

## RESOLUTION NO. 45-2009

*Adopted May 5, 2009*

**APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN  
THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF  
SAN FRANCISCO, THE CITY AND COUNTY OF SAN FRANCISCO,  
AND THE CALIFORNIA DEPARTMENT OF PARKS AND  
RECREATION IN AN AMOUNT NOT TO EXCEED \$459,332 FOR THE  
CANDLESTICK POINT STATE RECREATION AREA, INCLUDING  
THE PREPARATION OF A STATE GENERAL PLAN;  
HUNTERS POINT SHIPYARD AND BAYVIEW HUNTERS POINT  
REDEVELOPMENT PROJECT AREAS**

### BASIS FOR RESOLUTION

1. In 1983, the City and County of San Francisco (the "City") conveyed land at Candlestick Point to the State of California to help form the Candlestick Point State Recreation Area ("CPSRA"). The CPSRA is an important resource for both the region and the Bayview Hunters Point community.
2. In 2007, the Redevelopment Agency of the City and County of San Francisco (the "Agency") and the City undertook a new, integrated planning effort for the Hunters Point Shipyard and Candlestick Point, which resulted in the adoption of a Conceptual Framework for Development (the "Conceptual Framework"). The Conceptual Framework was endorsed by the Agency on May 1, 2007, and subsequently by the City's Board of Supervisors. The Conceptual Framework called for a mixed use project on the two sites to provide, among other things, much needed parks and open space, new business and employment opportunities, new housing, including significant affordable housing, a site for a new 49ers sports stadium, and other economic and public benefits (the "Mixed Use Project").
3. On May 1, 2007, the Agency Commission adopted Resolution No. 42-2007, authorizing the execution and delivery of that certain Second Amended and Restated Exclusive Negotiations and Planning Agreement, covering Phase 2 of the Hunters Point Shipyard and Candlestick Point, between the Agency, Lennar-BVHP, LLC, and Lennar Communities, Inc., dated as of May 1, 2007 (the "Phase 2 ENA") consistent with the Conceptual Framework. Lennar-BVHP's interests under the Phase 2 ENA have been transferred to HPS Development Co., LP, a Delaware limited partnership, and Lennar Communities, Inc.'s interests under the ENA have been transferred to CP Development Co., LP, a Delaware limited partnership (together, the "Developer").
4. In June 2008, the voters of the City overwhelmingly approved Proposition G, the "Mixed Use Development Project for Candlestick Point and Hunters Point Shipyard." Proposition G made it City policy to proceed, subject to public input and the environmental review process, with revitalizing Candlestick Point and the

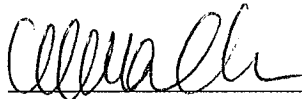
Hunters Point Shipyard through an integrated mixed use development project that includes, among other things, over 300 acres of public park and open space, between 8,500 and 10,000 homes, and significant retail, industrial and green office, science and technology, research and development space. Proposition G also made it City policy that the Mixed Use Project should include restoration and improvements to the CPSRA to enhance public access to the waterfront and enjoyment of the San Francisco Bay. Accordingly, a major renovation of the CPSRA into a "Crissy Field" of the southeast with restored habitat areas and public access to the water is proposed as part of the Mixed Use Project.

5. The California Department of Parks and Recreation's ("State Parks") regulations require the completion of a State General Plan (the "State General Plan") for proposed improvements to the CPSRA. Agency and Mayor's Office staff have been meeting with State Parks staff during the past few months to facilitate the completion of the State General Plan and to discuss the potential reconfiguration of the CPSRA.
6. The Phase 2 ENA requires the Developer, as part of its commitment to reimburse the City and the Agency for certain transaction costs associated with the Mixed Use Project, to fund the preparation of the State General Plan and associated State Parks' staff costs pursuant to the Memorandum of Understanding (the "MOU"). The MOU provides that State Parks will expeditiously pursue completion of the State General Plan and coordinate its efforts with the City and the Agency on the Mixed Use Project.
7. Agency approval of the MOU is statutorily exempt under the California Environmental Quality Act ("CEQA") because it is a feasibility and planning study, as defined in CEQA Guidelines Section 15262, and will not independently result in significant physical effects on the environment. Subsequent actions of the Agency are required for the proposed development of the CPSRA to proceed.

## 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 Memorandum of Understanding between the Agency, the City and County of San Francisco, and the California Department of Parks and Recreation in an amount not to exceed \$459,332 for the Candlestick Point State Recreation Area, substantially in the form lodged with the Agency General Counsel.

**APPROVED AS TO FORM:**

  
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James B. Morales  
Agency General Counsel