in San Francisco.

(b) The main causes of homelessness are high cost of living, lack of affordable housing units, welfare reform, de-institutionalization of the mentally ill, substance abuse and San Francisco’s unique place as a destination point. These causes are identified by the Mayor’s Offices of Community Development and Housing in the 2000 Consolidated Plan.

(c) For homeless individuals and families, there is an unmet need of 3,187 housing slots for individuals and 2,025 slots for families.

(d) Surplus City property could be utilized to provide housing to homeless men, women and children.

(e) Surplus City property that is unsuitable for housing could be sold to generate income for permanent housing for people who are homeless.

(f) San Francisco’s housing stock is unaffordable for many residents. The average rent for a two-bedroom apartment increased by 110% from 1980 to 1990, while the overall cost of living increased by 64%. At $1,940, the average two-bedroom unit is out of reach to households earning less than $77,600 per year, based on the Department of Housing and Urban Development’s standards.

(g) San Francisco is experiencing a severe shortage of housing resulting in a negligible vacancy rate for habitable housing for persons earning less than half of the area median income.

(h) Many renters are unable to locate rental housing of any kind. These persons are increasingly seeking shelter in already overcrowded emergency shelters and, when such shelters are full, finding themselves on the City’s streets.

(i) Existing rental housing constitutes much of the remaining affordable housing in the City. The number of such units is diminishing as a result of increased pressures for more development both downtown and in many neighborhoods.

(j) Frequently, real estate speculation results in the premature closure of existing habitable buildings and the withdrawal of existing rental units from the market long before such closure would be needed for any physical redevelopment of such sites.

(k) The Board of Supervisors and the Mayor have concurred with the findings of the City’s Health Commission that there exists a health and housing emergency, as enumerated in Board Resolution 537-01, adopted by the Board of Supervisors on June 25, 2001 and approved by the Mayor on July 6, 2001.

(l) Under the City’s Charter, a number of City Commissions and Departments, including the Port, the Airport, the Public Utilities Commission, the Municipal Transportation Agency, the Recreation and Parks Commission and the Fine Arts Museums Board of Trustees have jurisdiction and control of their respective Property, and, thus, the provisions of this Chapter regarding declaring Property surplus or conveying Property shall operate only as recommendations of policy to such departments and Commissions.

(m) State law includes a number of statutes that potentially govern the disposition of surplus City Property, including Government Code Section 54220 et seq. (the “State Surplus Property Statute”). Under the State Surplus Property Statute, State agencies and subdivisions of the State, including cities or counties, disposing of surplus real property must first send a written offer to sell surplus property to and negotiate in good faith the conveyance of such surplus property with certain local agencies designated by the State for affordable housing, recreation, open space and school purposes. Any conveyances of Surplus Property under this Chapter would be subject to and would first need to comply with applicable State law, including the State Surplus Property Statute, and the application of the State Surplus Property Statute may preclude or impair disposing of Surplus Property for the purposes and in the manner set forth in this Chapter.

(n) San Francisco is suffering from an urgent crisis of housing affordability and displacement that requires immediate action.

(a) The passage by the voters of Proposition K in November 2014
demonstrated a clear policy imperative to increase production of housing, especially housing affordable to households of low, moderate and middle incomes.

(p) Publicly owned land that is suitable for housing development represents a unique opportunity for San Francisco to meet the affordable housing policy goals set forth in Proposition K.

(q) Affordable housing is of vital importance to the health, safety, and welfare of the residents of San Francisco and provision of a decent home and a suitable living environment for every San Franciscan is a priority of the highest order.

(r) There is a shortage of sites available for housing for persons and families of low, moderate and middle incomes, and surplus publicly owned land, prior to disposition, should be strategically deployed to address that shortage.

(s) This Chapter 23A will have no impact on park lands, which are protected from development under the City Charter.

(i) The State of California adopted Assembly Bill 2135 in November 2014, requiring local agencies and school districts to give priority in disposing of the surplus land to affordable housing.

(ii) California Government Code Sections 54220-54232, the “State Surplus Property Statute,” applies to any local agency, including any city and county, and district, including school districts of any kind or class, and sets out rules for “surplus land” that is determined to be no longer necessary for the agency’s use.

(j) The Board of Supervisors approved this Chapter 23A in November 2002 to identify and use surplus City-owned property for the purpose of providing housing, shelter, and other services for people who are homeless, which resulted in the development of two 100% affordable housing developments.

