

1 [Hunters Point Shipyard Joint Community Facilities Agreement.]

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3 **Resolution approving and authorizing a Joint Community Facilities Agreement between**
4 **the City and County of San Francisco and the Redevelopment Agency of the City and**
5 **County of San Francisco in furtherance of the adoption and implementation of the**
6 **Redevelopment Plan for the Hunters Point Shipyard, specifically the Hunters Point**
7 **Phase One Improvements, and making environmental findings.**

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9 WHEREAS, On July 14, 1997, by Ordinance No. 285-97, the Board of Supervisors
10 approved a Redevelopment Plan for the Hunters Point Shipyard (“Redevelopment Plan”); and

11 WHEREAS, In accordance with the actions contemplated herein, this Board adopted
12 Resolution No. _____, concerning findings pursuant to the California Environmental
13 Quality Act (California Public Resources Code sections 21000 et seq.). Said Resolution is on
14 file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated
15 herein by reference; and

16 WHEREAS, In order to facilitate the implementation of the Redevelopment Plan, the
17 Redevelopment Agency of the City and County of San Francisco (“Agency”) and
18 Lennar/BVHP LLC, a California limited liability company doing business as Lennar/BVHP
19 Partners (the “Developer”) have entered into a Disposition and Development Agreement for
20 Hunters Point Phase 1 (the "Phase 1 DDA"), dated as of December 2, 2003, regarding the
21 development of the area subject to the Phase 1 DDA by the Developer and its Transferees as
22 defined and permitted under the Phase 1 DDA.

23 WHEREAS, the Agency is now conducting proceedings for the establishment of a
24 community facilities district (“CFD”) and the authorization and issuance of special tax bonds of
25 the CFD (the “Bonds”) under the Mello-Roos Community Facilities Act of 1982, as amended,

1 Part 1 (commencing with Section 53311) of Division 2 of Title 5 of the California Government
2 Code for the financing of, among other things, public facilities to be acquired by the City in
3 support of the redevelopment of the Phase 1 Area.(the “Facilities”) as described in Exhibit A to
4 the Joint Community Facilities Agreement, a copy of which is on file with the Clerk of the
5 Board of Supervisors in File No._____, and which is hereby declared to be a part of this
6 resolution as if set forth fully herein; and

7 WHEREAS, The Financing and Revenue Sharing Plan attached to the Phase 1 DDA
8 describes, among other things, the financing structure for the Facilities and the Agency
9 intends to provide for the construction of the Facilities pursuant to an Acquisition Agreement
10 between the Agency and the Developer, which provides the process for the Agency to
11 oversee construction of the Facilities and, after completion of construction, verification of costs
12 and inspection by the City, to pay for the acquisition thereof by the City by applying a portion
13 of the proceeds of the Bonds for such purpose; and

14 WHEREAS, The Agency and the Board of Supervisors have determined that it would
15 be of benefit to the residents of each of their respective jurisdictions to enter into the Joint
16 Community Facilities Agreement, to provide for the City to cooperate with the Agency during
17 the construction and acquisition of the Facilities and to provide for the acquisition of the
18 Facilities by the City upon payment thereof by the Agency, using a portion of the proceeds of
19 the Bonds, now, therefore, be it

20 RESOLVED, That the Board of Supervisors authorizes the Mayor and the Department
21 of Public Works (or any successor City officer designated by law) to enter into the Joint
22 Community Facilities Agreement; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors authorizes and urges the
24 Mayor, Department of Public Works and any other officers, agents and employees of the City
25 to take any and all steps as they or any of them deem necessary and appropriate, in

1 consultation with the City Attorney, in order to consummate the Joint Community Facilities
2 Agreement.

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