MAYOR, MAXWELL BOARD OF SUPERVISORS

[Hunters Point Shipyard Joint Community Facilities Agreement.]

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

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

WHEREAS, In accordance with the actions contemplated herein, this Board adopted Resolution No.______, concerning findings pursuant to the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). Said Resolution is on file with the Clerk of the Board of Supervisors in File No. 041533 and is incorporated herein by reference; and

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

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

Part 1 (commencing with Section 53311) of Division 2 of Title 5 of the California Government Code for the financing of, among other things, public facilities to be acquired by the City in support of the redevelopment of the Phase 1 Area.(the "Facilities") as described in Exhibit A to the Joint Community Facilities Agreement, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 041537, and which is hereby declared to be a part of this resolution as if set forth fully herein; and

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

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

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

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

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

MAYOR, MAXWELL BOARD OF SUPERVISORS



City and County of San Francisco Tails

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

Resolution

File Number:

041537

Date Passed:

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

December 7, 2004 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

December 14, 2004 Board of Supervisors — ADOPTED

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,

Peskin, Sandoval

Noes: 2 - Daly, Gonzalez

File No. 041537

I hereby certify that the foregoing Resolution was ADOPTED on December 14, 2004 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young Clerk of the Board

Mayor Gavin Newsom

Date Annroved