RESOLUTION NO. 22-2004

 Adopted February 17, 2004

AUTHORIZING A FIRST AMENDMENT TO THE MISSION BAY NORTH OWNER PARTICIPATION AGREEMENT TO PROVIDE FOR AN ADDITIONAL 40 UNITS OF AGENCY SPONSORED AFFORDABLE HOUSING; TO BRING THE MARKETING GUIDELINES INTO CONFORMANCE WITH FEDERAL FAIR HOUSING LAWS; AND TO MAKE TECHNICAL CORRECTIONS TO THE CERTIFICATE OF COMPLETION, TRANSFER AND SUBDIVISION MAPPING PROVISIONS; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. On September 17, 1998, by Resolution No. 188-98, the San Francisco Redevelopment Agency Commission (the "Agency Commission") conditionally approved the Mission Bay North Owner Participation Agreement (the "North OPA") and related documents between Catellus Development Corporation (the "Owner") and the Redevelopment Agency of the City and County of San Francisco (the "Agency") for development in the Mission Bay North Redevelopment Project Area.

2. The conditions to the effectiveness of Resolution No. 188-98 were satisfied by the final adoption of the Board of Supervisors of the City and County of San Francisco adopting Ordinance No. 327-98 adopting the Mission Bay North Redevelopment Plan (the "Plan").

3. An amendment is proposed (a) to clarify the process regarding the sale of individual residential units including providing for the issuance of partial Certificates of Completion; (b) to revise the definitions of San Francisco Resident and San Francisco Worker to better comply with federal fair housing laws; (c) to provide for additional affordable housing units; and (d) to make a clarifying change in the subdivision procedural requirements that are predicates to Agency approval in the North Owner Participation Agreement (the “North OPA”) Design Review and Document Approval Procedure, all as more particularly set forth in the proposed amendment (together these changes to the North OPA are collectively referred to as the “First Amendment”).

4. The Agency Commission previously adopted by Resolution No.21-2004 findings pursuant to CEQA and the CEQA Guidelines, which findings are hereby incorporated herein by this reference as if fully set forth.

5. Agency staff has reviewed and considered the items for amendment as well as the Final Subsequent Environmental Impact Report ("FSEIR"), the
Addendum and other information contained in the Agency's files, finds them to be acceptable and recommends approving the First Amendment, which includes the above listed provisions.

RESOLUTION

ACCORDINGLY, IT IS HEREBY RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to execute a First Amendment to the Mission Bay North Owner Participation Agreement, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:

[Signature]

James B. Morales
Agency General Counsel