

1 [California Constitution Appropriations Limit (Gann Limit) - Special Tax Districts and
2 Infrastructure and Revitalization Financing Districts - FY2024-2025]

3 **Resolution establishing the appropriations limit for Fiscal Year (FY) 2024-2025,**
4 **pursuant to California Constitution, Article XIII B (Gann Limit), for Special Tax Districts**
5 **and Infrastructure Revitalization and Financing Districts, and determining other matters**
6 **in connection therewith, as defined herein.**

7
8 WHEREAS, Under Article XIII B of the Constitution of the State of California, the total
9 annual appropriations subject to limitation of a local government entity may not exceed the
10 appropriations limit of that entity for the prior year adjusted for the change in the cost of living
11 and the change in population (commonly referred to as the "Gann Limit"), except as otherwise
12 provided; and

13 WHEREAS, Article XIII B defines local government as any city, county, city and county,
14 school district, special district, authority, or other political subdivision of or within the State;
15 and

16 WHEREAS, The Mello-Roos Community Facilities Act of 1982, constituting Chapter 2.5
17 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California
18 Government Code (as amended, "Mello- Roos Act") provides for the establishment of legally
19 constituted governmental entities known as community facilities districts for the sole purpose
20 of financing facilities and services from special taxes approved by qualified electors of the
21 community facilities district; and

22 WHEREAS, The Mello-Roos Act provides, among other things, for the establishment of
23 an appropriations limit for community facilities districts and, in connection with community
24 facilities districts involving annexation of parcels from a future annexation area into an
25

1 improvement area of the community facilities district, provides for proceedings for approval of
2 the establishment of the appropriations limit applicable only to improvement areas; and

3 WHEREAS, Under Chapter 43, Article X, of the San Francisco Administrative Code (as
4 it may be amended from time to time, "Code"), which Code incorporates by reference the
5 Mello-Roos Act including those provisions related to establishing an appropriations limit, the
6 Board of Supervisors is authorized to establish a special tax district for the sole purpose of
7 financing facilities and services from special taxes levied by voters of the special tax district;
8 and

9 WHEREAS, The Board of Supervisors has conducted proceedings under and pursuant
10 to the Mello-Roos Act to form the following community facilities districts and related
11 improvement areas:

- 12 (a) City and County of San Francisco Community Facilities District No. 2014-1
13 (Transbay Transit Center) and
14 (b) City and County of San Francisco Community Facilities District No. 2016-1
15 (Treasure Island), Improvement Area No. 1 of the City and County of San
16 Francisco Community Facilities District No. 2016-1 (Treasure Island),
17 Improvement Area No. 2 of the City and County of San Francisco Community
18 Facilities District No. 2016-1 (Treasure Island), and Improvement Area No. 3 of
19 the City and County of San Francisco Community Facilities District No. 2016-1
20 (Treasure Island); and

21 WHEREAS, The Board of Supervisors has conducted proceedings under and pursuant
22 to the Code to form the following special tax districts:

- 23 (a) City and County of San Francisco Special Tax District No. 2009-1 (San
24 Francisco Sustainable Financing), Improvement Area No. 1 of City and County
25 of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable

- 1 Financing), and Improvement Area No. 2 of City and County of San Francisco
2 Special Tax District No. 2009-1 (San Francisco Sustainable Financing),
3 (b) City and County of San Francisco Special Tax District No. 2019-1 (Pier 70
4 Condominiums),
5 (c) City and County of San Francisco Special Tax District No. 2019-2 (Pier 70
6 Leased Properties),
7 (d) City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock
8 Facilities and Services), and
9 (e) City and County of San Francisco Special Tax District No. 2022-1 (Power
10 Station) and Improvement Area No. 1 of the City and County of San Francisco
11 Special Tax District No. 2022-1 (Power Station); and

12 WHEREAS, All of the community facilities districts and special tax districts described
13 above (collectively, "Special Tax Districts") provide for the levy of special taxes and a list of
14 improvements and/or services eligible for funding with the special taxes, and an
15 appropriations limit for the Special Tax Districts and any improvement areas has been
16 established in accordance with the Mello-Roos Act; and

