

1 [Affirmation of Support of San Francisco's Bid for the 34<sup>th</sup> America's Cup and Endorsement of  
2 Host City]

3 **Resolution supporting the efforts of the City and the San Francisco America's Cup**  
4 **Organizing Committee to bring the 34th America's Cup to the San Francisco Bay and**  
5 **encouraging BMW Oracle Racing and the Golden Gate Yacht Club to select San**  
6 **Francisco as the official Host City for the 34<sup>th</sup> America's Cup in 2013 and endorsing the**  
7 **Term Sheet for hosting the 34<sup>th</sup> America's Cup in San Francisco.**

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9 WHEREAS, In February 2010, BMW Oracle Racing, sailing for the Golden Gate Yacht  
10 Club (together, the "Team"), won the 33<sup>rd</sup> America's Cup in Valencia, Spain; and

11 WHEREAS, The Team, as Defenders of the America's Cup, has the right and duty to  
12 organize the 34<sup>th</sup> America's Cup (the "Event"), and in doing so, will create an Event Authority  
13 for purposes of organizing the Event; and,

14 WHEREAS, The Team has selected three potential venues for hosting the Event,  
15 including San Francisco, the only United States city under consideration, and two European  
16 venues; and,

17 WHEREAS, Hosting the 34<sup>th</sup> America's Cup in San Francisco would generate  
18 significant public benefits including (i) the repair, improvement and productive reuse of certain  
19 City piers along the City's central and southern waterfront that are currently in a state of  
20 disrepair; (ii) the generation of significant new jobs and economic development in a very short  
21 period of time, including over 9,000 jobs and more than \$1.4 billion of new economic activity,  
22 as projected in an economic impact analysis completed by the Bay Area Council Economic  
23 Institute and Beacon Economics; and (iii) substantially increased public access to the  
24 waterfront, new opportunities for people to view and enjoy the San Francisco Bay and an  
25 extraordinary showcase for the Bay to the world; and,

1           WHEREAS, An America's Cup Organizing Committee ("ACOC"), an independent not-  
2 for-profit corporation, has been established and includes civic and corporate leaders from  
3 throughout the Bay Area, California and the nation, as well as a bipartisan honorary  
4 committee including elected and appointed representatives from our local, state and federal  
5 governments; and,

6           WHEREAS, The ACOC is positioned to support its obligations and assignments  
7 contemplated by the Term Sheet described below through the execution of a third-party  
8 agreement with the Event Authority; and,

9           WHEREAS, Hosting the 34<sup>th</sup> America's Cup in San Francisco offers the opportunity to  
10 showcase San Francisco and its Bay to the world, and will help transform the America's Cup  
11 by providing unique spectator opportunities - people will line Crissy Field, South Beach, the  
12 Golden Gate Bridge, the Headlands, and Angel Island - because the San Francisco Bay is a  
13 natural marine amphitheater; and,

14           WHEREAS, The venue plan for the Event will include waterfront sites stretching from  
15 Pier 28 to Pier 50, with the most intensive uses at Piers 30-32, as the main visitor and public  
16 access area, and Pier 50 as the main "base" for each of the teams competing in the Event;  
17 and,

18           WHEREAS, The venue plan will take advantage of the Event's proximity to downtown  
19 San Francisco, which can serve as the "America's Cup Village", providing hotel rooms,  
20 restaurants, retail shops, cultural attractions and other amenities, including a vast public  
21 transit system, needed to serve the approximately two million new visitors; and,

22           WHEREAS, City staff has facilitated extensive public outreach regarding the Event,  
23 and as a result, has received significant support for hosting the Event in San Francisco from  
24 numerous government, regulatory, environmental and local organizations, including the State  
25 of California, through the State Legislature and Governor, the Port of San Francisco, the

1 Recreation and Parks Commission, the Bay Conservation and Development Commission, the  
2 Metropolitan Transportation Commission, the Sierra Club, Save the Bay, the Environmental  
3 Defense Fund, the California League of Conservation Voters, the San Francisco Convention  
4 and Visitors Bureau, and the San Francisco Chamber of Commerce; and,

