

1 [Authorizing the resale of Redevelopment Agency-assisted ownership units]  
2

3 **Resolution authorizing the resale of single-family homes acquired by the**  
4 **Redevelopment Agency with tax increment funds without further approval of the Board**  
5 **of Supervisors pursuant to the small housing project exception under Health and**  
6 **Safety Code Section 33433(c)(1).**  
7

8 WHEREAS, The Redevelopment Agency of the City and County of San Francisco  
9 established an Affordable Homeownership Program for qualified first-time homebuyers over  
10 ten years ago; and,

11 WHEREAS, The Agency's Program requires that eligible buyers meet the income  
12 guidelines of the California Community Redevelopment Law for "persons or families of low-  
13 and moderate-income" which limits eligible buyers to persons or families with incomes not  
14 exceeding 120 percent of the area median income; and,

15 WHEREAS, The Agency has contributed subsidies to developers and to the buyers to  
16 effectively reduce the price of single-family homes to a level that is generally affordable to  
17 persons or families of low- and moderate-income levels subject to an Agency Right of First  
18 Refusal and/or an Agency Option to Purchase; and,

19 WHEREAS, The Agency's Right of First Refusal gives the Agency the right to  
20 substitute a buyer and the Agency's Option to Purchase permits the Agency to repurchase  
21 the unit for resale to another eligible buyer; and,

22 WHEREAS, In the cases where the Agency has repurchased a single-family home for  
23 subsequent resale to another eligible buyer, the Agency and the prospective eligible buyer  
24 would benefit from a prompt approval process; and,  
25

1           WHEREAS, The Agency exercises the Right to First Refusal or Option to Purchase  
2 using tax increment funds, in some cases; and,

3           WHEREAS, California Health and Safety Code Section 33433(a) and (b) requires that  
4 the Agency obtain the approval of the City and County of San Francisco's Board of  
5 Supervisors, acting as the legislative body, after the Board of Supervisors has made certain  
6 required findings prior to disposing of property acquired with tax increment funds; and,

7           WHEREAS, The California Health and Safety Code Section 33433(c)(1) exempts  
8 small housing projects from the disposition requirements set forth in Section 33433(a) and  
9 (b), including a hearing before the legislative body. Section 33433(c)(1) defines "small  
10 housing projects" as a separate residential structure containing not more than four-dwelling  
11 units; and,

12           WHEREAS, The Board of Supervisors wishes to facilitate the resale of such single  
13 family homes by adopting this resolution pursuant to Health and Safety Code Section  
14 33433(c)(1) authorizing the Agency to sell or lease small housing projects acquired through  
15 the Agency's exercise of either its Right of First Refusal or its Option to Purchase without  
16 further approval from the Board of Supervisors; now therefore be it

17           RESOLVED, That Board of Supervisors authorizes, subject to the conditions set forth  
18 below, the sale or lease of small housing projects (as defined in Health and Safety Code  
19 Section 33433(c)(1)) acquired with tax increment funds through the Agency's exercise of  
20 either its Right of First Refusal or its Option to Purchase (each as described above) without  
21 further approval from the Board of Supervisors or other actions required by Section 33433(a)  
22 and (b).

23           FURTHER RESOLVED, That the authorization granted in this Resolution is  
24 conditioned upon the Agency's compliance with the following:  
25

\*\*Supervisor Maxwell\*\*

BOARD OF SUPERVISORS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1. Prior to the sale, the Agency shall hold a public hearing pursuant to the requirements of Health and Safety Code Section 33341; and
2. Within 30 days after the end of each Agency fiscal year in which a sale authorized by this resolution occurs, the Agency shall file a report with the Board of Supervisors which discloses (i) the name of the buyer, (ii) the legal description or street address of the property sold, (iii) the date of the sale, (iv) the consideration for which the property was sold, and (v) the date on which the Agency held its public hearing pursuant to Section 33413.



City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Tails  
Resolution

File Number: 040503

Date Passed:

Resolution authorizing the resale of single-family homes acquired by the Redevelopment Agency with tax increment funds without further approval of the Board of Supervisors pursuant to the small housing project exception under Health and Safety Code Section 33433(c)(1).

April 27, 2004 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,  
Peskin, Sandoval  
Absent: 1 - Ammiano

File No. 040503

I hereby certify that the foregoing Resolution was ADOPTED on April 27, 2004 by the Board of Supervisors of the City and County of San Francisco.

MAY 06 2004

\_\_\_\_\_  
Date Approved

*Gloria L. Young*  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board  
*Gavin Newsom*  
\_\_\_\_\_  
Mayor Gavin Newsom