5-30-18 Draft [FOR DISCUSSION PURPOSES ONLY]

[Resolution of Intention - Establishing the Central SoMa Special Tax District]

Resolution of Intention to establish City and County of San Francisco Special Tax District No. 2018-1 (Central SoMa), and determining other matters in connection therewith.

WHEREAS, Under Chapter 43, Article X of the San Francisco Administrative Code (the “Code”), which Code incorporates by reference the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”), this Board of Supervisors is authorized to establish a special tax district and to act as the legislative body for a special tax district; and

WHEREAS, The Central SoMa planning area (the “Central SoMa Plan Area”) runs from 2nd Street to 6th Street, Market Street to Townsend Street, exclusive of those areas that are part of the Downtown Plan or in the C-3 zoning districts; and

WHEREAS, In 2008, the City adopted the Eastern Neighborhoods Plan, including new land use controls and proposed community improvements for the eastern part of the South of Market neighborhood (“SoMa”), as well as the Central Waterfront, Mission, and Showplace Square/Potrero Hill neighborhoods, and the City determined that the development potential of the industrially-zoned part of East SoMa, coupled with the improved transit to be provided by the Central Subway, necessitated a subsequent, focused planning process that took into account the city’s growth needs and City and regional environmental goals, such planning culminating in the development of the Central SoMa Plan; and

WHEREAS, Since that time, the Planning Department released a draft Plan and commenced environmental review as required by the California Environmental Quality Act
("CEQA") in April 2013, released an Initial Study in February of 2014, released a revised Draft Plan and Implementation Strategy in August 2016, released the Draft Environmental Impact Report in December 2016, and released Responses to Comments on the Draft Environmental Impact Report in March 2018; and

WHEREAS, The vision of the Central SoMa Plan is to create a sustainable neighborhood by 2040, where the needs of the present are met without compromising the ability of future generations to meet their own needs, and the Central SoMa Plan seeks to achieve sustainability in each of its aspects – social, economic, and environmental – which will require implementing the following three strategies: 1) Accommodate growth, 2) Provide public benefits; and 3) Respect and enhance neighborhood character; and

WHEREAS, The Central SoMa Plan will accommodate development capacity for up to 33,000 jobs and 8,300 housing units by removing much of the Plan Area’s industrially-protective zoning and increasing height limits on many of the Plan Area’s parcels; and

WHEREAS, The Planning Commission conducted a duly noticed public hearing on May 10, 2018 in accordance with Planning Code Section 340(c), to consider the General Plan Amendment, Planning Code and Administrative Code Amendment, Zoning Map Amendment, and Implementation Program related to the Central SoMa Plan Area, and at such hearing, the Commission voted to recommend approval with modifications to the various ordinances, in Planning Commission Resolutions No. 20183, 20184, 20185, 20186, and 20187; and

WHEREAS, The Planning Commission conducted a duly noticed public hearing on May 10, 2018 to review and consider the Final Environmental Impact Report for the Central SoMa Plan ("Final EIR") and found the Final EIR to be adequate, accurate and objective, thus reflecting the independent analysis and judgment of the Planning Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and by Motion No. 20182 certified the Final EIR for the Central
SoMa Plan as accurate, complete, and in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code. By Resolution No. 20183, the Planning Commission approved CEQA Findings, including a statement of overriding considerations, and adoption of a Mitigation Monitoring and Reporting Program ("MMRP"), under Case No. 2011. 1356E, for approval of the Central SoMa Plan; and

WHEREAS, This Board of Supervisors wishes to proceed with the establishment of a special tax district in order to finance costs of public infrastructure and other authorized facilities and services necessary or incidental to development of the Central SoMa Plan Area; and

