

**REVISED LEGISLATIVE DIGEST**

(7/22/2015, Amended in Committee)

[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 that 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 that 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 allowable uses for surplus property to include building affordable housing for households with incomes up to 120% of the area median income and, in certain circumstances, for mixed-income projects with middle-income housing. It would change the procedures used by the City to identify surplus and underutilized property. For surplus property that the City is considering developing for affordable housing, it would prohibit City departments from entering into contracts relating to the property for 120 days unless the Board of Supervisors approves the contract. It would require that 33% or more of the housing units created on certain surplus property sold by the City be affordable to households earning up to 120% of the area median income, with 15% or more of the housing units affordable to people earning up to 55% of the area median income. And the proposal would add provisions to facilitate local implementation of the State Surplus Property Statute.

The proposal would authorize the Board of Supervisors to waive the provisions of the ordinance for particular projects, and to amend certain provisions of the ordinance.

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