

## **RESOLUTION NO. 83-2006**

*Adopted June 20, 2006*

### **APPROVING THE BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT DELEGATION AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE AGENCY; BAYVIEW HUNTERS POINT REDEVELOPMENT AREA**

#### **BASIS FOR RESOLUTION**

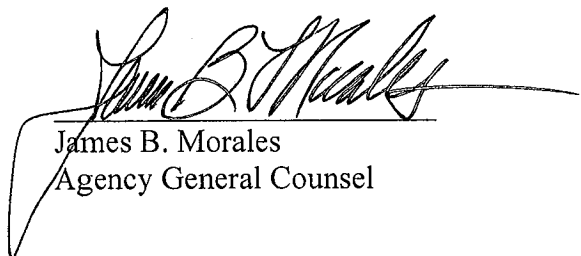
1. On March 7, 2006, the Redevelopment Agency of the City and County of San Francisco (the "Agency") approved, per Resolution No. 33-2006, a proposed redevelopment plan for the Bayview Hunters Point Redevelopment Project (the "Redevelopment Plan") and subsequently transmitted it to the Board of Supervisors of the City and County of San Francisco ("Board") for its consideration.
2. The Board, sitting as a committee of the whole, held two public hearings on the Redevelopment Plan. The Board's Land Use Committee and Budget and Finance Committee also held hearings on the Redevelopment Plan. On May 23, 2006, the Board finally passed the ordinance approving and adopting the Redevelopment Plan. (Ordinance No. 113-06).
3. On June 1, 2006, Mayor Newsom approved Ordinance No. 113-06, which becomes effective thirty days after his approval.
4. The Redevelopment Plan creates an approximately 1,500-acre Bayview Hunters Point ("BVHP") Redevelopment Project Area, consisting of the approximately 137-acre existing Hunters Point Redevelopment Project Area ("Project Area A") and an approximately 1,361 acre area ("Project Area B"), both located in the southeast quadrant of the City, generally bounded by Cesar Chavez Street to the North, US 101 to the West, San Mateo County to the South, and the San Francisco Bay to the East.
5. The Redevelopment Plan relies on the City Planning Code (the "Planning Code") to control land uses and development in Project Area B. The Redevelopment Plan requires the Agency to delegate its administration of the land use and development controls to the San Francisco Planning Department (the "Planning Department"), but allows the Agency to retain its land use authority for projects requiring Agency action.

6. The proposed Bayview Hunters Point Redevelopment Project Delegation Agreement (the "Delegation Agreement") delegates to the Planning Department the administration of land use and development controls within Project Area B in most instances. The Delegation Agreement provides that the Planning Department will approve permits and otherwise administer and enforce the Planning Code for any property or project that does not require Agency Action.
7. Under the Delegation Agreement, projects requiring Agency Action will involve both the Agency and the Planning Department, but final approval of the project will remain with the Agency unless the Agency determines, on a case-by-case basis, that the Planning Department should review a particular project. Agency Action is defined as the Agency's funding, acquisition, disposition, or development of property through a Disposition and Development Agreement (DDA), or execution of an Owner Participation Agreement (OPA), loan and grant agreements, or other transactional and funding documents between a property owner and the Agency.
8. The Agency presented draft versions of the Delegation Agreement to each sub-committee of the PAC and incorporated amendments to the agreements per suggestions from PAC members. The PAC will review the final draft of the Delegation Agreement on June 15, 2006.
9. On March 2, 2006, the Planning Commission by Motion No. 17200 and the Agency Commission by Resolution No. 21-2006, as co-lead agencies, certified the completion of the Final Environmental Impact Report for the Bayview Hunters Point Redevelopment Project and Zoning Proposal of which the Redevelopment Plan forms a part ("Final Environmental Impact Report").
10. The Agency Commission has reviewed and considered the information in the Final Environmental Impact Report.
11. The Agency Commission hereby finds that the proposed Delegation Agreement is part of the Bayview Hunters Point Redevelopment Project for purposes of compliance with the California Environmental Quality Act, Calif. Public Resources Code Section 21000 et seq.
12. In Resolution No. 31-2006, the Agency Commission adopted findings that various actions related to the Redevelopment Plan were in compliance with CEQA. These findings are on file with the Secretary of the Agency and are incorporated herein by reference. These findings are in furtherance of the actions contemplated in this Resolution and are made part of this Resolution by reference herein.

**RESOLUTION**

**ACCORDINGLY, IT IS RESOLVED** by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to execute the Bayview Hunters Point Redevelopment Project Delegation Agreement with the City and County of San Francisco's Planning Department, substantially in the form lodged with the Agency General Counsel.

**APPROVED AS TO FORM:**



James B. Morales  
Agency General Counsel