5 WHEREAS, The Mayor and the Team have negotiated a Term Sheet for hosting the  
6 34<sup>th</sup> America's Cup in San Francisco, outlining the material obligations and responsibilities of  
7 the City and the Event Authority (as described in the Term Sheet) in hosting the 34<sup>th</sup>  
8 America's Cup in San Francisco and providing the basis for negotiation of a binding Host  
9 Agreement, a copy of which Term Sheet is on file with the Clerk of the Board in File No.  
10 101254 and is incorporated in this resolution by reference (the "Term Sheet"); and,

11 WHEREAS, The Term Sheet requires the Event Authority to make an estimated \$150  
12 million in substructure and infrastructure improvements to Piers 30-32 and 50 to prepare  
13 those facilities for the Event; and in exchange, the City grants the long term development  
14 rights to Piers 30-32 and 50 and Seawall Lot 330 to the Event Authority, together with  
15 proceeds of tax increment financing from the future development of such sites, to reimburse  
16 the Event Authority for the cost of the infrastructure repairs and improvements; and,

17 WHEREAS, The Mayor and the Port ("Port") have identified potential financial impacts  
18 to the Port of hosting the 34<sup>th</sup> America's Cup and a range of potential solutions, including  
19 using Charter Section B7.320 to offset race-related, net short-term rent reductions to the Port,  
20 financing the costs of Pier 50 site preparations and relocation of the Port's maintenance  
21 facility with City certificates of participation, and City financing for waterfront improvements to  
22 offset reductions in the Port's revenue bond capacity, subject to the review and approval of  
23 the Capital Planning Committee, the Mayor and the San Francisco Board of Supervisors; and,

24 WHEREAS, The Team will continue to assess and analyze information to determine  
25 the type and placement of facilities and infrastructure necessary to host the 34<sup>th</sup> America's

1 Cup, and will provide information to the City from this ongoing planning and assessment  
2 process to further refine the plans for the 34<sup>th</sup> America's Cup; and,

3 WHEREAS, The City will undertake environmental review of the 34<sup>th</sup> America's Cup  
4 event and facilities as project components are better defined and will work with the Team as  
5 well as experts and the public to develop a thorough environmental analysis that will inform  
6 both the design and placement of the 34<sup>th</sup> America's Cup events and facilities, and the City  
7 and the Team intend the 34<sup>th</sup> America's Cup event and facilities to be models of green,  
8 sustainable technology and event planning; now, therefore, be it

9 RESOLVED, That the San Francisco Board of Supervisors affirms its support for the  
10 City's efforts to bring the 34<sup>th</sup> America's Cup to San Francisco; and be it

11 FURTHER RESOLVED, That the San Francisco Board of Supervisors supports the  
12 creation of the San Francisco America's Cup Organizing Committee; and, be it

13 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the Port  
14 to coordinate with the Mayor's Office of Economic and Workforce Development, the Director  
15 of Public Finance, the San Francisco Planning Department, the Controller, the Department of  
16 the Environment, the Capital Planning Committee and other relevant City departments to  
17 prepare for the  
18 34<sup>th</sup> America's Cup; and be it

19 FURTHER RESOLVED, That the City will conduct environmental review of the 34<sup>th</sup>  
20 America's Cup under the California Environmental Quality Act ("CEQA") and nothing in this  
21 resolution implements any approvals or facilities for the 34<sup>th</sup> America's Cup, or grants any  
22 entitlements to the Event Authority, nor does adoption of this resolution foreclose the  
23 possibility of considering alternatives to the proposal, mitigation measures or deciding not to  
24 grant entitlement or approve or implement any actions to construct necessary amenities for  
25 the 34<sup>th</sup> America's Cup after conducting appropriate environmental review under CEQA, and

1 while the Term Sheet identifies many of the essential terms of a proposed transaction  
2 between the Event Authority and the City that the parties expect will form the basis for a  
3 binding Host Agreement, it does not set forth all of the material terms and conditions of a  
4 project proposal; and, be it

5 FURTHER RESOLVED, In accordance with Chapter 29 of the Administrative Code  
6 (Findings of Fiscal Feasibility and Responsibility), and as required thereunder, the City will  
7 conduct a financial feasibility study at such time as the project components are better defined  
8 through the process contemplated by this Resolution; and, be it

9 FURTHER RESOLVED, That the San Francisco Board of Supervisors endorses the  
10 Term Sheet and urges the parties to diligently work toward completion of a Host Agreement  
11 and take the steps contemplated by the Term Sheet.

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13 Approved, this \_\_\_\_ Day of \_\_\_\_\_, 2010

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