17 WHEREAS, Under Chapter 2.6 of Part 1 of Division 2 of Title 5 of the California
18 Government Code, commencing with Section 53369 ("IRFD Law"), the Board of Supervisors
19 is authorized to establish legally constituted governmental entities known as infrastructure and
20 revitalization financing districts legally for the sole purpose of financing authorized facilities;
21 and,

22 WHEREAS, The IRFD Law provides, among other things, for the establishment of an
23 appropriations limit for infrastructure and revitalization financing districts; and
24
25

1 WHEREAS, The Board of Supervisors has conducted proceedings under and pursuant
2 to the IRFD Law to form the following infrastructure and revitalization financing districts
3 (“IRFDs”; together with Special Tax Districts, “Districts”):

4 (a) City and County of San Francisco Infrastructure and Revitalization Financing
5 District No. 1 (Treasure Island), and

6 (b) City and County of San Francisco Infrastructure and Revitalization Financing
7 District No. 2 (Hoedown Yard, Pier 70); and

8 WHEREAS, An appropriations limit for the IRFDs has been established in accordance
9 with the IRFD Law; and

10 WHEREAS, California Government Code, Section 7910, provides that each year the
11 governing body of each local government entity shall, at a regularly scheduled meeting or
12 noticed special meeting, establish by resolution its appropriations limit and make other
13 necessary determinations for the following fiscal year pursuant to Article XIII B of the
14 California Constitution; and

15 WHEREAS, Section 7910 (a) further provides that the documentation used in the
16 determination of the appropriations limit shall be available to the public fifteen days prior to the
17 meeting; and

18 WHEREAS, The Mello-Roos Act provides for adjustment of the appropriations limit for
19 changes in the per capita personal income in the State of California and changes in
20 population, as defined by subdivisions (b) and (c) of Section 7901 of the California
21 Government Code, except that the change in population may be estimated by the legislative
22 body of the community facilities district in the absence of an estimate by the Department of
23 Finance, and in accordance with Section 1 of Article XIII B of the California Constitution, and,
24 for purposes of adjusting for changes in population, the population of the community facilities
25 shall be deemed to be at least one person during each calendar year; and

1 WHEREAS, The IRFD Law provides for adjustment of the appropriations limit for
2 changes in the cost of living and changes in populations, as defined by subdivisions (b) and
3 (c) of Section 7901, except that the change in population may be estimated by the legislative
4 body in the absence of an estimate by the Department of Finance, and in accordance with
5 Section 1 of Article XIII B of the California Constitution, and, for purposes of adjusting for
6 changes in population, the population of the district shall be deemed to be at least one person
7 during each calendar year; and

8 WHEREAS, California Government Code, Section 7901(b), provides that a city or
9 special district may choose to use the change in population within its jurisdiction or within the
10 county in which it is located, and that each city and special district shall select its change in
11 population annually by a recorded vote of the governing body of the city or special district; and

12 WHEREAS, The calculation of the appropriation limit of each of the Special Tax
13 Districts and any improvement areas and each of the IRFDs for Fiscal Year 2024-2025 is
14 described in Attachment 1 (Tables 1 - 8) to this Resolution, and has been made available to
15 the general public for fifteen days prior to the date of adoption of this Resolution; and

16 WHEREAS, Authorization of the annual appropriation limits is not a project under the
17 California Environmental Quality Act ("CEQA") Guidelines, Section 15378 (b)(4), because it
18 establishes, for the Districts, funding levels which do not involve any commitment to any
19 specific projects which may result in a potentially significant physical impact on the
20 environment; and

21 WHEREAS, Pursuant to California Government Code, Section 7910, a judicial action or
22 proceeding to attack, review, set aside, void, or annul the action of the Board of Supervisors
23 to establish the appropriations limit for Fiscal Year 2024-2025 shall be commenced within 45
24 days of the effective date of the Resolution; now, therefore, be it

