

1 [Resolution of Intention to Form Project Area I (Mission Rock), and Sub-Project Areas I-1  
2 Through I-13 Therein, of Infrastructure Financing District No. 2 (Port of San Francisco)]

3 **Resolution of Intention to establish Project Area I (Mission Rock), and Sub-Project**  
4 **Areas I-1 through I-13 therein, of City and County of San Francisco Infrastructure**  
5 **Financing District No. 2 (Port of San Francisco); to call a public hearing on January 23,**  
6 **2018; and determining other matters in connection therewith.**

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

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

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

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

23 WHEREAS, On June 12, 2012, by Resolution No. 227-12 (First Amending Resolution),  
24 this Board of Supervisors amended the Original Resolution of Intention to propose, among  
25 other things, an amended list of project areas, including Project Area G (Pier 70); and

1           WHEREAS, On November 17, 2015, by Resolution 421-15 (Second Amending  
2 Resolution, and together with the Original Resolution of Intention to Establish IFD and the  
3 First Amending Resolution, the Resolution of Intention to Establish IFD), this Board of  
4 Supervisors amended the Original Resolution of Intention, as amended by the First Amended  
5 Resolution, to propose, among other things, a further amended list of project areas, including  
6 Project Area G (Pier 70), as a Pier 70 district, and Sub-Project Area G-1 (Pier 70 – Historic  
7 Core), as a Pier 70 district; and

8           WHEREAS, In the Resolution of Intention to Establish IFD, this Board of Supervisors  
9 directed the Executive Director of the Port of San Francisco (Executive Director) to prepare an  
10 infrastructure financing plan for the IFD (Infrastructure Financing Plan) that would comply with  
11 the IFD Law, and reserved the right to establish infrastructure financing plans in the future  
12 specific to other project areas and sub-project areas within the IFD; and

13           WHEREAS, In accordance with the IFD Law, at the direction of this Board of Directors,  
14 the Executive Director prepared the Infrastructure Financing Plan; and

15           WHEREAS, On February 23, 2016, by Ordinance No. 27-16 (Ordinance Establishing  
16 IFD), this Board of Supervisors, among other things, declared the IFD to be fully formed and  
17 established with full force and effect of law and adopted the Infrastructure Financing Plan; and

18           WHEREAS, On July 24, 2018, by Resolution No. 232-18, the Board of Supervisors  
19 declared its intention to establish three additional sub-project areas within Project Area G  
20 (Pier 70) of the IFD designated Sub-Project Area G-2 (Pier 70 - Waterfront Site), Sub-Project  
21 Area G-3 (Pier 70 - Waterfront Site) and Sub-Project Area G-4 (Pier 70 - Waterfront Site)  
22 (Resolution of Intention to Establish Sub-Project Areas G-2, G-3 and G-4); and

23           WHEREAS, At its hearing on October 5, 2017, and prior to recommending the  
24 proposed Planning Code amendments for approval, by Motion No. M-20017, the Planning  
25 Commission certified a Final Environmental Impact Report (FEIR) for the Seawall 337 and

1 Pier 48 Mixed-Use Project (Project) pursuant to the California Environmental Quality Act  
2 (CEQA) (California Public Resources Code, Section 21000 et seq.), the CEQA Guidelines (14  
3 Cal. Code Reg., Section 15000 et seq.), and Administrative Code, Chapter 31; and

4 WHEREAS, A copy of said Motion is on file with the Clerk of the Board of Supervisors  
5 in File No. 171117, and, is incorporated herein by reference; and

6 WHEREAS, In accordance with the actions contemplated herein, this Board of  
7 Supervisors has reviewed the FEIR, concurs with its conclusions, affirms the Planning  
8 Commission’s certification of the FEIR, and finds that the actions contemplated herein are  
9 within the scope of the Project described and analyzed in the FEIR; and

10 WHEREAS, In recommending the proposed Planning Code Amendments for approval  
11 by this Board of Supervisors at its hearing on October 5, 2017, by Motion No. M-20018, the  
12 Planning Commission also adopted findings under CEQA, including a statement of overriding  
13 consideration, and a Mitigation Monitoring and Reporting Program (MMRP); and

