

1 [Eastern Neighborhoods MOU.]

2  
3 **Resolution approving a Memorandum of Understanding between City departments**  
4 **relating to the planning of various capital projects in the Eastern Neighborhoods Plan**  
5 **Area, subject to the approval of the affected City departments and commissions;**  
6 **establishing an Eastern Neighborhoods Infrastructure Finance Working Group; and**  
7 **making findings under the California Environmental Quality Act.**

8  
9 Note: Additions are *single-underline italics Times New Roman*;  
10 deletions are *strikethrough italics Times New Roman*.  
11 Board amendment additions are double underlined.  
12 Board amendment deletions are ~~strikethrough normal~~.

13 WHEREAS, San Francisco’s Eastern Neighborhoods comprise the mixed-use and  
14 mixed-income communities of the Mission, Eastern SoMa, Central Waterfront and Showplace  
15 Square/Potrero Hill, and these communities have historically been the location of much of the  
16 City’s industrial land supply and some of its lower-cost housing. Strong development interest  
17 and community planning efforts call for a significant amount of new residential and  
18 commercial growth in the Eastern Neighborhoods; and,

19 WHEREAS, The City's Planning Department has completed a multi-year planning  
20 process for the Eastern Neighborhoods that resulted in the Eastern Neighborhoods Area Plan  
21 (the "EN Plan"), which rezoned previous districts to reduce land use conflicts between  
22 Production, Distribution and Repair (“PDR”) businesses and other competing uses, to retain  
23 existing PDR jobs in some areas and to encourage diverse housing affordable to a range of  
24 incomes and commercial and mixed-uses in other areas; and,

25

1           WHEREAS, The EN Plan is on file with the Clerk of the Board of Supervisors in File  
2 No. 081152, which is hereby declared to be a part of this resolution as if set forth fully herein;  
3 and,

4           WHEREAS, Following adoption of the EN Plan, the City's Planning Department  
5 anticipates significant new housing units and other development within the EN Plan Area, and  
6 this future development will impact the EN Plan Area's neighborhood infrastructure by  
7 generating greater need for new investment in recreation and open space facilities, transit and  
8 transportation improvements, streetscape improvements, and affordable housing and  
9 community facilities; and,

10           WHEREAS, To ensure that new neighborhood infrastructure and public benefits are  
11 provided concurrently with the demands generated by new growth, various City agencies  
12 have negotiated an Memorandum of Understanding (the "MOU") to prioritize funding and  
13 planning efforts for capital projects as described in the MOU to support the demands  
14 generated by future development in the EN Area, a copy of which MOU is on file with the  
15 Clerk of the Board of Supervisors in File No. 081446; and,

16           WHEREAS, As set forth in the MOU, all funding and planning commitments for the  
17 proposed capital projects are expressly subject to applicable law, including but not limited to  
18 compliance with the California Environmental Quality Act, and the future budgetary decisions  
19 of participating City agencies, and nothing in the MOU or this resolution limits the discretion of  
20 future boards and commissions, including this Board, with respect to these projects or any  
21 alternatives to these projects, including but not limited to a no-project alternative; and,

22           WHEREAS, In accordance with the adoption of the EN Plan, this Board adopted  
23 Ordinance No. \_\_\_\_\_ (File No. 081152), making findings pursuant to the California  
24  
25

1 Environmental Quality Act (California Public Resources Code sections 21000 et seq.), which  
2 findings are incorporated herein by this reference (the "CEQA Findings"); and,

3 WHEREAS, The City's Planning Department adopted and issued a General Plan  
4 Consistency Finding, a copy of which is on file with the Clerk of the Board, wherein the City's  
5 Planning Department found that the adoption of the EN Plan is consistent with the City's  
6 General Plan and with the Eight Priority Policies under Planning Code Section 101.1; now,  
7 therefore, be it

8 RESOLVED, That the Board of Supervisors confirms the CEQA Findings and the  
9 General Plan Consistency Finding, and incorporates such Findings into this resolution; and,  
10 be it

11 FURTHER RESOLVED, That the Board of Supervisors approves the MOU, subject to  
12 the approval of the affected City departments and commissions, and following all such  
13 approvals, the Board authorizes City staff to take actions consistent with the MOU; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors authorizes the City  
15 departments executing the MOU to enter into any additions, amendments or other  
16 modifications that they mutually determine are in the best interest of the City and the  
17 respective departments, do not add costs to or create liabilities for the City, and do not  
18 substantively change the material terms of the MOU; and, be it

19 FURTHER RESOLVED, That any action previously taken by any City employee or  
20 official in accordance with the MOU are hereby ratified and affirmed; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors hereby directs the Capital  
22 Planning Committee to establish a subcommittee as establishes the Eastern Neighborhoods  
23 Infrastructure Finance Working Group (the "EN Finance Working Group") to prepare a specific  
24 set of proposals or recommendations to the Board of Supervisors for financing the  
25

1 infrastructure and other public benefits to be constructed in the EN Plan Area, including but  
2 not limited to consideration of the creation of a permanent "special fund" set aside, the  
3 creation of an infrastructure finance district ("IFD"), and/or the adoption of new state  
4 legislation to amend existing law relating to Tax increment Financing or IFDs as may be  
5 necessary or appropriate, and to provide such proposals or recommendations within six (6)  
6 months following the adoption of this resolution; and, be it

7 FURTHER RESOLVED, That the EN Finance Working Group be comprised of, at a  
8 minimum, four five (4)(5) City employees and three (3) members of the public; and, be it

9 FURTHER RESOLVED, That the ~~four~~ five (4)(5) City employees shall be one  
10 representative from each of the following City departments or committee, appointed by the  
11 head of each such department or committee: the Planning Department, the Office of  
12 Economic and Workforce Development, the Mayor's Office of Public Policy and Finance, the  
13 Controller's Office and the Capital Planning Committee; and, be it

14 FURTHER RESOLVED, That the three (3) members of the public on the EN Finance  
15 Group shall be appointed by the President of the Board of Supervisors, and further filled upon  
16 any resignation or vacancy by the President of the Board of Supervisors.

17  
18  
19  
20  
21  
22  
23  
24  
25