entitled "Ordinance amending the Administrative Code to update and expand the applicability of

provisions of the Surplus City Property Ordinance and the public process around its implementation, expand the affordability criteria for housing developed on property acquired for affordable housing under the Ordinance, restrict for 120 days any other disposition of surplus City property being considered for transfer to the Mayor's Office of Housing and Community Development for development of affordable housing under the Ordinance, provide for implementation of the State Surplus Property Statute, and provide for amendment of the initiative ordinance by the Board of Supervisors."

These matters are being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board



By: Alisa Somera, Committee Clerk
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner
Jeanie Poling, Environmental Planner

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Nicole Elliott, Mayor's Office
Jon Givner, Office of the City Attorney
Naomi Kelly, City Administrator
John St. Croix, Executive Director, Ethics Commission
John Arntz, Director, Department of Elections
Harvey Rose, Budget and Legislative Analyst
John Rahaim, Director, Planning Department
Olson Lee, Director, Mayor's Office of Housing and Community Development
Richard Carranza, Superintendent, San Francisco Unified School District
Monique Moyer, Executive Director, San Francisco Port
John Martin, Director, San Francisco Airport
Harlan Kelly, Jr., General Manager, Public Utilities Commission
Ed Reiskin, Executive Director, Municipal Transportation Agency
Phil Ginsburg, General Manager, Recreation and Park Department
John Updike, Director, Division of Real Estate
Bevan Dufty, Director, Housing Opportunity Partnerships & Engagement

FROM: Alisa Somera, Clerk, Rules Committee
Board of Supervisors

DATE: June 22, 2015

SUBJECT: INITIATIVE ORDINANCE MOTION & HEARING INTRODUCED
November 3, 2015 Election

The Board of Supervisors' Rules Committee has received the following Motion to consider the proposed Initiative Ordinance for submission by the full Board, for the November 3, 2015 Election, introduced by Supervisor Kim on June 16, 2015.

**File No. 150659 Initiative Ordinance - Administrative Code - Surplus City
Property Ordinance**

Motion ordering submitted to the voters an Ordinance amending the Administrative Code to update provisions of the Surplus City Property Ordinance, expand the affordability criteria for housing developed on property acquired for affordable housing under the Ordinance, restrict for 120 days any other disposition of surplus City property being considered for transfer to the Mayor's Office of Housing and Community Development for development of affordable housing under the Ordinance, provide for implementation of the State Surplus Property Statute, and provide for amendment of the initiative ordinance by the Board of Supervisors, at an election to be held on November 3, 2015; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Kim also introduced the following Hearing to consider the same proposed Initiative Ordinance submitted by four or more Supervisors, for the November 3, 2015 Election:

**File No. 150661 Hearing - Initiative Ordinance - Administrative Code - Surplus
Public Lands**

Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 3, 2015, Election entitled "Ordinance amending the Administrative Code to update and expand the applicability of provisions of the Surplus City Property Ordinance and the public process around its implementation, expand the affordability criteria for housing developed on property acquired for affordable housing under the Ordinance, restrict for 120 days any other disposition of surplus City property being considered for transfer to the Mayor's Office of Housing and Community Development for development of affordable housing under the Ordinance, provide for implementation of the State Surplus Property Statute, and provide for amendment of the initiative ordinance by the Board of Supervisors."

These matters are being referred to you in accordance with Board Rules of Order 2.22.4. Please review and submit any reports or comments you wish to be considered with the legislative files.

If you have any questions or concerns, please call me at (415) 554-4447 or email: alisa.somera@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

- c: Debra Newman, Office of the Budget and Legislative Analyst
Severin Campbell, Office of the Budget and Legislative Analyst
Gabriela Loeza, Office of the Budget and Legislative Analyst
Scott Sanchez, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Sophie Hayward, Office of Housing and Community Development
Chris Armentrout, San Francisco Unified School District
Jamila Brooks, San Francisco Unified School District
Elaine Forbes, San Francisco Port
Cathy Widener, San Francisco Airport
Juliet Ellis, Public Utilities Commission
Kate Breen, Municipal Transportation Agency
Janet Martinsen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency
Sarah Ballard, Recreation and Park Department
Dee Schexnayder, Housing Opportunity Partnerships & Engagement
Christine Keener, Housing Opportunity Partnerships & Engagement

BoS-11, COB
Old/New Comm. Clerk
Leg. Rep.

