Resolution endorsing the efforts of the City, the Redevelopment Agency and Lennar Corporation to generate a conceptual proposal for a mixed-use development on Candlestick Point and Hunters Point Shipyard that includes the possibility of a new state-of-the-art stadium and associated parking for the San Francisco 49ers and that will provide parks and open space, jobs, affordable housing and other tangible economic and other public benefits for the Bayview Hunters Point community as soon as possible, and urging the Redevelopment Agency to work with the City to amend its exclusive negotiations agreement with Lennar/BVHP Partners for the Hunters Point Shipyard to provide for an integrated redevelopment project on Candlestick Point and the Shipyard.

WHEREAS, The Bayview Hunters Point ("BVHP") community has one of the lowest median income and highest unemployment rates in the San Francisco, and the betterment of the quality of life for the residents of the BVHP Community is one of the City's highest priorities; and,

WHEREAS, Redevelopment of the Candlestick Point and Hunters Point Shipyard areas with a mixed-use project would provide much needed parks and open space, employment, and affordable housing opportunities, as well as other tangible economic and public benefits, for the BVHP community in particular and the City as a whole; and,

WHEREAS, In June 1997, the electors of the City and County of San Francisco adopted two measures – Proposition D and Proposition F – providing for the development of a new state-of-the-art stadium for the San Francisco 49ers and entertainment retail shopping center at Candlestick Point; and,
WHEREAS, Under Proposition F the people of San Francisco adopted a policy that Candlestick Point and the surrounding area is the most suitable location in San Francisco for the construction of a new 49ers stadium and that the development associated with the stadium development would assist in revitalizing the economy of the BVHP area and provide jobs; and,

WHEREAS, For several years following the approval of Propositions D and F, the City worked with the 49ers and its developer partner, the Mills Corporation, to pursue a plan for developing the stadium and adjoining entertainment retail shopping center project, but that plan proved to be economically and practically infeasible, and in the Fall of 2005, the 49ers terminated their exclusive negotiation arrangement with the Mills Corporation; and,

WHEREAS, In the Fall of 2005, the 49ers, after having conducted a competitive process for a new developer partner, selected Lennar Corporation ("Lennar") to explore the feasibility of a new plan for development of a stadium in the context of a comprehensive mixed-use project at Candlestick Point; and,

WHEREAS, Over the course of about 18 months, Lennar, working in cooperation with the 49ers and the City, created a new preliminary plan that would provide for a world-class 49ers stadium and related mixed-use development at Candlestick Point, consisting of about 6,500 new housing units, including affordable units and the replacement of the Alice Griffith Public Housing Development, together with retail and commercial uses, new public open spaces and major improvements to the state park, and substantial transportation improvements at Candlestick Point; and,

WHEREAS, In the Fall of 2006, the 49ers decided that the proposed plan for Candlestick Point did not fully meet their needs for a new football stadium, and on November
8th the 49ers announced that they would instead focus on examining the feasibility of a new stadium in Santa Clara; and,

WHEREAS, On November 21, 2006, Lennar, in conjunction with the Mayor’s Office of Economic and Workforce Development, presented at a public hearing before the full Board of Supervisors the preliminary plan for the stadium related development Candlestick Point; and,

WHEREAS, Although the 49ers acknowledged that the preliminary plan for Candlestick Point was a great plan for mixed-use development, the 49ers stated that it did not work adequately for their football needs mainly because of concerns about the inclusion of a large parking garage that would serve 49ers fans, the cost and risk of completion of the necessary transportation improvements, the impacts on stadium operations during the construction of the development, and the risk of the entitlement process; and,

WHEREAS, The 49ers are an important source of civic pride and are closely identified with San Francisco, having played in San Francisco since the 1940s and at Candlestick Point since the early 1970s; and,

WHEREAS, The City remains committed to addressing the 49ers’ concerns and examining a new plan that meets their needs, but at the same time the City's primary goal is to assure that it can produce a plan that is fiscally prudent for the City and that will deliver parks and public open space, jobs, affordable housing and other tangible economic and public benefits to the BVHP community and the City as soon as possible; and,

WHEREAS, In March 1999 the Redevelopment Agency of the City and County of San Francisco (the “Agency”), through a competitive process, selected Lennar/ BVHP Partners, an affiliate of Lennar, as the primary developer of the Hunters Point Shipyard, and Lennar/ BVHP Partners has since been working diligently with the City, Agency and the United States Navy...
to provide for the environmental remediation and transfer of the Shipyard by the Navy to facilitate the redevelopment and economic revitalizations of the former base; and,

