

[Resolution of Intention to Form Sub-Project Area G-2, Sub-Project Area G-3 and Sub-Project Area G-4 of Infrastructure Financing District (Port of San Francisco)]

Resolution of Intention to establish Sub-Project Area G-2, Sub-Project Area G-3 and Sub-Project Area G-4 of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco).

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.

Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables. WHEREAS, California Statutes of 1968, Chapter 1333 (Burton Act) and the San Francisco Charter Sections 4.114 and B3.581 empower the City and County of San Francisco, acting through the San Francisco Port Commission, with the power and duty to use, conduct, operate, maintain, manage, regulate and control the lands within Port Commission jurisdiction; and

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

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

WHEREAS, On March 27, 2012, by Resolution No. 110-12 (Original Resolution of Intention to Establish IFD), this Board of Supervisors declared its intention to establish a waterfront district to be known as “City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco)” (IFD), and designated initial proposed project areas within the IFD; and

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

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

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

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

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

21 WHEREAS, This Board of Supervisors wishes to declare its intention to establish three
22 additional sub-project areas within Project Area G (Pier 70) of the IFD designated Sub-Project
23 Area G-2 (Pier 70 - 28-Acre Site), Sub-Project Area G-3 (Pier 70 - 28-Acre Site) and Sub-
24 Project Area G-4 (Pier 70 - 28-Acre Site); now, therefore, be it

25 RESOLVED, By the Board of Supervisors as follows:

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

4 2. Name of Sub-Project Areas. The names of the proposed sub-project areas are:

5 a. Sub-Project Area G-2 (Pier 70 - 28-Acre Site). Sub-Project Area G-2 (Pier 70 -
6 28-Acre Site) shall be a Pier 70 district and a sub-project area within Project Area G (Pier 70).

7 b. Sub-Project Area G-3 (Pier 70 - 28-Acre Site). Sub-Project Area G-3 (Pier 70 -
8 28-Acre Site) shall be a Pier 70 district and a sub-project area within Project Area G (Pier 70).

9 c. Sub-Project Area G-4 (Pier 70 - 28-Acre Site). Sub-Project Area G-4 (Pier 70 -
10 28-Acre Site) shall be a Pier 70 district and a sub-project area within Project Area G (Pier 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 - 28-Acre Site) within
13 Project Area G of the IFD, (ii) Sub-Project Area G-3 (Pier 70 - 28-Acre Site) within Project
14 Area G of the IFD, and (iii) Sub-Project Area G-4 (Pier 70 - 28-Acre Site) within Project Area
15 G of the IFD, are as shown on the amended map of the IFD on file with the Clerk of the Board
16 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 - 28-Acre Site), Sub-Project Area G-3 (Pier 70 - 28-Acre Site) and Sub-
20 Project Area G-4 (Pier 70 - 28-Acre Site) consist of those listed on Exhibit A to the Original
21 Resolution of Intention to Establish IFD, and are particularly described in Appendix G-2to the
22 Infrastructure Financing Plan described below. Exhibit A to the Original Resolution of Intention
23 to Establish IFD, which lists the type of public facilities proposed to be financed by the IFD,
24 including, without limitation, Sub-Project Area G-2 (Pier 70 - 28-Acre Site), Sub-Project Area
25