(k) The sale or lease of surplus land at less than fair market value, to facilitate the creation of affordable housing is consistent with goals and objectives of San Francisco’s Housing Element and Proposition K.

SEC. 23A.3. PURPOSE.

The purposes of this ordinance are to:

(a) Prioritize surplus and underutilized public land in San Francisco that is suitable for the construction of housing in order to maximize the creation of deed-restricted affordable housing citywide, including ground floor retail and community facilities and open space;

(b) Establish policy that the portfolio of housing built on public lands in San Francisco should maximize the amount of permanently affordable housing at extremely low, very low, low, moderate and middle income affordability levels, taking into account available subsidy sources for such affordable housing;

(c) Establish policy to encourage state and special-district agencies (other than the City and County of San Francisco) that own surplus and underutilized public lands in San Francisco to prioritize permanently affordable housing for disposition and development of their sites;

(d) Establish policy that any City department process for planning the disposition and development of any public lands should assume the standards of this ordinance;

(e) Establish policy that the first priority use of identity and surplus City-owned property shall be for the purpose of providing housing, shelter, and other services for people who are homeless;

(f) Help relieve the crisis of homelessness in the City and County of San Francisco;

(g) Potentially provide low or no cost facilities for agencies serving homeless people;

(h) Potentially provide “sweat-equity” opportunities for homeless people to create permanent housing opportunities through rehabilitation and repair of the units; and

(i) Create a centralized mechanism to responsibly dispose of surplus City property in a manner that will help ensure that the property or its proceeds will be used for purposes consistent with this Chapter 23A.

SEC. 23A.4. DEFINITIONS.

For purposes of this Chapter 23A section:

“Administrator” shall mean the City Administrator as set forth in Section 3.104 of the City’s Charter.

“Affordable Housing” shall mean housing that is restricted as affordable to households earning up to 120% of the Area Median Income, and may also include housing for Homeless or formerly Homeless persons.

“Area Median Income” shall have the meaning set forth in Charter Section 16.110.

“Citizens’ Advisory Committee” shall mean the group of citizens appointed pursuant to Section 23A.9.

“Education Districts” shall mean the San Francisco Unified School District and the San Francisco Community College District.

“Enterprise Departments” shall mean the following City departments: the Port, the Airport, the Public Utilities Commission, the Municipal Transportation Agency, the Recreation and Parks Commission and the Fine Arts Museums Board of Trustees.

“Executive Director” shall mean the Executive Director of MOHCD, the Mayor’s Office of Housing.

“Homeless” shall mean:

1. an individual or family who lacks a fixed, regular and adequate nighttime residence; or

2. an individual or family who has a primary nighttime residence that is:

A. a supervised publicly or privately operated shelter designed to provide temporary living accommodations; or

B. an institution that provides a temporary residence for individuals who have been institutionalized; or

C. a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

3. families with minor children living in single resident occupancy rooms and other overcrowded housing conditions.

“Housing Trust Fund” shall mean the Housing Trust Fund established by the City under Charter Section 16.110.

“Middle Income Housing” shall mean housing that is affordable to households earning up to 150% of Area Median Income.

“MOHCD” shall mean the Mayor’s Office of Housing and Community Development.

“Property” shall mean any real property located within and owned by the City and County of San Francisco of one-quarter acre or more, excluding land and buildings reserved or intended to be reserved for open space or parks purposes, or any land dedicated for public right-of-way purposes, or any any land used or reserved for transit lines or public utility rights-of-way, or any publicly dedicated streets or rights-of-way. “Property” shall not include any real property owned by or on behalf of the Education Districts of San Francisco Unified School District.

“State Surplus Property Statute” shall mean California Government Code Sections 54220 through 54233, as may be amended or supplanted.

“Surplus Property” shall mean any Property that is not required to fulfill the mission of the City department, commission or agency with jurisdiction or control of such Property and that is not required to fulfill the mission of another governmental agency pursuant to an inter-governmental transfer, and shall not include any land to be exchanged for other land to be used by a City department in accordance with an existing letter of intent or agreement.

