HUNTERS POINT SHIPYARD

ARTIST COMMUNITY and COMMERCIAL KITCHEN

FINAL Relocation Plan

San Francisco, California

PREPARED FOR

OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE
(SUCCESSOR AGENCY OF THE SAN FRANCISCO REDEVELOPMENT AGENCY)

BY

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1. INTRODUCTION

The approximately 492-acre Hunters Point Shipyard (“Shipyard”) is located on the prominent peninsula along San Francisco’s southeastern waterfront between the City’s Financial District and San Francisco International Airport.

Congress authorized the U.S. Department of the Navy (“Navy”) to transfer the Shipyard to the San Francisco Redevelopment Agency (“SFRA”, now Office for Community Investment and Infrastructure, “OCII”) under special terms, and in 1997, the Board of Supervisors adopted the Hunters Point Shipyard Redevelopment Plan. In 1999, the SFRA Commission selected CP Development Co., LP (“Developer”) as the Master Developer of the Shipyard. In 2004, the Developer signed a Disposition and Development Agreement for Shipyard Parcel A (“Phase 1 DDA”) and in 2010 the Developer signed a Disposition and Development Agreement for the remaining parcels (“Phase 2 DDA”).

OCII and the Developer are presently in various stages of redevelopment of portions of the Shipyard, including Parcel A and Parcel B1 (the “Project”). The Project site is presently occupied by a non-residential community of nearly 300 artists and a commercial kitchen, which has been in place since the early 1980’s. This community is comprised of a broad and eclectic group of artists who work in media ranging from water color paint to photography to sculpture.

Development of the Project will necessitate demolition of current studio spaces and the commercial kitchen on Parcel A and B1, with the exception of those studios within Building 101. Thus, the artists and commercial kitchen occupying buildings on these parcels will be required to move. As described in detail below, certain displacees will be eligible to receive advisory services and relocation assistance benefits as a result of the need to move. Additionally, the Developer will construct replacement facilities for certain displacees in accordance with required community benefits of the Phase 2 DDA.

Pursuant to the Redevelopment Plan, relocations are required to be carried out in accordance with the Uniform Relocation Assistance and Real Property Act (“URA”) and its implementing regulations (49 Code of Federal Regulations, Part 24). Because OCII is a local public agency in the State of California, and the Project is receiving funds from OCII, relocation assistance must also be provided in accordance with the California Relocation Assistance Law (“CRAL”) (California Government Code Sections 7260 et seq.), and the California Relocation Assistance Guidelines (the “Guidelines”) (25 California Code of Regulations Sections 6000 et seq.). Access to these materials is described in Attachment 4.

The URA requires displacing agencies to conduct relocation planning in the event there will be displacements caused by a proposed project. Due to the number of expected displacements by the Project, the Guidelines also require that OCII prepare a “Relocation Plan”. The Relocation Plan has been prepared to conform to statutes and regulations established by the URA, the Guidelines, and CRAL, and includes the following topics:

- description of the Project,
- analysis of the anticipated impact the Project would have on the occupants of the Shipyard,
- availability of potential replacement sites for impacted occupants,
- eligibility for relocation benefits,
- relocation advisory services that will be offered,
- relocation assistance that will be offered,
- the estimated cost associated with carrying out the relocation program, and
- timeline of relocation activities.
The Relocation Plan is required to be approved by the Commission on Community Investment and Infrastructure (“Commission”). The Commission was created pursuant to Board of Supervisors Ordinance No. 215-12 (October 4, 2012), which implemented the state law that dissolved the San Francisco Redevelopment Agency (California Health and Safety Code Sections 34170 et seq.). The Commission exercises land use, development, and design approval authority for the OCII Redevelopment Projects, which include Mission Bay, Hunters Point Shipyard/Candlestick Point and Transbay, and manages the former Redevelopment Agency assets in place of the former San Francisco Redevelopment Agency Commission.

Under the Community Benefits Plan of the Phase 2 DDA, the Commission must also approve an “Artist Relocation Plan,” the purpose of which is to ensure that certain artists have the right to move to new on-site studio space. The Phase 2 DDA defines these artists as “existing artists lawfully occupying the Shipyard Site who are required to move in connection with any rehabilitation, renovation, or new development on the Project Site, including artists who lawfully occupied Building 103 after July 1, 2008 but were required to move before the Reference Date [June 3, 2010].” Section 3.4 (a) (i) of the Community Benefits Plan at page G-6 of the Phase 2 DDA. Eligible artists under the Artist Relocation Plan are also referred to as “Relocating Artists.” The Phase 2 DDA specifically requires that the Artist Relocation Plan be developed in consultation with the Relocating Artists and the CAC.

The Artist Relocation Plan fulfills contractual obligations under the Phase 2 DDA whereas the aforementioned Relocation Plan fulfills federal and state statutory and regulatory requirements. The Artist Relocation Plan potentially provides greater benefits to eligible displacees by allowing them to move into on-site “Replacement Facilities” which include a “Replacement Studio Building” and a “Replacement Commercial Kitchen”. To facilitate the review and implementation of the Relocation Plan and the Artist Relocation Plan, this document includes the essential elements of both plans and establishes uniform eligibility standards.

Overland, Pacific & Cutler, Inc. (“OPC”), an experienced public real estate services firm, specializing in the planning and implementation of relocation processes, prepared this Relocation Plan. OPC will provide all required relocation assistance for the Project under the direction and oversight of OCII.

In accordance with Section 6038 of the Guidelines, a draft of the Relocation Plan was made available for a 30-day public review and comment period prior to submittal to the Commission for approval. The draft Relocation Plan was released for public review and comment on Wednesday, June 3rd, 2015. The public comment period ended on Friday, July 3rd, 2015. Comments and responses were incorporated into the Final Relocation Plan and are specifically addressed in Attachment 5.
2. THE PROJECT DESCRIPTION

The approximately 492-acre Hunters Point Shipyard ("Shipyard") is located on the prominent peninsula along San Francisco's southeastern waterfront between the City's Financial District and San Francisco International Airport. Candlestick Point is immediately to the southwest while the Port of San Francisco and the Mission Bay project are to the north of the Shipyard. The predominantly flat peninsula is punctuated by Hunters Point Hill which offers incredible vistas and view corridors for future residential development.

The Shipyard was included on the Navy's 1991 Base Realignment and Closure (BRAC) list. In 1993, the San Francisco Board of Supervisors designated the Shipyard as a Redevelopment Survey Area. Congress then authorized the Department of Defense to transfer the Shipyard to the City under special terms, and in 1997, after an extensive multi-year community planning effort, the Board of Supervisors adopted the Hunters Point Shipyard Redevelopment Plan. In March of 1999, the SFRA Commission selected the Developer as the Master Developer of the Shipyard.

The Shipyard has been divided by the Navy into 15 primary parcels (A, A1, B1, B2, C, D1, D2, E, E2, G, IR7-18, UC1, UC2, UC3, and F) for the purpose of determining required levels and procedures for hazardous materials remediation. Some primary parcels are further subdivided. Please see Image 1 for a map of these parcels below.

In 2004, the Developer signed a Development and Disposition Agreement for Parcel A ("Phase 1 DDA") and in 2010 the Developer signed a DDA for the remaining parcels (as amended from time to time "Phase 2 DDA"). The method to access these materials is described in Attachment 4. Funding for the redevelopment of the Parcels will come from private sources and OCII.

OCII and the Developer are presently in various stages of the redevelopment of portions of the Shipyard. The redevelopment of Parcel A and B1 is herein after referred to as the Project. The Project site is presently occupied by a non-residential community of nearly 300 artists and a commercial kitchen, which has been in place since the early 1980's. This community is comprised of a broad and eclectic group of artists who work in media ranging from water color paint to photography to sculpture.

Development of the Project will necessitate demolition of all current studio spaces and the commercial kitchen on Parcels A and B1, with the exception of those studios within Building 101. Thus, the artists and commercial kitchen occupying buildings 104, 110, 115, 116, 117 and 125 will be required to move. Occupants of Parcel A and B1 that are required to move as a result of the Project and former tenants of building 103 that have already moved are collectively referred to as the "Displacees". As described in detail below, certain Displacees will be eligible to receive advisory services and relocation assistance benefits.

The Relocation Plan applies to Shipyard Parcels A and B1 ("Parcels"). These Parcels are planned to be redeveloped by the Developer with a mix of residential and commercial uses, including multi-family residential units (both for sale and for rent) and neighborhood-serving retail and community facilities. In accordance with the Phase 2 DDA, the Project will clear the selected structures on the Parcels slated for redevelopment and will include the construction of certain replacement facilities that will replace studios and spaces in to be demolished structures.

Image 1 below displays the Shipyard redevelopment site (and Candlestick Point) relative to the greater Bayview/Hunters Point Area, which sits to the east of US Highway 101 adjacent to Candlestick Park. Image 2 below displays the locations of the current Displacee studio buildings (103, 104, 110, 115,
116, 117 and 125) planned for demolition on Parcel B. **NOTE: Building 101, on Parcel A shown in Image 2 will not be demolished. Building 110 on Parcel A will be demolished.**

Image 1: Project Area

Image 2: Area of Impact
3. EXPECTED PROJECT IMPACTS AND NEEDS ASSESSMENT METHODOLOGY

The primary impact of the Project on the artists is the demolition of the existing buildings where they presently have studio space. This will permanently displace them from that space. The impact will be mitigated by the development of new space in close proximity to their existing space which will be available for certain Displacees as further described in Section 4.

URA, CRAL, and the Guidelines require OCII to prepare a needs assessment and determine the Project’s potential impacts on eligible Displacees. To conduct this assessment, OPC collected occupancy, use, and dimension data from all Displacees and Displacee studio spaces located at the Shipyard. The data was used to 1) identify individual needs of the Displacees; 2) determine the amount of space required to replace the artist studio space and commercial kitchen space lost from the removal of buildings 103, 104, 110, 115, 116, 117 and 125; 3) assist with the design of the Replacement Facilities to be developed by the Developer; and 4) assist OPC in developing the Relocation Plan for implementation on behalf of OCII.

In order to obtain the necessary data, OPC conducted interviews with the Displacees. From June through November 2011, OPC conducted in person and telephone interviews or communicated via email with Displacees to collect the data. Where no personal contact was possible with a Displacee, OPC obtained information from the master tenants of the respective buildings.

In early 2014, OCII and the Shipyard Trust for the Arts (STAR) conducted a follow up survey to capture the number of Displacees who were interested in moving into the Replacement Studios and to confirm space needs for those Displacees. This information was used to finalize the building design for the Replacement Studios which was approved by the Commission in May 2014.

Based on the results of the needs assessment, and including the former occupants of building 103 and those occupying buildings 104, 110, 115, 116, 117 and 125, as many as 146 eligible Displacees (including the commercial kitchen) may be displaced by the Project. See below tables:
Table 1: Impact Snapshot

<table>
<thead>
<tr>
<th>Building #</th>
<th>Number of Spaces</th>
<th>Number of Artists</th>
<th>Replacement Studio Square Footage</th>
</tr>
</thead>
<tbody>
<tr>
<td>103</td>
<td>15</td>
<td>15</td>
<td>5,200</td>
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<tr>
<td>104</td>
<td>27</td>
<td>32</td>
<td>10,981</td>
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<tr>
<td>110</td>
<td>12</td>
<td>17</td>
<td>4,009</td>
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<td>115</td>
<td>15</td>
<td>18</td>
<td>8,683</td>
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<td>116</td>
<td>24</td>
<td>24</td>
<td>13,015</td>
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<tr>
<td>117</td>
<td>22</td>
<td>25</td>
<td>10,696</td>
</tr>
<tr>
<td>125</td>
<td>16</td>
<td>15</td>
<td>7,319</td>
</tr>
<tr>
<td>Total</td>
<td>131</td>
<td>146</td>
<td>59,904</td>
</tr>
</tbody>
</table>

Table 2: Artist by Media

<table>
<thead>
<tr>
<th>Building #</th>
<th># of Painters</th>
<th># of Sculpture s</th>
<th># of Mixed Media</th>
<th># of Woodwork</th>
<th># of Writers</th>
<th># of Other</th>
<th>Teachers</th>
<th>Kilns</th>
</tr>
</thead>
<tbody>
<tr>
<td>103</td>
<td>Not Surveyed</td>
<td>Not Surveyed</td>
<td>Not Surveyed</td>
<td>Not Surveyed</td>
<td>Not Surveyed</td>
<td>Not Surveyed</td>
<td>Not Surveyed</td>
<td></td>
</tr>
<tr>
<td>104</td>
<td>17</td>
<td>1</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>#1109</td>
<td></td>
</tr>
<tr>
<td>110 *</td>
<td>4</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>115</td>
<td>5</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>#G</td>
<td></td>
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<tr>
<td>116</td>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>#10</td>
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<td>117</td>
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<td>#A</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>5</td>
<td>15</td>
<td>2</td>
<td>2</td>
<td>17</td>
<td>6</td>
<td>1</td>
</tr>
</tbody>
</table>

Note: * Excludes Cookery and Hammond Events
Of the approximate 146 eligible Displacees, many are expected to qualify to receive assistance to move personal property. It is not expected that many, if any, artist Displacees within this category will require the dismantling, disconnection, movement, reassembly and reconnection of trade furnishings, fixtures and equipment, or replacement of obsolete items. If needed, such services will be provided to Displacees. Displacees may qualify as a business and receive assistance directed at business operations. The requirements for qualifying as a business are described in section 7 of this Plan.

OCII and the Developer are presently working with the commercial kitchen (currently operating in Building 110) to finalize its relocation to the Replacement Kitchen. Based on the needs assessment, this business will require assistance with the disassembly, disconnection, reassembly and reconnection of equipment, as well as replacement or substitution of personal property.