14 WHEREAS, A copy of said Motion and MMRP are on file with the Clerk of the Board of  
15 Supervisors in File No. 171117, and is incorporated herein by reference; and

16 WHEREAS, This Board of Supervisors hereby adopts and incorporates by reference as  
17 though fully set forth herein the Planning Commission’s CEQA approval findings, including the  
18 statement of overriding considerations; and

19 WHEREAS, This Board of Supervisors also adopts and incorporates by reference as  
20 though fully set forth herein the Project’s MMRP; and

21 WHEREAS, In connection with the Project, this Board of Supervisors wishes to further  
22 declare its intention to establish Project Area I (Mission Rock) and Sub-Project Areas I-1  
23 through I-13 thereof, as more particularly described below; now, therefore, be it

24 RESOLVED, By the Board of Supervisors as follows:  
25

1           1.     Authority. This Board of Supervisors proposes to conduct proceedings to  
2 establish Project Area I (Mission Rock) of the IFD and thirteen sub-project areas within Project  
3 Area I (Mission Rock) pursuant to the IFD Law.

4           2.     Name of Project Area and Sub-Project Areas. The names of the proposed  
5 project area and sub-project areas therein (collectively referred to herein as, the Sub-Project  
6 Areas of Project Area I) are as follows:

7           a.     Project Area I (Mission Rock). Project Area I (Mission Rock) shall be a  
8 waterfront district.

9           b.     Sub-Project Area I-1 (Mission Rock). Sub-Project Area I-1 (Mission Rock) shall  
10 be a waterfront district.

11          c.     Sub-Project Area I-2 (Mission Rock). Sub-Project Area I-2 (Mission Rock) shall  
12 be a waterfront district.

13          d.     Sub-Project Area I-3 (Mission Rock). Sub-Project Area I-3 (Mission Rock) shall  
14 be a waterfront district.

15          e.     Sub-Project Area I-4 (Mission Rock). Sub-Project Area I-4 (Mission Rock) shall  
16 be a waterfront district.

17          f.     Sub-Project Area I-5 (Mission Rock). Sub-Project Area I-5 (Mission Rock) shall  
18 be a waterfront district.

19          g.     Sub-Project Area I-6 (Mission Rock). Sub-Project Area I-6 (Mission Rock) shall  
20 be a waterfront district.

21          h.     Sub-Project Area I-7 (Mission Rock). Sub-Project Area I-7 (Mission Rock) shall  
22 be a waterfront district.

23          i.     Sub-Project Area I-8 (Mission Rock). Sub-Project Area I-8 (Mission Rock) shall  
24 be a waterfront district.

1           j.       Sub-Project Area I-9 (Mission Rock). Sub-Project Area I-9 (Mission Rock) shall  
2 be a waterfront district.

3           k.       Sub-Project Area I-10 (Mission Rock). Sub-Project Area I-10 (Mission Rock)  
4 shall be a waterfront district.

5           l.       Sub-Project Area I-11 (Mission Rock). Sub-Project Area I-11 (Mission Rock)  
6 shall be a waterfront district.

7           m.       Sub-Project Area I-12 (Mission Rock). Sub-Project Area I-12 (Mission Rock)  
8 shall be a waterfront district.

9           n.       Sub-Project Area I-13 (Mission Rock). Sub-Project Area I-13 (Mission Rock)  
10 shall be a waterfront district.

11           3.       Amended Boundaries Described. The proposed amended boundaries of the  
12 IFD, which are amended to include Project Area I (Mission Rock) and each of the Sub-Project  
13 Areas of Project Area I, are as shown on the amended map of the IFD on file with the Clerk of  
14 the Board of Supervisors, which boundaries are hereby preliminarily approved and to which  
15 map reference is hereby made for further particulars.