President, District 5
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7630
Fax No. 554-7634
TDD/TTY No. 544-5227

London Breed

PRESIDENTIAL ACTION

Date: 7/10/15

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

☐ Waiving 30-Day Rule (Board Rule No. 3.23)

File No. _____
(Primary Sponsor)

Title. _____

☒ Transferring (Board Rule No. 3.3)

File No. 150659 Kim
(Primary Sponsor)

Title. Initiative Ordinance - Administrative Code - S

From: Rules Committee

To: Land Use & Transportation Committee

☐ Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor _____

Replacing Supervisor _____

For: _____ Meeting
(Date) (Committee)

London Breed, President
Board of Supervisors

Member, Board of Supervisors
District 6



4.15
Angela Calvillo
City and County of San Francisco

JANE KIM

To: Angela Calvillo
Fr: April Veneracion
Re: *AC* ~~Intent to~~ Withdraw Request to File #150659 - Initiative Ordinance -
AV Administrative Code - Surplus City Property Ordinance
Date: July 15, 2015

Q
Please consider this notification from Supervisor Kim that she ~~intends to~~ withdraw her request to File # #150659 - Initiative Ordinance - Administrative Code - Surplus City Property Ordinance. She would like to remain as primary sponsor of the initiative.

cd

Ausberry, Andrea

From: Caldeira, Rick (BOS)
Sent: Wednesday, July 15, 2015 5:20 PM
To: Calvillo, Angela (BOS)
Cc: Ausberry, Andrea; Bruss, Andrea (BOS); Mar, Eric (BOS); Campos, David (BOS); Cohen, Malia (BOS); Wiener, Scott; Avalos, John (BOS); Kim, Jane (BOS); Givner, Jon (CAT)
Subject: RE: Sponsorships for Item #150659

Madam Clerk,

Please be advised that by 5:00 p.m. we have received no confirmation from Supervisor Avalos regarding his co-sponsorship, and I wanted to provide an update for all. As you are aware, we received a request from Supervisor Kim at 4:15 p.m. withdrawing her request to file the matter, therefore retaining her Primary Sponsorship.

Therefore, we have the following sponsorship for File No. 150659:

Supervisors Kim; Avalos, Cohen, Wiener

Regards, Rick.

From: Caldeira, Rick (BOS)
Sent: Wednesday, July 15, 2015 2:22 PM
To: Calvillo, Angela (BOS)
Cc: Ausberry, Andrea; Bruss, Andrea (BOS); Mar, Eric (BOS); Campos, David (BOS); Cohen, Malia (BOS); Wiener, Scott; Avalos, John (BOS); Kim, Jane (BOS); 'Jon Givner'
Subject: Sponsorships for Item #150659

Madam Clerk,


Please be advised, per your direction, Supervisor Mar was removed as a co-sponsor at 2:07 p.m. and Supervisor Campos was removed as a co-sponsor at 2:12 p.m.

Please be further advised that we have received co-sponsorship requests from Supervisor Cohen at 1:59 p.m. and from Supervisor Wiener at 2:10 p.m.

Therefore, we are still awaiting direction from Supervisor Avalos on his current co-sponsorship. If he requests to be removed as co-sponsor, we shall inquire with Supervisors Cohen and Wiener on whether they would like to assume primary sponsorship.

Regards,

Rick Caldeira, MMC
Legislative Deputy
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Phone: (415) 554-7711 | Fax: (415) 554-5163
rick.caldeira@sfgov.org | www.sfbos.org

 Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

Caldeira, Rick (BOS)

From: Caldeira, Rick (BOS)
Sent: Wednesday, July 15, 2015 2:22 PM
To: Calvillo, Angela (BOS)
Cc: Ausberry, Andrea; Bruss, Andrea (BOS); Mar, Eric (BOS); Campos, David (BOS); Cohen, Malia (BOS); Wiener, Scott; Avalos, John (BOS); Kim, Jane (BOS); 'Jon Givner'
Subject: Sponsorships for Item #150659

Madam Clerk,

Please be advised, per your direction, Supervisor Mar was removed as a co-sponsor at 2:07 p.m. and Supervisor Campos was removed as a co-sponsor at 2:12 p.m.

Please be further advised that we have received co-sponsorship requests from Supervisor Cohen at 1:59 p.m. and from Supervisor Wiener at 2:10 p.m.

Therefore, we are still awaiting direction from Supervisor Avalos on his current co-sponsorship. If he requests to be removed as co-sponsor, we shall inquire with Supervisors Cohen and Wiener on whether they would like to assume primary sponsorship.

Regards,

Rick Caldeira, MMC
Legislative Deputy
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Phone: (415) 554-7711 | Fax: (415) 554-5163
rick.caldeira@sfgov.org | www.sfbos.org

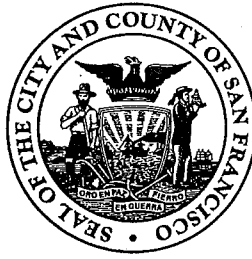


Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

MEMORANDUM

Date: July 15, 2015

To: Supervisor Jane Kim
Supervisor John Avalos
Supervisor David Campos
Supervisor Eric Mar

Cc: Supervisor Malia Cohen

From: *ASC* Angela Calvillo, Clerk of the Board

Subject: Primary Sponsorship: File No. 150659 - Initiative Ordinance -
Administrative Code - Surplus City Property Ordinance

The above referenced matter is currently pending in Land Use and Transportation Committee and we have received direction, as of Wednesday, July 15, 2015, at 8:16 a.m., from Supervisor Cohen, Chair of Land Use and Transportation Committee, to schedule this matter for Monday, July 20, 2015, pursuant to Board Rule 2.12 (Pending Legislation). The Chair has until Thursday, July 16, 2015, by 9:30 a.m. to finalize said Committee Agenda.