4. PROGRAM ELIGIBILITY

All relocation programs must establish the date on which a person becomes eligible to receive relocation assistance. This date is referred to in short-hand as the Initiation of Negotiations (ION). To be eligible to receive relocation assistance under URA, Guidelines and CRAL a Displacee must occupy the property prior to the ION. OCII will confirm a Displacee’s eligibility to receive relocation assistance in a Notice of Eligibility (NOE) letter issued by OCII to the Displacee. Prior to receipt of the NOE, eligibility for assistance and benefits is not confirmed, and a Shipyard occupant may risk eligibility or the right to claim reimbursement for expenses should they move before receipt of an NOE.

As applied to this project, eligibility for relocation assistance began on the date the Developer entered into a Phase 2 DDA with OCII, which was June 3, 2010. Displacees who occupied a studio at the Shipyard on or before June 3, 2010 may be eligible to receive relocation assistance.

There has been tenant turnover at the Shipyard after the ION date. New tenants may not have been consistently informed in writing about the upcoming relocation activities by their landlords. As a result, OCII has exercised its discretion to extend the relocation assistance eligibility date to May 20, 2014 (Cut-off Date) – the date when the Schematic Design for the Replacement Studios was approved by the Commission. Displacees who occupied a studio at the Shipyard on or before the Cut-off Date may be eligible to receive relocation assistance.

NOTE: Being eligible for relocation assistance under the law is different from being entitled to a Replacement Studio (“Relocating Artist”), which is a separate benefit under the Phase 2 DDA, as discussed in further detail in Section 5.

OPC will begin the eligibility determination process in summer of 2015. As part of this effort, OPC will ascertain, among other things: (a) whether a Displacee intends to move into the Replacement Studios or relocate from the Shipyard, (b) whether an eligible Displacee prefers to use professional moving services or move themselves (the move options are explained in detail in Section 11), and (c) what requirements, if any, an eligible Displacee may have for special handling and packing of their moveable personal property. Communication regarding these matters will include in-person, email, and phone-based conversations.
5. REPLACEMENT RESOURCES AND PLANNED REPLACEMENT SPACE

In accordance with the Artist Relocation Plan required under the Phase 2 DDA Community Benefits Plan, Relocating Artists have the right to move to new space that will be constructed on-site. This benefit is beyond what is required by the relocation law. Neither the URA or California Relocation Law require this type of benefit to be provided; typically a displaced person would receive referrals to a replacement space from the Displacing Agency’s Relocation Agent and, with the assistance of the Relocation Agent, the Displacee would search for alternative space outside the Project site. This Project goes over and above what is required under State and Federal relocation law.

Under the Phase 2 DDA, the Developer will construct Replacement Facilities which include a Replacement Studio Building and a Replacement Commercial Kitchen. The Artist Relocation Plan must provide that (1) Developer and OCII will reasonably endeavor to ensure that all Relocating Artists are provided the opportunity to move directly into the Replacement Facilities, (2) Relocating Artists in Buildings 104, 115, 116 and 117 may remain in their existing studios until the New Shipyard Artist Studios are available for occupancy, (3) if safe for occupancy, Building 103 will be made available for use by Relocating Artists from Buildings 110 and 125 until the New Shipyard Artists Studios are available for occupancy and (4) if studio space in Building 103 is insufficient to accommodate all Relocating Artists, then additional temporary studio space required to accommodate such remaining Relocating Artists shall be made available, including in other existing buildings on Parcels A and B that are not scheduled to be demolished in the Initial Sub-Phases and are safe for occupancy.

This portion of the Final Relocation Plan, which includes the Artist Relocation Plan fulfills the Phase 2 DDA obligations in the following manner:

1. With the exception of Building 103 tenants, the construction of the Replacement Facilities is being phased such that Relocating Artists in Building 104, 115, 116, 117 and 125 will be able to move directly from their existing studios into the Replacement Studio Building. Building 103 tenants that relocated off the Shipyard, and Building 110 artists that relocated to other Shipyard studio space, will also have the right to move into the Replacement Studio Building.

2. Relocating Artists in Building 104, 115, 116, and 117 will be allowed to remain in their existing studios, and will have the opportunity to move directly into the Replacement Studio Building.

3. Building 103 has been vacant since 2009. Relocating Artists in Building 110 were relocated to other Shipyard studio spaces, primarily in Building 101. Artists in Building 125 will remain in their existing studios until the Replacement Studio Building is available for occupancy.

4. No artists were required to be relocated into Building 103, nor was additional temporary studio space required to accommodate the relocation.

In accordance with the Phase 2 DDA, the Developer is replacing studio spaces that existed and were occupied in June 2010, when the Phase 2 DDA was executed. Displacees indicated their space requirements as part of the needs assessment and as a result a final Schematic Design for the Replacement Kitchen was approved by the Commission on April 13, 2014 and a final Schematic Design Replacement Studios was approved by the Commission on May 20, 2014.

There has been tenant turnover at the Shipyard since June 2010. New tenants may not have been consistently informed in writing about the upcoming relocation activities by their landlords. As a result, OCII has exercised its discretion to extend the replacement studio eligibility date to May 20, 2014.
off Date). Accordingly, displaced artists who occupied a studio at the Shipyard on or before the Cut-off Date may qualify as “Relocating Artists” who are eligible for a space in the Replacement Facilities.

The Replacement Facilities will significantly assist in ensuring that replacement space is available to Displacees. For those Relocating Artists that move to a Replacement Studio, the need for relocation assistance under the relocation law is expected to be significantly diminished, because identification of alternative off-site replacement space is not expected to be a principal concern.

If an eligible Displacee does not qualify as a Relocating Artist or elects to move from the Shipyard, that Displacee would be provided referrals to artist studio facilities in locations of his or her choosing. It should be noted, however, that reimbursement of moving costs will only be provided for moves of up to 50 miles from the Shipyard; any distance beyond 50 miles is the responsibility of the Displacee.

There are several major public projects occurring concurrent with this Project within San Francisco, including the Central Subway Project and the development of the Transbay Transit Center. However, these concurrent projects do not involve significant numbers of artist relocations seeking replacement art studio space. Thus, these concurrent projects are not expected to have any material impact to those eligible Displacees who are required to move as a result of this Project.

6. RELOCATION ADVISORY SERVICES

OPC staff is available to assist the Displacees with questions about relocation and/or assistance in relocating. OPC’s relocation advisors may be contacted for relocation matters between 8:00 a.m. and 5:00 p.m., Monday through Friday at (510) 638-3081. Other times are available by appointment.

A comprehensive relocation assistance program, with technical and advisory assistance, will be provided to eligible Displacees. Specific activities will include but may not be limited to:

- Distribution of informational materials;
- Referrals to replacement spaces if requested; and
- Assistance with relocation planning and execution to relocate personal property to the replacement space including:
  - Review of all relocation assistance needs with the displacee,
  - Scheduling the Displacees move with the moving company selected for the project,
  - Accompanying the moving company on a pre-move out inspection to identify personal property special handling,
  - Preparing any bids that may be needed for services not within the moving vendors scope of work, and
  - Preparation of any required claim form and processing for payment.

All Displacees will receive at a minimum, the following notifications prior to their relocation:

- An informational brochure outlining the relocation program, benefits and advisory services - Sample shown in ATTACHMENT 2A.
- A Notice of Eligibility for Relocation Assistance (NOE) – Sample shown in ATTACHMENT 2B.
- A 90 Day Notice to Vacate (Sample shown in ATTACHMENT 2C) and 30 Day Notice to Vacate (Sample shown in ATTACHMENT 2D).
7. RELOCATION BENEFIT CATEGORIES

Benefits and relocation services will be provided in accordance with the URA, CRAL and Guidelines.

Displacee may fall into either Category 1 (Personal Property Move) or Category 2 (Business Move) each described in further detail below. Under a Personal Property Move, Displacees are eligible to receive payments for the actual, reasonable and necessary costs to move the artist's personal property from their currently occupied space. Displacees that qualify as a “business” under the law are eligible for relocation benefits described in Category 2 below.

Eligibility for specific benefits will be communicated in the NOE provided to each Displacee. In the course of eligibility surveys (in person, on the phone and/or over email) and follow-up visits, the Displacee will be counseled on the available options to them. Should it become apparent a Displacee’s eligibility should be changed, a revised NOE would be provided.

7.1. CATEGORY 1 – PAYMENT FOR PERSONAL PROPERTY MOVE

Displacees within Category 1 are eligible to claim reimbursement for actual, reasonable, and necessary moving expenses (Moving Expenses) and other related expenses (Related Expenses) for moving personal property from their current space.

Under the URA, CRAL, and Guidelines, to qualify for Category 1 reimbursement, a Displacee must demonstrate that he or she was required to move his or her personal property from the current space as a result of the Project. OCII reserves the right to require Displacees to provide sufficient evidence as may be necessary to demonstrate eligibility under this Category 1.

If a Displacee satisfies the eligibility requirements, OPC will provide the Displacee with an NOE that is reflective of the Displacee’s needs based upon the findings of the relocation eligibility survey.

Under this Category 1, actual Moving Expenses related to moving items such as supplies, moveable shelving, non-complex moveable equipment and trade fixtures, and art work from the Shipyard are covered. Eligible Moving Expenses under Category 1 may include:

1. Transportation of the displaced person and personal property.
2. Packing, crating, unpacking, and uncrating of the personal property.
3. Disconnecting, dismantling, removing, reassembling, and reinstalling personal property.
4. Storage of the personal property for up to 12 months if a Displacee is downsizing their space and requires storage to facilitate an orderly and timely move.
5. Insurance for the replacement value of the property in connection with the move.
6. The replacement value of property lost, stolen, or damaged in the process of moving.

In addition to the Moving Expenses described above, the URA, CRAL, and Guidelines provide for possible reimbursement of certain Related Expenses such as cost of connection to available nearby utilities from the right-of-way; due to the nature of Displacee usage of the Shipyard, OCII does not anticipate that any Displacees eligible under Category 1 will qualify for this category of expenses.

Under this Category 1, a Displacee may select from two options for moving personal property – (A) Professional Move, or (B) Self Move.
7.1.1 - PROFESSIONAL MOVE

Under Category 1, a Displacee may elect to have his or her personal property moved by professional movers. **OCII will contract with one or more professional moving contractors and provide the Displacee with their services.** The professional move will be coordinated with the Displacee by OPC in accordance with a schedule developed and agreed upon with OCII and the Developer. All professional moving services, including material, labor, and replacement insurance, will be paid for directly by OCII. Therefore, the Displacee will not experience any out-of-pocket payments and will not be required to submit reimbursement paperwork to OPC for the move. The movers will assist the Displacee with packing and unpacking its property, if requested.

Should a Displacee elect to use a professional moving company other than the company hired by OCII, the Displacee will be reimbursed for the actual eligible invoiced cost not to exceed the lowest bid obtained by OCII for moving services. As with all claims for reimbursement, Displacees will be required to provide adequate receipts and other “back up” documentation to substantiate the actual, reasonable, and necessary nature of any claimed costs. A sample claim form for actual and reasonable moving expenses is provided in Attachment 2E. OCII encourages Displacees to inform OCII about plans of using a self-hired moving company as soon as possible, so arrangements for a smooth expeditious implementation and reimbursement can be made.

7.1.2- SELF MOVE

Instead of a Professional Move, a Displacee under Category 1 may elect to perform his or her own move of personal property (or a “Self Move”). Eligible Displacees who wish to perform a Self Move will be compensated in accordance with a moving payment schedule to be finalized after bids for professional moving services are received and the reasonable cost to compensate an occupant to perform a Self Move can be established. The preliminary schedule is as follows and is based on the square footage of the space the Displacee occupies or uses. This schedule may be adjusted to reflect current transportation costs prior to moves. The Displacee will be provided the maximum Self Move payment he or she is eligible to receive in the NOE based on the findings of OPC conducted relocation eligibility survey.

<table>
<thead>
<tr>
<th>Studio Size (Up to X Square Feet)</th>
<th>Maximum Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>250</td>
<td>$500</td>
</tr>
<tr>
<td>500</td>
<td>$750</td>
</tr>
<tr>
<td>750</td>
<td>$1,000</td>
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Displacees opting to make a Self Move will be required to sign a claim prepared by OPC in order to receive the payment described above. Payment will be provided to the Displacee with 50% of the amount to be paid two weeks in advance of the move and the remainder to be paid upon the Displacee’s completion of the Self Move and vacation of its studio. OCI encourage Displacees to inform OPC about plans of performing a self-move as soon as possible, so arrangements for a smooth implementation and expeditious reimbursement can be made.

7.2 - CATEGORY 2 - REIMBURSEMENT FOR MOVING EXPENSES, RELATED EXPENSES, AND REESTABLISHMENT EXPENSES FOR BUSINESS OPERATIONS

In cases where the Displacee from the Shipyard is a bona fide business that satisfies the requirements under the URA, CRAL and Guidelines, he or she will be afforded the opportunity to claim reimbursement under Category 2 for actual, reasonable and necessary moving expenses (Moving Expenses), other related expenses (Related Expenses), and reestablishment expenses (Reestablishment Expenses).

As relevant here, a “business” is defined by the URA, CRAL and Guidelines as any lawful activity conducted primarily for:

- The manufacture, processing, and/or marketing of products, commodities and/or other personal property; or
- The sale of services to the public.

Under the URA, CRAL and Guidelines, in order to be classified as a “business” eligible to claim benefits under this Category 2, the Displacee business must meet the following requirements:

1. The Displacee business activity at the Shipyard must be lawful;
2. The primary activity of the Displacee business at the Shipyard must be making products for sale to the public, or providing services for sale to the public;
3. The Project must have caused the Displacee business to move its business from the Shipyard to a new location.