25 RESOLVED, That the foregoing recitals are all true and correct; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors, as the legislative body with
2 respect to the Special Tax Districts and the improvement areas, by a recorded vote, hereby
3 establishes the appropriations limit of the Special Tax Districts, including any improvement
4 areas, for Fiscal Year 2024-2025 as set forth in Attachment 1, and hereby finds that the Board
5 of Supervisors has complied with the provisions of Article XIII B and other applicable
6 provisions of law; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors, as the legislative body with
8 respect to the IRFDs, by a recorded vote, hereby establishes the appropriations limit of the
9 IRFDs for Fiscal Year 2024-2025 as set forth in Attachment 1, and hereby finds that the Board
10 of Supervisors has complied with the provisions of Article XIII B and other applicable
11 provisions of law; and, be it

12 FURTHER RESOLVED, That, pursuant to California Government Code. Section 7910,
13 a judicial action or proceeding to attack, review, set aside, void, or annul the action of the City
14 Council to establish the appropriations limit for Fiscal Year 2024-2025 shall be commenced
15 within 45 days of the effective date of the Resolution; and, be it

16 FURTHER RESOLVED, That if any section, subsection, sentence, clause, phrase, or
17 word of this resolution, or any application thereof to any person or circumstance, is held to be
18 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
19 shall not affect the validity of the remaining portions or applications of this resolution, this
20 Board of Supervisors hereby declaring that it would have passed this resolution and each and
21 every section, subsection, sentence, clause, phrase, and word not declared invalid or
22 unconstitutional without regard to whether any other portion of this Resolution or application
23 thereof would be subsequently declared invalid or unconstitutional; and, be it

24 FURTHER RESOLVED, That this Resolution shall take effect upon its enactment;
25 enactment occurs when the Mayor signs the resolution, the Mayor returns the Resolution

unsigned or does not sign the resolution within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the resolution; the provisions of any previous resolutions in any way inconsistent with the provisions hereof in and for the issuance of the Bonds as herein described are hereby repealed.

Recommended:

Greg Wagner
Controller

By: /s/
GREG WAGNER
Controller

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ATTACHMENT 1

APPROPRIATION LIMIT CALCULATION TABLES

TABLE 1

City and County of San Francisco
Special Tax District No. 2009-1 (San Francisco Sustainable Financing)
Improvement Area No. 1 and Improvement Area No. 2
Appropriations Limit Adjustment Factor and Calculations

Year	Appropriations Limit Change Factors ⁽¹⁾			FY Change	Improvement Area No.1	Improvement Area No.2
	Total County Population Change Factor	California Per Capita Personal Income Factor	Appropriations Limit Adjustment Factor		Appropriation Limit Calculation As of October 2012 ⁽²⁾ \$1,400,000	Appropriation Limit Calculation As of November 2014 ⁽²⁾ \$1,841,143.05
Jan 2012 to Jan 2013	1.08%	5.12%	1.0626	2013-14	\$1,487,574	
Jan 2013 to Jan 2014	1.29%	-0.23%	1.0106	2014-15	\$1,503,298	
Jan 2014 to Jan 2015	1.22%	3.82%	1.0509	2015-16	\$1,579,765	\$1,934,794.71
Jan 2015 to Jan 2016	1.06%	5.37%	1.0649	2016-17	\$1,682,243	\$2,060,303.33
Jan 2016 to Jan 2017	1.08%	3.69%	1.0481	2017-18	\$1,763,157	\$2,159,400.87
Jan 2017 to Jan 2018	1.14%	3.67%	1.0485	2018-19	\$1,848,702	\$2,264,171.50
Jan 2018 to Jan 2019	0.33%	3.85%	1.0419	2019-20	\$1,926,213	\$2,359,101.53
Jan 2019 to Jan 2020	0.76%	3.73%	1.0452	2020-21	\$2,013,246	\$2,465,693.95
Jan 2020 to Jan 2021	-1.66%	5.73%	1.0397	2021-22	\$2,093,270	\$2,563,702.38
Jan 2021 to Jan 2022	-0.79%	7.55%	1.0670	2022-23	\$2,233,526	\$2,735,479.54
Jan 2022 to Jan 2023	-0.64%	4.44%	1.0377	2023-24	\$2,317,766	\$2,838,650.45
Jan 2023 to Jan 2024	0.11%	3.62%	1.0373	2024-25	\$2,404,311	\$2,944,645.14

¹ The total County Population Change Factor and California Per Capital Personal Income Factor per the California State Department of Finance. The Appropriations Limit Adjustment Factor is determined by multiplying the Population Change Factor by the Income Factor.

