

1 [Resolution of Intention to Form Sub-Project Area G-2, Sub-Project Area G-3, and Sub-Project  
2 Area G-4 - Infrastructure Financing District No. 2 (Port of San Francisco)]

3 **Resolution of Intention to establish Sub-Project Area G-2, Sub-Project Area G-3, and**  
4 **Sub-Project Area G-4 of City and County of San Francisco Infrastructure Financing**  
5 **District No. 2 (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 Section 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 (Original Resolution of  
18 Intention to Establish IFD), this Board of Supervisors declared its intention to establish a  
19 waterfront district to be known as “City and County of San Francisco Infrastructure Financing  
20 District No. 2 (Port of San Francisco)” (IFD), and designated initial proposed project areas  
21 within the IFD; and

22 WHEREAS, On June 12, 2012, by Resolution No. 227-12 (First Amending Resolution),  
23 this Board of Supervisors amended the Original Resolution of Intention to propose, among  
24 other things, an amended list of project areas, including Project Area G (Pier 70); and

1           WHEREAS, On November 17, 2015, by Resolution 421-15 (Second Amending  
2 Resolution, and together with the Original Resolution of Intention to Establish IFD and the  
3 First Amending Resolution, the “Resolution of Intention to Establish IFD”), this Board of  
4 Supervisors amended the Original Resolution of Intention, as amended by the First Amended  
5 Resolution, to propose, among other things, a further amended list of project areas, including  
6 Project Area G (Pier 70), as a Pier 70 district, and Sub-Project Area G-1 (Pier 70 – Historic  
7 Core), as a Pier 70 district; and

8           WHEREAS, In the Resolution of Intention to Establish IFD, this Board of Supervisors  
9 directed the Executive Director of the Port of San Francisco (Executive Director) to prepare an  
10 infrastructure financing plan for the IFD (Infrastructure Financing Plan) that would comply with  
11 the IFD Law, and reserved the right to establish infrastructure financing plans in the future  
12 specific to other project areas and sub-project areas within the IFD; and

13           WHEREAS, in accordance with the IFD Law, at the direction of this Board of Directors,  
14 the Executive Director prepared the Infrastructure Financing Plan; and

15           WHEREAS, On February 23, 2016, by Ordinance No. 27-16 (Ordinance Establishing  
16 IFD), this Board of Supervisors, among other things, declared the IFD to be fully formed and  
17 established with full force and effect of law and adopted the Infrastructure Financing Plan; and

18           WHEREAS, This Board of Supervisors wishes to declare its intention to establish three  
19 additional sub-project areas within Project Area G (Pier 70) of the IFD designated Sub-Project  
20 Area G-2 (Pier 70 - Waterfront Site), Sub-Project Area G-3 (Pier 70 - Waterfront Site) and  
21 Sub-Project Area G-4 (Pier 70 - Waterfront Site); now, therefore, be it

22           RESOLVED, By the Board of Supervisors as follows:

23           1.     Authority. This Board of Supervisors proposes to conduct proceedings to  
24 establish three additional sub-project areas within Project Area G (Pier 70) of the IFD  
25 pursuant to the IFD Law.

1           2.     Name of Sub-Project Areas. The names of the proposed sub-project areas are:  
2           a.     Sub-Project Area G-2 (Pier 70 - Waterfront Site). Sub-Project Area G-2 (Pier 70  
3 - Waterfront Site) shall be a Pier 70 district and a sub-project area within Project Area G (Pier  
4 70).  
5           b.     Sub-Project Area G-3 (Pier 70 - Waterfront Site). Sub-Project Area G-3 (Pier 70  
6 - Waterfront Site) shall be a Pier 70 district and a sub-project area within Project Area G (Pier  
7 70).  
8           c.     Sub-Project Area G-4 (Pier 70 - Waterfront Site). Sub-Project Area G-4 (Pier 70  
9 - Waterfront Site) shall be a Pier 70 district and a sub-project area within Project Area G (Pier  
10 70).  
11          3.     Amended Boundaries Described. The proposed amended boundaries of the  
12 IFD, which are amended to include (i) Sub-Project Area G-2 (Pier 70 - Waterfront Site) within  
13 Project Area G of the IFD, (ii) Sub-Project Area G-3 (Pier 70 - Waterfront Site) within Project  
14 Area G of the IFD, and (iii) Sub-Project Area G-4 (Pier 70 - Waterfront Site) within Project  
15 Area G of the IFD, are as shown on the amended map of the IFD on file with the Clerk of the  
16 Board of Supervisors, which boundaries are hereby preliminarily approved and to which map  
17 reference is hereby made for further particulars.  
18          4.     Facilities. The type of public facilities proposed to be financed by Sub-Project  
19 Area G-2 (Pier 70 - Waterfront Site), Sub-Project Area G-3 (Pier 70 - Waterfront Site) and  
20 Sub-Project Area G-4 (Pier 70 - Waterfront Site) consist of those listed on Exhibit A to the  
21 Original Resolution of Intention to Establish IFD, and are particularly described in Appendix G-  
22 2, Appendix G-3 and Appendix G-4 to the Infrastructure Financing Plan described below.  
23 Exhibit A to the Original Resolution of Intention to Establish IFD, which lists the type of public  
24 facilities proposed to be financed by the IFD, including, without limitation, Sub-Project Area G-  
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1 2 (Pier 70 - Waterfront Site), Sub-Project Area G-3 (Pier 70 - Waterfront Site) and Sub-Project  
2 Area G-4 (Pier 70 - Waterfront Site), is attached hereto and incorporated herein.