As evidence of the above requirements, the Displacee business will be required to provide all of the following documentation:

1. A business license with an effective date prior May 20, 2014 (the Cut-off Date);
2. The business’s tax returns from the two years prior to May 20, 2014 (tax years 2012 and 2013), providing gross and net earnings from the sale of those products or services manufactured at or sold from the Shipyard (such as the sale of art work); and

Further, and as provided in the URA, CRAL and Guidelines, in order to claim Reestablishment Expenses for Business Operations, the Displacee business must demonstrate that its economic

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activity at the Shipyard contributes materially to the income of the business owner ("Material Contribution"). To meet this Material Contribution requirement, the Displacee business will be required to provide documentation that during tax years 2012 and 2013, the Displacee business:

1. Had average annual gross receipts of at least $5,000; or
2. Had average annual net earnings of at least $1,000; or
3. Contributed at least 33 1/3 percent to the business owner’s average annual gross income from all sources.

The average annual net earnings of the Displacee business will be based on one-half of its net earnings before Federal, State and local income taxes during the two taxable years immediately prior to the taxable year in which you move. A Displacee business must provide OCII with proof of net earnings through income tax returns, certified financial statements or other reasonable evidence, as OCII determines is satisfactory.

OCII reserves the right to require such other or additional evidence as may be necessary to determine whether a Displacee qualifies as a “business” eligible for business-related Moving Expenses, Related Expenses, and Reestablishment Expenses under the above standards.

If a Displacee satisfies the above eligibility requirements, OPC will provide the Displacee with an NOE that is reflective of the Displacee’s needs based upon the findings of the relocation eligibility survey.

Under this Category 2, OCII may reimburse the Displacee business for actual Moving Expenses related to moving items such as supplies, equipment and trade fixtures, and art work from the Shipyard. Eligible Moving Expenses under Category 2 may include the same Moving Expenses listed in Category 1 above (and Displaces may take advantage of the OCII hired moving company to eliminate the need for out-of-pocket expenses and reimbursement claims) plus potentially certain additional expenses unique to bona fide businesses, such as:

1. Subject to certain limitations, the costs of licenses, permits, fees, or certifications relating to the business (example expenses under this category include transfer of a business license to the new space, mandatory inspection of equipment or facilities by the City and County of San Francisco, or mandatory equipment or hazardous material storage and disposal).
2. Reasonable and pre-authorized professional services for planning, moving, and installing specialty materials and equipment that OCII’s professional moving contractor cannot plan, move, and install.
3. Relettering business signs and replacing business stationery on hand at the time of displacement that are made obsolete as a result of the move.
4. Subject to certain limitations, the reimbursement of actual direct loss of tangible personal property resulting from moving or discontinuing the business.
5. The reasonable cost incurred in attempting to sell an item of the business that is not to be relocated.
6. Subject to certain limitations, the purchase and installation of substitute personal property.
7. Actual, and reasonable expenses incurred in searching for a replacement business location, not-to-exceed $2,500.

In addition to the Moving Expenses describe above, the URA, CRAL, and Guidelines provide for possible reimbursement of certain Related Expenses for displaced businesses.

If, as described earlier, a Displacee business meets the additional criteria required to claim Reestablishment Expenses for a bona fide business, reimbursement may also be available for the
actual and reasonable expenses necessary to reestablish the business at its new location, not-to-exceed $25,000. Examples of Reestablishment Expenses that may be considered for reimbursement include advertising, redecoration and certain increased costs of operation at the new location such as rent.

The following is a non-exclusive listing of expenses not eligible for reimbursement as Reestablishment Expenses:

- Purchase of capital assets, such as office furniture, filing cabinets, and machinery or trade fixtures.
- Purchase of manufacturing material, production supplies, product inventory or other items used in the normal course of the business operation.
- Interest on funds borrowed to accomplish the move.

Displacee businesses that intend to claim benefits under this Category 2 are required to obtain advanced authorization prior to incurring costs or carrying out a move. Should a Displacee business incur costs or carry out a move without advanced authorization, claims related to such unauthorized move are subject to denial, and/or limitation to reimbursement of eligible costs in accordance with Category 1 – Payment for Personal Property Move described above.

As with all claims for reimbursement, Displacee businesses will be required to provide adequate receipts and other “back up” documentation to substantiate the actual, reasonable, and necessary nature of the costs. A sample claim form Moving Expenses is provided in ATTACHMENT 2E.

CAUTION: In order to qualify for reimbursement of the above-described expenses, you MUST:

- Provide OPC with a list or inventory of the items to be moved at least thirty (30) days in advance of the start of your move; and
- Notify OPC at least fifteen (15) days in advance of the date of the start of your move or disposition of your property; and
- Permit OPC to monitor the move; and
- Permit OPC to make reasonable and timely inspections of the personal property at both the displacement and replacement sites.

As with Category 1, a Displacee business under Category 2 may opt to receive reimbursement for the actual reasonable costs to move the business’s personal property through either (A) Professional Move, or (B) Self Move. The Professional Move and Self Move options are described in detail above.

In addition to the Professional Move and Self Move options, certain Displacee businesses under Category 2 may elect to receive a fixed payment in lieu of reimbursement for actual Moving Expenses and Related Expenses (“Fixed Payment for Businesses”). Because of the specific determinations that need to be made in order for a Displacee to be eligible for an in lieu payment, OCII does not anticipate that this option would apply to an artist who will relocate on site into a Replacement Studio. To establish eligibility for the Fixed Payment for Businesses, the Displacee business must meet the Material Contribution criteria described above and OCII must be able to determine that:

- The Displacee business owns or rents personal property which must be moved in connection with such move, and the business vacates or relocates from its displacement site.
- The Displacee business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings). A Displacee business is assumed to meet this test unless OCII determines that it will not suffer a substantial loss of its existing patronage.
• The Displacee business is not part of a commercial enterprise having more than three other entities which are not being acquired by OCII, and which are under the same ownership and engaged in the same or similar business activities.
• The Displacee business is not operated at a displacement dwelling or site solely for the purpose of renting such dwelling or site to others.

8. PAYMENT OF RELOCATION BENEFITS

The OCII relocation program is designed to reduce or eliminate the need for eligible Displacees to incur any out of pocket cost for eligible relocation services. In particular, OCII will offer professional moving services arranged by and paid for directly by OCII. However, in cases where a Displacee elects to organize and front the cost of his or her relocation, submits a documented claim for reimbursement, and reimbursement is owed, payments will be made expeditiously. Claims and supporting documentation for relocation benefits must be filed with OCII within eighteen (18) months after the date the eligible Displacee moves from the displacement property. Procedures for preparing and filing of claims and processing and delivering of payments are included in this Plan as ATTACHMENT 1.

9. APPEALS POLICY

The appeals policy will follow the standards described in Section 6150 et seq. of the Guidelines. Briefly stated, the Displacee will have the right to ask for review when there is a grievance regarding any of their rights to relocation and relocation assistance, such as a determination as to eligibility or the amount of payment. ATTACHMENT 3 provides detailed appeals guidance.

10. PROJECTED DATES OF DISPLACEMENT AND PROJECT TIMELINE

Unless prior arrangements are made, Displacees will receive a minimum of a Ninety (90)-Day Notice to Vacate before they are required to move. OPC will work with Displacees to begin move planning well in advance of the date OCII requires the site to be cleared.

The Relocation Plan must be adopted by the Commission. Below is preliminary relocation schedule.

Relocation Plan Approval

• Displacee Relocation Plan Review Workshop: June 11, 2015
• Commission Action on Relocation Plan: August 4, 2015

Building 110 Relocation

• Commence Relocation Advisory Services: Beginning June 3, 2015 through completion of moves and resolution of any claims
• Replacement Kitchen Build Out: May 2015 – October 2015
• Issue Notice of Eligibility: August 5, 2015
• Issue 90-Day Notice to Vacate to Building 110 to commercial kitchen: August 5, 2015
• Move commercial kitchen: November 2015
• Demolish Building 110: November 2015

Vacation of Buildings 104, 115, 116, 117 and 125 and Notification of all Displacees
• Construct Infrastructure and Replacement Studios: June 2015 – December 2016
• Commence Relocation Advisory Services: Date Beginning June 3, 2015 through completion of moves and resolution of any claims
• Issue Notice of Eligibility: At start of Replacement Studio Construction
• Issue 90-Day Notice to Vacate: September 2016
• Move of Displacees: January 2017

11. ESTIMATED COST ASSOCIATED WITH CARRYING OUT THE RELOCATION PROGRAM

The relocation budget estimate for this Project is $1,360,000 exclusive of any relocation administration costs. A contingency has been included in the estimate to plan for potential increases in labor and material costs as well as insurance costs associated with the relocation. Relocation assistance is based on a spend to get basis. This estimate is subject to increase or decrease based on the results of the eligibility interviews and negotiations with vendors to provide moving services. This cost estimate shall not be construed as any form of a contract, settlement, or other means of providing a specified amount of relocation assistance payment to any specific person or persons.

12. MISCELLANEOUS

12.1 EVICTION POLICY

All artists and the commercial kitchen are expected to be located on the Shipyard under a valid lease agreement or other similar arrangement. Regardless of any anticipated future displacement from a building on the Shipyard, tenants are expected to comply with the terms and conditions of their lease agreements, including obligations to pay rent, not cause waste to a property, and otherwise conform their conduct to the terms and conditions governing use of the property.

A person who is evicted from the Shipyard as a result of nonpayment of rent or serious violation of a rental agreement may jeopardize their eligibility to receive relocation assistance. OCII does not anticipate such circumstances will arise but if they do, OCII will carefully evaluate that person’s eligibility status.

12.2 TEMPORARY RELOCATION

The displacements considered in this Plan are all considered to be permanent. There is no substantial anticipated need or requirement for temporary relocations. Should any temporary relocation be required by the Project, OCII will respond appropriately, in conformance with all applicable laws and requirements in a manner that works to achieve the most minimal amount of disruption and hardship to the Displacees.
12.3 ASSURANCES AND STANDARDS

Relocation assistance services will be provided to ensure that displacement does not result in arbitrary or unlawful discrimination or different or separate treatment of occupants based on race, color, religion, national origin, sex, marital status, familial status, disability or any other basis protected by the applicable provisions of the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the California Fair Employment & Housing Act, and the Unruh Act.

Displacees will not be permanently displaced without a minimum of a ninety (90) days advance written notice.

The appropriate arrangements will be made to serve the needs and provide services to Displacees with special needs (such as mobility limitations). No language needs other than English have been identified. Should additional language requirements be identified, relocation notices and other communications will be translated as necessary.
# TABLE OF ATTACHMENTS

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<th>ATTACHMENT</th>
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<tr>
<td>1</td>
<td>Relocation Payment Policy and Procedures for Relocation Payments and Assistance</td>
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| 2          | Draft Relocation Forms  
2A - Information Statement  
2B - Notice of Eligibility  
2C - 90 Day Notice to Vacate  
2D - 30 Day Notice to Vacate  
2E - Sample Relocation Claim Form |
| 3          | Relocation Appeals Procedures |
| 4          | Reference Material (Abridged) |
| 5          | Comments and Responses |
ATTACHMENT 1:

RELOCATION PAYMENT POLICY AND PROCEDURES FOR OBTAINING RELOCATION ASSISTANCE AND PAYMENTS

Claims and supporting documentation for relocation benefits must be filed with OCII within eighteen (18) months from the date the claimant moves from the property.

The procedure for the preparation and filing of claims and the processing and delivery of payments will be as follows:

1. Claimant(s) will provide all necessary documentation to substantiate eligibility for assistance.
2. Assistance amounts will be determined by OCII or OPC in accordance with the provisions of URA, CRAL and Guidelines.
3. Required claim forms will be prepared by OPC in conjunction with claimant(s). Signed claims and supporting documentation will be submitted by relocation personnel to OCII.
4. OCII will review and approve claims for payment or request additional information.
5. OCII will issue benefit checks, which will be available for pick-up by claimants, unless circumstances dictate otherwise.
6. Final payments will be issued after confirmation that the Project area premises have been completely vacated and actual occupancy at replacement property (if applicable) is verified.
7. Receipts of payment will be obtained and maintained in OCII’s relocation case file.
ATTACHMENT 2:
DRAFT RELOCATION FORMS

2A - Information Statement
2B - Notice of Eligibility
2C - 90 Day Notice to Vacate
2D - 30 Day Notice to Vacate
2E - Sample Relocation Claim Form
ATTACHMENT 2A - DRAFT RELOCATION INFORMATIONAL STATEMENT

Displacing Agency:

San Francisco Office of Community Investment and Infrastructure (OCII)

Project Name:

Hunter Point Shipyard Artist and Commercial Kitchen Relocation

Displacing Agency Representative:

Overland, Pacific & Cutler, Inc.
7901 Oakport Street
Oakland, CA 94621
Phone: 510.638.3081
Introduction

The property on which you now conduct your non-residential use and/or business operation is in an area to be redeveloped by the Office of Community Investment and Infrastructure (“OCII”). When the project proceeds and it is necessary for you to move, you may be eligible for certain benefits. You will be notified in a timely manner as to the date by which you must move. Please read this information, as it will be helpful to you in determining your eligibility and the amount of the relocation benefits you may receive under the law. You will need to provide adequate and timely information to determine your relocation benefits. The information is voluntary, but if you do not provide it, you may not receive the benefits or it may take longer to reimburse you. We suggest you save this informational statement for reference.

OCII has retained the professional firm of Overland, Pacific & Cutler, Inc. (OPC) to provide relocation assistance to you. The firm is available to explain the program and benefits. Their address and telephone number is listed on the cover.

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE THE PROPERTY. If you move prior to receiving a Notice of Eligibility for Relocation Assistance, you may risk your eligibility for relocation assistance or the right to claim reimbursement for expenses. Please continue to pay your rent to your current landlord, otherwise you may be evicted and jeopardize the relocation benefits which you may be entitled to receive.