Sources: California Department of Finance; Goodwin Consulting Group, Inc.

² Date of Unanimous Approval.

³ Improvement areas may be established as properties annex into the CFD from the future annexation area for the CFD, and an appropriations limit applicable to such improvement area will be established in connection with such annexation.

TABLE 2

**City and County of San Francisco
Community Facilities District No. 2014-1 (Transbay Transit Center)
Appropriations Limit Adjustment Factor and Calculations**

Year	Appropriations Limit Change Factors ⁽¹⁾			FY Change	Appropriation Limit Calculation As of September 2014 ⁽²⁾ \$300,000,000
	Total County Population Change Factor	California Per Capita Personal Income Factor	Appropriations Limit Adjustment Factor		
Jan 2014 to Jan 2015	1.22%	3.82%	1.0509	2015-16	\$315,259,812
Jan 2015 to Jan 2016	1.06%	5.37%	1.0649	2016-17	\$335,710,470
Jan 2016 to Jan 2017	1.08%	3.69%	1.0481	2017-18	\$351,857,647
Jan 2017 to Jan 2018	1.14%	3.67%	1.0485	2018-19	\$368,929,210
Jan 2018 to Jan 2019	0.33%	3.85%	1.0419	2019-20	\$384,397,323
Jan 2019 to Jan 2020	0.76%	3.73%	1.0452	2020-21	\$401,765,732
Jan 2020 to Jan 2021	-1.66%	5.73%	1.0397	2021-22	\$417,735,446
Jan 2021 to Jan 2022	-0.79%	7.55%	1.0670	2022-23	\$445,725,204
Jan 2022 to Jan 2023	-0.64%	4.44%	1.0377	2023-24	\$462,536,104
Jan 2023 to Jan 2024	0.11%	3.62%	1.0373	2024-25	\$479,807,119

1 The total County Population Change Factor and California Per Capital Personal Income Factor per the California State Department of Finance. The Appropriations Limit Adjustment Factor is determined by multiplying the Population Change Factor by the Income Factor.

Sources: California Department of Finance; Goodwin Consulting Group, Inc.

2 Resolution of Formation approval date.

TABLE 3

City and County of San Francisco
Community Facilities Districts No. 2016-1 (Treasure Island)
Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3
Appropriations Limit Adjustment Factor and Calculations

Year	Appropriations Limit Change Factors ⁽¹⁾			FY Change	Improvement Area No.1	Improvement Area No.2	Improvement Area No.3
	Total County	California Per	Appropriations		Appropriation Limit	Appropriation Limit	Appropriation Limit
	Population	Capita Personal	Limit Adjustment		Calculation	Calculation	Calculation
	Change Factor	Income Factor	Factor		As of January 2017 ⁽²⁾	As of April 2020 ⁽³⁾	As of December 2020 ⁽³⁾
					\$90,000,000	\$76,000,000	\$212,700,000
Jan 2016 to Jan 2017	1.08%	3.69%	1.0481	2017-18	\$94,328,867		
Jan 2017 to Jan 2018	1.14%	3.67%	1.0485	2018-19	\$98,905,551		
Jan 2018 to Jan 2019	0.33%	3.85%	1.0419	2019-20	\$103,052,369		
Jan 2019 to Jan 2020	0.76%	3.73%	1.0452	2020-21	\$107,708,633	\$79,433,944	
Jan 2020 to Jan 2021	-1.66%	5.73%	1.0397	2021-22	\$111,989,924	\$82,591,350	\$221,154,574
Jan 2021 to Jan 2022	-0.79%	7.55%	1.0670	2022-23	\$119,493,647	\$88,125,264	\$235,972,716
Jan 2022 to Jan 2023	-0.64%	4.44%	1.0377	2023-24	\$124,000,450	\$91,448,982	\$244,872,625
Jan 2023 to Jan 2024	0.11%	3.62%	1.0373	2024-25	\$128,630,605	\$94,863,671	\$254,016,124

¹ The total County Population Change Factor and California Per Capital Personal Income Factor per the California State Department of Finance. The Appropriations Limit Adjustment Factor is determined by multiplying the Population Change Factor by the Income Factor.