WHEREAS, In July 1997, the Board of Supervisors, by Ordinance No. 285-97, adopted a Redevelopment Plan for the revitalization of the Hunters Point Shipyard Project Area, and in June 2006, the Board of Supervisors, by Ordinance No. 113-06, adopted a Redevelopment Plan for the Bayview Hunters Point Project Area, including land in Candlestick Point; and,

WHEREAS, Following the 49ers' announcement in November 2006 that they would concentrate on exploring the feasibility of building a new stadium in Santa Clara, Lennar, in cooperation with the City, has expended significant resources and has been working diligently on a new preliminary plan that would site the stadium and related parking on the Hunters Point Shipyard, and would provide for an integrated mixed-use development across both Candlestick Point and the Hunters Point Shipyard; and,

WHEREAS, In the Mayor's December 28, 2006 letter to the 49ers, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 070099, which is hereby declared to be a part of this resolution as if set forth fully herein, the Mayor set forth a new preliminary plan based on such planning work, treating Candlestick Point and the second phase of development for the Hunters Point Shipyard as an integrated project; and,

WHEREAS, The policy goals adopted by the People of San Francisco under Proposition F, as well as the objectives for this area under the BVHP and Shipyard Redevelopment Plans adopted by the Board of Supervisors and the public benefits under the earlier Lennar plan for Candlestick Point can best be achieved by consolidating the revitalization of Candlestick Point and the Hunters Point Shipyard as a single project; and,
WHEREAS, The 49ers have indicated a willingness to work with the City and Lennar to consider the feasibility of a possible plan for a new stadium and associated parking on the Shipyard; and,

WHEREAS, On or before March 31, 2007, the Mayor’s Office of Economic and Workforce Development intends to present, and the Board wishes to consider at a public hearing, the new preliminary plan for the Candlestick Point and the Shipyard to determine if the integrated plan is fiscally feasible and responsibly delivers sufficient public benefits, and whether environmental review should commence; and,

WHEREAS, The lease with the 49ers of the current stadium on Candlestick Point is currently scheduled to expire on May 31, 2013; and,

WHEREAS, The new consolidated development plan should include, without limitation, the City’s approximately 77-acres of land at Candlestick Point that the stadium is located on as well as the site of the Alice Griffith Public Housing Development, and the remainder of the Hunters Point Shipyard, and should involve coordination with, among others, the State Parks Department, to produce the best possible project boundaries to achieve all of the aforementioned public benefits, including significant open space and recreation opportunities; and,

WHEREAS, The new consolidated development plan should explore the construction of hundreds of acres of new waterfront parks and open space, 8,500 new units of housing, including replacing the Alice Griffith Public Housing Development as part of a larger affordable housing program, extensive job-generating retail and research and development space, and permanent space for the artists at the Hunters Point Shipyard, and should be consistent with the applicable guiding principles for development on file with the Clerk of the Board of Supervisors.
Supervisors in File No. , which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, The consolidated development plan should also provide for the possibility of developing a new stadium and associated parking on a portion the Hunters Point Shipyard, if the 49ers timely determine that such a stadium is feasible, but the plan should allow the rest of the mixed-use development and all of its attendant public benefits to proceed regardless of the 49ers' final decision about the location of a new stadium; and,

WHEREAS, Any integrated project ultimately proposed by the City, the Agency and Lennar shall be subject to a process of thorough public review and input and all necessary and appropriate approvals; that process must include environmental review under the California Environmental Quality Act ("CEQA") before the City or the Agency may consider approving the project; the project will require discretionary approvals by a number of government bodies after public hearings and environmental review, including by the City's Board of Supervisors, Planning Commission, Recreation and Park Commission and Redevelopment Agency Commission; the project also may require approval by various State agencies, such as the State Park and Recreation Commission, Bay Conservation and Development Commission ("BCDC"), and State Lands Commission; and, in addition, the project may require amendments to the Hunters Point Shipyard and Bayview Hunters Point Redevelopment Plans, in accordance with the procedural and substantive requirements of the California Community Redevelopment Law; and,

WHEREAS, Nothing in this resolution commits, or shall be deemed to commit, the City, the Agency or any other public agency to approve or implement the project, and they may not do so until environmental review of the project as required under CEQA has been completed; accordingly, the references to "the project" (or the like) in this resolution mean a proposed
project subject to future environmental review and consideration by the City, Agency and
other public agencies; further, the City, the Agency and any other public agency with
jurisdiction over any part of the project each shall have the absolute discretion before
approving the project to: (i) make such modifications to the project as may be necessary to
mitigate significant environmental impacts; (ii) select other feasible alternatives to avoid or
substantially reduce significant environmental impacts; (iii) require the implementation of
specific measures to mitigate any specific impacts of the project; (iv) balance the benefits of
the project against any significant environmental impacts before taking final action if such
significant impacts cannot otherwise be avoided; or (v) determine whether or not to proceed
with the project; now, therefore, be it