This is a general informational brochure only, and is not intended to give a detailed description of either the law or regulations pertaining to OCII’s relocation assistance program.
Summary of Available Relocation Assistance:

A. Advisory assistance to explain the relocation process, the related eligibility requirements, the procedures for obtaining reimbursement for moving expenses and referrals to suitable replacement locations.

B. Payment for your moving expenses. You may be eligible to receive benefits based on your eligibility under one of the following categories: (more details see Section 7)

Category 1: Payment for Personal Property Move
Category 2: Payment of Actual Reasonable Moving, Related Expenses and Reestablishment Expenses for Business Operation

C. Other help to reestablish you and minimize the impact of the move including help in preparing claim forms to request relocation payments.

If you disagree with OCII’s decision as to your right to a relocation payment, or the amount of the payment, you may appeal that decision.

GENERAL RELOCATION QUESTIONS

1. What is Relocation Law?

Pursuant to the Hunters Point Shipyard Redevelopment Plan, relocations are required to be carried out in accordance with the Uniform Relocation Assistance and Real Property Act (URA) and its implementing regulations (49 Code of Federal Regulations, Part 24). Because OCII is a local public agency in the State of California, and the Project is receiving funds from OCII, relocation assistance must also be provided in accordance with the California Relocation Assistance Law (CRAL) (California Government Code Section 7260 et seq.), and the California Relocation Assistance Guidelines (the “Guidelines”) (25 California Code of Regulations Section 6000 et seq.).

2. What is the Project?

Congress authorized the U.S. Department of the Navy (“Navy”) to transfer the Hunters Point Shipyard to the City under special terms, and in 1997, the Board of Supervisors adopted the Hunters Point Shipyard Redevelopment Plan. In 1999, the Commission of the former San Francisco Redevelopment Agency (“SFRA”; now Office for Community Investment and Infrastructure, “OCII”) selected CP Development Co., LP (“Developer”) as the Master Developer of the Hunters Point Shipyard. In 2004, the Developer signed a Disposition and Development Agreement for Shipyard Parcel A (“Phase 1 DDA”) and in 2010 the Developer signed a Disposition and Development Agreement for the remaining parcels (“Phase 2 DDA”).

OCII and the Developer are presently in various stages of redevelopment of portions of the Shipyard, including Parcel A and Parcel B1 (the “Project”). The Project site is presently occupied by a non-residential community of nearly 300 artists and a commercial kitchen, which has been in place since the early 1980’s. This community is comprised of a broad and eclectic group of artists who work in media ranging from water color paint to photography to sculpture.

3. How Will I Know I Am Eligible for Relocation Assistance?
As is explained in more detail in the Shipyard Artist and Commercial Kitchen Relocation Plan, to be eligible for relocation assistance a Displacee must have lawfully occupied a studio on the Shipyard on or before May 20, 2014 and otherwise meet the requirements of law.

OCII will confirm a Displacee’s eligibility to receive relocation assistance in a Notice of Eligibility (NOE) letter issued by OCII to the Displacee. Prior to receipt of the NOE, eligibility for assistance and benefits is not confirmed, and a Shipyard occupant may risk eligibility or the right to claim reimbursement for expenses should they move before receipt of an NOE. In the course of eligibility surveys (in person, on the phone and/or over email) and follow-up visits, the Displacee will be counseled on the available options to them. Should a needed change in eligibility become apparent, a revised Notice of Eligibility will be provided.

4. Am I Entitled to Move into the New Replacement Studio Building?

Being eligible for relocation assistance under the law is different from being entitled to a Replacement Studio, which is a separate benefit under the Phase 2 DDA. In order to be entitled to a Replacement Studio, your name must be on the Relocating Artist List, which can be obtained from OCII.

5. How Will OCII Know How Much Help I Need?

You will be contacted by OPC to request information about your current operation, as well as identify movable personal property and non-movable improvements, determine your needs and preferences for a replacement location, estimate the time required to vacate the premises, and your need for advance payments. You may want to discuss other issues relative to your move with OPC. It is to your advantage to provide as much information as possible so that, OCII through its agent OPC, can assist you in moving with a minimum of hardship.

6. How Soon Will I Have to Move?

If your name is on the Relocating Artists List, you will have the option to move directly to the Replacement Studios. Should you not be included on the Relocating Artist List or should you elect to not move to the Replacement Studios, please inform OPC as soon as possible. Every reasonable effort will be made to provide you with sufficient time to find a suitable replacement location and move from the Shipyard. If possible, a mutually agreeable date for the move will be worked out. You will not be required to move without at least 90 days advance written notice, unless there is an urgent need for vacating the property (e.g. your occupancy would present a health or safety emergency). It is important, however, that you keep in close contact with OPC and OCII so that you are aware of the time schedule for carrying out the project and the approximate date by which you will have to move.

7. What Other Assistance Will Be Available to Help Me?

If necessary and provided by law, OPC may be able to help Displacees secure the services of outside specialists, as needed, to plan the move, as well as provide assistance during the actual move and in the reinstallation of machinery and/or other personal property. The range of services depends on the needs of the person or business being displaced. You should ask OPC to tell you about the specific services that will be available to you.
8. What Kinds of Payments for Moving Expenses Will I Receive?

Eligibility for specific benefits will be communicated in the Notice of Eligibility, which will be provided to each Displacee. Eligible Displacees will receive assistance under one of two categories: 1) Personal Property Move or 2) Move of a Business Operation.

Benefits and relocation services will be provided in accordance with the Uniform Relocation Act, the California Relocation Assistance Law and the California Relocation Assistance Guidelines.

Most Shipyard artists that meet the definition of Displacee under the law are expected to fall within Category 1 (Personal Property Move) below and be eligible to receive payments for the actual, reasonable and necessary costs to move the artist’s personal property from the Shipyard. Certain artists may be able to qualify as a “business” under the law, in which case the business would fall within Category 2 (Move of a Business Operation) below.

Category 1 – PAYMENT FOR PERSONAL PROPERTY MOVE

In most cases Displacees are expected to fall within Category 1 and be eligible to claim reimbursement for actual, reasonable, and necessary moving expenses (Moving Expenses) and other related expenses (Related Expenses) for moving personal property from their current space.

Under the URA, CRAL, and Guidelines, to qualify for Category 1 reimbursement, a Displacee must demonstrate that he or she was required to move his or her personal property from the current space as a result of the Project. OCII reserves the right to require Displacees to provide sufficient evidence as may be necessary to demonstrate eligibility under this Category 1.

If a Displacee satisfies the eligibility requirements, OPC will provide the Displacee with an NOE that is reflective of the Displacee’s needs based upon the findings of the relocation eligibility survey.

Under this Category 1, actual Moving Expenses related to moving items such as supplies, moveable shelving, non-complex moveable equipment and trade fixtures, and art work from the Shipyard are covered. Eligible Moving Expenses under Category 1 may include:

1. Transportation of the displaced person and personal property.
2. Packing, crating, unpacking, and uncrating of the personal property.
3. Disconnecting, dismantling, removing, reassembling, and reinstalling personal property.
4. Storage of the personal property for up to 12 months if a Displacee is downsizing his or her space and requires storage to facilitate an orderly and timely move.
5. Insurance for the replacement value of the property in connection with the move.
6. The replacement value of property lost, stolen, or damaged in the process of moving.

In addition to the Moving Expenses described above, the URA, CRAL, and Guidelines provide for possible reimbursement of certain Related Expenses such as cost of connection to available nearby utilities from the right-of-way; due to the nature of Displacee usage of the Shipyard, OCII does not anticipate that any Displacees eligible under Category 1 will qualify for this category of expenses.

Under this Category 1, a Displacee may select from two options for moving personal property – (A) Professional Move, or (B) Self Move.
Category 1.1 - PROFESSIONAL MOVE

Under Category 1, a Displacee may elect to have his or her personal property moved by professional movers. **OCII will contract with one or more professional moving contractors and provide the Displacee with their services.** The professional move will be coordinated with the Displacee by OPC in accordance with a schedule developed and agreed upon with OCII and the Developer. All professional moving services, including material, labor, and replacement insurance, will be paid for directly by OCII. Therefore, the Displacee will not experience any out-of-pocket payments and will not be required to submit reimbursement paperwork to OPC for the move. The movers will assist the Displacee with packing and unpacking its property, if requested.

Should a Displacee elect to use a professional moving company other than the company hired by OCII, the Displacee will be reimbursed for the actual eligible invoiced cost not to exceed the lowest bid obtained by OCII for moving services. As with all claims for reimbursement, Displacees will be required to provide adequate receipts and other “back up” documentation to substantiate the actual, reasonable, and necessary nature of any claimed costs. A sample claim form for actual and reasonable moving expenses is provided in Attachment 2E. OCII encourages Displacees to inform OPC about plans of using an self-hired moving company as soon as possible, so arrangements for a smooth expeditious implementation and reimbursement can be made.

Category 1.2 - SELF MOVE

Instead of a Professional Move, a Displacee under Category 1 may elect to perform his or her own move of personal property (or a “Self Move”). Eligible Displacees who wish to perform a Self Move will be compensated in accordance with a moving payment schedule to be finalized after bids for professional moving services are received and the reasonable cost to compensate an occupant to perform a Self Move can be established. The preliminary schedule is as follows and is based on the square footage of the space the Displacee occupies or uses. This schedule may be adjusted to reflect current transportation costs prior to moves. The Displacee will be provided the maximum Self Move payment he or she is eligible to receive in the Notice of Eligibility based on the findings of OPC conducted relocation eligibility survey.

### Table 3: Personal Property Move

**PRELIMINARY Self Move Payment Schedule**

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Displacees opting to make a Self Move would be required to sign a claim prepared by OPC in order to receive the payment described above. Payment would be provided to the Displacee with 50% of the amount to be paid two weeks in advance of the move and the remainder to be paid upon the Displacee’s completion of the Self Move and vacation of its studio. OCII encourage Displacees to inform OPC about plans of performing a self-move as soon as possible, so arrangements for a smooth implementation and expeditious reimbursement can be made.

**CATEGORY 2 - REIMBURSEMENT FOR MOVING EXPENSES, RELATED EXPENSES, AND REESTABLISHMENT EXPENSES FOR BUSINESS OPERATIONS**

In cases where the Displacee from the Shipyard is a bona fide business that satisfies the requirements under the URA, CRAL and Guidelines, he or she will be afforded the opportunity to claim reimbursement under Category 2 for actual, reasonable and necessary moving expenses (Moving Expenses), other related expenses (Related Expenses), and reestablishment expenses (Reestablishment Expenses).

As relevant here, a “business” is defined by the URA, CRAL and Guidelines as any lawful activity conducted primarily for:

- The manufacture, processing, and/or marketing of products, commodities and/or other personal property; or
- The sale of services to the public.

Under the URA, CRAL and Guidelines, in order to be classified as a “business” eligible to claim benefits under this Category 2, the Displacee business must meet the following requirements:

1. The Displacee business activity at the Shipyard must be lawful;
2. The primary activity of the Displacee business at the Shipyard must be making art for sale to the public, or providing art-related services for sale to the public; and
3. The Project must have caused the Displacee business to move its business from the Shipyard to a new location.

As evidence of the above requirements, the Displacee business will be required to provide all of the following documentation:

1. A business license with an effective date prior May 20, 2014 (the Cut-off Date);
2. The business’s tax returns from the two years prior to May 20, 2014 (tax years 2012 and 2013), providing gross and net earnings from the sale of those products or services manufactured at or sold from the Shipyard (such as the sale of art work); and

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<td>2800</td>
<td>$3,500</td>
</tr>
<tr>
<td>3000</td>
<td>$3,750</td>
</tr>
</tbody>
</table>
3. An affidavit signed under penalty of perjury stating that the Displacee business’s primary activity at the Shipyard is making art for sale to the public or providing art-related services for sale to the public.

Further, and as provided in the URA, CRAL and Guidelines, in order to claim Reestablishment Expenses for Business Operations, the Displacee business must demonstrate that its economic activity at the Shipyard contributes materially to the income of the business owner (Material Contribution). To meet this Material Contribution requirement, the Displacee business will be required to provide documentation that during tax years 2012 and 2013, the Displacee business:

1. Had average annual gross receipts of at least $5,000; or
2. Had average annual net earnings of at least $1,000; or
3. Contributed at least 33 1/3 percent to the business owner’s average annual gross income from all sources.

The average annual net earnings of the Displacee business will be based on one-half of its net earnings before Federal, State and local income taxes during the two taxable years immediately prior to the taxable year in which you move. A Displacee business must provide OCII with proof of net earnings through income tax returns, certified financial statements or other reasonable evidence, as OCII determines is satisfactory.

OCII reserves the right to require such other or additional evidence as may be necessary to determine whether a Displacee qualifies as a “business” eligible for business-related Moving Expenses, Related Expenses, and Reestablishment Expenses under the above standards.

If a Displacee satisfies the above eligibility requirements, OPC will provide the Displacee with an NOE that is reflective of the Displacee’s needs based upon the findings of the relocation eligibility survey.

