

1 [Resolution Declaring Election Results - Not Approved by Electors of City and County of San  
2 Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

3 **Resolution declaring results of Special Election that was not approved by the qualified**  
4 **electors for the City and County of San Francisco Community Facilities District No.**  
5 **2014-1 (Transbay Transit Center) and determining other matters in connection**  
6 **therewith.**

7  
8 WHEREAS, This Board of Supervisors has adopted a resolution entitled "Resolution of  
9 formation of City and County of San Francisco Community Facilities District No. 2014-1  
10 (Transbay Transit Center) and determining other matters in connection therewith" (the  
11 "Resolution of Formation"), ordering the formation of the "City and County of San Francisco  
12 Community Facilities District No. 2014-1 (Transbay Transit Center)" (the "CFD") and a "City  
13 and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit  
14 Center) (Future Annexation Area)", authorizing the levy of a special tax on property within the  
15 CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to the  
16 Mello-Roos Community Facilities Act of 1982, as amended, constituting Chapter 2.5 of Part 1  
17 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code  
18 (the "Mello-Roos Act"); and

19 WHEREAS, This Board of Supervisors has also adopted a resolution entitled  
20 "Resolution determining necessity to incur bonded indebtedness for City and County of San  
21 Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining  
22 other matters in connection therewith" (the "Resolution of Necessity"), determining the  
23 necessity to incur bonded indebtedness and other debt (as defined in the Mello-Roos Act) in  
24 the maximum aggregate principal amount of \$1,400,000,000 upon the security of the special  
25 tax to be levied within the CFD pursuant to the Mello-Roos Act; and

1           WHEREAS, Under the provisions of the Resolution of Formation and the Resolution of  
2 Necessity and pursuant to a “Resolution calling special election in City and County of San  
3 Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)” (the “Election  
4 Resolution”) heretofore adopted by this Board of Supervisors, the propositions of the levy of  
5 the special tax, the establishment of the appropriations limit and the incurring of bonded  
6 indebtedness and other debt were submitted to the qualified electors of the CFD as required  
7 by the provisions of the Mello-Roos Act; and

8           WHEREAS, Pursuant to the terms of the Election Resolution, which are by this  
9 reference incorporated herein, the special election has been held and the Clerk of the Board  
10 of Supervisors has on file a Canvass and Statement of Results of Election (the “Canvass”) a  
11 copy of which is attached hereto as Exhibit A; and

12           WHEREAS, This Board of Supervisors has reviewed the Canvass, finds it appropriate  
13 and wishes to complete its proceedings for the CFD; now, therefore, be it

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

15           FURTHER RESOLVED, That the issues presented at the special election were the levy  
16 of a special tax within the CFD, the incurring of bonded indebtedness and other debt in the  
17 maximum aggregate principal amount of \$1,400,000,000 and the establishment of an annual  
18 appropriations limit of not to exceed \$300,000,000, all pursuant to the Resolution of Formation  
19 and the Resolution of Necessity; and, be it

20           FURTHER RESOLVED, That the Board of Supervisors hereby approves the Canvass  
21 and finds that it shall be a permanent part of the record of its proceedings for the CFD.

22 Pursuant to the Canvass, the issues presented at the special election were not approved by  
23 the qualified electors of the CFD by more than two-thirds (2/3) of the votes cast at the special  
24 election; and, be it

1 FURTHER RESOLVED, That, as a result, the CFD does not have the authority to levy  
2 the special taxes or to incur the bonded indebtedness and other debt as heretofore provided  
3 in these proceedings; and, be it

4 FURTHER RESOLVED, That this Resolution shall take effect upon its adoption.

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6 APPROVED AS TO FORM:  
7 DENNIS J. HERRERA, City Attorney

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9 By: \_\_\_\_\_  
10 Mark D. Blake  
11 Deputy City Attorney

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**EXHIBIT A**

**CANVASS AND STATEMENT OF RESULT OF ELECTION**

**CITY AND COUNTY OF SAN FRANCISCO  
Community Facilities District No. 2014-1  
(Transbay Transit Center)**

I hereby certify as follows: that (i) I canvassed the returns of the special election held on December 29, 2014, in City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) (the "CFD"), (ii) the canvass was conducted in accordance with applicable law, and (iii) the ballot measure, the qualified number of votes, the total number of votes cast in the CFD and the total number of votes cast for and against the ballot measure are as follows and are full, true and correct:

BALLOT MEASURE: To finance acquisition and construction of facilities and pay costs identified in Board of Supervisors Resolution No. 350-14, shall the City and County of San Francisco ("City"): incur \$1,400,000,000 of bonded and other debt for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) ("CFD") with interest rates not exceeding legal maximums; levy a special tax in the CFD to pay debt service on bonds and debt, to pay for authorized facilities and to pay CFD administration costs; and establish a \$300,000,000 annual CFD appropriations limit?	Yes: _____  No: _____
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1	Qualified Votes	Votes Cast	YES	NO
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5 **IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND** this \_\_\_\_ day of \_\_\_\_, 2014.  
6

7 CITY AND COUNTY OF SAN FRANCISCO

8  
9 By: \_\_\_\_\_  
10 Director  
11 San Francisco Department of Elections  
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