

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

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3 **Resolution of Intention to establish Infrastructure Financing District No. 2 for the**  
4 **City and County of San Francisco at the Port of San Francisco.**

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

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

13 WHEREAS, More specifically, this Board of Supervisors is authorized to  
14 establish a "waterfront district" under Section 53395.8 of the IFD Law, including (i) a  
15 waterfront district for 65 acres of waterfront land in the area near Pier 70 (a "Pier 70  
16 district") for which there is a "Pier 70 enhanced financing plan" and (ii) a waterfront  
17 district created as a "special waterfront district" and a "Port America's Cup district" under  
18 Section 53395.81; and,

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

21 WHEREAS, This Board of Supervisors wishes to establish a waterfront district as  
22 described and for the purposes specified in this Resolution; now, therefore, be it

23 **RESOLVED, By the Board of Supervisors as follows:**

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1           1.     Authority. This Board of Supervisors proposes to conduct proceedings to  
2 establish an infrastructure financing district pursuant to the IFD Law, which district shall  
3 constitute a waterfront district. The waterfront district shall include project areas as  
4 identified by this Board of Supervisors from time to time, one of which is intended  
5 to constitute a Pier 70 district (at the time authorized by the IFD Law) and one or more  
6 of which may constitute special waterfront districts; and,

7           2.     Name of IFD. The name proposed for the infrastructure financing district is  
8 “City and County of San Francisco Infrastructure Financing District (IFD) No. 2 (Port of  
9 San Francisco)”. The names of the initial proposed project areas are:

10           a.     Project Area A (Seawall Lot 330). Project Area A shall be a special  
11 waterfront district and a Port America’s Cup district.

12           b.     Project Area B (Piers 30-32). Project Area B shall be a special waterfront  
13 district and a Port America’s Cup district.

14           c.     Project Area C (Pier 28). Project Area C shall be a special waterfront  
15 district and a Port America’s Cup district.

16           d.     Project Area D (Pier 26). Project Area D shall be a special waterfront  
17 district and a Port America’s Cup district.

18           ~~e.     Project Area E (Seawall Lot 351). Project Area E shall be a waterfront~~  
19 ~~district.~~

20           ef.    Project Area F (Seawall Lot 337). Project Area F shall be a waterfront  
21 district.

22           fg.    Project Area G (Pier 48). Project Area G shall be a waterfront district.

23           gh.    Project Area H (Pier 70). Project Area H is expected to be a Pier 70 district  
24 and may not be subject to a Pier 70 enhanced financing plan prior to January 1, 2014.

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1           hi.     Project Area I (Rincon Point-South Point Project Area). Unless the IFD  
2 Law is amended to permit venues within the Rincon Point-South Beach Project Area of  
3 the Redevelopment Agency of the City and County of San Francisco to be included in a  
4 special waterfront district, Project Area I shall not constitute a special waterfront district.  
5 The City intends to establish additional project areas from time to time in compliance  
6 with the IFD Law.

7           3.     Boundaries Described. The proposed boundaries of the IFD, including the  
8 boundaries of the initial project areas within the IFD, are as shown on the map of the  
9 IFD on file with the Clerk of the Board of Supervisors, which boundaries are hereby  
10 preliminarily approved and to which map reference is hereby made for further  
11 particulars.

12          4.     Facilities. The type of public facilities proposed to be financed by the IFD  
13 and pursuant to the IFD Law shall consist of those listed as facilities on Exhibit A hereto  
14 and hereby incorporated in this Resolution (Facilities). The Board of Supervisors hereby  
15 authorizes the Executive Director of the Port of San Francisco and any designee of  
16 such official to execute one or more agreements to acquire Facilities financed by the  
17 IFD, which agreement(s) may provide for the acquisition of discrete portions or phases  
18 of facilities.

19          5.     Incremental Property Tax Revenue. The Board of Supervisors hereby  
20 declares that, pursuant to the IFD Law, the IFD will use incremental property tax  
21 revenue from the City but none of the other affected taxing entities within the IFD  
22 (except to the extent permitted by Section 53395.8(h) of the IFD Law) to finance the  
23 Facilities.

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1           6.     Infrastructure Financing Plan. The Executive Director of the Port of San  
2     Francisco is hereby directed to prepare an infrastructure financing plan (Infrastructure  
3     Financing Plan) for this Board of Supervisors that complies with the requirements of the  
4     IFD Law. The Infrastructure Financing Plan shall be a special waterfront district  
5     enhanced financing plan, as defined in the IFD Law, with respect to Project Areas A, B,  
6     C and D. This Board of Supervisors reserves the right to establish enhanced financing  
7     plans in the future with respect to other project areas within the IFD. To the extent  
8     required by the IFD Law, the Executive Director of the Port shall cause the  
9     Infrastructure Financing Plan to be sent to the San Francisco Planning Department and  
10    to this Board.

11          7.     Public Hearing. This Board of Supervisors will conduct a public hearing  
12    on the proposed establishment of the IFD in the Board of Supervisors Chambers, 1 Dr.  
13    Carlton B. Goodlett Place, City Hall, San Francisco, California, on a date to be  
14    established by the Executive Director of the Port, in consultation with the Clerk of the  
15    Board of Supervisors.

16          8.     Notice of Public Hearing. The Clerk of the Board of Supervisors is hereby  
17    directed to cause notice of the public hearing to be published not less than once a week  
18    for four successive weeks in a newspaper designated by this Board of Supervisors for  
19    the publication of official notices in the City. The notice shall state that the IFD will be  
20    used to finance Facilities, briefly describe the Facilities and the proposed financial  
21    arrangements, including the proposed commitment of incremental tax revenue, describe  
22    the boundaries of the proposed IFD and state the day, hour, and place when and where  
23    any persons having any objections to the proposed Infrastructure Financing Plan, or the  
24    regularity of any of the prior proceedings, may appear before this Board of Supervisors  
25    and object to the adoption of the proposed Infrastructure Financing Plan by this Board.

1           9.     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 this Resolution.

4           10.    No Obligation. This Resolution shall in no way obligate the Board of  
5 Supervisors to establish the IFD. The establishment of the IFD, including the project  
6 areas described above, shall be subject to the approval of this Board of Supervisors by  
7 ordinance following the holding of the public hearing referred to above.

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

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