

RESOLUTION NO. 205-99
(Adopted December 7, 1999)

**ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 1
(SOUTH BEACH), AUTHORIZING THE LEVY OF A SPECIAL TAX AND
SUBMITTING LEVY OF TAX TO QUALIFIED ELECTORS;
RINCON POINT-SOUTH BEACH REDEVELOPMENT PROJECT AREA**

BASIS FOR RESOLUTION

1. On October 12, 1999, the Redevelopment Agency of the City and County of San Francisco ("Agency") adopted Resolution No. 153-99 (the "Resolution of Intention") stating its intention to annex the territory to the Agency's Community Facilities District No. 1 (South Beach) (the "CFD"), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"). On November 9, 1999, by Resolution No. 172-99, the Agency amended the Resolution of Intention to limit these proceedings to a smaller number of parcels.

2. The Agency held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to the CFD.

3. At the hearing all interested persons desiring to be heard on the annexation of territory to the CFD and the levy of the special taxes within the area proposed to be annexed were heard and a full and fair hearing was held.

4. Prior to the time fixed for the hearing, written protests had not been filed against the proposed annexation of territory to the CFD by owners of one-half or more of the area of land in the territory proposed to be annexed to the CFD.

5. Annexation Map No. 1 to the CFD, has been filed with the Recorder of the City and County of San Francisco, which map shows the territory to be annexed in these proceedings, and a copy thereof is on file with the Agency Secretary.

FINDINGS

1. All prior proceedings taken by this Agency with respect to the CFD and the proposed annexation of territory have been duly considered and are valid and in conformity with the Act, and the CFD has been validly established pursuant to the Act.

2. Fewer than 12 persons have been registered to vote within the territory proposed to be annexed to the CFD for each of the 90 days preceding the close of the public hearing. This Agency finds that for purposes of these proceedings the qualified electors are the landowners within the territory proposed to be annexed to the CFD and that the vote shall be by the landowners, each having one vote for each acre or portion thereof which the landowner owns in the territory proposed to be annexed to the CFD.

RESOLUTION

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

1. The description and map of the boundaries of the territory to be annexed to Community Facilities District No.1 (South Beach), as described in said Annexation Map No. 1 to the Community Facilities District No. 1 (South Beach) on file with the Agency Secretary are approved and shall be included within the boundaries of the Community Facilities District No. 1 (South Beach), and the territory is hereby annexed to the Community Facilities District No.1 (South Beach), subject to voter approval of the levy of the special taxes.

2. The proposition to levy the special tax within the territory to be annexed to the Community Facilities District No.1 (South Beach) to pay for public services shall be submitted to the voters of the area to be annexed to the Community Facilities District No.1 (South Beach) at an election called for that purpose as provided below, pursuant to state law.

3. The election shall be conducted by mail ballot under Section 4000 of the California Elections Code and the Agency determines that paragraphs (a), (b), (c)(1), and (c)(3) of Elections Code Section 1340 are applicable to this election.

4. The requirement of Government Code Section 53326 that requires a minimum of 90 days to elapse before the election is held is for the protection of voters and all of the voters casting their ballots have waived the requirement.

5. A special election to consider the annexation of territory to the Community Facilities District No.1 (South Beach) is hereby called by the Agency. The election shall be held on December 7, 1999, at 5:00 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. The Agency Secretary is hereby appointed as the election official to conduct the election and to provide to each landowner(s) in the territory to be annexed to the Community Facilities District No.1 (South Beach), a ballot in the form of Exhibit A hereto, which form is hereby approved.

6. The Agency Secretary shall accept the ballots of the qualified electors received prior to 5 o'clock p.m. on December 7, 1999, whether received by mail or by personal delivery.

APPROVED AS TO FORM:



Robert A. Firehock
Acting Agency General Counsel

EXHIBIT A

REDEVELOPMENT AGENCY OF THE CITY
AND COUNTY OF SAN FRANCISCO

Community Facilities District No. 1
(South Beach)

Annexation No. 1

OFFICIAL BALLOT
SPECIAL TAX ANNEXATION ELECTION

This ballot is for the special landowner election. You must return this ballot in the enclosed postage paid envelope to the office of the Agency Secretary of the Redevelopment Agency of the City and County of San Francisco either by mail or in person so that the Agency receives it no later than 5 o'clock p.m. on December 7, 1999. The Agency Secretary's office is located at 770 Golden Gate Avenue, 3rd Floor, San Francisco, California 94102.

To vote, mark a cross (X) in the voting square after the word "YES" or after the word "NO." All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the Agency Secretary of the Redevelopment Agency of the City and County of San Francisco and obtain another.

BALLOT MEASURE: Shall the Redevelopment Agency of the City and County of San Francisco, by and for its Community Facilities District No. 1 (South Beach) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in Resolution No. 153-99 of the Redevelopment Agency of the City and County of San Francisco, adopted by the Agency on October 12, 1999 and amended by Resolution No. 172-99, adopted on November 9, 1999, to pay for public services as defined therein?

YES: _____

NO: _____

By execution in the space provided below, you also confirm your waiver of the time limit pertaining to the conduct of the election and any requirement for notice of election and analysis and arguments with respect to the ballot measure, as such waivers are described and permitted by Section 53326(a) and 53327(b) of the California Government Code.

Number of Votes:
Property Owner:
Property Address:

By: _____
Title: _____
Mailing Address: