


BOARD of SUPERVISORS



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MEMORANDUM

TO: Sophia Kittler, Liaison to the Board of Supervisors, Mayor's Office
Anne Pearson, Deputy City Attorney, Office of the City Attorney
John Arntz, Director, Department of Elections
LeeAnn Pelham, Executive Director, Ethics Commission
Andrico Penick, Director, Real Estate Division
Abigail Stewart-Kahn, Interim Director, Department of Homelessness and Supportive Housing

FROM: Victor Young, Assistant Clerk, Rules Committee 
Board of Supervisors

DATE: June 23, 2020

SUBJECT: INITIATIVE ORDINANCE INTRODUCED
November 3, 2020 Election

The Board of Supervisors' Rules Committee has received the following Initiative Ordinance for the November 3, 2020, Election. This matter is being referred to you in accordance with Rules of Order 2.22.4.

File No. 200647

Motion ordering an Ordinance to be submitted to the voters at an election to be held on November 3, 2020, authorizing the City and County of San Francisco (City) to own, develop, construct, acquire, or rehabilitate up to 10,000 affordable rental units in the City under Article 34 of the California Constitution.

Please review and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@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: Andres Power, Mayor's Office
Rebecca Peacock, Mayor's Office
Kanishka Cheng, Mayor's Office

Patrick Ford, Ethics Commission

Dylan Schneider, Department of Homelessness and Supportive Housing

Emily Cohen, Department of Homelessness and Supportive Housing

1 [Initiative Ordinance - Authorizing the Development of Up to 10,000 Affordable Rental Units in
2 the City Under Article 34 of the California Constitution]

2

3 **Motion ordering an Ordinance to be submitted to the voters at an election to be held on**
4 **November 3, 2020, authorizing the City and County of San Francisco (City) to own,**
5 **develop, construct, acquire, or rehabilitate up to 10,000 affordable rental units in the**
6 **City under Article 34 of the California Constitution.**

7

8 MOVED, That the Board of Supervisors hereby submits the following ordinance to the
9 voters of the City and County of San Francisco, at an election to be held on November 3,
10 2020.

11

12 **Ordinance authorizing the City and County of San Francisco (“City”) to own, develop,**
13 **construct, acquire, or rehabilitate up to 10,000 affordable rental units in the City under**
14 **Article 34 of the California Constitution.**

15 NOTE: **Unchanged Code text and uncodified text** are in plain font.
16 **Additions to Codes** are in *single-underline italics Times New Roman font*.
17 **Deletions to Codes** are in ~~italics Times New Roman font~~.
18 **Asterisks (* * * *)** indicate the omission of unchanged Code subsections or
19 parts of tables.

18

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

20 Section 1. Article 34 Authorization. Consistent with Article 34 of the California
21 Constitution, the voters authorize the City and County of San Francisco (the “City”) to own,
22 develop, construct, acquire, and/or rehabilitate up to 10,000 residential units of low-rent
23 housing projects within the City for the purpose of providing affordable rental housing.
24 Subject to applicable laws, the City is further authorized to take any actions necessary to
25 implement this ordinance, including, but not limited to, causing private sponsors to develop,

1 construct, and/or rehabilitate low rent affordable housing under contracts or agreements with
2 the City. This ordinance shall not take effect if Article 34 of the California Constitution is
3 repealed by a vote of the People of California before the effective date of this ordinance.

4 Section 2. Severability. If any section, subsection, sentence, clause, phrase, or word
5 of this ordinance, or any application thereof to any person or circumstance, is held to be
6 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
7 shall not affect the validity of the remaining portions or applications of the ordinance.

8 Section 3. Effective Date. The effective date of this ordinance shall be ten days after
9 the date the official vote count is declared by the Board of Supervisors.

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

13 By: /s/
14 KEITH NAGAYAMA
15 Deputy City Attorney
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LEGISLATIVE DIGEST

[Initiative Ordinance - Authorizing the Development of Up to 10,000 Affordable Rental Units in the City Under Article 34 of the California Constitution]

Ordinance authorizing the City and County of San Francisco (“City”) to own, develop, construct, acquire, or rehabilitate up to 10,000 affordable rental units in the City under Article 34 of the California Constitution.

Existing Law

Article 34 of the State Constitution provides, in part, that no low rent housing project shall be developed, constructed, or acquired by any public body, including a city and county, until the voters in the jurisdiction where the project will be located have approved the project.

Amendments to Current Law

The proposal would authorize the City by ordinance to own, develop, construct, rehabilitate, or acquire up to 10,000 residential units of low rent housing projects within the City for the purpose of providing affordable rental housing. The proposal further authorizes the City to take any actions necessary to implement the ordinance subject to applicable laws.