Under this Category 2, OCII may reimburse the Displacee business for actual Moving Expenses related to moving items such as supplies, equipment and trade fixtures, and art work from the Shipyard. Eligible Moving Expenses under Category 2 may include the same Moving Expenses listed in Category 1 above (and Displacees may take advantage of the OCII hired moving company to eliminate the need for out-of-pocket expenses and reimbursement claims) plus potentially certain additional expenses unique to bona fide businesses, such as:

1. Subject to certain limitations, licenses, permits, fees, or certifications relating to the business (example expenses under this category include transfer of a business license to the new space, mandatory inspection of equipment or facilities by the City and County of San Francisco, or mandatory equipment or hazardous material storage and disposal).
2. Reasonable and pre-authorized professional services for planning, moving, and installing specialty materials and equipment that OCII’s professional moving contractor cannot plan, move, and install.
3. Relettering business signs and replacing business stationery on hand at the time of displacement that are made obsolete as a result of the move.
4. Subject to certain limitations, actual direct loss of tangible personal property resulting from moving or discontinuing the business.
5. The reasonable cost incurred in attempting to sell an item of the business that is not to be relocated.
6. Subject to certain limitations, the purchase and installation of substitute personal property.
7. Actual, and reasonable expenses incurred in searching for a replacement business location, not-to-exceed $2,500.
In addition to the Moving Expenses described above, the URA, CRAL, and Guidelines provide for possible reimbursement of certain Related Expenses for displaced businesses.

If, as described earlier, a Displacee business meets the additional criteria required to claim Reestablishment Expenses for a bona fide business, reimbursement may also be available for the actual and reasonable expenses necessary to reestablish the business at its new location, not-to-exceed $25,000. Examples of Reestablishment Expenses that may be considered for reimbursement include advertising, redecoration and certain increased costs of operation at the new location such as rent.

The following is a non-exclusive listing of expenses not eligible for reimbursement as Reestablishment Expenses:

- Purchase of capital assets, such as office furniture, filing cabinets, and machinery or trade fixtures.
- Purchase of manufacturing material, production supplies, product inventory or other items used in the normal course of the business operation.
- Interest on funds borrowed to accomplish the move.

Displacee businesses that intend to claim benefits under this Category 2 are required to obtain advanced authorization prior to incurring costs or carrying out a move. Should a Displacee business incur costs or carry out a move without advanced authorization, claims related to such unauthorized move are subject to denial, and/or limitation to reimbursement of eligible costs in accordance with Category 1 – Payment for Personal Property Move described above.

As with all claims for reimbursement, Displacee businesses will be required to provide adequate receipts and other “back up” documentation to substantiate the actual, reasonable, and necessary nature of the costs. A sample claim form Moving Expenses is provided in ATTACHMENT 2E.

**CAUTION:** In order to qualify for reimbursement of the above-described expenses, you **MUST**:

- Provide OPC with a list or inventory of the items to be moved at least thirty (30) days in advance of the start of your move; and
- Notify OPC at least fifteen (15) days in advance of the date of the start of your move or disposition of your property; and
- Permit OPC to monitor the move; and
- Permit OPC to make reasonable and timely inspections of the personal property at both the displacement and replacement sites.

As with Category 1, a Displacee business under Category 2 may opt to receive reimbursement for the actual reasonable costs to move the business’s personal property through either (A) Professional Move, or (B) Self Move. The Professional Move and Self Move options are described in detail above.

In addition to the Professional Move and Self Move options, certain Displacee businesses under Category 2 may elect to receive a fixed payment in lieu of reimbursement for actual Moving Expenses and Related Expenses (Fixed Payment for Businesses). Because of the specific determinations that need to be made in order for a Displacee to be eligible for an in lieu payment, OCII does not anticipate that this option would apply to an artist who will relocate on site into a Replacement Studio. To
establish eligibility for the Fixed Payment for Businesses, the Displacee business must meet the Material Contribution criteria described above and OCII must be able to determine that:

- The Displacee business owns or rents personal property which must be moved in connection with such move, and the business vacates or relocates from its displacement site.
- The Displacee business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings). A Displacee business is assumed to meet this test unless OCII determines that it will not suffer a substantial loss of its existing patronage.
- The Displacee business is not part of a commercial enterprise having more than three other entities which are not being acquired by OCII, and which are under the same ownership and engaged in the same or similar business activities.
- The Displacee business is not operated at a displacement dwelling or site solely for the purpose of renting such dwelling or site to others.

7. How do I Receive a Relocation Payment?

The OCII relocation program is designed so that no Displacee will have to incur any out of pocket cost for the relocation that would require reimbursement of those costs. Professional moving services are being made available that will be paid for directly by OCII. However, in cases where a Displacee elects to use a professional company other than the company hired by OCII or elects to conduct a Self-Move, expenses will be reimbursed in accordance with the move options described above in question 6.

Claims and supporting documentation for relocation benefits must be filed with OCII within eighteen (18) months from the date the claimant moves from the displacement property.

OPC will provide you with the required claim forms, assist you in completing them, and explain the type of documentation that you must submit in order to receive your relocation payments. If you must pay any relocation expenses before you move (e.g., because you must provide a security deposit if you lease your new location), discuss your financial needs with OCII. You may be able to obtain an advance payment. An advance payment may be placed in "escrow" to ensure that the move will be completed on a timely basis.

You must file your claim within 18 months after the date you move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, the Displacing Agency may extend this period.

You will be paid promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

8. Non-Discrimination

No person shall on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under OCII’s relocation assistance program pursuant to Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and other applicable state and federal anti-discrimination laws. You may file a complaint if you believe you have been subjected to discrimination. For details contact the Displacing Agency.

9. Appeals
Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency’s Relocation Assistance Program may have the appeal application reviewed by OCII in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from OCII.

10. Tax Status of Relocation Benefits

California Government Code Section 7269 indicates no relocation payment received shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 170 01) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. Furthermore, federal regulations (49 CFR Part 24, Section 24.209) also indicate that no payment received under this part (Part 24) shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986. The preceding statement is not tendered as legal advice in regard to tax consequences, and Displacees should consult with their own tax advisor or legal counsel to determine the current status of such payments.

(IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting marketing or recommending to another party any matters addressed herein)

11. Additional Information

If you have further questions after reading this brochure, please contact the Displacing Agency’s relocation agent, at Overland, Pacific & Cutler, Inc. (OPC). OPC is located at 7901 Oakport St, Suite 4800, Oakland, CA 94621 and can be reached by phone at (510) 638-3081.
ATTACHMENT 2B – NOTICE OF ELIGIBILITY

<<DATE>>

<<CONTACT NAME>>
<<BUSINESS NAME>>
<<MAILING ADDRESS>>
<<CITY, STATE ZIP>>

Dear <<CONTACT NAME>>:

The <<Displacing Agency>> (called here the “Displacing Agency”) is proceeding with the project known as the <<Project Name>> project. To carry out this project, it will be necessary for you to relocate from the property on which you conduct your business or other non-residential activities and operation (called here “operations”) at <<SITE ADDRESS>>.

This is a notice of eligibility for relocation assistance. As an eligible occupant of the property, you are eligible for certain benefits in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (“Uniform Act”), California Relocation Assistance Law (“CRAL”) and California Relocation Assistance Guidelines (“Guidelines”) and OCII’s Relocation Assistance Program.

OCII has retained the firm of Overland Pacific & Cutler, Inc. (OPC) to provide you with assistance in reestablishing your business. **You will not be required to move without at least 90 days advance written notice of the day by which you must vacate. THIS IS NOT A NOTICE TO VACATE.** However, you can contact OPC at any time for assistance with your move and to receive the benefits for which you are eligible.

The relocation program includes advisory services as well as reimbursement for certain expenses. These benefits are outlined below. It is important that you understand the conditions described below which must be met before any payments can be made.

1. **RELOCATION ADVISORY ASSISTANCE:**

OPC will assist you in your relocation by explaining your move options, assisting locating replacement space if you elect to move to a space other than the offered replacement space and submit any required claims. We will contact with you to discuss your needs and preferences regarding the details of your move, explain your rights and help you obtain the relocation payments for which you are eligible.

2. **RELOCATION BENEFITS:**

---

Your OPC Relocation Agent

| Name:     | <<AGENT NAME>> |
| Phone:    | <<OFFICE PHONE>> |
| Your Case ID: | <<CASE ID>> |

HUNTERS POINT SHIPYARD DISPLACEE RELOCATION PLAN
Most artists that meet the definition of Displacee under the law are expected to fall within Category 1 (Personal Property Move) below and be eligible to receive payments for the actual, reasonable and necessary costs to move the artist’s personal property from their currently occupied space. Certain artists may instead be able to qualify as a “business” under the law, in which case the business would fall within Category 2 below.

Eligibility for specific benefits will be communicated in the NOE provided to each Displacee. In the course of eligibility surveys (in person, on the phone and/or over email) and follow-up visits, the Displacee will be counseled on the available options to them. Should it become apparent a Displacee’s eligibility should be changed, a revised NOE would be provided.

**Category 1:** Personal Property Only Move  
**Category 2:** Payment for Actual Reasonable Moving Expenses, Related Expenses and Reestablishment Expenses for Business Operations

These payments options are described below:

**Category 1 – PAYMENT FOR PERSONAL PROPERTY MOVE**

In most cases Displacees are expected to fall within Category 1 and be eligible to claim reimbursement for actual, reasonable, and necessary moving expenses (Moving Expenses) and other related expenses (Related Expenses) for moving personal property from their current space.

Under the URA, CRAL, and Guidelines, to qualify for Category 1 reimbursement, a Displacee must demonstrate that he or she was required to move his or her personal property from the current space as a result of the Project. OCII reserves the right to require Displacees to provide sufficient evidence as may be necessary to demonstrate eligibility under this Category 1.

If a Displacee satisfies the eligibility requirements, OPC will provide the Displacee with an NOE that is reflective of the Displacee’s needs based upon the findings of the relocation eligibility survey.

Under this Category 1, actual Moving Expenses related to moving items such as supplies, moveable shelving, non-complex moveable equipment and trade fixtures, and art work from the Shipyard are covered. Eligible Moving Expenses under Category 1 may include:

1. Transportation of the displaced person and personal property.
2. Packing, crating, unpacking, and uncrating of the personal property.
3. Disconnecting, dismantling, removing, reassembling, and reinstalling personal property.
4. Storage of the personal property for up to 12 months if a Displacee is downsizing his or her space and requires storage to facilitate an orderly and timely move.
5. Insurance for the replacement value of the property in connection with the move.
6. The replacement value of property lost, stolen, or damaged in the process of moving.

In addition to the Moving Expenses described above, the URA, CRAL, and Guidelines provide for possible reimbursement of certain Related Expenses such as cost of connection to available nearby utilities from the right-of-way; due to the nature of Displacee usage of the Shipyard, OCII does not anticipate that any Displacees eligible under Category 1 will qualify for this category of expenses.

Under this Category 1, a Displacee may select from two options for moving personal property – (A) Professional Move, or (B) Self Move.
Category 1.1 - PROFESSIONAL MOVE

Under Category 1, a Displacee may elect to have his or her personal property moved by professional movers. **OCI will contract with one or more professional moving contractors and provide the Displacee with their services.** The professional move will be coordinated with the Displacee by OPC in accordance with a schedule developed and agreed upon with OCII and the Developer. All professional moving services, including material, labor, and replacement insurance, will be paid for directly by OCII. Therefore, the Displacee will not experience any out-of-pocket payments and will not be required to submit reimbursement paperwork to OPC for the move. The movers will assist the Displacee with packing and unpacking its property, if requested.

Should a Displacee elect to use a professional moving company other than the company hired by OCII, the Displacee will be reimbursed for the actual eligible invoiced cost not to exceed the lowest bid obtained by OCII for moving services. As with all claims for reimbursement, Displacees will be required to provide adequate receipts and other “back up” documentation to substantiate the actual, reasonable, and necessary nature of any claimed costs. A sample claim form for actual and reasonable moving expenses is provided in Attachment 2E of the Hunters Point Shipyard Artist and Commercial Kitchen Relocation Plan. OCII encourages Displacees to inform OPC about plans of using an self-hired moving company as soon as possible, so arrangements for a smooth expeditious implementation and reimbursement can be made.

Category 1.2 - SELF MOVE

Instead of a Professional Move, a Displacee under Category 1 may elect to perform his or her own move of personal property (or a “Self Move”). Eligible Displacees who wish to perform a Self Move will be compensated in accordance with a moving payment schedule to be finalized after bids for professional moving services are received and the reasonable cost to compensate an occupant to perform a Self Move can be established. The preliminary schedule is as follows and is based on the square footage of the space the Displacee occupies or uses. This schedule may be adjusted to reflect current transportation costs prior to moves. The Displacee will be provided the maximum Self Move payment he or she is eligible to receive in the Notice of Eligibility based on the findings of an OPC conducted relocation eligibility survey.

Table 3: Personal Property Move
PRELIMINARY Self Move Payment Schedule

<table>
<thead>
<tr>
<th>Studio Size (Up to X Square Feet)</th>
<th>Maximum Payment</th>
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<tr>
<td>250</td>
<td>$500</td>
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<td>1800</td>
<td>$2,250</td>
</tr>
<tr>
<td>2000</td>
<td>$2,500</td>
</tr>
</tbody>
</table>
Displacees opting to make a Self Move will be required to sign a claim prepared by OPC in order to receive the payment described above. Payment will be provided to the Displacee with 50% of the amount to be paid two weeks in advance of the move and the remainder to be paid upon the Displacee’s completion of the Self Move and vacation of its studio. OCII encourages Displacees to inform OPC about plans of performing a self-move as soon as possible, so arrangements for a smooth implementation and expeditious reimbursement can be made.

**CATEGORY 2 - REIMBURSEMENT FOR MOVING EXPENSES, RELATED EXPENSES, AND REESTABLISHMENT EXPENSES FOR BUSINESS OPERATIONS**

In cases where the Displacee from the Shipyard is a bona fide business that satisfies the requirements under the URA, CRAL and Guidelines, he or she will be afforded the opportunity to claim reimbursement under Category 2 for actual, reasonable and necessary moving expenses (Moving Expenses), other related expenses (Related Expenses), and reestablishment expenses (Reestablishment Expenses).

As relevant here, a “business” is defined by the URA, CRAL and Guidelines as any lawful activity conducted primarily for:

- The manufacture, processing, and/or marketing of products, commodities and/or other personal property; or
- The sale of services to the public.