“Underutilized Property” shall mean an entire Property or portion thereof (including air rights), with or without improvements, that is used by the City only at irregular periods of time or intermittently, or that is used by the City for current purposes that can be satisfied with only a portion of such Property, or that is currently occupied or used by the City and for which there are no plans by the City to occupy or use such Property, and that within the next fiscal year has a potential for development as Affordable Housing while maintaining the existing and anticipated City uses of the Property.

SEC. 23A.5. AGENCY REVIEW OF PROPERTY.

By November 1 of each year, each City commission shall compile and deliver to the Administrator a list of all Property that it occupies or is otherwise under
its control. The list shall include at least the following:

(a) The street address of the Property (if there is one), and the Assessor’s block and lot number;
(b) A general description of the Property, including the land size, dimensions and topography; current use of the Property; or any planned use of the Property within the next fiscal year;
(c) The current use of the Property; and
(d) A general description of any structure(s) on the Property as well as an assessment of their physical condition;
(e) Whether the Property is vacant or scheduled or anticipated to be vacant within the next fiscal year;
(f) If the Property is vacant or contains vacant structures, whether the Commission, department or agency deems the Property to be “Surplus,” or “Underutilized” as defined in this Section; and
(g) A general summary of the terms and conditions of any gift, trust, deed restriction, bond covenant or other covenants or restrictions and pictures of the Property (the “Surplus Property Report”). The Surplus Property Report shall also include a list of any and all City-owned properties that are adjacent to each listed Property and appear to be vacant or underutilized, along with the identification of the City department Department with jurisdiction over such adjacent property. The Surplus Property Report may include any property of the Education Districts for information purposes only. No later than March 1st of each year, the Administrator shall transmit the completed Surplus Property Report to MOHCD the Mayor’s Office of Housing and to the Board of Supervisors. If the Administrator determines that there is no Surplus Property or Underutilized Property suitable for the development of Affordable Housing, the Administrator shall notify the Board of Supervisors of this determination. The Administrator shall make available written records of all information compiled under this Chapter 234 in conformance with all state and local laws governing the retention and disclosure of public records.

(c) No later than April 15 of each year, the Board of Supervisors or a committee thereof shall hold a public hearing on the Surplus Property Report and determine if any Property should be transferred to MOHCD under Section 23A.7, provided the Board President may elect not to hold a hearing during any year in which the Administrator has determined that there is no Surplus Property or Underutilized Property suitable for the development of Affordable Housing. With respect to the Enterprise Departments and the Education Districts, the Board of Supervisors may make a recommendation of surplus and transfer, but the Enterprise Departments and the Education Districts shall each have the right to determine whether real property under its jurisdiction is surplus or underutilized and whether to dispose of property in any particular manner subject to the requirements of the City’s Charter and California law.

(d) For a period of 120 days following the public hearing held under subsection (c) above, the City shall not initiate a request for bids or proposals or enter into contracts designed to facilitate the sale of Property (including brokerage and appraisal contracts) that the Board intends to transfer to MOHCD for any purpose other than the development of Affordable Housing, without the prior approval of the Board of Supervisors.

SEC. 23A.7. TRANSFER OF JURISDICTION OVER SURPLUS PROPERTIES TO THE MAYOR’S OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT.

(a) Following the Board of Supervisors hearing under Section 23A.6(c) and no later than June 1 by July 1st of each year, the Administrator, working with the Executive Director and City Attorney’s Office, shall submit to the Mayor and Board of Supervisors legislation transferring jurisdiction over the Properties, save and except for those Properties that are under the jurisdiction of Enterprise Departments, on the Surplus Property Report completed in accord with Section 23A.6 above to the Mayor’s Office of Housing (“MOH”) for the purpose of MOH’s assessment of each Surplus Property for development as affordable housing consistent with this Chapter. MOHCD shall evaluate the feasibility of each property for Affordable Housing based on typical development standards of site planning and constructability, and prepare a report to the Administrator identifying the properties suitable for Affordable Housing and those that are not suitable for Affordable Housing and explaining MOHCD’s analysis and conclusions. The feasibility report shall be made available to all interested parties that have notified the Administrator to be placed on a notification list for this purpose.

(b) For those Properties transferred to MOH that MOH does not deem suitable for such development, the Executive Director shall notify the Administrator. Following receipt of the MOH feasibility report, the Administrator shall prepare and submit to the Mayor and Board of Supervisors legislation either transferring jurisdiction over such Surplus Properties to MOHCD or MOH to another City department Department for such department’s use, or seeking to sell such properties, as determined by the Administrator. The Administrator.
shall also provide to the Mayor and the Board of Supervisors a copy of the MOHCD feasibility report, and shall make recommendations to the Board regarding an ongoing development of Underutilized Property for Affordable Housing. It shall be City policy to encourage the sale of such Surplus Property in accordance with the requirements of Administrative Code Section 23.2 and other applicable laws and to designate use of the net proceeds of such sales for the purpose of financing affordable housing in San Francisco.

(c) For those Surplus Properties transferred to MOHCD MOHCD deems suitable for such development, the Executive Director shall publicize the availability of the Surplus Properties and seek applications for development of the Surplus Properties on a competitive basis in keeping with MOHCD’s standard practices as described further in Section 23.45 below. The Executive Director also shall take all steps necessary to comply with the State Surplus Property Statute. For Underutilized Properties, the City department with jurisdiction over the property (excluding the Enterprise Departments) shall take action consistent with direction of the Board of Supervisors. With respect to real property Surplus Property under the jurisdiction of Enterprise Departments or the Education Districts, the Board of Supervisors may by separate legislation, urge the Commissions or Boards of such Enterprise Departments or the Education Districts to consider approving a sale of such property for Affordable Housing or a transfer of jurisdiction such property to MOHCD for Affordable Housing over the Property to MOH for use consistent with this Chapter. If an in the event any Commissions or Boards of Enterprise Department Departments or an Education District elects to transfer real property to MOHCD under such action, the Administrator shall then prepare and submit to the Mayor and Board of Supervisors the appropriate legislation to accept the property for the development of Affordable Housing by jurisdiction over that Enterprise Department’s Surplus Property.

SEC. 23A.8. DEVELOPMENT OF PROPERTY.

(a) All real property transferred to MOHCD under this Chapter 23A shall be used to create Affordable Housing, and may include housing designed for Homeless or formerly Homeless individuals. The Executive Director shall seek to maximize the amount of Affordable Housing throughout MOHCD’s real estate portfolio, subject to the availability of funds, and nothing in this Chapter shall limit the total number of Affordable Housing units that can be developed on any real property. MOHCD shall solicit development proposals on a competitive basis and impose income restrictions on all housing created under this Chapter in accordance with MOHCD’s standard procedures and practices and guided by the priorities set forth below and in accordance with housing needs and performance measures identified in the City’s Consolidated Plan, including target populations for affordable housing production over the previous two years.

Subject to any disposition priority required by State law and other limitations expressly set forth herein, the development of all Surplus Property shall be used to create Affordable Housing, and may include affordable housing in San Francisco.

(b) Notwithstanding Section 23A.8(a), for sites with development capacity of 200 or more units as determined by the Executive Director, the Executive Director may propose to use the property for a mixed-income housing project, including Middle Income Housing, by a qualified developer selected on a competitive basis. The Executive Director shall select a developer or co-developer that has at least five years experience developing and maintaining housing for seniors, veterans, the disabled or low income families in San Francisco. Not less than 33% of the residential units developed on the property must be Affordable Housing. and (1) for any rental project, not less than 15% of the units affordable to households earning 55% of the Area Median Income, and for any ownership project, not less than 15% of the units will be affordable to households earning 90% of the Area Median Income.

(b) The Executive Director shall solicit applications from non-profit agencies serving the Homeless to lease or acquire Property that is listed as Surplus or Underutilized in any Surplus Property Report for use to assist the Homeless in accordance with the priorities set forth below in Section 23A.10 below, (a) the Executive Director shall require that all applications describe in detail (i) the type of conveyance the applicant seeks (i.e., a lease for a specific term or transfer of fee title) and the legal consideration, if any, the applicant proposes to pay for such conveyance, (ii) the intended use of the Property, including how it relates to the priorities of user set forth in Section 23A.10 below, (iii) a specific plan and schedule for the development or improvement of the Property, including compliance with all applicable federal, state and local laws, including, without limitation, laws regarding disabled access, health, building and safety codes, and environmental compliance with the California Environmental Quality Act (CEQA). California Public Resources Code Sections 21000 et seq., and San Francisco Administrative Code Chapter 31, and (iv) a plan to secure adequate financial resources to develop, improve, insure, manage and maintain the Property. The Executive Director shall make available to any non-profit agencies working on behalf of homeless people that can assist homeless service providers in resolving any problems that may arise in the application process; and (b) The Executive Director may propose to use the property for a mixed-income housing project, all revenue projects as part of these projects shall remain affordable for the useful life of the project.

