

1 [Amending Resolutions of Intention to Establish Port Infrastructure Financing District]

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3 **Resolution further amending Resolutions of Intention to establish Infrastructure**
4 **Financing District No. 2 (Resolution Nos. 110-12 and 227-12) for the City and County of**
5 **San Francisco at the Port of San Francisco.**

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

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

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

17 WHEREAS, On March 27, 2012, by Resolution No. 110-12 (Initial Resolution of
18 Intention), this Board of Supervisors declared its intention to establish a waterfront district to
19 be known as “City and County of San Francisco Infrastructure Financing District No. 2 (Port of
20 San Francisco)” (IFD), and designated initial proposed project areas within the IFD, including
21 Project Area G (Pier 70); and

22 WHEREAS, On June 12, 2012, by Resolution No. 227-12 (First Amending Resolution),
23 this Board of Supervisors amended the Initial Resolution of Intention to propose, among other
24 things, an amended list of project areas; and

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1 WHEREAS, Because the Executive Director of the Port of San Francisco (Executive
2 Director) has proposed that the Board of Supervisors designate Sub-Project Area G-1 to
3 Project Area G (Pier 70), the Board of Supervisors wishes to amend the Initial Resolution of
4 Intention as amended by the First Amending Resolution (as so amended, Original Resolution
5 of Intention) to designate Sub-Project Area G-1; now, therefore, be it

6 RESOLVED, By the Board of Supervisors as follows:

7 1. Ratification of Original Resolution of Intention. This Board of Supervisors hereby
8 ratifies the Original Resolution of Intention except as set forth in this Resolution. Except as set
9 forth in this Resolution, the Original Resolution of Intention shall remain in full force and effect.
10 Exhibit A to the Original Resolution of Intention, which lists the type of public facilities
11 proposed to be financed by the IFD, is attached hereto and incorporated herein.

12 2. Amendment of Original Resolution of Intention. Paragraph g of Section 2 of the
13 Original Resolution of Intention is hereby amended to read in its entirety as follows:

14 g. Project Area G (Pier 70). Project Area G shall be a Pier 70 district and shall
15 include Sub-Project Area G-1 (Pier 70 – Historic Core). Sub-Project Area G-1 shall be a Pier
16 70 district.

17 3. Amended Boundaries Described. The proposed amended boundaries of Project
18 Area G of the IFD, which are amended to include Sub-Project Area G-1 (Pier 70 - Historic
19 Core), are as shown on the amended map of Project Area G of the IFD on file with the Clerk
20 of the Board of Supervisors, which boundaries are hereby preliminarily approved and to which
21 map reference is hereby made for further particulars.

22 4. Infrastructure Financing Plan. In the Original Resolution of Intention, this Board
23 of Directors directed the Executive Director to prepare an infrastructure financing plan for the
24 IFD (Infrastructure Financing Plan) that complies with the IFD Law. The Executive Director is
25 hereby directed to prepare an infrastructure financing plan for Sub-Project Area G-1 (Pier 70 -

1 Historic Core) as an appendix to the Infrastructure Financing Plan, to be designated Appendix
2 G-1, for this Board of Supervisors that complies with the requirements of the IFD Law.
3 Appendix G-1 shall be a Pier 70 enhanced financing plan with respect to Sub-Project Area G-
4 1 (Pier 70 - Historic Core). This Board of Supervisors reserves the right to establish
5 infrastructure financing plans in the future specific to other project areas and sub-project areas
6 within the IFD. To the extent required by the IFD Law, the Executive Director shall cause the
7 Infrastructure Financing Plan, including Appendix G-1, to be sent to the San Francisco
8 Planning Department and to this Board of Supervisors.

9 5. Public Hearing; Notice. This Board of Supervisors will conduct a public hearing
10 on the proposed establishment of the IFD, including Project Area G and Sub-Project Area G-
11 1, as proposed by this Board of Supervisors in the Original Resolution of Intention, as
12 amended by this Resolution, in the Board of Supervisors Chambers, 1 Dr. Carlton B. Goodlett
13 Place, City Hall, San Francisco, California, on a date to be established by the Executive
14 Director, in consultation with the Clerk of the Board of Supervisors. The Clerk of the Board of
15 Supervisors shall cause notice of the public hearing to be published as set forth in the Original
16 Resolution of Intention.

17 6. Further Action. The Clerk of the Board of Supervisors and all other officers and
18 agents of the City are hereby authorized and directed to take all actions necessary or
19 advisable to give effect to the transactions contemplated by the Original Resolution of
20 Intention, as amended by this Resolution.

21 7. No Obligation. The Original Resolution of Intention, as amended by this
22 Resolution, shall in no way obligate the Board of Supervisors to establish the IFD. The
23 establishment of the IFD, including the project areas described in the Original
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1 Resolution of Intention as amended by this Resolution, shall be subject to the approval of this
2 Board of Supervisors by ordinance following the holding of the public hearing referred to
3 above. The proposal to include property in the boundaries of the IFD does not constitute an
4 approval of any specific land uses on such property.

5 8. California Environmental Quality Act. This Board of Supervisors hereby finds
6 that, pursuant to Title 14, California Code of Regulations, Sections 15378 and 15060(c)(2),
7 adoption of this Resolution and the establishment of the IFD are not “projects” under the
8 California Environmental Quality Act because they do not result in a physical change in the
9 environment.

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11 APPROVED AS TO FORM:

12 DENNIS J. HERRERA
13 City Attorney

14 By: _____
15 GRACE PARK
16 Deputy City Attorney

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