RESOLUTION NO. 149-2005

Adopted October 4, 2005
5 ayes, 2 nays

APPROVING THE PROPOSED REDEVELOPMENT PLAN AMENDMENT FOR THE SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA AND RECOMMENDING ITS ADOPTION BY THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco (the "Agency") has prepared a proposed Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area that adds the area bounded by Folsom Street, Columbia Square, Harrison Street and Seventh Street (the "Western Expansion Area"), that would also convert the South of Market Earthquake Recovery Redevelopment Project Area, including the Western Expansion Area, to the South of Market Redevelopment Project Area and provides for other amended policies (the "Plan Amendment").

2. On May 3, 2005, by Resolution No. 69-2005, the Commission approved the Plan Amendment. However, the San Francisco Board of Supervisors (the "Board") was unable to schedule hearings on the Plan Amendment during Fiscal Year 2004-05, therefore the Report has been revised by a report of the County Fiscal Officer for Fiscal Year 2005-06, the base year for the Western Expansion Area, and revised background documents using the updated base year data (the "Revised Report"). Before the Board can consider the Plan Amendment, the Commission must approve the Plan Amendment and the Revised Report, based on the change in the base year for the Western Expansion Area.

3. The proposed Plan Amendment would include the following changes to the existing South of Market Earthquake Recovery Redevelopment Plan: A) expansion of the scope of redevelopment actions to address all conditions of blight in the area; B) extension of the Agency’s ability to incur and repay debt by an additional ten years; C) expansion of the boundary of the original South of Market Earthquake Recovery Redevelopment Project Area to include the Western Expansion Area (collectively, the "Project Area"); D) adopting new redevelopment goals and objectives; E) authorization for the Agency’s acquisition of certain properties through eminent domain, subject to the limitations contained in the proposed Plan Amendment; and F) amended the Owner Participation Rules.
4. Pursuant to Section 33352 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.), the Agency has prepared a Report on the Plan Amendment (the "Report"). The environmental document prepared in conjunction with the consideration of this proposed Plan Amendment has been included as part of the Agency’s Report.

5. The environmental effects of the Plan Amendment for the Project Area, as well as the environmental effects of the proposed Plan Amendment, have been analyzed in the environmental documents, which are described in Resolution No. 9-2005. Copies of the environmental documents are on file with the Agency.

6. The Agency held a public hearing on October 4, 2005, on adoption of the proposed Plan Amendment, notice of which was duly and regularly published in a newspaper of general circulation in the City and County of San Francisco (the "City") once a week for four successive weeks beginning 30 days prior to the date of that hearing, and a copy of that notice and affidavit of publication are on file with the Agency.

7. Copies of the notice of public hearing and the statement regarding purchase of real property by any means authorized by law, including eminent domain, were mailed by first-class mail to the last known address of each assessees of land in the proposed Project Area as shown on the last equalized assessment roll of the City.

8. Copies of the notice of public hearing were mailed by first-class mail to all residential and business occupants in the proposed Project Area.

9. Copies of the notice of public hearing were mailed, by certified mail, return receipt requested, to the governing body of each taxing agency which receives taxes from property in the proposed Project Area.

10. The Agency has provided an opportunity for all persons to be heard and has considered all evidence and testimony presented for or against any and all aspects of the proposed Plan Amendment.

11. On January 18, 2005, by Resolution No. 9-2005, the Commission certified the Final Supplement to the Final Environmental Impact Report for the proposed Plan Amendment and Project Area (the "Final Supplement") as adequate, accurate, and objective and in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA") and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.). On January 13, 2005, the City, acting through the San Francisco Planning Commission, adopted a parallel motion regarding certification of the Final Supplement.

12. The Commission has reviewed and considered the information in the FEIR and the Final Supplement for the Plan Amendment.
13. On May 3, 2005, the Commission adopted Resolution No. 67-2005, which adopted (a) findings pursuant to CEQA that various actions related to the adoption and implementation of the Plan Amendment comply with CEQA, (b) mitigation measures for the Plan Amendment, (c) a Mitigation Monitoring and Reporting Program for the Plan Amendment as Exhibit 1, and (d) a Statement of Overriding Considerations for the Plan Amendment, which are on file with the Secretary of the Agency.


RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that:

1. Resolution No. 69-2005 is hereby superseded by this Resolution.

2. The Agency hereby adopts the proposed Plan Amendment, which is attached hereto and incorporated herein by this reference, and recommends that the Board of Supervisors adopt the Plan Amendment.

3. The Executive Director of the Agency is hereby directed to submit a copy of Resolution No. 67-2005, Resolution No. 147-2005, this Resolution, the proposed Plan Amendment, the proposed Report to the Plan Amendment and related resolutions to the Board of Supervisors for its consideration in acting on the adoption of the proposed Plan Amendment.

APPROVED AS TO FORM:

[Signature]

James B. Morales
Agency General Counsel