

LEGISLATIVE DIGEST
(First Draft - 5/24/2016)

[Charter Amendment - Housing and Development Commission]

Describing and setting forth a proposal to the voters, at an election to be held on November 8, 2016, to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development, the Department of Housing and Community Development, and the Department of Real Estate; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; and to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development.

Existing Law

The Office of Economic and Workforce Development generally oversees programs related to coordinating private workforce development and job training, attracting and retaining businesses in the City, including international businesses, managing public-private development projects, and facilitating the revitalization of commercial corridors in economically disadvantaged neighborhoods. The Mayor appoints and may remove the head of the Office.

The Mayor's Office of Housing and Community Development provides financing for the development, rehabilitation, and purchase of affordable housing in the City; administers programs to finance the development of affordable housing; administers programs to finance housing rehabilitation costs for low-income homeowners; administers the City's below-market-rate inclusionary housing program; and administers grants programs to support community development and economic infrastructure. The Mayor appoints and may remove the head of the Office.

The Real Estate Division manages public buildings, facilities, and real estate of the City; acquires real property required for City purposes; sells or transfers surplus real property owned by the City; leases property to be used by City departments; and handles other related responsibilities. The City Administrator appoints and may remove the Director of Real Estate.

None of these offices are subject to direct oversight by a City commission.

Amendments to Current Law

The proposed Charter amendment would create the Housing and Development Commission. The Commission would have five members, two appointed by the Mayor, two appointed by the Board of Supervisors, and one appointed by the Controller. One of the Mayor's appointees and one of the Board's appointees would be required to have significant experience in the field of affordable housing or community development, and the Controller's appointee would be required to have significant experience in the field of finance. The appointing authorities could remove commissioners only for official misconduct through the process provided in the Charter for removal of members of other commissions. Commissioners would serve four-year terms (except for two commissioners serving initial two-year terms) and would be subject to a term limit of two successive terms.

The Commission would oversee three newly formed departments—the Department of Economic and Workforce Development, the Department of Housing and Community Development, and the Department of Real Estate—which would generally take over the powers and duties of the three existing offices described above. The Commission would have the power to appoint, review, and remove the department heads of the three departments.

The Charter Amendment would also require the Commission to hold a hearing and provide recommendations to the Board of Supervisors before the Board approves a conveyance of surplus real property or a development agreement that the Department of Economic and Workforce Development participated in negotiating.

The Charter Amendment would also require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development. These rules would be subject to rejection by a two-thirds vote of the Board of Supervisors within 60 days. The rules would supersede any ordinance, rule, process or regulation enacted by the City or adopted by the voters before March 1, 2017, relating to a competitive bid process for the City's development of affordable housing.

n:\legana\as2016\1600771\01108657.docx