3 5. Incremental Property Tax Revenue. This Board of Supervisors hereby declares  
4 that, pursuant to the IFD Law, Sub-Project Area G-2 (Pier 70 - Waterfront Site), Sub-Project  
5 Area G-3 (Pier 70 - Waterfront Site) and Sub-Project Area G-4 (Pier 70 - Waterfront Site) will  
6 use incremental property tax revenue from the City but none of the other affected taxing  
7 entities within Sub-Project Area G-2 (Pier 70 - Waterfront Site), Sub-Project Area G-3 (Pier 70  
8 - Waterfront Site) and Sub-Project Area G-4 (Pier 70 - Waterfront Site) (in each case except to  
9 the extent permitted by Section 53395.8(h) of the IFD Law) to finance the Facilities.

10 6. Infrastructure Financing Plan. The Executive Director is hereby directed to  
11 prepare an infrastructure financing plan for each of Sub-Project Area G-2 (Pier 70 - Waterfront  
12 Site) Sub-Project Area G-3 (Pier 70 - Waterfront Site) and Sub-Project Area G-4 (Pier 70 -  
13 Waterfront Site) as appendices to the Infrastructure Financing Plan, to be designated  
14 Appendix G-2, Appendix G-3 and Appendix G-4, respectively, that comply with the  
15 requirements of the IFD Law. Appendix G-2, Appendix G-3 and Appendix G-4 shall be a Pier  
16 70 enhanced financing plan with respect to Sub-Project Area G-2 (Pier 70 - Waterfront Site),  
17 Sub-Project Area G-3 (Pier 70 - Waterfront Site) and Sub-Project Area G-4 (Pier 70 -  
18 Waterfront Site), respectively. The Executive Director shall cause the Infrastructure Financing  
19 Plan to be amended to include Appendix G-2, Appendix G-3 and Appendix G-4, and, to the  
20 extent required by the IFD Law, for the Infrastructure Financing Plan as so amended to be  
21 sent to the San Francisco Planning Department and to this Board of Supervisors.

22 7. Public Hearing. This Board of Supervisors will conduct a public hearing on the  
23 proposed establishment of Sub-Project Area G-2 (Pier 70 - Waterfront Site), Sub-Project Area  
24 G-3 (Pier 70 - Waterfront Site) and Sub-Project Area G-4 (Pier 70 - Waterfront Site) within  
25 Project Area G (Pier 70) of the IFD, in the Board of Supervisors Chambers, 1 Dr. Carlton B.

1 Goodlett Place, City Hall, San Francisco, California, on a date to be established by the  
2 Executive Director, in consultation with the Clerk of the Board of Supervisors.

3 8. Notice of Public Hearing. The Clerk of the Board of Supervisors is hereby  
4 directed to cause notice of the public hearing to be published not less than once a week for  
5 four successive weeks in a newspaper designated by this Board of Supervisors for the  
6 publication of official notices in the City. The notice shall state that Sub-Project Area G-2 (Pier  
7 70 - Waterfront Site), Sub-Project Area G-3 (Pier 70 - Waterfront Site) and Sub-Project Area  
8 G-4 (Pier 70 - Waterfront Site) will be used to finance Facilities, briefly describe the Facilities  
9 and the proposed financial arrangements, including the proposed commitment of incremental  
10 tax revenue, describe the boundaries of the proposed Sub-Project Area G-2 (Pier 70 -  
11 Waterfront Site), Sub-Project Area G-3 (Pier 70 - Waterfront Site) and Sub-Project Area G-4  
12 (Pier 70 - Waterfront Site) and state the day, hour and place when and where any persons  
13 having any objections to the proposed Appendix G-2, Appendix G-3 and Appendix G-4 to the  
14 Infrastructure Financing Plan, or the regularity of any of the prior proceedings, may appear  
15 before this Board of Supervisors and object to the adoption of the proposed Appendix G-2,  
16 Appendix G-3 and Appendix G-4 to the Infrastructure Financing Plan by this Board of  
17 Supervisors.

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

21 10. No Obligation. This Resolution shall in no way obligate the Board of  
22 Supervisors to establish Sub-Project Area G-2 (Pier 70 - Waterfront Site), Sub-Project Area  
23 G-3 (Pier 70 - Waterfront Site) or Sub-Project Area G-4 (Pier 70 - Waterfront Site) within the  
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1 IFD. The establishment of Sub-Project Area G-2 (Pier 70 - Waterfront Site), Sub-Project Area  
2 G-3 (Pier 70 - Waterfront Site) and Sub-Project Area G-4 (Pier 70 - Waterfront Site) within the  
3 IFD, shall be subject to the approval of this Board of Supervisors by ordinance following the  
4 holding of the public hearing referred to above. The proposal to include property in the  
5 boundaries of Sub-Project Area G-2 (Pier 70 - Waterfront Site), Sub-Project Area G-3 (Pier 70  
6 - Waterfront Site) and Sub-Project Area G-4 (Pier 70 - Waterfront Site) within the IFD does not  
7 constitute an approval of any specific land uses on such property.

8 11. California Environmental Quality Act. This Board of Supervisors hereby finds  
9 that, pursuant to Title 14, California Code of Regulations, Sections 15378 and 15060(c)(2),  
10 adoption of this Resolution and the establishment of Sub-Project Area G-2 (Pier 70 -  
11 Waterfront Site), Sub-Project Area G-3 (Pier 70 - Waterfront Site) and Sub-Project Area G-4  
12 (Pier 70 - Waterfront Site) within the IFD are not “projects” under the California Environmental  
13 Quality Act because they do not result in a physical change in the environment.

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15 APPROVED AS TO FORM:  
16 DENNIS J. HERRERA  
City Attorney

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19 By: \_\_\_\_\_

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MARK D. BLAKE  
Deputy City Attorney  
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