

1 [Adoption of Guidelines for Port Infrastructure Financing Districts]

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3 **Resolution adopting guidelines for the establishment and use of infrastructure**
4 **financing districts on Port property.**

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6 WHEREAS, California Statutes of 1968, Chapter 1333 (Burton Act) and the San
7 Francisco Charter Section 4.114 and B3.581 empower the San Francisco Port Commission
8 (Port) with the power and duty to use, conduct, operate, maintain, manage, regulate and
9 control the lands within Port jurisdiction (Port land); and

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11 WHEREAS, Under Government Code Sections 53395 et seq. (IFD Law), the Board of
12 Supervisors is authorized to establish an infrastructure financing district (IFD) in the City and
13 County of San Francisco and to act as the legislative body for an IFD; and

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15 WHEREAS, Pursuant to Section 53395.8 of the IFD Law, the Board of Supervisors is
16 authorized to establish by ordinance a waterfront IFD on Port land, and to divide a waterfront
17 IFD into project areas; and

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19 WHEREAS, On February 8, 2011, the Board of Supervisors adopted the “Final Board
20 of Supervisor Guidelines for the Establishment and Use of Infrastructure Financing Districts in
21 San Francisco” (City Guidelines) by Resolution No 66-11, but Port land is exempt from the
22 City Guidelines, and the City Guidelines do not address a waterfront IFD that includes land
23 that is not within Port Commission jurisdiction (non-Port land); and

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25 WHEREAS, On March 27, 2012, by Resolution No. 110-12, the Board of Supervisors
declared its intention to establish a Port IFD comprising all Port land, to be known as “City and
County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco)” (Port
IFD), and designated initial proposed project areas within the Port IFD, which the Board of

1 Supervisors amended on _____, 2012, by Resolution No. _____, to revise the initially
2 proposed project areas, which now include Seawall Lot 351, known as Project Area C; and

3 WHEREAS, The Board of Supervisors, the Planning Commission, the Port
4 Commission, and all other applicable City agencies have issued approvals necessary for the
5 proposed development known as 8 Washington Street/Seawall Lot 351 to proceed. The
6 proposed infrastructure financing plan for Project Area C relies on the use of tax increment
7 generated by development at 8 Washington Street, which is non-Port land, and the owner of
8 8 Washington Street intends to petition the Board of Supervisors seeking to annex
9 8 Washington Street to Project Area C; and

10 WHEREAS, Proposed "Board of Supervisor Guidelines for the Establishment and Use
11 of Infrastructure Financing Districts on Property Under Jurisdiction of the San Francisco Port
12 Commission" (Port IFD Guidelines) are on file with the Clerk of the Board of Supervisors in
13 File No. _____ and incorporated into this Resolution by this reference; now, therefore,
14 be it

15 RESOLVED, That the Board of Supervisors finds that the Port IFD Guidelines will
16 ensure that a rational and efficient process is established for the formation of Port IFDs
17 formed exclusively on Port land and for the annexation of non-Port land to a Port IFD, and
18 hereby adopts the Port IFD Guidelines; and be it

19 FURTHER RESOLVED, That this Resolution and the Guidelines shall be effective
20 upon the date this Resolution is adopted.

21 APPROVED AS TO FORM:

22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 Joanne Sakai
25 Deputy City Attorney