

1 Amending Resolution of Intention to Form Waterfront Infrastructure Financing District]

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3 **Resolution amending Resolution of Intention to establish Infrastructure**

4 **Financing District No. 2 (File No. 120128) for the [City and County of San**

5 **Francisco at the Port of San Francisco.**

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7 WHEREAS, California Statutes of 1968, Chapter 1333 (the "Burton Act") and the  
8 San Francisco Charter Section 4.114 and B3.581 empower the San Francisco Port  
9 Commission with the power and duty to use, conduct, operate, maintain, manage,  
10 regulate and control the lands within Port Commission jurisdiction; and

11 WHEREAS, Under Government Code Sections 53395 et seq. (IFD Law), this  
12 Board of Supervisors is authorized to establish an infrastructure financing district and to  
13 act as the legislative body for an infrastructure financing district; and,

14 WHEREAS, Pursuant to Section 53395.8 of the IFD Law, a waterfront district  
15 may be divided into project areas; and

16 WHEREAS, On March 27, 2012, by Resolution No. 110-12 (Original Resolution  
17 of Intention), this Board of Supervisors declared its intention to establish a waterfront  
18 district to be known as "City and County of San Francisco Infrastructure Financing  
19 District No. 2 (Port of San Francisco)" (IFD), and designated initial proposed project  
20 areas within the IFD; and

21 WHEREAS, Seawall Lot 351 was not included in the territory proposed to be  
22 included in the IFD pursuant to the Original Resolution of Intention; and

23 WHEREAS, Because the IFD Law provides that incremental tax revenues  
24 allocated to a waterfront district must be used within the waterfront district and the  
25 Executive Director of the Port of San Francisco has proposed the use of incremental  
tax

1 revenues generated by Seawall Lot 351 and related development to finance authorized  
2 facilities throughout the IFD, the Board of Supervisors wishes to amend the Original  
3 Resolution of Intention to add Seawall Lot 351 to the territory proposed to be included  
4 in the IFD, and to designate Seawall Lot 351 as an initial proposed Project Area E;  
5 now, therefore, be it

6 RESOLVED, By the Board of Supervisors as follows:

7 1. Ratification of Original Resolution of Intention. This Board of Supervisors  
8 hereby ratifies the Original Resolution of Intention except as set forth in this Resolution.  
9 Except as set forth in this Resolution, the Original Resolution of Intention shall remain  
10 in full force and effect. Exhibit A to the Original Resolution of Intention, which lists the  
11 type of public facilities proposed to be financed by the IFD, is attached hereto and  
12 incorporated herein.

13 2. Amendment of Original Resolution of Intention. The Original Resolution of  
14 Intention is hereby amended to propose a Project Area E (Seawall Lot 351), which will  
15 be a project area and a waterfront district within the IFD. In order to provide for a  
16 orderly designation of project areas, the Original Resolution of Intention is hereby  
17 amended to establish the names of the initial proposed project areas as follows:

18 a. Project Area A (Seawall Lot 330). Project Area A shall be a special  
19 waterfront district and a Port America's Cup district.

20 b. Project Area B (Piers 30-32). Project Area B shall be a special waterfront  
21 district and a Port America's Cup district.

22 c. Project Area C (Pier 28). Project Area C shall be a special waterfront  
23 district and a Port America's Cup district.

24 d. Project Area D (Pier 26). Project Area D shall be a special waterfront  
25 district and a Port America's Cup district.

1 e. Project Area E (Seawall Lot 351). Project Area E shall be a waterfront  
2 district.

3 f. Project Area F (Pier 48). Project Area F shall be a waterfront district.

4 g. Project Area G (Pier 70). Project Area G is expected to be a Pier 70  
5 district and may not be subject to a Pier 70 enhanced financing plan prior to January 1,  
6 2014.

7 h. Project Area H (Rincon Point-South Point Project Area). Unless the IFD  
8 Law is amended to permit venues within the Rincon Point-South Beach Project Area of  
9 the former Redevelopment Agency of the City and County of San Francisco to be  
10 included in a special waterfront district, Project Area H shall not constitute a special  
11 waterfront district.

12 3. Amended Boundaries Described. The proposed amended boundaries of  
13 the IFD, which are amended to include Project Area E and to reflect the re-naming of  
14 certain proposed project areas as described above, are as shown on the amended map  
15 of the IFD on file with the Clerk of the Board of Supervisors, which boundaries are  
16 hereby preliminarily approved and to which map reference is hereby made for further  
17 particulars.

18 4. Public Hearing; Notice. This Board of Supervisors will conduct a public  
19 hearing on the proposed establishment of the IFD, including Project Area E as  
20 proposed by this Board of Supervisors in this Resolution, in the Board of Supervisors  
21 Chambers, 1 Dr. Carlton B. Goodlett Place, City Hall, San Francisco, California, on a  
22 date to be established by the Executive Director of the Port, in consultation with the  
23 Clerk of the Board of Supervisors. The Clerk of the Board of Supervisors shall cause  
24 notice of the public hearing to be published as set forth in the Original Resolution of  
25 Intention.

1           5.     Further Action. The Clerk of the Board of Supervisors and all other officers  
2 and agents of the City are hereby authorized and directed to take all actions necessary  
3 or advisable to give effect to the transactions contemplated by Original Resolution of  
4 Intention, as amended by this Resolution.

5           6.     No Obligation. The Original Resolution of Intention, as amended by this  
6 Resolution, shall in no way obligate the Board of Supervisors to establish the IFD. The  
7 establishment of the IFD, including the project areas described in the Original  
8 Resolution of Intention as amended by this Resolution, shall be subject to the approval  
9 of this Board of Supervisors by ordinance following the holding of the public hearing  
10 referred to above. The proposal to include property in the boundaries of the IFD does  
11 not constitute an approval of any specific land uses on such property.

12           7.     California Environmental Quality Act. This Board of Supervisors hereby  
13 finds that, pursuant to Title 14, California Code of Regulations, Section 15378(b)(4),  
14 adoption of this Resolution and the establishment of the IFD are not “projects” under  
15 the California Environmental Quality Act, because they do not involve any commitment  
16 to a specific project that may result in a potentially significant physical impact on the  
17 environment.

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