

Mayor's Office of Housing and Community Development
City and County of San Francisco



EDWIN M. LEE
MAYOR

OLSON LEE
DIRECTOR

September 19, 2017

Memo

To: Tom DeCaigny, Director of Cultural Affairs, Arts Commission

From: Kate Hartley, Acting Director of MOHCD

Copy: Rebekah Krell, Deputy Director of Cultural Affairs
Jill Manton, Director of Public Art Trust and Special Initiatives
Susan Pontious, Director of Public Art

Re: MOU Between MOHCD and Arts Commission - Update

As a supplement to the Memos dated January 27, 2017 and May 17, 2017, please allow the following to serve as a proposed Memo of Understanding between the Arts Commission ("SFAC") and the Mayor's Office of Housing and Community Development ("MOHCD") regarding the application of City Administrative Code sections 2A.150 and 319.A to the work of MOHCD and specifically to our work to develop new construction affordable housing projects.

Civic Design Review

In recognition that the intention of the Civic Design Review process is to provide meaningful input to projects developed on City-owned land, we propose that for MOHCD-funded new construction projects the critical moment for input is during the selection of the design team, typically including the owner/developer, architect, and property management organizations. Therefore, to satisfy Civic Design Review requirement, the SFAC Civic Design Review Commissioner, or their designee as directed, would serve as a voting panel member for Request for Qualifications, Request for Proposals, and Notices of Funding Availability issued by MOHCD after June 15, 2017.

Public Art

We have agreed that the applicable requirement for MOHCD funded projects is 1% of hard cost of construction multiplied by (x) the percent (%) of project funded by MOHCD. For example:

Sample Project X

Total Development Cost	\$71MM
Hard Cost of Construction	\$50MM
MOHCD Loan Amount	\$25MM

Calculation for Public Art for Sample Project X

\$50MM (hard cost) x 1% x 35% (\$25MM/\$71MM) = \$175,000

Due to lack of time to incorporate the above into the development process, we request exemption from both Civic Design Review and Public Art for the following sites where the developer has already been selected and preliminary budgets approved:

1. 490 South Van Ness
2. 2070 Folsom
3. 1296 Shotwell
4. 1950 Mission
5. 88 Broadway and 735 Davis
6. 681 Bryant (aka 2070 Bryant)
7. 260 Geneva (Balboa Park Upper Yard)
8. 1990 Folsom – CEQA (and re-zoning) finishing up December
9. 500 Turk – CEQA pending, focused EIR underway
10. 3001 24th Street – has PPA letter from Planning

We also wish to clarify that there are new construction affordable projects for which MOHCD provides funds where there are separate Development Agreements (“DA”) with the master developers (for example, HOPE SF Sunnydale, HOPE SF Potrero, and Treasure Island – and upcoming at Balboa Reservoir). These DAs supersede the Administrative Code, so these projects would also be exempt from Design Review, and would not require any action by the Arts Commission.

We will be selecting development teams in FY17-18 for several sites, including 4th and Folsom, 180 Jones, Market Octavia Parcels U/R/S, 1064-68 Mission, and 43rd and Irving. For these sites and future projects, we would expect the agreed-upon protocols to apply. We look forward to deepening the relationship between the Arts Commission and MOHCD.

Thank you for the opportunities your team has given to MOHCD to engage in a conversation about Civic Design Review, and for your flexibility as we begin to incorporate these new requirements.

Please sign below to acknowledge your agreement with the information above.

Acknowledged by:

Tom DeCaigny
Director of Cultural Affairs, Arts Commission

Date

Kate Hartley
Acting Director, MOHCD

Date