Resolution authorizing and approving the acceptance of Shoreview Park, located at 1 Lillian Court, from the Office of Community Investment and Infrastructure to the City and County of San Francisco on behalf of its Recreation and Park Department, at no cost; and making findings that such acceptance is in accordance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section, 101.1.

WHEREAS, State law dissolved the Redevelopment Agency of the City and County of San Francisco, a public body, corporate and politic (the “Former Agency”), on February 1, 2012, pursuant to California Health and Safety Code Sections 34170 et seq. (the “Redevelopment Dissolution Law”); and

WHEREAS, As a result of dissolution, the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (the “Successor Agency”) (commonly known as the Office of Community Investment and Infrastructure or “OCII”), assumed all of the remaining authority, rights, powers, duties, and obligations of the Former Agency and became the owner of all of the Former Agency’s real property; and

WHEREAS, The Redevelopment Dissolution Law requires that OCII dispose of the Former Agency’s real property pursuant to a Long Range Property Management Plan (“PMP”), that identifies, among other things, those properties that were constructed and used for a governmental purpose, such as parks, and are to be transferred to the City and County of San Francisco (“City”), all pursuant to California Health & Safety Code Section 34191.5; and
WHEREAS, The Board of Supervisors has previously approved, by Resolution No. 51-17 (March 10, 2017), the acceptance of affordable housing assets that OCII is required to transfer to the Mayor’s Office of Housing and Community Development under the Redevelopment Dissolution Law; and

WHEREAS, In preparing the PMP, OCII consulted with the City regarding the appropriate disposition of Former Agency properties constructed and used for governmental purposes; and

WHEREAS, The Oversight Board of the City and County of San Francisco, approved, by Resolution Nos. 12-2013 (November 25, 2013) and 14-2015 (November 23, 2015), a PMP that estimated the transfer of Shoreview Park to the City by 2016/2017; and

WHEREAS, The California Department of Finance (“DOF”) approved the PMP on December 7, 2015; and

WHEREAS, DOF has objected to the delay in the transfer of governmental purpose properties to the City and has disallowed certain OCII expenditures for costs associated with such properties: “[P]roperties approved for transfer for governmental use should immediately be transferred to the City and County.” (Letter, J. Howard, DOF, to B. Mawhorter, OCII, Re: “2017-18 Annual Recognized Obligation Payment Schedule (May 17, 2017)); and

WHEREAS, The Board of Supervisors has previously approved, by Resolution No. 144-14 (May 13, 2014), the acceptance and expenditure of Community Development Block Grant program income from OCII for capital improvements to Shoreview Park, in an amount initially estimated at $1,149,746 and which now totals $1,962,200; and

WHEREAS, On March 16, 2017, the Recreation and Park Commission recommended, by Resolution No. 1703-007, that the Board of Supervisors approve the transfer of Shoreview Park to the City; and
WHEREAS, The City’s acquisition of the park will further the Recreation and Park Commission’s mission, as articulated in its Strategic Plan Objective 1.1: Develop more open space to address population growth in high-needs areas and emerging neighborhoods, by providing enriching recreational activities, beautiful parks, and preserving the environment for the well-being of San Francisco’s diverse community; and

WHEREAS, This Board desires to accept the conveyance of Shoreview Park (the “Conveyance”) pursuant to a quitclaim deed (the “Deed”), in substantially the form filed with the Clerk of the Board of Supervisors in File No. 170630; and

WHEREAS, The transfer of Shoreview Park at no cost to the City fulfills the requirements of the Redevelopment Dissolution Law and constitutes a donation of Real Property for purposes of Chapter 23 of the San Francisco Administrative Code; and

WHEREAS, The Planning Department of the City (the “Planning Department”) determined that the Conveyance is not a project under the California Environmental Quality Act (“CEQA”) Guidelines Sections 15060(c) and 15378 found that the Conveyance is consistent with the City’s General Plan, and with the eight priority policies of Planning Code, Section 101.1 for the reasons set forth in the May 15, 2017 letter from the Planning Department, which is on file with the Clerk of the Board of Supervisors in File No. 170630; now, therefore, be it

RESOLVED, That the Board hereby finds that the Conveyance is consistent with CEQA and the Conveyance is not defined as a project and is consistent with the General Plan, and with the eight priority policies of Planning Code, Section 101.1 for the same reasons set forth in the letter of the Planning Department, dated May 15, 2017, and hereby incorporates such finding by reference as though fully set forth in this Resolution; and, be it

FURTHER RESOLVED, That in accordance with the recommendations of the City’s Director of Property, the Board hereby approves and authorizes the Director of Property (or
his or her designee), along with the General Manager of the Recreation and Park Department to accept said Deed on behalf of the City, and to execute any such other documents that are necessary or advisable to complete the transaction contemplated by the such Deed and to effectuate the purpose and intent of this Resolution; and, be it

FURTHER RESOLVED, That the Board authorizes the Director of Property (or his or her designee) and the General Manager of the Recreation and Park Department, in consultation with the City Attorney, to enter into any additions, amendments or other modifications to the Deed that the Director of Property and General Manager determine are in the best interests of the City, do not decrease the revenues of the City in connection with the Conveyance, or otherwise materially increase the obligations or liabilities of the City, and are in compliance with all applicable laws, including the Redevelopment Dissolution Law and the City’s Charter; and, be it

FURTHER RESOLVED, Any such actions are solely intended to further the purposes of this Resolution, and are subject in all respects to the terms of this Resolution, and such official shall consult with the City Attorney before execution of documents that include amendments from what was previously submitted to the Board, and thereafter provide to the Clerk of the Board the final document, as signed by all parties, together with a marked copy to show any changes, within 30 days of execution, for inclusion in the official file; and, be it

FURTHER RESOLVED, That all actions authorized and directed by this Resolution and heretofore taken are hereby ratified, approved and confirmed by this Board of Supervisors.
Recommended:

[Signature]

General Manager
San Francisco Recreation and Parks Department

[Signature]

Director of Property
Resolution authorizing and approving the acceptance of Shoreview Park, located at 1 Lillian Court, from the Office of Community Investment and Infrastructure to the City and County of San Francisco on behalf of its Recreation and Park Department, at no cost; and making findings that such acceptance is in accordance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section, 101.1.

June 12, 2017 Land Use and Transportation Committee - RECOMMENDED AS COMMITTEE REPORT

June 13, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170630

I hereby certify that the foregoing Resolution was ADOPTED on 6/13/2017 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

May 13, 2017

Date Approved