MEMORANDUM

TO: Community Investment and Infrastructure Commissioners

FROM: Tiffany Bohee
Executive Director

SUBJECT: Authorizing the Executive Director to execute a Memorandum of Understanding between the San Francisco Office of Community Investment and Infrastructure, the Successor Agency to the San Francisco Redevelopment Agency, and the City and County of San Francisco, through its San Francisco Planning Department, for design review and environmental review services, for a term of two years, and for an amount not to exceed $225,000 annually, for Fiscal Year 2013-14 and Fiscal Year 2014-15

EXECUTIVE SUMMARY

The Office of Community Investment and Infrastructure as Successor to the San Francisco Redevelopment Agency (“OCII”) staff seeks to enter into a Memorandum of Understanding (“MOU”) with the San Francisco Planning Department for design review and environmental review services. The MOU covers Fiscal Year 2013-14 and Fiscal Year 2014-2015 for an amount not to exceed $225,000 per year. The MOU services are allowable within Redevelopment Dissolution Law and the proposed amounts are consistent with amounts contained in the approved Fiscal Year 2013-14 OCII budget and with the staffing costs included in Department of Finance-approved ROPS 13-14A.

Staff recommends that the Executive Director be authorized to enter into a Memorandum of Understanding between the San Francisco Office of Community Investment and Infrastructure and the San Francisco Planning Department.

DISCUSSION

Background

Prior to its dissolution, the Redevelopment Agency of the City and County of San Francisco (“Redevelopment Agency”) implemented numerous redevelopment plans approved by the Board of Supervisors and authorized under the California Community Redevelopment Law. Under this state authority, the redevelopment plans established land use controls in project areas and did not generally rely on the San Francisco Planning Code or other local land use regulation, including Article 31 of the Administrative Code, unless a particular redevelopment plan required it.
As successor to the Redevelopment Agency, OCII retains the obligation to implement the Redevelopment Plans in the Major Approved Development Projects (the Hunters Point Shipyard – Candelstick Point Project, Transbay Transit Center Project, and the Mission Bay Project) pursuant to master development agreements. The implementation of these projects includes exercising land use authority under the Major Approved Development Projects agreements. In addition, OCII is required to enforce the land use controls under other redevelopment plans and related development controls where the City has not requested the transfer of land use functions to the City, such as the Bayview Hunters Point Redevelopment Plan, the HPS Redevelopment Plan, the Rincon Point-South Beach Redevelopment Plan, and the Bayview Industrial Triangle Redevelopment Plan.

Scope of Services

Environmental Review:
Upon the request of OCII, the Planning Department will conduct environmental evaluations for OCII projects under the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines. At the Executive Director’s or designee’s request, prior to the commencement of work, OCII and Planning Department staff shall prepare a written scope of service and an estimated budget for the particular matter for which OCII has requested environmental review services from the Planning Department.

The environmental review services for projects within the Major Approved Development Projects areas will be provided in accordance with § 21000-21189.3 of the Public Resources Code and Title 14, Chapter 3, § 150000-15387 of the California Code of Regulations (CEQA Guidelines). While the Planning Department will be providing the environmental review services for these projects, OCII will be the author and signatory of the environmental review documents. The environmental review services for projects outside the Major Approved Development Projects areas will be provided in accordance with existing Planning Department policies and practices and consistent with the Environmental Review Guidelines, under the direction of the City’s Environmental Review Officer. The scope of environmental services would include, but not be limited to, determinations as to what level of CEQA analysis is appropriate, preparation of exemptions and mitigated negative declarations, review of environmental impact reports, and review of technical background studies. If an environmental impact report is necessary, it will be prepared by a CEQA consultant. If a mitigated negative declaration is necessary, it could be prepared by either a CEQA consultant or Planning Department staff, at the discretion of OCII.

In order to facilitate execution of the environmental review services in a timely and organized fashion, OCII staff will seek early consultation from the Planning Department with respect to CEQA requirements and updating the City’s Environmental Review Officer on a quarterly basis, or more frequently if needed, as to what services may be required over the course of the next six months.

Design Review:
Upon the request of OCII, the Planning Department will provide professional architectural and urban design review of development proposals, assist in the development and interpretation of
architectural and urban design guidelines, provide technical knowledge of building codes and building material and construction methodology and costs, participate in public presentations, and perform related tasks. Design Review effort dedicated to OCII properties is anticipated not to exceed one thousand (1,000) hours on an annual basis, which is equal to approximately .5 FTE. These additional design review resources are intended to supplement existing OCII architectural staff positions (currently 1.5 FTE) on as needed basis to deal with intermittent increases in project workflow.

**Budget & Staffing**

The budget for the MOU is an amount not to exceed $225,000 per year, as detailed below:

<table>
<thead>
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<th>Service</th>
<th>Budget</th>
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<tbody>
<tr>
<td>Environmental Review</td>
<td>Not to exceed $150,000</td>
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<tr>
<td>Design Review</td>
<td>Not to exceed $75,000</td>
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<td><strong>TOTAL</strong></td>
<td>$225,000</td>
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The Planning Department will assign staff equivalent to .5 FTE to work on Design Review services described in Section 1 and will assign staff on an as-needed basis to provide Environmental Review services described in Section 1. The Planning Department staff assigned to Design Review and Environmental Review services will be based at the Planning Department, however if necessary the staff performing the design review services may have regular hours at OCII.

Staff requests and seeks the Commission’s authorization and approval of a Memorandum of Understanding with the San Francisco Planning Department for an amount not to exceed $225,000 for Fiscal Year 2013-14 and $225,000 for Fiscal Year 2014-15. The proposed amounts are consistent with amounts contained in the approved Fiscal Year 2013-14 OCII budget and with the staffing costs included in Department of Finance-approved ROPS 13-14A.

*(Originated by Sally Oerth, Deputy Director)*

Tiffany Bohee
Executive Director