Sources: California Department of Finance; Goodwin Consulting Group, Inc.

² Resolution of Formation approval date.

³ Unanimous Approval for Annexation execution date.

⁴ Improvement areas may be established as properties annex into the CFD from the future annexation area for the CFD, and an appropriations limit applicable to such improvement area will be established in connection with such annexation.

TABLE 4

City and County of San Francisco
Special Tax District No. 2019-1 (Pier 70 Condominiums) and No. 2019-2 (Pier 70 Leased Properties)
Appropriations Limit Adjustment Factor and Calculations

Year	Appropriations Limit Change Factors ⁽¹⁾			FY Change	STD No. 2019-1	STD No. 2019-2
	Total County Population Change Factor	California Per Capita Personal Income Factor	Appropriations Limit Adjustment Factor		Appropriation Limit Calculation As of January 2020 ⁽²⁾ \$1,697,600,000	Appropriation Limit Calculation As of January 2020 ⁽²⁾ \$1,841,600,000
Jan 2019 to Jan 2020	0.76%	3.73%	1.0452	2020-21	\$1,774,303,476	\$1,924,809,897
Jan 2020 to Jan 2021	-1.66%	5.73%	1.0397	2021-22	\$1,844,829,945	\$2,001,318,819
Jan 2021 to Jan 2022	-0.79%	7.55%	1.0670	2022-23	\$1,968,440,101	\$2,135,414,284
Jan 2022 to Jan 2023	-0.64%	4.44%	1.0377	2023-24	\$2,042,681,472	\$2,215,953,228
Jan 2023 to Jan 2024	0.11%	3.62%	1.0373	2024-25	\$2,118,954,831	\$2,298,696,523

¹ The total County Population Change Factor and California Per Capital Personal Income Factor per the California State Department of Finance.

The Appropriations Limit Adjustment Factor is determined by multiplying the Population Change Factor by the Income Factor.

Sources: California Department of Finance; Goodwin Consulting Group, Inc.

² Resolution of Formation approval date.

TABLE 5

**City and County of San Francisco
Special Tax District No. 2020-1 (Mission Rock Facilities and Services)
Appropriations Limit Adjustment Factor and Calculations**

Year	Appropriations Limit Change Factors ⁽¹⁾			FY Change	Appropriation Limit Calculation As of April 2020 ⁽²⁾ \$3,700,000,000
	Total County Population Change Factor	California Per Capita Personal Income Factor	Appropriations Limit Adjustment Factor		
Jan 2019 to Jan 2020	0.76%	3.73%	1.0452	2020-21	\$3,867,178,876
Jan 2020 to Jan 2021	-1.66%	5.73%	1.0397	2021-22	\$4,020,894,673
Jan 2021 to Jan 2022	-0.79%	7.55%	1.0670	2022-23	\$4,290,308,890
Jan 2022 to Jan 2023	-0.64%	4.44%	1.0377	2023-24	\$4,452,121,494
Jan 2023 to Jan 2024	0.11%	3.62%	1.0373	2024-25	\$4,618,362,909

¹ The total County Population Change Factor and California Per Capital Personal Income Factor per the California State Department of Finance. The Appropriations Limit Adjustment Factor is determined by multiplying the Population Change Factor by the Income Factor.

Sources: California Department of Finance; Goodwin Consulting Group, Inc.

² Resolution of Formation approval date.

