

Commission on Community Investment and Infrastructure

RESOLUTION NO. 36-2014

Adopted May 6, 2014

ADOPTING A RESOLUTION DECLARING RESULTS OF SPECIAL ELECTION TO CHANGE THE SPECIAL TAX FOR REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO COMMUNITY FACILITIES DISTRICT NO. 7 (HUNTERS POINT SHIPYARD PHASE ONE IMPROVEMENTS); HUNTERS POINT SHIPYARD PROJECT AREA

WHEREAS, The former Redevelopment Commission of the former Redevelopment Agency of the City and County of San Francisco has conducted proceedings under and pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5 (commencing with Section 53311) of the California Government Code (the "Act"), to form Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 7 (Hunters Point Shipyard Phase One Improvements) (the "CFD"), to authorize the levy of special taxes upon the land within the CFD, and to issue bonds secured by the special taxes, all as described in those proceedings; and,

WHEREAS, On April 1, 2014, the Commission of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (the "Successor Agency"), also known as the Commission on Community Investment and Infrastructure (hereinafter referred to as, the "Commission"), adopted a resolution entitled "Adopting a Resolution of Consideration to Amend and Restate the Amended and Restated Rate and Method of Apportionment of Special Tax for Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 7 (Hunters Point Shipyard Phase One Improvements)" (the "Resolution of Consideration"), pursuant to which the Commission (i) approved a proposed form of amendment and restatement of the Amended and Restated Rate and Method of Apportionment of Special Tax for the CFD (the "Initial Form of Second Amended and Restated RMA") in the form attached as Exhibit A to the Resolution of Consideration and (ii) set a public hearing for May 6, 2014; and,

WHEREAS, The Resolution of Consideration is hereby incorporated herein by reference as if set forth herein in its entirety; and,

WHEREAS, Subsequent to the adoption of the Resolution of Consideration by the Commission, the owners of taxable land in the CFD requested by written petition that the Commission approve a revised proposed form of amendment and restatement of the Amended and Restated Rate and Method of Apportionment of Special Tax for the CFD (as so revised, the "Second Amended and Restated RMA") to address the unintentional failure of the Initial Form of Second Amended and Restated RMA to exclude private and publicly owned streets,

walkways, alleys, rights of way, parks and open spaces from the special tax levied within the CFD, to allow changes in the location of Agency Affordable Housing Parcels and to make various conforming and clean-up changes; and,

WHEREAS, The Secretary of the Commission caused the publication of the notice of the public hearing on the question of approving the Second Amended and Restated RMA in accordance with the provisions of Section 53335 of the Act; and,

WHEREAS, The public hearing was held on this date, and the Second Amended and Restated RMA was not opposed by more than 50% of the owners of taxable property within the CFD or by 50% or more of the registered voters, or six registered voters, whichever is more, residing in the area of the CFD; and,

WHEREAS, Government Code Section 53338 authorizes the holding of a special election of the qualified electors in the CFD on the issue of the Second Amended and Restated RMA; and,

WHEREAS, Following the public hearing, the Commission, acting as the legislative body of the CFD, adopted a resolution entitled "Adopting a Resolution Calling Special Election to Amend and Restate the Amended and Restated Rate and Method of Apportionment of Special Tax for Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 7 (Hunters Point Shipyard Phase One Improvements); Hunters Point Shipyard Project Area" approving the Second Amended and Restated RMA in the form attached as Exhibit A thereto, waiving the minor defect in these change proceedings resulting from the unintentional failure of the Initial Form of Second Amended and Restated RMA to exclude the real property described above from the special tax levied within the CFD, to allow changes in the location of Agency Affordable Housing Parcels and to make various conforming and clean-up changes, and calling for a special landowner election of the qualified electors within the CFD to be held on May 6, 2014; and,

WHEREAS, The special election was held on this date, and the ballots were submitted to the Secretary of the Commission as the official conducting the election; and,

WHEREAS, The Secretary of the Commission has completed a Canvass and Statement of Results of Election ("Canvass"), a copy of which is attached as Exhibit "A", and the Commission hereby approves the Canvass; now therefore, be it

RESOLVED, The Commission finds that:

The issue presented at the May 6, 2014 special election was the approval of the Second Amended and Restated RMA; and, be it further

RESOLVED, Pursuant to said Canvass on file with the Secretary of the Commission, the issues presented at the special election were approved by the qualified electors within

the CFD by more than two-thirds of the votes cast at the special election; and, be it further

RESOLVED, It is hereby found that all prior proceedings and actions taken by this Commission with respect to the CFD are valid and in conformity with the Act; and, be it further

RESOLVED, This Resolution shall take effect upon its adoption.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of May 6, 2014.

Natasha Jones

Commission Secretary

EXHIBIT A

CANVASS AND STATEMENT OF RESULT OF ELECTION

**Redevelopment Agency of the City and County of San Francisco
Community Facilities District No. 7
(Hunters Point Shipyard Phase One Improvements)**

I hereby certify that on May 6, 2014, I canvassed the returns of the election held on May 6, 2014, in the Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 7 (Hunters Point Shipyard Phase One Improvements), and the total number of ballots cast and the total number of votes cast for and against the measure are as follows, and the totals as shown for and against the measure are full, true and correct:

	Qualified Landowner Votes	Votes Cast	YES	NO
Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 7 (Hunters Point Shipyard Phase One Improvements) Special Election – May 6, 2014	<u>5</u>	<u>33</u>	<u>X</u>	<u> </u>

BALLOT MEASURE: Shall the Amended and Restated Rate and Method of Apportionment of Special Tax for the Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 7 (Hunters Point Shipyard Phase One Improvements) (the “CFD”) be amended and restated as set forth in the form of Second Amended and Restated Rate and Method of Apportionment of Special Tax attached as Exhibit A to the resolution entitled “Adopting a Resolution of Calling Special Election to Amend and Restate the Amended and Restated Rate and Method of Apportionment of Special Tax for Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 7 (Hunters Point Shipyard Phase One Improvements); Hunters Point Shipyard Project Area” adopted by the Commission of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco on May 6, 2014?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS 6TH DAY OF MAY, 2014.

By: Natasha Jones
Secretary of the Commission