Please be advised that Supervisor Jane Kim, as of Wednesday, July 15, 2015, at 12:00 p.m., has requested to be removed as the Primary Sponsor for the above referenced item and requested this matter be filed pursuant to Board Rule 3.40 (Filing of Inactive Matters). Be further advised, that we are currently tracking the following co-sponsors (Supervisors John Avalos, David Campos, and Eric Mar). Therefore, please let me know if you would like to remove your name as a Co-Sponsor or assume Primary Sponsorship on the above referenced matter by 5:00 p.m., on Wednesday, July 15, 2015.

If Primary Sponsorship is not assumed on this matter by one of the Co-Sponsors, or from another Supervisor, the matter shall be filed in accordance to Board Rule 3.40 (Filing of Inactive Matters). If Primary Sponsorship is assumed on this matter, either by one of the Co-Sponsors, or from another Supervisor, the matter shall be

scheduled, pursuant to the direction of the Chair of the Land Use and Transportation Committee as noted above. Please note, in accordance with Board Rule 2.11 (Sponsors and Co-sponsors), requests to be added as a sponsor, outside of a meeting, for matters pending in Committee, shall be made, in writing, to the Clerk of the Board, Legislative Deputy, and to the Committee Clerk and shall be listed in the order received.

Sincerely,

Angela Calvillo
Clerk of the Board

Caldeira, Rick (BOS)

From: Cretan, Jeff (BOS)
Sent: Wednesday, July 15, 2015 2:10 PM
To: Calvillo, Angela (BOS)
Cc: Caldeira, Rick (BOS); Power, Andres; Bruss, Andrea (BOS)
Subject: Item 150659

Hello,

Please add Supervisor Wiener as a sponsor of item 150659.

Jeff Cretan
Legislative Aide
Office of Supervisor Scott Wiener
1 Dr. Carlton B. Goodlett Place
City Hall, Room 274
San Francisco, CA 94102
(415) 554-6968

Caldeira, Rick (BOS)

From: Bruss, Andrea (BOS)
Sent: Wednesday, July 15, 2015 1:59 PM
To: Calvillo, Angela (BOS); Caldeira, Rick (BOS); Ausberry, Andrea
Subject: Request to Co-Sponsor File 150659

All –
Please add Supervisor Cohen as a co-sponsor to File 150659 [Initiative Ordinance – Administrative Code – Surplus City
Property Ordinance]
Thanks

.....
Andrea Bruss
Office of Supervisor Malia Cohen
(415)554-7672

Ausberry, Andrea

From: Veneracion, April (BOS)
Sent: Wednesday, July 15, 2015 12:00 PM
To: Caldeira, Rick (BOS); Somera, Alisa (BOS); Ausberry, Andrea; Bruss, Andrea (BOS)
Subject: FW: File #150659 - Initiative Ordinance - Administrative Code - Surplus City Property Ordinance

From: April Veneracion [mailto:april.veneracion@gmail.com]
Sent: Wednesday, July 15, 2015 11:58 AM
To: Veneracion, April (BOS) <april.veneracion@sfgov.org>
Subject: File #150659 - Initiative Ordinance - Administrative Code - Surplus City Property Ordinance

Dear Rick and Alisa,

Supervisor Kim would like to file File #150659 - Initiative Ordinance - Administrative Code - Surplus City Property Ordinance.

Dear Andrea and Andrea,

Please do not schedule this item for the Land Use agenda for July 20th.

Thank you,
April

April Veneracion Ang
Legislative Aide
Supervisor Jane Kim, District Six
San Francisco Board of Supervisors
(415) 554-7972 Office
(415) 554-7974 Fax
april.veneracion@sfgov.org

--
-a

BoS-11,
old/new
Leg. Rep.

President, District 5
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7630
Fax No. 554-7634
TDD/TTY No. 544-5227

London Breed

PRESIDENTIAL ACTION

Date: 7/10/15

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

☐ Waiving 30-Day Rule (Board Rule No. 3.23)

File No. _____

(Primary Sponsor)

Title. _____

☒ Transferring (Board Rule No. 3.3)

File No. 150659

Kim

(Primary Sponsor)

Title. Initiative Ordinance - Administrative Code - S-1

From: Rules

To: Land Use & Transportation

Committee

Committee

☐ Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor _____

Replacing Supervisor _____

For: _____

(Date)

(Committee)

Meeting

London Breed

London Breed, President
Board of Supervisors

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- ☒ 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☐ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning "Supervisor [] inquires"
- ☐ 5. City Attorney request.
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget Analyst request (attach written motion).
- ☐ 8. Substitute Legislation File No. []
- ☐ 9. Reactivate File No. []
- ☐ 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

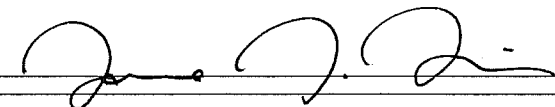
Supervisors Kim, Avalos, Campos and Mar

Subject:

Initiative Ordinance - Administrative Code - Surplus Public Lands

The text is listed below or attached:

See attached.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

150659