TABLE 6

**City and County of San Francisco
Special Tax District No. 2022-1 (Power Station)
Appropriations Limit Adjustment Factor and Calculations**

Year	Appropriations Limit Change Factors ⁽¹⁾			FY Change	Appropriation Limit Calculation As of March 2022 ⁽²⁾ \$863,000,000
	Total County Population Change Factor	California Per Capita Personal Income Factor	Appropriations Limit Adjustment Factor		
Jan 2021 to Jan 2022	-0.79%	7.55%	1.0670	2022-23	\$920,824,064
Jan 2022 to Jan 2023	-0.64%	4.44%	1.0377	2023-24	\$955,553,717
Jan 2023 to Jan 2024	0.11%	3.62%	1.0373	2024-25	\$991,233,920

1 The total County Population Change Factor and California Per Capital Personal Income Factor per the California State Department of Finance. The Appropriations Limit Adjustment Factor is determined by multiplying the Population Change Factor by the Income Factor.

Sources: California Department of Finance; Goodwin Consulting Group, Inc.

2 Resolution of Formation approval date.

TABLE 7

**City and County of San Francisco
Infrastructure and Revitalization Financing District No.1 (Treasure Island)
Appropriations Limit Adjustment Factor and Calculations**

Year	Appropriations Limit Change Factors ⁽¹⁾			FY Change	Appropriation Limit Calculation As of February 2017 ⁽²⁾ \$192,000,000
	Total County Population Change Factor	California Per Capita Personal Income Factor	Appropriations Limit Adjustment Factor		
Jan 2016 to Jan 2017	1.08%	3.69%	1.0481	2017-18	\$201,234,916
Jan 2017 to Jan 2018	1.14%	3.67%	1.0485	2018-19	\$210,998,508
Jan 2018 to Jan 2019	0.33%	3.85%	1.0419	2019-20	\$219,845,053
Jan 2019 to Jan 2020	0.76%	3.73%	1.0452	2020-21	\$229,778,418
Jan 2020 to Jan 2021	-1.66%	5.73%	1.0397	2021-22	\$238,911,838
Jan 2021 to Jan 2022	-0.79%	7.55%	1.0670	2022-23	\$254,919,780
Jan 2022 to Jan 2023	-0.64%	4.44%	1.0377	2023-24	\$264,534,293
Jan 2023 to Jan 2024	0.11%	3.62%	1.0373	2024-25	\$274,411,956

¹ The total County Population Change Factor and California Per Capital Personal Income Factor per the California State Department of Finance. The Appropriations Limit Adjustment Factor is determined by multiplying the Population Change Factor by the Income Factor.

Sources: California Department of Finance; Goodwin Consulting Group, Inc.

² Ordinance forming IRFD No.1 and adopting an Infrastructure Financing Plan approval date.

TABLE 8

**City and County of San Francisco
Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70)
Appropriations Limit Adjustment Factor and Calculations**

	Appropriations Limit Change Factors ⁽¹⁾			Appropriation Limit Calculation	
	Total County Population Change Factor	California Per Capita Personal Income Factor	Appropriations Limit Adjustment Factor	FY Change	As of October 2018 ⁽²⁾ \$91,900,000
Year					
Jan 2018 to Jan 2019	0.33%	3.85%	1.0419	2019-20	\$95,753,096
Jan 2019 to Jan 2020	0.76%	3.73%	1.0452	2020-21	\$100,079,554
Jan 2020 to Jan 2021	-1.66%	5.73%	1.0397	2021-22	\$104,057,598
Jan 2021 to Jan 2022	-0.79%	7.55%	1.0670	2022-23	\$111,029,827
Jan 2022 to Jan 2023	-0.64%	4.44%	1.0377	2023-24	\$115,217,410
Jan 2023 to Jan 2024	0.11%	3.62%	1.0373	2024-25	\$119,519,607

¹ The total County Population Change Factor and California Per Capital Personal Income Factor per the California State Department of Finance. The Appropriations Limit Adjustment Factor is determined by multiplying the Population Change Factor by the Income Factor.

Sources: California Department of Finance; Goodwin Consulting Group, Inc.

² Resolution adopting an Infrastructure Financing Plan and forming IRFD No.2 approval date.