

File Nos. 101558 Committee Item Nos. 7
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Land Use and Economic Development Date January 24, 2011

Board of Supervisors Meeting Date _____

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Completed by: Alisa Somera Date January 21, 2011
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

[Formation of an Infrastructure Financing District - Rincon Hill Area]

Resolution proposing the formation of an 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,

Mayor Newsom
BOARD OF SUPERVISORS

1 WHEREAS, Also on October 19, 2010, the Board of Supervisors adopted its
2 "Resolution Ordering Preparation of Infrastructure Financing Plan," ordering preparation of an
3 infrastructure financing plan (Infrastructure Financing Plan) consistent with the requirements
4 of the IFD Law; and,

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

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

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

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

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

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

1 its resolution "Resolution Approving Infrastructure Financing Plan," pursuant to which the
2 Board of Supervisors approved the Infrastructure Financing Plan; and,

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

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

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

15 RESOLVED, By the Board as follows:

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

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

21 Section 3. Proposed Formation of the IFD. The Board of Supervisors hereby
22 proposes formation of the IFD and division of taxes of the City as described in the
23 Infrastructure Financing Plan. The proposed IFD shall be designated the "City and County of
24 San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area)".
25

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

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

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

20 Section 7. Effective Date. This Resolution shall take effect upon its adoption; and

21
22 APPROVED AS TO FORM:
DENNIS HERRERA, CITY ATTORNEY

23
24 By

25
MARK D. BLAKE
Deputy City Attorney

Mayor Newsom
BOARD OF SUPERVISORS