

RESOLUTION NO. 173-99

(Adopted November 9, 1999)

**EXPRESSING THE AGENCY'S INTENTION TO ANNEX
TERRITORY TO COMMUNITY FACILITIES DISTRICT
NO. 1 (SOUTH BEACH) AND TO AUTHORIZE THE LEVY
OF SPECIAL TAXES THEREIN; RINCON POINT-SOUTH
BEACH REDEVELOPMENT PROJECT AREA**

BASIS FOR RESOLUTION

1. The Agency has conducted proceedings to establish Community Facilities District No. 1 (South Beach) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311 of the California Government Code.
2. Under the Act, this Agency, as the legislative body for the CFD, is empowered with the authority to annex territory to the CFD, and now desires to undertake proceedings to annex territory to the CFD.
3. It has been the Agency's intention from the time it created the CFD to annex certain parcels then owned either by the Agency or private owners into the CFD. The development and disposition agreements (DDAs) or owner participation agreements (OPAs) with the purchasers/owners of the properties each require the property to be annexed into the CFD.
4. The Agency has received petitions from the affected property owners residing in the properties located on Assessor's Block 3774, Lot 150 to 188, requesting annexation of their properties into the CFD.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that:

1. This Agency hereby finds and determines that public convenience and necessity require that territory be added to the existing Community Facilities District No. 1 (South Beach).
2. The territory included in the existing CFD is as shown on the map thereof filed in Book 4 of Maps of Assessment and Community Facilities Districts at Page 20 on August 10, 1988, in the office of the Recorder of the City and County of San Francisco, State of California, to which map reference is hereby made. The territory now proposed to be annexed to the CFD is as shown on the Annexation Map No. 2 to the CFD, on file with the Secretary, the boundaries of which territory are hereby preliminarily approved and to which map reference is hereby made for further particulars. The Agency Secretary is hereby directed to cause to be recorded said

Annexation Map No. 2 to the CFD, showing the territory to be annexed, in the office of the Recorder of the City and County of San Francisco within fifteen (15) days of the date of adoption of this resolution.

3. The types of public services (the "Services") financed by the territory in Annexation No. 2 to the CFD and pursuant to the Act consist of the maintenance of those facilities described in Exhibit A to Resolution No. 186-88, adopted by the Agency on August 30, 1988 (the "Resolution of Formation"). It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD.
4. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, in sufficient detail to allow each property owner within the territory proposed to be annexed to the CFD to estimate the maximum amount such property owner will have to pay, are described in Exhibit B attached to the Resolution of Formation, which by this reference is incorporated herein.
5. February 22, 2000, at 5 o'clock p.m., in the regular meeting place of this Agency, located at City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, California 94102, is appointed and fixed as the time when and place where this Agency, as legislative body for the CFD, will conduct a public hearing on the annexation of territory to the CFD and consider and finally determine whether the public interest, convenience and necessity require said annexation of territory to the CFD and the levy of said special tax therein.
6. The Agency Secretary is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper of general circulation in the area of the CFD. The publication of the notice shall be completed at least seven (7) days before the date herein set for the hearing. The Agency Secretary shall also cause a copy of the notice and a copy of the Resolution of Formation to be mailed to each landowner (and to each registered voter, if any) within the territory proposed to be annexed, which notice and resolution shall be mailed at least fifteen (15) days before the date of the hearing. The notice shall be substantially in the form specified in Section 53339.4 of the Act and may be in summary form.

APPROVED AS TO FORM:



Robert A. Firehock
Acting Agency General Counsel