(c) The Executive Director shall solicit applications from any independent organizations working on behalf of homeless people that can assist homeless service providers in resolving any problems that may arise in the application process; and (b) The Executive Director may propose to use the property for a mixed-income housing project, all revenue projects as part of these projects shall remain affordable for the useful life of the project.
this subsection (c) shall serve persons earning no more than 60% of the Area Median Income for the San Francisco PMSA and, in preparing recommendations as to the applications received, shall give priority to proposals that include the highest percentage of extremely low-income persons.

(d) Upon receipt of all applications for development of affordable housing, the Executive Director shall work with the City Attorney’s Office to prepare legislation containing the Executive Director’s recommendations as to the terms of disposition and development of each Surplus Property for submission for the Board of Supervisor’s approval in accord with the policies and procedures set forth in this Chapter.

(c) (ii) If the Executive Director determines that any real property transferred to MOHCD under this Chapter 23A cannot be developed and used for Affordable Housing, the Executive Director shall file, after solicitation of applications pursuant to both subsections (a) and (c), the Executive Director determines that further efforts to solicit applications would likely be futile, the Executive Director shall notify the Administrator, who shall prepare and submit to the Mayor and Board of Supervisors legislation either transferring jurisdiction over such Property from MOHCD MOH to another City department Department for such department’s use or seeking to sell such Property, as determined by the Administrator. It shall be City policy to encourage the sale of such Property Surplus Property in accordance with the requirements of Administrative Code Section 23.3 and other applicable laws and to designate use of the net proceeds of such sales for the purpose of financing Affordable Housing affordable housing in San Francisco.

(d) For any Property that is not transferred to MOHCD under this Chapter 23A but that the City sells for the development of 10 or more residential units, not less than 33% of the residential units developed on the property must be Affordable Housing, and (1) for any rental project, not less than 15% of the units affordable to households earning 55% of the Area Median Income, and for any ownership project, not less than 15% of the units affordable to households earning 90% of the Area Median Income, and (2) subject to financial feasibility, at least 50% of the residential units developed on the property Affordable in furtherance of the November 2014 Proposition K affordable housing goals. All deed restricted housing developed as part of these projects shall remain affordable for the useful life of the project.

SEC. 23A.10. CITY POLICY REGARDING THE USE OF PUBLIC LANDS FOR AFFORDABLE HOUSINGBOARD OF SUPERVISORS REVIEW AND CRITERIA.

The City Board of Supervisors shall be guided by the following policy regarding the disposition of Surplus and Underutilized Property, which policy shall be the official policy of the City. This policy applies to Surplus and Underutilized Property regardless of whether such Property has been included in on an annual Surplus Property Report.

(a) In furtherance of the State Surplus Property Statute, the City shall ask all local agencies that own real property within the City and County of San Francisco (including the Education Districts, the Bay Area Rapid Transit District, and other local agencies) and that intend to dispose of real property located in the City consisting of one-quarter acre or larger, to give to the Executive Director advance notice of the proposed disposition together with an opportunity to negotiate for the acquisition of such real property for a period of not less than 120 days.

(b) Upon receipt of any such notice under subsection (a), above, if the Executive Director determines that the real property is feasible for Affordable Housing, the Executive Director shall negotiate in good faith to acquire the property and, if successful, shall seek an appropriation and any required approvals for such acquisition. If the Executive Director determines that the real property is suitable for Affordable Housing but that the City cannot acquire the property for financial or other reasons, the Executive Director shall notify Affordable Housing developers of the proposed disposition so that they may seek to acquire the property. The Executive Director shall maintain a list of Affordable Housing developers that are active in the City for purposes of this notification.

(c) Pursuant to the State Surplus Property Statute, and 2014 Proposition K affordable housing goals, if the Executive Director and the non-City local agency negotiate in good faith but cannot reach agreement on the terms for the City’s acquisition of the real property, and the local agency then disposes of the property to another person or entity for the development of 10 or more residential units, then: (1) the local agency shall require that not less than 15% of the residential units developed on the property be Affordable Housing; and (2) rental units shall remain affordable to, and occupied by, lower income households for the useful life of the project, each as determined in accordance with the State Surplus Property Statute, as it may be amended. These requirements shall be contained in a covenant or restriction recorded against the real property at the time of disposition and be enforceable by the local agency against any subsequent owner.