Under the URA, CRAL and Guidelines, in order to be classified as a “business” eligible to claim benefits under this Category 2, the Displacee business must meet the following requirements:

1. The Displacee business activity at the Shipyard must be lawful;
2. The primary activity of the Displacee business at the Shipyard must be making art for sale to the public, or providing art-related services for sale to the public; and
3. The Project must have caused the Displacee business to move its business from the Shipyard to a new location.

As evidence of the above requirements, the Displacee business will be required to provide all of the following documentation:

1. A business license with an effective date prior May 20, 2014 (the Cut-off Date);
2. The business’s tax returns from the two years prior to May 20, 2014 (tax years 2012 and 2013), providing gross and net earnings from the sale of those products or services manufactured at or sold from the Shipyard (such as the sale of art work); and
3. An affidavit signed under penalty of perjury stating that the Displacee business’s primary activity at the Shipyard is making art for sale to the public or providing art-related services for sale to the public.

<table>
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<tr>
<th>Number</th>
<th>Amount</th>
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<tbody>
<tr>
<td>2200</td>
<td>$2,750</td>
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Further, and as provided in the URA, CRAL and Guidelines, in order to claim Reestablishment Expenses for Business Operations, the Displacee business must demonstrate that its economic activity at the Shipyard contributes materially to the income of the business owner (Material Contribution). To meet this Material Contribution requirement, the Displacee business will be required to provide documentation that during tax years 2012 and 2013, the Displacee business:

1. Had average annual gross receipts of at least $5,000; or
2. Had average annual net earnings of at least $1,000; or
3. Contributed at least 33 1/3 percent to the business owner’s average annual gross income from all sources.

The average annual net earnings of the Displacee business will be based on one-half of its net earnings before Federal, State and local income taxes during the two taxable years immediately prior to the taxable year in which you move. A Displacee business must provide OCII with proof of net earnings through income tax returns, certified financial statements or other reasonable evidence, as OCII determines is satisfactory.

OCII reserves the right to require such other or additional evidence as may be necessary to determine whether a Displacee qualifies as a “business” eligible for business-related Moving Expenses, Related Expenses, and Reestablishment Expenses under the above standards.

If a Displacee satisfies the above eligibility requirements, OPC will provide the Displacee with an NOE that is reflective of the Displacee’s needs based upon the findings of the relocation eligibility survey.

Under this Category 2, OCII may reimburse the Displacee business for actual Moving Expenses related to moving items such as supplies, equipment and trade fixtures, and art work from the Shipyard. Eligible Moving Expenses under Category 2 may include the same Moving Expenses listed in Category 1 above (and Displacees may take advantage of the OCII hired moving company to eliminate the need for out-of-pocket expenses and reimbursement claims) plus potentially certain additional expenses unique to bona fide businesses, such as:

1. Subject to certain limitations, licenses, permits, fees, or certifications relating to the business (example expenses under this category include transfer of a business license to the new space, mandatory inspection of equipment or facilities by the City and County of San Francisco, or mandatory equipment or hazardous material storage and disposal).
2. Reasonable and pre-authorized professional services for planning, moving, and installing specialty materials and equipment that OCII’s professional moving contractor cannot plan, move, and install.
3. Relettering business signs and replacing business stationery on hand at the time of displacement that are made obsolete as a result of the move.
4. Subject to certain limitations, actual direct loss of tangible personal property resulting from moving or discontinuing the business.
5. The reasonable cost incurred in attempting to sell an item of the business that is not to be relocated.
6. Subject to certain limitations, the purchase and installation of substitute personal property.
7. Actual, and reasonable expenses incurred in searching for a replacement business location, not-to-exceed $2,500.

In addition to the Moving Expenses describe above, the URA, CRAL, and Guidelines provide for possible reimbursement of certain Related Expenses for displaced businesses.
If, as described earlier, a Displacee business meets the additional criteria required to claim Reestablishment Expenses for a bona fide business, reimbursement may also be available for the actual and reasonable expenses necessary to reestablish the business at its new location, not-to-exceed $25,000. Examples of Reestablishment Expenses that may be considered for reimbursement include advertising, redecoration and certain increased costs of operation at the new location such as rent.

The following is a non-exclusive listing of expenses not eligible for reimbursement as Reestablishment Expenses:

- Purchase of capital assets, such as office furniture, filing cabinets, and machinery or trade fixtures.
- Purchase of manufacturing material, production supplies, product inventory or other items used in the normal course of the business operation.
- Interest on funds borrowed to accomplish the move.

Displacee businesses that intend to claim benefits under this Category 2 are required to obtain advanced authorization prior to incurring costs or carrying out a move. Should a Displacee business incur costs or carry out a move without advanced authorization, claims related to such unauthorized move are subject to denial, and/or limitation to reimbursement of eligible costs in accordance with Category 1 – Payment for Personal Property Move described above.

As with all claims for reimbursement, Displacee businesses will be required to provide adequate receipts and other “back up” documentation to substantiate the actual, reasonable, and necessary nature of the costs. A sample claim form Moving Expenses is provided in ATTACHMENT 2E.

CAUTION: In order to qualify for reimbursement of the above-described expenses, you MUST:

- Provide OPC with a list or inventory of the items to be moved at least thirty (30) days in advance of the start of your move; and
- Notify OPC at least fifteen (15) days in advance of the date of the start of your move or disposition of your property; and
- Permit OPC to monitor the move; and
- Permit OPC to make reasonable and timely inspections of the personal property at both the displacement and replacement sites.

As with Category 1, a Displacee business under Category 2 may opt to receive reimbursement for the actual reasonable costs to move the business’s personal property through either (A) Professional Move, or (B) Self Move. The Professional Move and Self Move options are described in detail above.

In addition to the Professional Move and Self Move options, certain Displacee businesses under Category 2 may elect to receive a fixed payment in lieu of reimbursement for actual Moving Expenses and Related Expenses (Fixed Payment for Businesses). Because of the specific determinations that need to be made in order for a Displacee to be eligible for an in lieu payment, OCII does not anticipate that this option would apply to an artist who will relocate on site into a Replacement Studio. To establish eligibility for the Fixed Payment for Businesses, the Displacee business must meet the Material Contribution criteria described above and OCII must be able to determine that:

- The Displacee business owns or rents personal property which must be moved in connection with such move, and the business vacates or relocates from its displacement site.
• The Displacee business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings). A Displacee business is assumed to meet this test unless OCII determines that it will not suffer a substantial loss of its existing patronage.
• The Displacee business is not part of a commercial enterprise having more than three other entities which are not being acquired by OCII, and which are under the same ownership and engaged in the same or similar business activities.
• The Displacee business is not operated at a displacement dwelling or site solely for the purpose of renting such dwelling or site to others.
If at any time you have questions or need assistance, please contact your OPC relocation agent:

<<AGENT NAME>>
<<AGENT TITLE>>
Overland, Pacific & Cutler, Inc.
<<OFFICE ADDRESS>>
Phone <<OFFICE PHONE>>

Sincerely,

<<MANAGER NAME>>
<<MANAGER TITLE>>
Overland, Pacific & Cutler, Inc.

[[IF REQUIRED:
Carbon Copy To:
<<CC NAME>>
<<CC ADDRESS>>]]

ACKNOWLEDGMENT
I have been given a copy of this notice. I have been advised that the Relocation Agent will be available to assist me if any questions arise or assistance is needed.

| Name: | Signature: | Date: |
90-Day Notice to Vacate

<<DATE>>

<<NAME>>
<<BUSINESS/ORGANIZATION NAME>>
<<MAILING ADDRESS>>
<<CITY, STATE ZIP>>

Dear <<NAME>>:

The Office of Community Investment and Infrastructure (called here the “Displacing Agency”) is planning the redevelopment of the property you occupy <<SITE ADDRESS>> (called here the “Premises”). The Displacing Agency has now determined that it will be necessary for you to vacate the Premises.

Notice is hereby given that the Displacing Agency elects to terminate your tenancy in ninety (90) days beginning <<90DAY START>> and ending <<90DAY END>> and you are hereby to quit and deliver up possession of the property you occupy on or before <<90DAY END>>. If you do not vacate the Premises by that date, the Displacing Agency will initiate legal proceedings to recover possession of the Premises, along with any rents and damages.

During this period, Overland, Pacific & Cutler, Inc. will be available to provide assistance with referrals to replacement sites, coordination with movers and other vendors, the processing of relocation benefit claim forms, and other tasks to help facilitate your relocation. Please contact your relocation agent listed below if you have any questions regarding this notice or the relocation process. Upon vacating your unit, you are responsible for removing all of your personal property, delivering the Premises in satisfactory condition and turning in the keys to your relocation agent.

Sincerely,

Chad K. Wakefield
Project Manager
Overland, Pacific & Cutler, Inc.
7901 Oakport Street, Suite 4800, Oakland, CA 94621
Phone 510.638.3081

Received by

X________________________  Delivered on/by: ___________/___________

Posted on/by: ___________/___________

Recipient’s Signature

Mailed/receipt received on: _______/_______
30-Day Notice to Vacate

<<DATE>>

<<NAME>>

<<BUSINESS/ORGANIZATION NAME>>

<<MAILING ADDRESS>>

<<CITY, STATE ZIP>>

Dear <<NAME>>:

The Office of Community Investment and Infrastructure (called here the “Displacing Agency”) is planning the redevelopment of the property you occupy <<SITE ADDRESS>> (called here the “Premises”). The Displacing Agency has now determined that it will be necessary for you to vacate the Premises.

Notice is hereby given that the Displacing Agency elects to terminate your tenancy in ninety (30) days beginning <<30DAY START>> and ending <<30DAY END>> and you are hereby to quit and deliver up possession of the property you occupy on or before <<30DAY END>>. If you do not vacate the Premises by that date, the Displacing Agency will initiate legal proceedings to recover possession of the Premises, along with any rents and damages.

During this period, Overland, Pacific & Cutler, Inc. will be available to provide assistance with referrals to replacement sites, coordination with movers and other vendors, the processing of relocation benefit claim forms, and other tasks to help facilitate your relocation. Please contact your relocation agent listed below if you have any questions regarding this notice or the relocation process. Upon vacating your unit, you are responsible for removing all of your personal property, delivering the Premises in satisfactory condition and turning in the keys to your relocation agent.

Sincerely,

Chad K. Wakefield
Project Manager
Overland, Pacific & Cutler, Inc.
7901 Oakport Street, Suite 4800, Oakland, CA 94621
Phone 510.638.3081

_______________________
Delivered on/by: ___________/____________

X_______________________
Posted on/by: ___________/____________

Recipient’s Signature

_______________________
Mailed/receipt received on: _______/_______

Your OPC Relocation Agent

| Name: | <<AGENT NAME>> |
| Phone: | <<OFFICE PHONE>> |
| Case ID: | <<CASE ID>> |

HUNTERS POINT SHIPYARD DISPLACEE RELOCATION PLAN
ATTACHMENT 2E – SAMPLE RELOCATION CLAIM FORM

Claim for Non-residential Actual Reasonable Moving and Related Expenses

Claim Type: FEDERAL - Actual Moving Expenses

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<thead>
<tr>
<th>Agency: [agency name]</th>
<th>Project: [project name]</th>
</tr>
</thead>
<tbody>
<tr>
<td>OPC Case#: AAA-000-00000-000</td>
<td>OPC Claim#: AA000000</td>
</tr>
<tr>
<td>Program: State/Local</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1. Legal Business Name</th>
<th>2. Name, Title, Address of Claimant or Claimant’s Agent</th>
<th>3. Claimant’s or Agent’s Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>[name of business, farm, non-profit]</td>
<td>[name, title] [address] [city, ZIP]</td>
<td>000.000.0000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site</th>
<th>Displacement and Replacement Address</th>
<th>Date move started / date move completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. You Moved FROM</td>
<td>[address], [city, ZIP]</td>
<td>00/00/00</td>
</tr>
<tr>
<td>5. You Moved TO</td>
<td>[address], [city, ZIP]</td>
<td>00/00/00</td>
</tr>
</tbody>
</table>


8. Moving Payment Determination

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Moving Expenses from Section A</td>
</tr>
<tr>
<td>(b) Storage Expenses from Section B</td>
</tr>
<tr>
<td>(c) Re-establishment Expenses from Section C (not to exceed $25,000)</td>
</tr>
<tr>
<td>(d) Searching Expenses from Section D (not to exceed $2,500)</td>
</tr>
<tr>
<td>(e) Actual Direct Loss of Personal Property from Section E</td>
</tr>
<tr>
<td>(f) Substitute Personal Property from Section F</td>
</tr>
<tr>
<td>(g) Total Expenses Claimed (lines (a) through (f))</td>
</tr>
<tr>
<td>(i) Total amount of payments previously received for expenses claimed here (from Section G)</td>
</tr>
<tr>
<td>Amount Requested this Claim (Line 8(h) minus line 8(i) or describe in Notes)</td>
</tr>
</tbody>
</table>

9. Certification by Claimant(s): I CERTIFY that this claim and supporting information are true and complete, that I have not submitted any other claim for the expenses listed and that I have not been paid for the expenses by any other source.

