

1 [Creating an Infrastructure Financing District and Adopting an Infrastructure Financing Plan -  
2 Rincon Hill Area]

3 **Ordinance creating an Infrastructure Financing District and adopting an Infrastructure**  
4 **Financing Plan for City and County of San Francisco Infrastructure Financing District**  
5 **No. 1 (Rincon Hill Area).**

6 Note: Additions are single-underline italics Times New Roman;  
7 deletions are ~~strikethrough italics Times New Roman~~.  
8 Board amendment additions are double underlined.  
9 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 The Board of Supervisors of the City and County of San Francisco hereby finds,  
11 determines and declares [based on the record before it that]:

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

17 B. On January 4, 2011, the Board of Supervisors adopted its "Resolution  
18 Amending Public Hearing Date Relating to Infrastructure Financing District" (together with the  
19 Original Resolution of Intention to Establish IFD, the Resolution of Intention to Establish IFD),  
20 which amended the Original Resolution of Intention to Establish IFD to call for a public hearing  
21 on February 8, 2011; and

22 C. Also on October 19, 2010, the Board of Supervisors adopted its "Resolution  
23 Ordering Preparation of Infrastructure Financing Plan," ordering preparation of an  
24  
25

1 infrastructure financing plan (Infrastructure Financing Plan) consistent with the requirements  
2 of the IFD Law; and

3 D. The Infrastructure Financing Plan included an amended list of Facilities to be  
4 financed by the IFD; the amended list does not include the Sailor's Union of the Pacific  
5 Community Center or the Library Services; and

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

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

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

19 H. The Clerk of the Board of Supervisors made the Infrastructure Financing Plan  
20 available for public inspection; and

21 I. On February 8, 2011, as required by the IFD Law, the Board of Supervisors, as  
22 the legislative body of the City, which is the only affected taxing entity which is proposed to be  
23 subject to the division of taxes pursuant the IFD Law, considered and adopted its resolution  
24 "Resolution Approving Infrastructure Financing Plan," pursuant to which the Board of  
25

1 Supervisors approved the Infrastructure Financing Plan, in the form on file with the Clerk of  
2 the Board of Supervisors; and

3 J. 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; and

6 K. Subsequent to the hearing, on February 8, 2011, the Board of Supervisors  
7 adopted resolutions entitled “Resolution Proposing Formation of Infrastructure Financing  
8 District”, “Resolution of Intention to Issue Bonds” and “Resolution Calling Special Election”,  
9 which resolutions approved an amended boundary map, proposed formation of the IFD,  
10 proposed approval of the Infrastructure Financing Plan, proposed an appropriations limit for  
11 the IFD, proposed issuance of bonded indebtedness for the IFD to finance certain public  
12 facilities (Facilities) and called an election within the IFD on those propositions; and

13 L. On February 8, 2011, a special election was held within the IFD at which the  
14 eligible landowner-electors approved such propositions by the two-thirds vote required by the  
15 IFD Law; now, therefore, be it

16 RESOLVED, By the Board as follows:

17 1. By the passage of this Ordinance this Board of Supervisors hereby declares the IFD  
18 described in the Infrastructure Financing Plan to be fully formed with full force and effect of  
19 law, approves the Infrastructure Financing Plan, declares the IFD to have an annual  
20 appropriations limit of \$23.6 million, and declares that the City has the authority to issue  
21 Bonds in the amount of \$22 million, all as provided in the proceedings for the IFD and in the  
22 IFD Law; provided nothing herein shall authorize the maximum tax increment payable to the  
23 IFD to exceed \$60.2 million over the life of the IFD. It is hereby found that all prior  
24 proceedings and actions taken by this Board of Supervisors with respect to the IFD were valid  
25 and in conformity with the IFD Law.

1           2. If for any reason any portion of this Ordinance is found to be invalid, the balance of  
2 this Ordinance shall not be affected.

3           3. The Mayor shall sign this Ordinance and the Clerk of the Board of Supervisors shall  
4 cause the same to be published within 5 days of its passage and again within 15 days after its  
5 passage, in each case at least once in a newspaper of general circulation published and  
6 circulated in the City.

7           4. This Ordinance shall take effect 30 days from the date of final passage.

8  
9 APPROVED AS TO FORM:

10 DENNIS J. HERRERA  
11 City Attorney

12  
13 By: \_\_\_\_\_  
14           MARK D. BLAKE  
15           Deputy City Attorney