

1 [Annexation of Property - Community Facilities District No. 2014-1 (Transbay Transit Center)]

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3 **Resolution determining that property located at Assessor’s Parcel Block No. 3740, Lot**
4 **No. 029, and Block No. 3740, Lot Nos. 030-032, is annexed to the City and County of**
5 **San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center); and**
6 **directing the Clerk of the Board of Supervisors to Record Notice of the Annexation.**

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8 WHEREAS, This Board has adopted Resolution No. 350-14, on September 23, 2014,
9 and signed by the Mayor on September 29, 2014, entitled “Resolution of Formation of City
10 and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit
11 Center) and determining other matters in connection therewith” (the “Resolution of
12 Formation”), ordering the formation of the "City and County of San Francisco Community
13 Facilities District No. 2014-1 (Transbay Transit Center)" (the “CFD”) and a "City and County of
14 San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) (Future
15 Annexation Area)", authorizing the levy of a special tax on property within the CFD and
16 preliminarily establishing an appropriations limit for the CFD, all pursuant to the Mello-Roos
17 Community Facilities Act of 1982, as amended, constituting California Government Code
18 Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311 (the “Mello-
19 Roos Act”); and

20 WHEREAS, This Board has also adopted a Resolution No.351-14, adopted by the
21 Board on September 23, 2014, and signed by the Mayor on September 29, 2014, entitled
22 “Resolution Determining Necessity to Incur Bonded Indebtedness for City and County of San
23 Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining
24 other matters in connection therewith" (the “Resolution of Necessity”), determining the
25 necessity to incur bonded indebtedness and other debt (as defined in the Mello-Roos Act) in

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, the propositions of the levy of the special tax,
7 the establishment of the appropriations limit, and the incurring of bonded indebtedness and
8 other debt were submitted to the qualified electors of the CFD as required by the provisions of
9 the Mello-Roos Act and more than two-thirds of the votes cast at the election were in favor of
10 the propositions; and

11 WHEREAS, In the Resolution of Formation, this Board resolved that parcels within the
12 Future Annexation Area shall be annexed to the CFD only with the unanimous approval
13 (each, a "Unanimous Approval") of the owner or owners of each parcel or parcels at the time
14 that parcel or those parcels are annexed, without any requirement for further public hearings
15 or additional proceedings; and

16 WHEREAS, In Ordinance No. 1-15 heretofore adopted by this Board (the "Special Tax
17 Ordinance"), this Board authorized and levied special taxes within the CFD pursuant to the
18 Mello-Roos Act, at the rate and in accordance with the rate and method of apportionment of
19 special tax (the "Rate and Method") set forth in the Resolution of Formation, and further
20 ordered that the provisions of the Special Tax Ordinance shall apply not only to the initial
21 territory included in the CFD but also to parcels included in the Future Annexation Area that
22 are annexed to the CFD at the rate or rates to be approved unanimously by the owner or
23 owners of each parcel or parcels to be annexed to the CFD; and

24 WHEREAS, Mello-Roos Act Section 53339.8 provides that upon a determination by the
25 legislative body that the area proposed to be annexed is added to the existing community

1 facilities district, the clerk of the legislative body shall record notice of the annexation pursuant
2 to Streets and Highway Code Section 3117.5; and

3 WHEREAS, This Board has been provided with a Unanimous Approval executed by
4 the owner of certain property in the Future Annexation Area, namely Assessor’s Parcel Block
5 No. 3740, Lot No. 029, and Block No. 3740, Lot Nos. 030-032 (the “Annexation Property”);
6 and

7 WHEREAS, In order to comply with Mello-Roos Act Section 53339.8, this Board wishes
8 to determine that the Annexation Property is added to the CFD; now, therefore, be it

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

10 FURTHER RESOLVED, That this Board of Supervisors hereby determines that the
11 Annexation Property is added to the CFD and the Clerk of the Board of Supervisors is hereby
12 ordered and directed to record notice of the annexation pursuant to Streets and Highway
13 Code Section 3117.5; and, be it

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

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

19 By: _____
20 Mark D. Blake
21 Deputy City Attorney
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