16           4.       Facilities. The type of public facilities proposed to be financed by Project Area I  
17 (Mission Rock) and each of the Sub-Project Areas of Project Area I consist of those listed on  
18 Exhibit A to the Original Resolution of Intention to Establish IFD, and are particularly  
19 described in Appendix I to the Infrastructure Financing Plan described below. Exhibit A to the  
20 Original Resolution of Intention to Establish IFD, which lists the type of public facilities  
21 proposed to be financed by the IFD, including, without limitation, Project Area I (Mission Rock)  
22 and each of the Sub-Project Areas of Project Area I, is attached hereto and incorporated  
23 herein.

24           5.       Incremental Property Tax Revenue. This Board of Supervisors hereby declares  
25 that, pursuant to the IFD Law, Project Area I (Mission Rock) and each of the Sub-Project

1 Areas of Project Area I will use incremental property tax revenue from the City but none of the  
2 other affected taxing entities within Project Area I (Mission Rock) and each of the Sub-Project  
3 Areas of Project Area I (in each case except to the extent permitted by Section 53395.8(h) of  
4 the IFD Law) to finance the Facilities.

5 6. Infrastructure Financing Plan. The Executive Director is hereby directed to  
6 prepare an infrastructure financing plan for Project Area I (Mission Rock) and each of the Sub-  
7 Project Areas of Project Area I as an appendix to the Infrastructure Financing Plan, to be  
8 designated Appendix I that complies with the requirements of the IFD Law. The Executive  
9 Director shall cause the Infrastructure Financing Plan to be amended to include Appendix I,  
10 and, to the extent required by the IFD Law, for the Infrastructure Financing Plan as so  
11 amended to be sent to the San Francisco Planning Department and to this Board of  
12 Supervisors.

13 7. Public Hearing. This Board of Supervisors will conduct a public hearing on the  
14 proposed establishment of Project Area I (Mission Rock) and each of the Sub-Project Areas of  
15 Project Area I, in the Board of Supervisors Chamber, 1 Dr. Carlton B. Goodlett Place, City  
16 Hall, San Francisco, California, on January 23, 2018, at 3:00 pm.

17 8. Notice of Public Hearing. The Clerk of the Board of Supervisors is hereby  
18 directed to cause notice of the public hearing to be published not less than once a week for  
19 four successive weeks in a newspaper designated by this Board of Supervisors for the  
20 publication of official notices in the City. The notice shall state that Project Area I (Mission  
21 Rock) and each of the Sub-Project Areas of Project Area I will be used to finance Facilities,  
22 briefly describe the Facilities and the proposed financial arrangements, including the proposed  
23 commitment of incremental tax revenue, describe the boundaries of the proposed Project  
24 Area I (Mission Rock) and each of the Sub-Project Areas of Project Area, state the day, hour  
25

1 and place when and where any persons having any objections to the proposed Appendix I to  
2 the Infrastructure Financing Plan, or the regularity of any of the prior proceedings, may appear  
3 before this Board of Supervisors and object to the adoption of the proposed Appendix I to the  
4 Infrastructure Financing Plan by this Board of Supervisors.

5 9. Further Action. The Clerk of the Board of Supervisors and all other officers and  
6 agents of the City are hereby authorized and directed to take all actions necessary or  
7 advisable to give effect to the transactions contemplated by this Resolution.

8 10. No Obligation. This Resolution shall in no way obligate the Board of  
9 Supervisors to establish Project Area I (Mission Rock) or any of the Sub-Project Areas of  
10 Project Area I within the IFD. The establishment of Project Area I (Mission Rock) and of the  
11 Sub-Project Areas of Project Area I within the IFD, shall be subject to the approval of this  
12 Board of Supervisors by ordinance following the holding of the public hearing referred to  
13 above. The proposal to include property in the boundaries of Project Area I (Mission Rock)  
14 and the Sub-Project Areas of Project Area I within the IFD does not constitute an approval of  
15 any specific land uses on such property.

16  
17 APPROVED AS TO FORM:  
18 DENNIS J. HERRERA  
19 City Attorney

20  
21 By: \_\_\_\_\_  
22 MARK D. BLAKE  
23 Deputy City Attorney  
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