Resolution proposing formation of Infrastructure Financing District for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).

WHEREAS, Resolution Proposing Formation of Infrastructure Financing District for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).

RESOLVED, By the Board of Supervisors (Board of Supervisors) of the City and County of San Francisco (City), State of California that:

WHEREAS, On October 19, 2010, the Board of Supervisors adopted its "Resolution of Intention to Establish Infrastructure Financing District" (Original Resolution of Intention to Establish IFD), stating its intention to form the "City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area)" (IFD) pursuant to Government Code Section 53395 et seq. (IFD Law); and

WHEREAS, On January 4, 2011, the Board of Supervisors adopted its “Resolution Amending Public Hearing Date Relating to Infrastructure Financing District” (together with the Original Resolution of Intention to Establish IFD, the Resolution of Intention to Establish IFD), which amended the Original Resolution of Intention to Establish IFD to call for a public hearing on February 8, 2011; and

WHEREAS, The Resolution of Intention to Establish IFD, is on file with the Clerk of the Board of Supervisors and the provisions thereof, except as modified by this Resolution, are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, The City intends to form the IFD for the purpose of financing certain public improvements (Facilities) as further provided in the Resolution of Intention to Establish IFD; and
WHEREAS, Also on October 19, 2010, the Board of Supervisors adopted its "Resolution Ordering Preparation of Infrastructure Financing Plan," ordering preparation of an infrastructure financing plan (Infrastructure Financing Plan) consistent with the requirements of the IFD Law; and

WHEREAS, The Infrastructure Financing Plan includes an amended list of Facilities to be financed by the IFD; the amended list does not include the Sailor's Union of the Pacific Community Center or the Library Services; and

WHEREAS, The Infrastructure Financing Plan also proposed including an additional property in the IFD, and incorporated an amended proposed boundary map; and

WHEREAS, As required by the IFD Law, the Clerk of the Board of Supervisors mailed a copy of the Resolution of Intention to Establish IFD to each owner of land within the proposed IFD and each affected taxing entity (as defined in the IFD Law); and

WHEREAS, As further required by the IFD Law, the designated official of the City prepared the Infrastructure Financing Plan and sent it, along with any report required by the California Environmental Quality Act (Division 13) (commencing with Section 2100) of the Public Resources Code) that pertains to the proposed Facilities or the proposed development project for which the Facilities are needed, to (i) each owner of land within the proposed IFD and (ii) each affected taxing entity; the designated official also sent the Infrastructure Financing Plan and the CEQA Report to (i) the City's planning commission and (ii) the Board of Supervisors; and

WHEREAS, The Clerk of the Board of Supervisors made the Infrastructure Financing Plan available for public inspection; and

WHEREAS, On February 8, 2011, as required by the IFD Law, the Board of Supervisors, as the legislative body of the City, which is the only affected taxing entity which is proposed to be subject to the division of taxes pursuant the IFD Law, considered and adopted

Mayor Lee, Supervisor Kim
BOARD OF SUPERVISORS
its resolution "Resolution Approving Infrastructure Financing Plan," pursuant to which the
Board of Supervisors approved the Infrastructure Financing Plan, in the form on file with the
Clerk of the Board of Supervisors; and

WHEREAS, On February 8, 2011, following publication of a notice consistent with the
requirements of the IFD Law, this Board of Supervisors held a public hearing relating to the
proposed IFD and the proposed Infrastructure Financing Plan, as required by the IFD Law;
and

WHEREAS, At the hearing any persons having any objections to the proposed
Infrastructure Financing Plan, or the regularity of any of the prior proceedings, and all written
and oral objections, and all evidence and testimony for and against the adoption of the
Infrastructure Financing Plan, were heard and considered, and a full and fair hearing was
held; and

WHEREAS, This Board of Supervisors wishes to propose adoption of the Infrastructure
Financing Plan, as modified, and formation of the IFD, as modified in the Infrastructure
Financing Plan; now, therefore, be it

RESOLVED, By the Board as follows:

Section 1. Recitals Correct. The foregoing recitals are true and correct.

Section 2. Prior Proceedings Valid. All prior proceedings taken by this Board of
Supervisors in connection with the establishment of the IFD and preparation and approval of
the Infrastructure Financing Plan tax have been duly considered and are hereby found and
determined to be valid and in conformity with the IFD Law.

Section 3. Proposed Formation of the IFD. The Board of Supervisors hereby
proposes formation of the IFD and division of taxes of the City as described in the
Infrastructure Financing Plan. The proposed IFD shall be designated the "City and County of
San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area). The boundary map on file with the Clerk of the Board of Supervisors is hereby approved.

Section 4. Proposed Adoption of the Infrastructure Financing Plan. The Board of Supervisors hereby proposes approval of the Infrastructure Financing Plan in the form on file with the Clerk of the Board of Supervisors.

Section 5. Appropriations Limit. In accordance with the IFD Law, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the proposed IFD is hereby preliminarily established at $23.6 million, and said appropriations limit shall be submitted to the qualified electors of the proposed IFD. The proposition establishing the annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with applicable law.

Section 6. Election. Pursuant to the provisions of the IFD Law, the proposition to establish the IFD, the proposition to approve the Infrastructure Financing Plan and the proposition to establish the appropriations limit specified above shall be submitted to the qualified electors of the IFD at an election. The time, place and conditions of the election shall be as specified by a separate resolution of this Board of Supervisors. The Board of Supervisors directs staff, within three business days, to provide the Clerk of the Board of Supervisors, as the official to conduct the election, with the following: this Resolution, a certified map of sufficient scale and clarity to show the boundaries of the proposed IFD, and a sufficient description (including the assessor's parcel numbers in a landowner election) to allow the Clerk of the Board of Supervisors to determine the boundaries of the proposed IFD.

Section 7. Effective Date. This Resolution shall take effect upon its adoption.
APPROVED AS TO FORM:
DENNIS HERRERA, CITY ATTORNEY

By
MARK D. BLAKE
Deputy City Attorney
Resolution proposing the formation of an Infrastructure Financing District for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).

January 24, 2011 Land Use and Economic Development Committee - CONTINUED

January 31, 2011 Land Use and Economic Development Committee - RECOMMENDED

January 31, 2011 Land Use and Economic Development Committee - REFERRED

February 02, 2011 Budget and Finance Committee - AMENDED

February 02, 2011 Budget and Finance Committee - RECOMMENDED AS AMENDED

February 08, 2011 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

I hereby certify that the foregoing Resolution was ADOPTED on 2/8/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Edwin Lee

Date Approved