

File No. 141306

Committee Item No. \_\_\_\_\_

Board Item No. 27

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date January 13, 2015

### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

### OTHER (Use back side if additional space is needed)

- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Canvass and Statement of Election Results |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Vote Worksheet                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                     |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                     |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                     |

Completed by: John Carroll Date January 9, 2015

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Declaring Election Results - Approved by Electors of City and County of San Francisco  
2 Community Facilities District No. 2014-1 (Transbay Transit Center)]

3 **Resolution declaring results of Special Election that was approved by the qualified**  
4 **electors, and directing recording of notice of special tax lien for the City and County of**  
5 **San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and**  
6 **determining other matters in connection 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  
25

1 the maximum aggregate principal amount of \$1,400,000,000 upon the security of the special  
2 tax to be levied within the CFD pursuant to the Mello-Roos Act; and

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

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

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

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

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

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

24 Pursuant to the Canvass, the issues presented at the special election were approved by the  
25

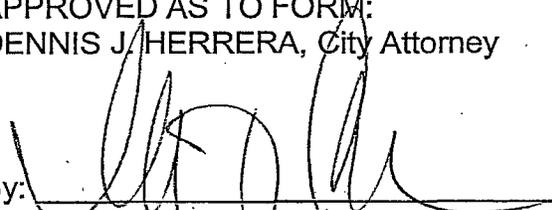
1 qualified electors of the CFD by more than two-thirds (2/3) of the votes cast at the special  
2 election; and, be it

3 FURTHER RESOLVED, That pursuant to the voter approval, the CFD is hereby  
4 declared to be fully formed with the authority to levy the special taxes, to incur the approved  
5 bonded indebtedness and other debt and to have the established appropriations limit, all as  
6 heretofore provided in these proceedings and in the Mello-Roos Act. It is hereby found that all  
7 prior proceedings and actions taken by this Board of Supervisors with respect to the CFD  
8 were valid and in conformity with the Mello-Roos Act; and, be it

9 FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed  
10 to complete, execute and cause to be recorded in the Office of the Assessor-Recorder a  
11 notice of special tax lien in the form required by the Mello-Roos Act, such recording to occur  
12 no later than fifteen (15) days following adoption by the Board of Supervisors of this  
13 resolution; and, be it

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

15  
16 APPROVED AS TO FORM:  
17 DENNIS J. HERRERA, City Attorney

18  
19 By: 

20 Mark D. Blake  
21 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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Qualified Votes	Votes Cast	YES	NO
13			

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this \_\_\_\_ day of \_\_\_\_, 2014.

CITY AND COUNTY OF SAN FRANCISCO

By: \_\_\_\_\_  
Director  
San Francisco Department of Elections

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

**CANVASS AND STATEMENT OF RESULT OF ELECTION**

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, (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:

<p><b>BALLOT MEASURE:</b> To finance acquisition and construction of facilities and pay costs identified in Board of Supervisors Resolution No. <u>350-14</u>, 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?</p>	<p>Yes: _____  No: _____</p>
--	--------------------------------------

Qualified Votes	Votes Cast	YES	NO
17	12	12	0

**IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND**

this 30<sup>th</sup> day of DECEMBER 2014.

CITY AND COUNTY OF SAN FRANCISCO

By: \_\_\_\_\_

John Arntz  
Director of Elections

FINAL Election Tabulation Worksheet: Community Facilities: District No. 2014-1 (Transbay Transit Center)

Envelope Number	Parcel Number	Site Address	Owner	Acreage	Total No. of Votes Based on Acreage Owned	No. of Votes Cast	Yes Votes	No Votes
1	3719-010 3719-011	183-187 Fremont St. 177-181 Fremont St.	181 Fremont Street LLC	0.95	1	1	1	
2	3739-016	No legal address listed	Block 6 Joint Venture LLC	1.15	2			
3	3710-017	350 Mission St.	CR 350 Mission, LLC	0.43	1	1	1	
4	3736-120 3737-005 3737-012 3737-027	No legal address listed 250-278 Fremont 245-291 1st St. No legal address listed	State of California Department of Transportation ("Caltrans")	2.46	3	3	3	
5	3736-190	41 Tehama St.	Tehama Partners LLC	0.44	1			
6	3740-027	No legal address listed	The Successor Agency to the Redevelopment Agency of the City and County of San Francisco	0.78	1	1	1	
7	3718-025 3721-015A 3721-016 3721-031 3739-008 3718-027	No legal address listed No legal address listed 546 Howard St 75 Natoma St 200 Main St. No legal address listed	Transbay Joint Powers Authority	5.32	6	6	6	
8	3720-009	No legal address listed	Transbay Tower LLC	1.16	2			

CA Gov. Code Section 53328:  
measure passes with two-thirds (.667) of the votes in favor.

3296

Ballot Received

<b>TOTALS</b>	<b>17</b>	<b>12</b>	<b>12</b>	<b>0</b>
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Item 1	Total Votes Cast	12
Item 2	Multiply All Votes Cast by .667 (Product Rounded Up)	9
Item 3	Total Yes Votes	12
Item 4	Measure passes if the total for Item 3 is equal to or greater than two-thirds of votes cast as noted in Item 2	Passing
This Measure Passes		X
This Measure Fails		

TOTAL YES VOTES	12
TOTAL NO VOTES	0

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

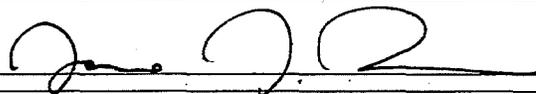
Jane Kim

**Subject:**

Resolution Declaring Election Results – City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)

**The text is listed below or attached:**

See attached.

Signature of Sponsoring Supervisor: 

**For Clerk's Use Only:**