Signature(s) of Claimant(s) or Authorized Agent ___________________________ Date ____________

FOR AGENCY AND/OR AGENCY REPRESENTATIVES USE ONLY

10. Is this an advance claim based on prelim. info?: [ X ] YES [ X ] NO

11. Is this a final claim for this benefit type?: [ X ] YES [ X ] NO

12. Recommended Benefit Payment(s):

<table>
<thead>
<tr>
<th>Check #</th>
<th>Payable To</th>
<th>In The Amount</th>
<th>Check Disposition</th>
<th>Action</th>
<th>Initial</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>[name]</td>
<td>$0.00</td>
<td>Mail check back to OPC</td>
<td>OPC Recommended: [name] [title]</td>
<td>00/00/00</td>
<td></td>
</tr>
<tr>
<td>#2</td>
<td></td>
<td>$0.00</td>
<td>OPC Reviewed: [name] [title]</td>
<td></td>
<td>00/00/00</td>
<td></td>
</tr>
<tr>
<td>#3</td>
<td></td>
<td>$0.00</td>
<td>Agency Approved: [only if required]</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

© 1980-2012 Overland, Pacific & Cutter, Inc. OPC: 11/12
### Section A: Actual Moving Expenses Claimed

<table>
<thead>
<tr>
<th>#</th>
<th>Expense Type</th>
<th>Previously paid (Y/N)</th>
<th>Vendor/Contractor and description (attach invoices/receipts unless previously claimed)</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
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<tr>
<td>(4)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(6)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(7)</td>
<td></td>
<td></td>
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<td>$0.00</td>
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<tr>
<td>(8)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
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<tr>
<td>(9)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
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<tr>
<td>(10)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

(11) TOTAL ACTUAL MOVING EXPENSES (include in line (a) of item 8):

$0.00

### Section B: Storage Expenses Claimed

<table>
<thead>
<tr>
<th>#</th>
<th>Expense Type</th>
<th>Previously paid (Y/N)</th>
<th>Vendor/Contractor and description (attach invoices/receipts unless previously claimed)</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(4)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

(6) TOTAL STORAGE EXPENSES (include in line (b) of item 8):

$0.00

### Section C: Reestablishment Expenses Claimed

<table>
<thead>
<tr>
<th>#</th>
<th>Expense Type</th>
<th>Previously paid (Y/N)</th>
<th>Vendor/Contractor and description (attach invoices/receipts unless previously claimed)</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(2)</td>
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<td></td>
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</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(4)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Estimated increased cost of operation during the first 2 years (lease/rent, taxes, insurance, utilities):

List items included in increased cost:

- Monthly cost of operation at the displacement site: $0.00
- Monthly cost differential: $0.00
- Monthly cost of operation at the replacement site: $0.00

(10) $0.00 x 24 months = $0.00

(11) TOTAL REESTABLISHMENT EXPENSES (include in line (c) of item 8, not to exceed $10,000):

$0.00

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(OPC: 11/12)
### Section D: Searching Expenses Claimed

<table>
<thead>
<tr>
<th>#</th>
<th>Searching Expenses Item</th>
<th>Amount</th>
<th>3 of OPC claim:</th>
<th>A000000</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Searching time from diary: hours: 0.00 x hourly earnings rate $0.00 = $0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td>Time for permits/zoning: hours: 0.00 x hourly earnings rate $0.00 = $0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td>Time for negotiations: hours: 0.00 x hourly earnings rate $0.00 = $0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td>Transportation expense: miles: 0 x allowable mileage rate $0.00 = $0.00</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td>Expenses for Lodging and Meals (attach dated receipts)</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(6)</td>
<td>Fees paid to real estate Brokers or Agents (attach contract or other evidence)</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(8)</td>
<td>TOTAL SEARCHING EXPENSES (Include in line (d) of Item 8, not to exceed $2,500):</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section E: Actual Direct Loss of Personal Property

<table>
<thead>
<tr>
<th>#</th>
<th>Identify personal property for which payment for actual direct loss is requested (Agency will advise on acceptable methods of listing items)</th>
<th>(b) Fair market value for continued use at present location</th>
<th>(c) Proceeds from sale of property</th>
<th>(d) Value not recovered by sell Column b minus c</th>
<th>(e) Estim cost of moving old property (provided by Agency)</th>
<th>(f) Amount claimed lesser of col (d) or (e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>(4)</td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(6)</td>
<td>Cost of effort to sell property (for example advertising)</td>
<td>$0.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(7)</td>
<td>TOTAL ACTUAL DIRECT LOSS OF PERSONAL PROPERTY (include in line (e) of Item 8):</td>
<td>$0.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Claimant’s release of personal property: I release to the Agency ownership of all personal property listed above that remains on the real property.

Signature(s) of Claimant(s) or Authorized Agent: Date:

### Section F: Substitute Personal Property

<table>
<thead>
<tr>
<th>#</th>
<th>Identify substitute property for which payment requested (Agency will advise on acceptable methods of listing items)</th>
<th>Actual cost of substitute property delivered and installed at new location</th>
<th>Proceeds from sale or trade-in of replaced property</th>
<th>Net cost of substitute personal property Column b minus c</th>
<th>Estim cost of moving and revising property provided by Agency (e)</th>
<th>Amount claimed lesser of col (d) or (e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
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</tr>
<tr>
<td>(2)</td>
<td></td>
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<tr>
<td>(3)</td>
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<tr>
<td>(4)</td>
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<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(6)</td>
<td>Cost of effort to sell property (for example advertising)</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(7)</td>
<td>TOTAL SUBSTITUTE PERSONAL PROPERTY (include in line (f) of Item 8):</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Claimant’s release of personal property: I release to the Agency ownership of all personal property listed above that remains on the real property.

Signature(s) of Claimant(s) or Authorized Agent: Date:

### G. Previous Moving Payments

<table>
<thead>
<tr>
<th>(a) Date</th>
<th>(b) Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) 00/00/00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(2) 00/00/00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(3) 00/00/00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(4) 00/00/00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(5) 00/00/00</td>
<td>$0.00</td>
</tr>
<tr>
<td>(6) 00/00/00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

TOTAL $0.00
ATTACHMENT 3:

Purpose

OCII will follow the standards described in Section 6150 et seq. of the Guidelines regarding appeals. The purpose of this procedure is to set forth the guidelines for processing appeals from determinations as to relocation eligibility for relocation assistance or the amount of a relocation payment. These procedures will also be used for processing appeals from determinations as to the a Displacee’s right to move into a Replacement Studio.

Right of Review

(a) Any person who believes him/herself aggrieved by a determination by OCII as to eligibility or the amount of a relocation payment may have his/her claim reviewed and reconsidered by OCII in accordance with the procedures set forth herein, as may be supplemented by additional procedures OCII may establish.

(b) A person or organization directly affected by the relocation plan may petition the California Housing and Community Development Department (“HCD”) to review OCII's final Relocation Plan to determine if the Relocation Plan is in compliance with state laws and guidelines, or to review the implementation of the Relocation Plan to determine if OCII is acting in compliance with the Relocation Plan.

Notification to Displacee

If OCII denies or refuses to consider a claim, OCII’s notification to the Displacee of its determination shall inform the Displacee of its reasons, and the applicable procedures for obtaining review of the decision. If necessary, such notification shall be printed in a language other than English.

Stages of Review by OCII

(a) Request for Further Written Information. A Displacee may request OCII to provide him or her with a full written explanation of its determination and the basis therefore, if he/she feels that the explanation accompanying the payment of the claim or notice of OCII’s determination was incorrect or inadequate. OCII shall provide such an explanation within three weeks of its receipt of his or her written request.

(b) Informal Oral Presentation. A Displacee may request the opportunity to make an informal oral presentation to OCII regarding the grievance before seeking formal review and reconsideration. A request for an informal oral presentation shall be filed in writing with OCII within the period described in subsection (d) of this section, and within 15 days of the request OCII shall afford the Displacee the opportunity to make such presentation. OCII shall afford the Displacee the opportunity to make such presentation before by the Executive Director or his/her designee who have not previously participated in the relocation decision that is the subject of the grievance. The Displacee may choose to be represented by an attorney or other person of his/her choosing at his/her expense; a Displacee is not required, however, to retain an attorney.
This oral presentation shall enable the Displacee to discuss the claim with the designated OCII staff person having authority to revise the initial determination of the claim. The designated OCII staff person shall make a summary of the matters discussed in the oral presentation to be included as part of OCII’s file on the Displacee’s relocation. If the Displacee is not satisfied with the outcome of the informal oral presentation, the Displacee may request formal review and reconsideration. The right to formal review and reconsideration shall not be conditioned, however, upon requesting an oral presentation.

(c) Written Request for Formal Review and Reconsideration. At any time within the period described in subsection (d) below, a Displacee may file a written request with OCII for formal review and reconsideration of an OCII determination. The written request for formal review should be made on the form attached. The Displacee may include in the request for review any statement of fact within the Displacee’s knowledge or belief or other material that may have a bearing on the appeal. If the Displacee requests more time to gather and prepare additional material for consideration or review and demonstrates a reasonable basis therefore, OCII may grant the Displacee’s request by granting the Displacee a definite period of time to gather and prepare materials.

(d) Time Limit for Requesting Review. A Displacee desiring either an informal oral presentation or seeking formal review and reconsideration, shall make a request to OCII within eighteen (18) months following the date he/she moves from the property.

Formal Review and Reconsideration by OCII

(a) General. OCII shall consider the request for formal review and shall decide whether a modification of its initial determination is necessary. This formal review shall be conducted by the Executive Director of OCII, or an authorized, impartial designee (which may be a committee). A designee shall have the authority to revise the initial determination or the determination of a previous oral presentation. Although OCII encourages Displacees to make a request for formal review on the attached form, OCII shall consider every aggrieved Displacee’s complaint regardless of form, and shall, if necessary, provide assistance to the Displacee in preparing the written claim. When a Displacee seeks review, OCII shall inform him/her that he/she has the right to be represented by an attorney at the Displacee’s expense, to present his/her case by oral or documentary evidence, to submit rebuttal evidence, to conduct such cross-examination as may be required for a full and true disclosure of facts, and to seek judicial review once he/she has exhausted the administrative appeal.

(b) Scope of Review. OCII shall review and reconsider the initial determination of the Displacee’s case in light of: (1) all material upon which OCII based its original determination, including all applicable rules and regulations, except that no evidence shall be relied upon where the Displacee has been improperly denied an opportunity to controvert the evidence or cross-examine the witness(es); (2) the reasons given by the Displacee for requesting review and reconsideration of the claim; (3) any additional written or relevant documentary material submitted by the Displacee; and (4) any further information which OCII, in its discretion, obtains by request, investigation, or research, to ensure fair and full review of the claim.
(c) **Determination on Review.** The determination on review by OCII shall include, but
is not limited to: (1) OCII’s decision on reconsideration of the claim; (2) the factual and
legal basis upon which the decision rests, including any pertinent explanation or
rationale; and (3) a statement to the Displacee that administrative remedies have been
exhausted and judicial review may be sought. The determination shall be in writing with
a copy provided to the Displacee.

(d) **Time Limits.** OCII shall issue its determination on review as soon as possible but
no later than six weeks after receipt of the last material submitted for consideration by
the Displacee or the date of the hearing, whichever is later. In the case of appeals
dismissed for untimeliness or for any other reason not based on the merits of the claim,
OCII shall furnish a written statement to the Displacee stating the reason for the
dismissal of the claim as soon as possible but not later than two weeks after receipt of
the last material submitted by the Displacee or the date of the hearing, whichever is
later.

**Refusals to Waive Time Limitation**

Whenever OCII rejects a request by a Displacee for a waiver of the time limits provided
in the Guidelines Section 6088, the Displacee may file a written request for
reconsideration of this decision in accordance with the procedures set forth in the
Guidelines Sections 6156 and 6158, except that such written request for
reconsideration shall be filed within 90 days of the Displacee’s receipt of OCII’s
determination.

**Extension of Time Limits**

The time limits specified in the Guidelines Section 6156 may be extended for good cause by
OCII.

**Recommendations by Third Party**

Upon agreement between the Displacee and OCII, a mutually acceptable third party or
parties may review the claim and make advisory recommendations thereon to OCII for
its final determination. In reviewing the claim and making recommendations to OCII, the
third party or parties shall be guided by the provisions of federal and state law, and this
Appeals/Grievance Procedure.

**Review of Files by Displacee**

Except to the extent the confidentiality of material is protected by law or its disclosure is
prohibited by law, OCII shall permit the Displacee to inspect all files and records
bearing upon his or her claim or the prosecution of the Displacee’s grievance.

If a Displacee is improperly denied access to any relevant material bearing on his or her
claim, such material may not be relied upon in reviewing the initial determination.

**Effect of Determination on Other Persons**

The principles established in all determinations by OCII shall be considered as precedent for all
eligible persons in similar situations regardless of whether or not a person has filed a written
request for review. All written determinations shall be kept on file and available for public review.

Right to Counsel

Any aggrieved party has a right to representation by legal or other counsel at his or her expense at any and all stages of the proceedings set forth in federal and state law, and this Appeals/Grievance Procedure.

Stay of Displacement Pending Review

If a Displacee seeks to prevent displacement, OCII shall not require the Displacee to move until at least twenty (20) days after OCII has made a determination and the Displacee has had an opportunity to seek judicial review. In all cases OCII shall notify the Displacee in writing, twenty (20) days prior to the proposed new date of displacement.

Joint Appellants

Where more than one person believes themselves aggrieved by the failure of OCII to refer them to comparable permanent or adequate temporary replacement space, the Displacees may join in filing a single written request for review. A determination shall be made by OCII for each of the Displacees.

Judicial Review

Nothing in federal or state law, or this Appeals/Grievance Procedure, shall in any way preclude, or limit a Displacee from seeking judicial review of a claim upon exhaustion of such administrative remedies as are available under federal and state law, and herein.
RELOCATION APPEALS FORM for OCI appeals

INSTRUCTIONS: This is an appeal of a determination made by the Displacing Agency under the California Relocation Assistance Law (Government Code, Section 7260 et seq.) or Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC §§4601 et. seq.). Complete this document, explaining the nature of your complaint and reasons for this appeal below. Attach extra pages if needed. You will be notified of the date when your complaint will be considered.

