

RESOLUTION NO. 40-2000
Adopted March 21, 2000

**APPROVING THE BASIC CONCEPT DESIGN FOR MISSION CREEK PARK
AND THE MISSION CREEK CHANNEL ENHANCEMENT PLAN PURSUANT
TO THE OWNER PARTICIPATION AGREEMENTS WITH
CATELLUS DEVELOPMENT CORPORATION;
MISSION BAY NORTH AND MISSION BAY SOUTH
REDEVELOPMENT PROJECT AREAS**

1. On September 17, 1998, by Resolution No. 185-98 and Resolution No. 190-98, the Redevelopment Agency of the City and County of San Francisco ("Agency") approved proposed Redevelopment Plans for the Mission Bay North and South Redevelopment Project Areas ("North Plan" and "South Plan", respectively). On the same date, the Agency adopted related documents, including Resolution No. 188-98 and 193-98 authorizing execution of Owner Participation Agreements ("OPAs") and related documents between Catellus Development Corporation ("Catellus") and the Agency. The Plan and its implementing documents, as defined in the Plan, constitute the "Plan Documents" for each Project Area.
2. The South Plan and the Plan Documents, including the Design Review and Document Approval Procedure, Attachment G to the South OPA ("South DRDAP"), provide that Basic Concept Design Plans for Open Space Blocks P1, P2, and P8 shall be submitted with the first Major Phase submittal in the South Plan Area. The DRDAP sets forth the review and approval process for Open Space.
3. The North Plan and the Plan Documents, including the Design Review and Document Approval Procedure, Attachment G to the North OPA ("North DRDAP") provide that Basic Concept Design plans for Open Space Blocks NP1 and NP2 shall be submitted with the earlier Major Phase submittal for either block N3a or N4a. Basic Concept Design Plans for Open Space Blocks NP4 and NP5 shall be submitted with a Major Phase submittal for the earlier of block N4 or N5.
4. The South OPA, including the Scope of Development, Attachment B to the South OPA ("South Scope of Development") provides that a Channel Edge Plan shall be submitted. This Plan, covering the portions of blocks P1, P2 and P8 from the top of the South Channel bank toward the Channel to the mean low tide line, shall be a concept plan which describes concepts for vegetation and, where necessary, bank stabilization techniques. This information shall be submitted for blocks P1, P2 and P8 prior to or concurrent with the first Major Phase submission that includes one or more of these blocks.
5. The North OPA, including the Scope of Development, Attachment B to the North OPA ("North Scope of Development") provides that a Channel Edge Plan shall be submitted. This Plan, covering the portions of the blocks denoted "NP" on the Site Plan from the top of the north Channel bank toward the Channel to the mean low tide line, shall be a concept plan which describes concepts for vegetation and, where

necessary, bank stabilization techniques. This information shall be provided as a combined submittal for N1-N3 with the first Major Phase submission that includes one of these three blocks, and for N4/N5 for the first Major Phase that involves either of these blocks.

6. Pursuant to the South Plan and Plan Documents, including the DRDAP, Catellus submitted a Basic Concept Design Plan for P1, P2, P8 and also elected to submit a Basic Concept Design plan for NP1, NP2, NP4 and NP5 ("Mission Creek Park Open Space Application") concurrent with the Block 26-28 Major Phase submission, the first Major Phase submittal in the South Plan Area. The Basic Concept Design submission for Mission Creek Park was deemed complete on January 7, 2000.

7. Pursuant to the South Plan and Plan Documents and the North Plan and Plan Documents, including the South Scope of Development and the North Scope of Development, Catellus submitted a Channel Edge Plan for P1, P2, P8 and also elected to submit a Channel Edge Plan for NP1, NP2, NP3, NP4, and NP5 ("Mission Creek Channel Enhancement Plan") concurrent with the Block 26-28 Major Phase submission. The Mission Creek Channel Enhancement Plan was deemed complete on January 7, 2000.

8. The Agency reviewed the Basic Concept Design for Mission Creek Park and the Mission Creek Channel Enhancement Plan as provided in the DRDAPs. Pursuant to the DRDAPs, other City agencies have completed review of portions of the Basic Concept Design for Mission Creek Park and the Mission Creek Channel Enhancement Plan within their respective jurisdictions.

9. The Port Commission has the right under the Plan Documents to review and approve the design for public open space held under the jurisdiction of the Port Commission and impressed with the Burton Act trust. The Agency and Port Commissions held a joint workshop on the Basic Concept Design for Mission Creek Park on February 29, 2000. Public comments were heard by the Commissions at that time. The January 7, 2000 Basic Concept Design submission for Mission Creek Park was subsequently revised to incorporate minor comments as set forth in the current submission before the Commission dated February 28, 2000.

10. The Port Commission reviewed and approved portions of the Basic Concept Design for Mission Creek Park and the Mission Creek Channel Enhancement Plan within its jurisdiction on March 14, 2000.

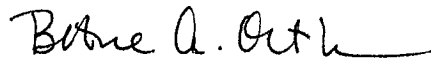
11. Agency staff has reviewed the Basic Concept Design for Mission Creek Park and the Mission Creek Channel Enhancement Plan and found it acceptable.

12. Prior to and on the same date as the consideration of this Resolution, the Agency made certain findings in accordance with the California Environmental Quality Act, and such findings are hereby incorporated as though fully set forth herein.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Mission Creek Park Basic Concept Design dated February 28, 2000 and the Mission Creek Channel Enhancement Plan dated November 1999, is hereby approved substantially in the form lodged with Agency General Counsel.

APPROVED AS TO FORM:

A handwritten signature in cursive script, reading "Bertha A. Ontiveros", written over a horizontal line.

Bertha A. Ontiveros
Agency General Counsel