(d) The Board of Supervisors encourages all non-City local agencies that intend to dispose of real property in the City to determine the fair market value of that real property assuming that not less than 33% of the total number of units developed on that property will be affordable housing, to the extent permitted by applicable law. Any local agency selling or leasing real property to the City for affordable housing may provide for an extended payment period equal to the period during which the property will be restricted as affordable housing.

(e) Nothing in this Section 23A.10 shall be interpreted to limit the power of any local agency to sell or lease real property at fair market value or at less than fair market value, consistent with applicable law.

Subject to any disposition priority required by State law and other limitations expressly set forth herein, Surplus and Underutilized Property shall be used in the following order of priority:

(i) First, for the development of affordable housing for people who are Homeless and persons earning less than 60% of the Area Median Income for the San Francisco PMSA as established by the United States Department of Housing and Urban Development and reported by the Mayor’s Office of Housing. Provided that:

1. The housing shall remain affordable for the useful life of the Property.

2. Housing costs in such housing shall not exceed 30% of the resident’s income.

3. Projects in which people who are homeless rehabilitate and renovate property in exchange for their tenancy or “sweat equity” in the property shall be encouraged.

(ii) Second, for other on-site services for people who are Homeless or for non-profit agencies serving people who are Homeless, including not limited to job training, senior services, healthcare and childcare for people who are Homeless.

(iii) Third, for the development of affordable housing for persons earning no more than 60% of the Area Median Income for the San Francisco PMSA as established by the United States Department of Housing and Urban Development and reported by the Mayor’s Office of Housing, provided that the housing shall remain affordable for the useful life of the Property.

When the Executive Director determines Surplus Property is unsuitable for the uses described in subsections (ii), (iii), and (iv) above because it is unsafe, inconveniently located or located in an area inappropriate for housing, or otherwise cannot meet the purposes of this Chapter, or when the Executive Director receives no acceptable applications pursuant to Section 23A.8, it shall be City policy to encourage the sale of such Surplus Property in accordance with the requirements of Administrative Code Section 23.3 and other applicable laws and to designate use of the net proceeds of such sales and/or leases for the purpose of financing Affordable Housing in San Francisco that meets the criteria set forth in subsection (i) above.

SEC. 23A.11. DISPOSITION AND UTILIZATION OF SURPLUS AND UNDERUTILIZED PROPERTY.

(a) Subject to (1) the terms and conditions of any gift, trust, deed restriction, bond covenant or other covenants or restrictions, mortgage, deed of trust, lease, license, use agreement or other agreement applicable to such Property, (2) any state or federal laws related to the disposition of surplus property, City Property, including, without limi-
Upon approval of such a resolution, it shall be the duty of the Administrator, the Executive Director and other City officials, as appropriate, to take all steps necessary to implement the resolution.

SEC. 23A.12. WAIVER; AMENDMENT.

The Board of Supervisors may by ordinance waive the provisions of this Chapter 23A, including those provisions adopted by the voters, as applied to any particular property in order to further the purposes of the Chapter or for other public purposes, including the delivery, creation or expansion of health care, child care, education, open space, public safety, transit and infrastructure. The Board of Supervisors may by ordinance amend any provisions of this Chapter 23A relating to the timeline for reporting and holding public hearings.

Section 2. Scope of Ordinance. In enacting this ordinance, the People of the City and County of San Francisco intend to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions or deletions, in accordance with the “Note” that appears under the official title of the ordinance.

Section 3. Undertaking for the General Welfare. In enacting and implementing this ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Section 4. Competing Measures. If this ordinance and another measure or measures regarding the disposition of surplus City property in any respect shall appear on the same Citywide election ballot, the provisions of such other measures shall be deemed to be in conflict with this ordinance. If this ordinance shall receive a greater number of affirmative votes, the provisions of this ordinance shall prevail in their entirety and each and every provision of the other measure or measures shall be null and void in their entirety. If the other measure or measures shall receive a greater number of votes, the provisions of this ordinance shall take effect to the extent permitted by law.

Upon approval of such a resolution, it shall be the duty of the Administrator, the Executive Director and other City officials, as appropriate, to take all steps necessary to implement the resolution.

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