RESOLVED, The Board endorses the efforts of Lennar, working in close cooperation
with all of the appropriate City departments (including, without limitation, the Recreation and
Park and Planning Departments) and the Agency, to generate an integrated development plan
for a mixed-use development on Candlestick Point and the Hunters Point Shipyard that
includes the possibility of a new state-of-the art stadium and associated parking for the San
Francisco 49ers on a portion of the Shipyard and that also provide parks and open space,
jobs, affordable housing and other tangible economic and public benefits for the BVHP
community, consistent with the relevant principles on file with the Clerk of the Board of
Supervisors in File No. 070099, which is hereby declared to be a part of this resolution as if set
forth fully herein; and, be it

FURTHER RESOLVED, That any new development that involves the site of the current
Alice Griffith Housing Development must provide for at least the 1:1 replacement at existing
low income levels of such housing and phase the development so that the current residents of
the Alice Griffith Housing Development will not be displaced from Alice Griffith until the replacement units are ready for occupancy.

FURTHER RESOLVED, That the Board of Supervisors encourages the 49ers to work diligently with the City, the Agency and Lennar to examine the feasibility of siting a new stadium and associated parking at the Shipyard and to make a timely determination about the feasibility of such plan; and,

FURTHER RESOLVED, That the Board of Supervisors urges the Redevelopment Agency to work with the City to amend the Agency's Exclusive Negotiations Agreement ("ENA") with Lennar/ BVHP Partners for the Hunters Point Shipyard to include redevelopment of Candlestick Point, consistent with the objectives of this resolution, provided that the ENA amendment should include provisions (i) granting an appropriate extension in the term of the ENA to allow for environmental review of the integrated project, with such interim milestones as the City and Agency typically incorporate into exclusive negotiation agreements to help assure that timely progress is made, including milestones relating to arrangements with the 49ers, and (ii) conditioning the terms of any transfer and reuse of the City's land in Candlestick Point on approval by the Recreation and Parks Commission and the Board of Supervisors, and such other possible approvals, including voter approval, as may be required; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Mayors Office of Economic and Workforce Development and the Agency, working in cooperation with Lennar, to give a status report on or before March 31, 2007 to the Board of Supervisors on such planning efforts, and to present to the Board by such date, if possible, a preliminary plan for consideration by the Board; and, be it

Supervisors Peskin, Maxwell, Duffy, Ammiano

BOARD OF SUPERVISORS
FURTHER RESOLVED, That the Board of Supervisors urges the Navy and the
environmental regulatory agencies with jurisdiction over the Shipyard, working in cooperation
with City departments, the Agency and Lennar, to take such actions as may be required to
facilitate the expeditious hazardous materials remediation and transfer by the Navy of the
Shipyard, and to integrate remediation with the development plan, so that the remaining of
parcels of the Shipyard may be redeveloped to achieve tangible public benefits for the BVHP
community as soon as possible; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the federal and state
governments to provide grant funding to the City to assist in developing the transportation
infrastructure improvements that are necessary to revitalize Candlestick Point and the
Shipyard, including possibly a new stadium for the 49ers, and that will serve the BVHP
residents, the City as a whole and the region.
Resolution endorsing the efforts of the City, the Redevelopment Agency and Lennar Corporation to generate a conceptual proposal for a mixed-use development on Candlestick Point and Hunters Point Shipyard that includes the possibility of a new state-of-the-art stadium and associated parking for the San Francisco 49ers and that will provide parks and open space, jobs, affordable housing and other tangible economic and other public benefits for the Bayview Hunters Point community as soon as possible, and urging the Redevelopment Agency to work with the City to amend its exclusive negotiations agreement with Lennar/BVHP Partners for the Hunters Point Shipyard to provide for an integrated redevelopment project on Candlestick Point and the Shipyard.

January 30, 2007 Board of Supervisors — REFERRED: Land Use and Economic Development Committee

February 13, 2007 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Jew
Absent: 1 - McGoldrick

February 13, 2007 Board of Supervisors — ADOPTED AS AMENDED
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Jew
Absent: 1 - McGoldrick
I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on February 13, 2007 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 15 2007
Date Approved

Mayor Gavin Newsom