<table>
<thead>
<tr>
<th>Claimant:</th>
<th>Agency:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Address:</td>
<td>Project:</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>Consultant:</td>
</tr>
<tr>
<td>Phone number:</td>
<td>OPC case ID:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Claimant Type:</th>
<th>This appeal is based on:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tenant</td>
<td>[ ] Eligibility only</td>
</tr>
<tr>
<td></td>
<td>[ ] Amount of Payment only</td>
</tr>
<tr>
<td></td>
<td>[ ] Eligibility amount</td>
</tr>
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<th>Appeal Type:</th>
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<td>[ ] Request for Further Written Information</td>
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<td>[ ] Informal Oral Presentation</td>
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<td>[ ] Formal Review and reconsideration</td>
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</tbody>
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| Will you be present at the hearing?: |
| [ ] Yes | [ ] No |

| Will you be represented by counsel?: |
| [ ] Yes | [ ] No |

Claimant’s Statement

I certify that the information provided on this form is accurate and complete.

Claimant Signature ___________________________ Date ____________
ATTACHMENT 4: REFERENCE MATERIAL (ABRIDGED)

The following documents are available to view at OCII’s Hunters Point Shipyard Site Office located at the intersection of Donahue Avenue and Galvez Avenue.


- California Relocation Assistance Law (California Government Code Section 7260 et seq.) (the CRAL).

- California Relocation Assistance Guidelines (25 California Code of Regulations Section 6000 et seq.) (the Guidelines).

- Hunters Point Shipyard Redevelopment Plan (2010)

- Candlestick Point and Shipyard Phase 2 Development and Disposition Agreement (2010)
ATTACHMENT 5: COMMENTS AND RESPONSES

Comments and questions received during public comment period for the Hunters Point Shipyard Artist Community and Commercial Kitchen Relocation Plan (“Relocation Plan”); Responses provided by Overland, Pacific and Cutler (“OPC”)

Relocation Plan Comment and Responses 1-10: received during the meeting on June 11, 2015

1. Comment: When will the new artist building be complete?

Response: The new artist building (“Replacement Studio Building”) that is being constructed by the Shipyard Master Developer in fulfillment of the Hunters Point Shipyard Phase 2 Disposition and Development Agreement (“Phase 2 DDA”) is scheduled to be completed in Spring 2017.

2. Comment: What is the date that is used to determine if an artist is eligible for relocation benefits?

Response: As described in Relocation Plan Section 4: Program Eligibility, an artist must have occupied their studio space prior to May 20, 2014 to be eligible to receive relocation assistance. Eligible artists will receive a Notice of Eligibility.

NOTE: Being eligible for relocation assistance under the law is different from being entitled to a Replacement Studio which is a separate benefit under the Phase 2 DDA, as discussed in Section 5 of the Relocation Plan. Only artist who are on OCI’s Relocating Artist List have the right to relocate into a Replacement Studio.

3. Comment: Will Building 101 be demolished?

Response: No, Building 101 will not be demolished. Building 101 will be retained and will remain an artist studio building. Existing Building 101 artist will not be required to relocate and will not receive a Notice of Eligibility.

4. Comment: Is Eclectic Cookery relocating to Replacement Studio Building?

Response: The Developer is building two Replacement Facilities: one Replacement Studio Building with approximately 130 artist studios and a stand-alone Replacement Kitchen Building. Eclectic Cookery currently operates two kitchen facilities, one in Building 101 and one in Building 110. Eclectic Cookery’s Building 110 operation will be relocated to the Replacement Kitchen Building. Eclectic Cookery’s Building 101 operation will remain unaffected.

5. Comment: What is the fax number a comment or question can be sent to?
**Response:** During the public comment period comments and questions regarding the relocation plan may be faxed to Carlos Barrientos or Chad Wakefield at 562.304.2020.

6. **Comment:** What is the process to get in touch with OPC if we need help with online survey questionnaire?

**Response:** OPC sent out an online needs assessment survey simultaneously with the Draft Relocation Plan. The questions in the online survey are intended to provide information that will help with relocation planning and move logistics. If you have any questions about the survey, please email Carlos Barrientos at cbarrientos@opcservices.com or call 510.638.3081.

7. **Comment:** Will artists that moved from Building 110 to other HPS buildings be eligible to receive assistance for their move to an interim space?

**Response:** Artists who were required to make an interim move from Building 110 to another building prior to the artist’s permanent relocation to the Replacement Studio are entitled to receive moving assistance based on their actual and reasonable moving costs. Artists who may be eligible to receive assistance for their interim move will be contacted by OPC and will be advised regarding the process to submit a reimbursement claim for any moving costs that were incurred.

8. **Comment:** What if the new studio is not large enough to accommodate all of the artist’s items?

**Response:** In accordance with Relocation Plan Section 7. Relocation Benefit Categories, artists who are moving into a smaller space and cannot fit all their possessions from their current studio into their Replacement Studio, may decide to have some items moved to a storage facility in order to facilitate an orderly and timely move. OPC will provide support with locating adequate storage facilities and OCII will reimburse expenses for necessary storage for up to 12 months. Please get in touch with OPC, if you are interested in moving any items to a storage facility.

9. **Comment:** Will an artist be able to move themselves?

**Response:** Yes, artists will have the option to move themselves. Artists can elect to conduct a self-move as described in Relocation Plan section 7.1.2. Artists who elect to move themselves will be compensated in accordance with a moving payment schedule that will be made available after bids for professional moving services have been received and reasonable costs to compensate self-movers have been established. Artists who decide to hire their own mover will be reimbursed in accordance with Relocation Plan section 7.1.1 for the incurred and documented moving costs, not to exceed the lowest bid obtained by OCII.
10. Comment: Will you need to see a completed inventory of an artist studio as part of the online survey questionnaire?

Response: No. What is requested through the online needs assessment survey is an inventory that shows a rough order of magnitude for planning purposes. Specifically, a list of items that cannot be easily packed in boxes. Prior to the move, OPC will work with the selected moving vendor and the artist to prepare an inventory of their studio space for the move to ensure that the vendor is prepared to adequately serve every artists needs during the move.
Relocation Plan Comment and Responses 11-20: received via email during the 30 day comment period.

11. **Comment:** The Draft Relocation Plan indicates that the "costs of operation at the new location such as rent" is available for artists who are qualifying as businesses. I think this benefit should be fully explained and addressed. Will the entire difference in new/old rent be covered, if so for how long?

**Response:** Details regarding eligible increased operating expenses are included in the Relocation Plan section 7.2: Reimbursement for moving expenses, related expenses, and reestablishment expenses for business relocation. Reimbursements under this category are available to businesses (as described in section 7.2) for actual and reasonable expenses necessary to reestablish the business at its new location, not-to-exceed $25,000. Examples of Reestablishment Expenses that may be considered for reimbursement include advertising, re-decoration and certain increased costs of operation at the new location, such as increased rent.

Increased operating expenses are calculated based on the monthly difference between the business’s operating cost at the old and new space. Compensation can be provided for up to two years.

Artists, who want to be considered as a business for relocation purposes, are asked to indicate it on the online needs assessment survey. OPC will advise those artists during the eligibility planning phase of the project after the online process is completed. A determination whether an artist qualifies as a business will be made prior to the preparation and distribution of the Notice of Eligibility.

12. **Comment:** Just wanted to clarify a little further regarding re-establishment costs for artists who qualify as businesses. If the only increase costs are for example, printing costs of new business cards, invoices or other printed materials, and rent. Assuming the cost to replace is the printed materials is only a couple hundred dollars, the remainder of the $25,000 could be used for the difference between the old and the new rent for 2 years? I think this is important since I believe there will be a number of artists who will qualify as businesses under the Relocation Notice criteria who are facing more than 50% increase in rents.

**Response:** Businesses can claim re-establishment not to exceed $25,000. These expenses include all costs that fall within the reestablishment category, including increased operating expenses. Qualifying artists can file a reimbursement claim for the difference between the rent in the displacement and the replacement studio for a period of up to two years.
Business cards and other printed materials that need to be replaced because of an address change are eligible for reimbursement. These items are considered a moving expense and do not count towards the $25,000 limit.

13. **Comment:** During the meeting you [Chad Wakefield, Project Manager, OPC] said that people who downsized studio space may be eligible for "storage for up to 12 months" if they were storing somewhere on Hunters Point. The Relocation Plan doesn’t say the storage has to be on Hunters Point, so I think that should be verified.

**Response:** In accordance with Relocation Plan Section 7. Relocation Benefit Categories, artists who are moving into a smaller space and cannot fit all their possessions from their current studio into their Replacement Studio, may decide to have some items moved to a storage facility in order to facilitate and orderly and timely move. OPC will provide support with locating adequate storage facilities (not limited to Hunters Point) and OCII will reimburse expenses for necessary storage for up to 12 months. Please get in touch with OPC, if you are interested in moving any items to a storage facility.

14. **Comment:** During the 2011 survey, OPC did not include storage space, some of which was built inside studios and was part of their rent. If an artist is getting the same size studio but is downsizing because they no longer have storage (which wasn't counted in the survey) are they eligible for 12 months of storage.

**Response:** Yes, artist who experience any sort of reduction in space will be eligible for 12 months of storage, if they cannot accommodate all their possessions from their current studio in the Replacement Studio.

15. **Comment:** Did the Draft Relocation Notice get mailed through the US Postal or only emailed?

**Response:** OPC mailed a letter via first class mail to all artists. This letter announced the availability of the relocation plan, where artist could receive a hard copy (STAR office, The Point Office in Building 101), and described the process to make public comments. A separate email with that included an electronic copy of the Draft Relocation Plan attached to the email was also sent to each artist. Additionally, notices were posted at multiple locations, including at each of the current studio buildings. The Draft Relocation Plan was also available on OCII’s website.

16. **Comment:** Are the movers being considered for hire professional art movers? Will they have experience wrapping large paintings, for example?

**Response:** Moving vendors will be selected through a competitive bid/proposal process. The scope of work that interested movers will respond to will be in accordance with the needs of artist and the personal property that will need to be
moved, including art pieces. Movers will be required to provide their experience including crating, packing and moving a wide range of personal property including art pieces such as paintings, sculpture and other delicate and potentially high value items. Movers will be asked to describe their approach and methods to handle delicate items of various sizes. OPC will be meeting with many artists prior to the release of the move bids to ensure that all moving needs will be taken into account.

Additionally, movers will be required to provide full value replacement insurance for property during the move process. They will also be required to provide references for similar work. References will be verified. If needed, specialty movers will be added to provide services that the prime moving contractor is either unable or unwilling to provide. Specialty movers may be contracted separately or as a sub-contractor to the prime moving contractor.

17. **Comment:** What, if any, obligations are initiated with the artists’ agreement to use the OPC services for moving?

**Response:** OPC will begin confirming the needs of the artist no later than 90 days prior to the scheduled move for each building. At this time we will ask each artist to confirm if they will use the moving vendor hired for the project and paid for by OCII, hire their own mover (and be reimbursed for the moving cost not to exceed the lowest responsible bid received through the bidding process), or conduct a self-move. If necessary, a combination move where some of the artists’ items are moved by the OCII hired moving firm and some items are moved by a specialty mover hired by the artist is possible. Artists will be reimbursed for the specialty mover services.

Artists who move themselves will be required to sign a self-move agreement. In accordance with the terms of this agreement, OPC shall be notified no later than 15 days in advance of the move date provided in the 30 Day Notice to Vacate of any changes to the moving option selected by the artist. If an artist signs a self-move agreement for the entire move, and later changes their mind to have OCII’s moving vendor do some of the work, the self-move agreement will need to be modified accordingly.

18. **Comment:** When are we committed to an agreement to the new space?

**Response:** Questions regarding New Artist Studio Building leasing matters should be directed to OCII.

19. **Comment:** How long would we be able to have both new and old spaces available to us if we wanted to make the move ourselves little by little?

**Response:** The timing of your move depends on the completion date of the Replacement Studio building and the subsequent demolition of existing artist buildings on Parcel. Precise information about move dates will be available at a later date. In any case will the date at which you must vacate your current studio by be provided to you.
in a 90 Day Notice to Vacate and re-affirmed in a 30 Day Notice to Vacate. These notices will also contain instructions regarding the vacate process including any permitted grace periods to retain keys to the displacement space.

20. **Comment:** Can you make more accessible the Attachment 4 Reference Material, in particular the Uniform Relocation Act (46 U.S.C., Section 4600 et seq.) and the California Relocation Assistance Law?

**Response:** A hard copy of the documents will be available in the STAR office in Building 101. Additionally, please see below online links to the documents.

49 CFR Part 24 Uniform Relocation Act  
[http://tinyurl.com/OCII-URA](http://tinyurl.com/OCII-URA)

*California Government Code of Regulations, Title 1, Chapter 16, Section 7260-7277 - The California Relocation Assistance Law*  
[http://tinyurl.com/OCII-CRAL](http://tinyurl.com/OCII-CRAL)
21. **Comment:** The draft Relocation Plan was unclear regarding the difference relocation services and benefits required under Relocation Law and the replacement studio benefit required under the Phase 2 Disposition and Development Agreement (“Phase 2 DDA”).

**Response:** The Final Relocation Plan has been amended from the draft to include additional information regarding the eligibility of Shipyard artists for relocation services and benefits as well as replacement studios. Specifically, eligibility requirement for relocation services and benefits is contained in Section 4 of this Plan. Eligibility requirements for replacement studio space are contained in Section 5 of this Plan.

To simplify eligibility determinations, the Cut-Off Date for Shipyard tenants eligible for relocation services and benefit as well as a replacement studio is the same: May 20, 2014. This is the date that the Commission on Community Investment and infrastructure approved the Schematic Designs for the Replacement Studio building. Accordingly, displaced Artists who occupied a studio at the Shipyard on or before the Cut-off Date may be eligible for relocation services and benefits as well as a space in the Replacement Facilities.