1 G-3 (Pier 70 - 28-Acre Site) and Sub-Project Area G-4 (Pier 70 - 28-Acre Site), is attached
2 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 - 28-Acre Site), Sub-Project
5 Area G-3 (Pier 70 - 28-Acre Site) and Sub-Project Area G-4 (Pier 70 - 28-Acre Site) will use
6 incremental property tax revenue from the City but none of the other affected taxing entities
7 within Sub-Project Area G-2 (Pier 70 - 28-Acre Site), Sub-Project Area G-3 (Pier 70 - 28-Acre
8 Site) and Sub-Project Area G-4 (Pier 70 - 28-Acre Site) (in each case except to the extent
9 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 Sub-Project Area G-2 (Pier 70 - 28-Acre Site) Sub-
12 Project Area G-3 (Pier 70 - 28-Acre Site) and Sub-Project Area G-4 (Pier 70 - 28-Acre Site) as
13 an appendix to the Infrastructure Financing Plan, to be designated Appendix G-2 that
14 complies with the requirements of the IFD Law. Appendix G-2__ shall be a Pier 70 enhanced
15 financing plan with respect to Sub-Project Area G-2 (Pier 70 - 28-Acre Site), Sub-Project Area
16 G-3 (Pier 70 - 28-Acre Site) and Sub-Project Area G-4 (Pier 70 - 28-Acre Site). The Executive
17 Director shall cause the Infrastructure Financing Plan to be amended to include Appendix G-
18 2__, and, to the extent required by the IFD Law, for the Infrastructure Financing Plan as so
19 amended to be sent to the San Francisco Planning Department and to this Board of
20 Supervisors.

21 7. Public Hearing. This Board of Supervisors will conduct a public hearing on the
22 proposed establishment of Sub-Project Area G-2 (Pier 70 - 28-Acre Site), Sub-Project Area G-
23 3 (Pier 70 - 28-Acre Site) and Sub-Project Area G-4 (Pier 70 - 28-Acre Site) within Project
24 Area G (Pier 70) of the IFD, in the Board of Supervisors Chambers, 1 Dr. Carlton B. Goodlett
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1 Place, City Hall, San Francisco, California, on a date to be established by the Executive
2 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 - 28-Acre Site), Sub-Project Area G-3 (Pier 70 - 28-Acre Site) and Sub-Project Area G-4
8 (Pier 70 - 28-Acre Site) will be used to finance Facilities, briefly describe the Facilities and the
9 proposed financial arrangements, including the proposed commitment of incremental tax
10 revenue, describe the boundaries of the proposed Sub-Project Area G-2 (Pier 70 - 28-Acre
11 Site), Sub-Project Area G-3 (Pier 70 - 28-Acre Site) and Sub-Project Area G-4 (Pier 70 - 28-
12 Acre Site) and state the day, hour and place when and where any persons having any
13 objections to the proposed Appendix G-2 to the Infrastructure Financing Plan, or the regularity
14 of any of the prior proceedings, may appear before this Board of Supervisors and object to the
15 adoption of the proposed Appendix G-2 to the Infrastructure Financing Plan by this Board of
16 Supervisors.

17 9. 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 this Resolution.

20 10. No Obligation. This Resolution shall in no way obligate the Board of
21 Supervisors to establish Sub-Project Area G-2 (Pier 70 - 28-Acre Site), Sub-Project Area G-3
22 (Pier 70 - 28-Acre Site) or Sub-Project Area G-4 (Pier 70 - 28-Acre Site) within the IFD. The
23 establishment of Sub-Project Area G-2 (Pier 70 - 28-Acre Site), Sub-Project Area G-3 (Pier 70
24 - 28-Acre Site) and Sub-Project Area G-4 (Pier 70 - 28-Acre Site) within the IFD, shall be
25 subject to the approval of this Board of Supervisors by ordinance following the holding of the

1 public hearing referred to above. The proposal to include property in the boundaries of Sub-
2 Project Area G-2 (Pier 70 - 28-Acre Site), Sub-Project Area G-3 (Pier 70 - 28-Acre Site) and
3 Sub-Project Area G-4 (Pier 70 - 28-Acre Site) within the IFD does not constitute an approval
4 of any specific land uses on such property.

5 11. 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 Sub-Project Area G-2 (Pier 70 - 28-Acre
8 Site), Sub-Project Area G-3 (Pier 70 - 28-Acre Site) and Sub-Project Area G-4 (Pier 70 - 28-
9 Acre Site) within the IFD are not “projects” under the California Environmental Quality Act
10 because they do not result in a physical change in the environment.

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12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA
14 City Attorney

15
16 By: _____
17 MARK D. BLAKE
18 Deputy City Attorney
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