

File No. 101448

Committee Item No. 1

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date December 6, 2010

Board of Supervisors Meeting Date \_\_\_\_\_

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

#### OTHER (Use back side if additional space is needed)

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Completed by: Alisa Somera Date December 3, 2010

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document can be found in the file.

1 [Installation of Public Art in the Hunters Point Shipyard Redevelopment Project Area -  
2 \$80,000]

3 **Resolution making findings under Section 33445 of the California Health and Safety**  
4 **Code and consenting to the Redevelopment Agency using approximately \$80,000 in**  
5 **designated federal grant monies for the installation of Public Art in the Hunters Point**  
6 **Shipyard Redevelopment Project Area.**

7  
8 WHEREAS, The Redevelopment Agency of the City and County of San Francisco  
9 ("Agency") desires to pay for the installation of public art that the Agency will own in the parks  
10 and open space on the hilltop area of Parcel A at the Hunters Point Shipyard Redevelopment  
11 Project Area ("Project Area"); and

12 WHEREAS, The Hunters Point Shipyard Redevelopment Plan, as amended by  
13 Ordinance No. 211-10 (Aug. 3, 2010), provides for the installation and construction of public  
14 art and interpretive signage; and

15 WHEREAS, Fabrication and installation of public art on Parcel A of the Shipyard ("HPS  
16 Public Art Project") is part of the broader Cultural Historic Recognition Program ("CHRP");  
17 and,

18 WHEREAS, The CHRP is one of eleven community benefit programs included in the  
19 Community Benefits Agreement of the Shipyard Phase 1 Disposition and Development  
20 Agreement between the Agency and HPS Development Co., LLP, which was approved in its  
21 original form on December 2, 2003 by the Redevelopment Agency Commission; and,

22 WHEREAS, The CHRP aims to create an art program that identifies opportunities for  
23 recognizing cultural components of the Project Area and surrounding community in the  
24 development of the Project Area; and,

1           WHEREAS, The CHRP also aims to provide opportunities for local artists to participate  
2 in creating public art for the Project Area; and,

3           WHEREAS, The Agency intends to use approximately \$80,000 to pay for the  
4 installation of the public art; and,

5           WHEREAS, The Project will be funded through part of U.S. Department of Commerce,  
6 Economic Development Administration ("EDA") grant # 07-49-06113, grant monies awarded  
7 specifically for the installation of public art on Parcel A of the Project Area; and,

8           WHEREAS, The EDA grant requires a grant recipient to provide a ten percent (10%)  
9 match on funds it invests in a project; and,

10           WHEREAS, The Agency will provide matching funds from rent revenues in the Project  
11 Area; and,

12           WHEREAS, The installation of the HPS Public Art Project qualifies as a public  
13 improvement; and,

14           WHEREAS, The goals of EDA's grants are to generate jobs, help retain existing jobs,  
15 and stimulate industrial and commercial growth in economically distressed areas of the United  
16 States; and,

17           WHEREAS, As a condition of using the federal funds, the Agency must follow the EDA  
18 Procurement Regulations, 15 C.F.R. 24.36 et seq., and EDA construction standards, which  
19 require, among other things, that the Agency meet competitive procurement requirements;  
20 and,

21           WHEREAS, the Community Redevelopment Law, Section 33445 of the California  
22 Health and Safety Code, requires that, prior to paying for the installation and construction of  
23 any publicly-owned building, a redevelopment agency must obtain the consent of the local  
24 legislative body, which must determine the following: 1) the installation and construction of  
25 the public improvement is of a benefit to the project area by helping to eliminate blight within

1 the project area; 2) no other reasonable means of financing the installation and construction of  
2 the public improvement are available to the local jurisdiction in which the redevelopment  
3 agency operates; 3) the use of funds for the installation and construction of the public  
4 improvement is consistent with the implementation plan for the project area; and

5 WHEREAS, the Agency Commission adopted Resolution No. 78-2010 (June 15, 2010)  
6 making findings pursuant to Section 33445 of the Community Redevelopment Law for funding  
7 of the installation and construction of the HPS Public Art Project ("Benefits Findings") and  
8 authorized the Agency staff to pursue Board of Supervisors approval of the findings and  
9 consent for the Agency funding of the HPS Public Art Project.

10 WHEREAS, The HPS Public Art Project will benefit the Project Area because it is a  
11 critical step in creating an Arts District to attract cultural visitors to the Project Area, it  
12 engages directly Bayview Hunters Point residents and businesses in the production, sale, and  
13 promotion of art, thus increasing economic stimulus and investments in the area, and it  
14 assists in the elimination of blight by beautifying the area and making the Project Area a more  
15 attractive location to live and work; and

16 WHEREAS, the City and County of San Francisco ("City") faces substantial fiscal  
17 challenges in light of substantially reduced tax revenues and challenging economic conditions  
18 created by the ongoing recession. According to the Three-Year Budget Projection for General  
19 Fund Supported Obligations FY 2010-11 through 2012-13 ("Budget Projection") (published  
20 April 2, 2010 by the Controller's Office, Mayor's Office, and Board of Supervisors Budget  
21 Analyst): (1) Projected shortfalls in General Fund revenues compared to expenditures over  
22 the next three years are \$483 million in FY 2010-11, \$712 million in FY 2011-12, and \$787  
23 million in FY 2012-13. (2) Due to the State's severe budget shortfall, the City expects  
24 significant cuts in State funding. While the City's budgeting assumed a reduction of \$58  
25 million, the Three Year Budget Projection notes that it is possible the final State budget could

1 contain significantly more reductions in funding to the City than were assumed. Based on the  
2 Budget Projection and other matters described in the Benefits Findings, no other reasonable  
3 means of financing the HPS Public Art Project are available to the community aside from  
4 payment of the costs by the Agency; and

5 WHEREAS, the payment of funds for the HPS Public Art Project is consistent with the  
6 Five Year Implementation Plan for the Hunters Point Shipyard Redevelopment Plan  
7 ("Implementation Plan"), which was updated in Appendix F of the Report of the Plan  
8 Amendment for the Hunters Point Shipyard Redevelopment Plan Amendments (May 2010)  
9 (the "Report," a copy of which is on file with the Clerk of the Board of Supervisors in File No.  
10 100859 and is incorporated herein by reference). The Implementation Plan has the goal of  
11 providing for the development of economically vibrant and environmentally sound districts for  
12 mixed use cultural, recreation, educational and arts uses. Report at page 13 of Appendix F;  
13 and; now, therefore, be it

14 RESOLVED, The Board of Supervisors finds, based on the record before it, including  
15 but not limited to the Benefits Findings, that (1) the installation of the HPS Public Art Project  
16 will benefit the Project Area by helping to eliminate blight within the Project Area; (2) no other  
17 reasonable means of funding the HPS Public Art Project are available to the City and County  
18 of San Francisco; and (3) the payment of funds for the cost of the installation of the HPS  
19 Public Art Project is consistent with the Implementation Plan ; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
21 Francisco consents to the Agency's payment of costs for the installation of the HPS Public Art  
22 Project.