WHEREAS, This Board of Supervisors wishes to undertake the proceedings to form the special tax district under the alternate procedures established by Section 43.10.17 of the Code, pursuant to which a special tax district may initially consist solely of territory proposed for annexation to the special tax district in the future, with the condition that a parcel or parcels within that territory may be annexed to the special tax district and subjected to the special tax only with the unanimous approval of the owner or owners of such parcel or parcels at the time that such parcel or those parcels are annexed or in compliance with other procedures established by the Code, and pursuant to which no additional hearings or procedures are required, and each such unanimous approval shall be deemed to constitute a unanimous vote in favor of the matters addressed in the unanimous approval; and

WHEREAS, This Board of Supervisors further wishes to undertake the proceedings to authorize the issuance of bonded indebtedness and other debt (as defined in the Act) for the special tax district under the alternate procedure established by Section 43.10.18 of the Code, pursuant to which the proposition to authorize bonded indebtedness and other debt may be approved by the owner or owners of a parcel or parcels of property at the time that the parcel or parcels are annexed to the special tax district pursuant to the unanimous approval.
described in 43.10.17 of the Code or in compliance with other procedures established by the Code, and pursuant to which no additional hearings or procedures are required, and each such unanimous approval shall be deemed to constitute a unanimous vote in favor of such proposition; now, therefore, be it

RESOLVED, That this Board of Supervisors proposes to conduct proceedings to establish a special tax district pursuant to the alternate procedures established in Section 43.10.17 of the Code; and, be it

FURTHER RESOLVED, That the name proposed for the special tax district is City and County of San Francisco Special Tax District No. 2018-1 (Central SoMa) (the "Special Tax District"); and, be it

FURTHER RESOLVED, That the proposed boundaries of the Special Tax District are as shown on the map of it on file with the Clerk of the Board of Supervisors, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The Special Tax District shall initially consist solely of territory proposed for annexation to the Special Tax District in the future, with the condition that a parcel or parcels within that territory may be annexed to the Special Tax District and subjected to a special tax only with the unanimous approval of the owner or owners of such parcel or parcels at the time that such parcel or those parcels are annexed or in compliance with other procedures established by the Code, without any additional hearings or procedures; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed to record, or cause to be recorded, the map of the boundaries of the Special Tax District in the office of the Assessor-Recorder for the City and County of San Francisco within 15 days of the date of adoption of this Resolution; and, be it

FURTHER RESOLVED, That the types of facilities proposed to be financed by the Special Tax District may consist of those facilities listed on Exhibit A hereto, which is hereby
incorporated herein ("Facilities"), subject to compliance with the Code and following any
required environmental review under the California Environmental Quality Act, and this Board
of Supervisors hereby determines that the Facilities are necessary to meet increased
demands placed upon local agencies as the result of development occurring within the
Special Tax District; and, be it

FURTHER RESOLVED, That this Board of Supervisors hereby finds and determines
that the public interest will not be served by allowing the property owners in the Special Tax
District to enter into a contract in accordance with Section 53329.5(a) of the Act, and
notwithstanding the foregoing, this Board of Supervisors, on behalf of the Special Tax District,
may enter into one or more contracts directly with any of the owners of property in the Special
Tax District with respect to the construction and/or acquisition of any portion of the Facilities;
and, be it

FURTHER RESOLVED, That the Director of the Office of Public Finance is hereby
authorized and directed to enter into joint community facilities agreements with any entity that
will own or operate any of the Facilities, as may be necessary to comply with the provisions of
the Code, and this Board of Supervisors’ approval of a joint community facilities agreement
shall be conclusively evidenced by the execution and delivery thereof by the Director of the
Office of Public Finance, and this Board of Supervisors hereby declares that such joint
agreements will be beneficial to owners of property in the area of the Special Tax District; and,
be it

FURTHER RESOLVED, That the types of services proposed to be financed by the
Special Tax District may consist of those services listed on Exhibit A hereto ("Services"),
subject to compliance with the Code and following any required environmental review under
the California Environmental Quality Act. This Board of Supervisors hereby determines that
the Services are necessary to meet increased demands for such services placed upon local
agencies as the result of development occurring within the area of the Special Tax District; 
and, be it 

FURTHER RESOLVED, That except to the extent that funds are otherwise available, 
the City will levy a special tax (the “Special Tax”) to pay directly for the Facilities and the 
Services and to pay the principal of and interest on bonds and other debt of the City issued for 
the Special Tax District to finance the Facilities; and, be it 

FURTHER RESOLVED, That the Special Tax will be secured by recordation of a 
continuing lien against all non-exempt real property in the Special Tax District, will be levied 
annually within the Special Tax District, and collected in the same manner as ordinary ad 
valorem property taxes, or in such other manner as this Board of Supervisors or its designee 
shall determine, including direct billing of the affected property owners in the Special Tax 
District; and, be it 

FURTHER RESOLVED, That the proposed rate and method of apportionment of the 
Special Tax among the parcels of real property within the Special Tax District, in sufficient 
detail to allow each owner of property within the Special Tax District to estimate the maximum 
amount such owner will have to pay, is described in Exhibit B attached hereto and hereby 
incorporated herein (the “Rate and Method”); and, be it 

FURTHER RESOLVED, That the Special Tax to be levied in the Special Tax District 
shall not be levied in the Special Tax District to finance Facilities after the fiscal year 
established therefor in the Rate and Method, except that a Special Tax that was lawfully 
levied in or before the final tax year and that remains delinquent may be collected in 
subsequent years. Under no circumstances shall the Special Tax levied against any parcel in 
the Special Tax District to finance Facilities in any fiscal year used for private residential 
purposes be increased in that fiscal year as a consequence of delinquency or default by the
owner or lessee of any other parcel or parcels within the Special Tax District by an amount that exceeds any limits established in the Code; and, be it

FURTHER RESOLVED, That this Board of Supervisors hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to ad valorem property taxes and schools financed by a special tax district) are inapplicable to the proposed Special Tax District; and, be it.

FURTHER RESOLVED, That the Special Tax shall be levied on a parcel or parcels in the Special Tax District only with the written unanimous approval of the owner or owners of the parcel or parcels to their annexation to the Special Tax District or in compliance with other procedures established by the Code, without any requirement for further public hearings or additional proceedings. The unanimous approval shall be in substantially the form and substance of the Unanimous Approval attached hereto as Exhibit C, or such other form authorized by the Director of the Office of Public Finance; and, be it

FURTHER RESOLVED, That except as may otherwise be provided by law or by the Rate and Method, all lands owned by any public entity, including the United States, the State of California and/or the City, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Facilities, the Services or the Special Tax District. In the event that a portion of the property within the Special Tax District shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this Board of Supervisors will, on behalf of the Special Tax District, increase the levy to the extent necessary upon the remaining property within the Special Tax District which is not exempt in order to yield the required debt service payments and other annual expenses of the Special Tax District, if any, subject to the provisions of the Rate and Method; and, be it
FURTHER RESOLVED, That it is the intention of this Board of Supervisors, acting as
the legislative body for the Special Tax District, to cause bonds and other debt of the City to
be issued for the Special Tax District pursuant to the Code to finance and refinance in whole
or in part the construction and/or acquisition of the Facilities, and the bonds and other debt
shall be in the aggregate principal amount of not to exceed $6,400,000,000, shall be issued in
such series and bear interest payable semi-annually or in such other manner as this Board of
Supervisors shall determine, at a rate not to exceed the maximum rate of interest as may be
authorized by applicable law at the time of sale of such bonds and other debt, and shall
mature not to exceed 40 years from the date of the issuance thereof; and, be it

FURTHER RESOLVED, That the Director of the Office of Public Finance, as the officer
having charge and control of the Facilities and Services, or the designee of such officer, is
hereby directed to study said proposed Facilities and Services and to make, or cause to be
made, and file with the Clerk of the Board of Supervisors a report in writing, (the “Special Tax
District Report”) presenting the following:

(a) A description of the Facilities and the Services by type which will be
required to adequately meet the needs of the Special Tax District.

(b) An estimate of the fair and reasonable cost of the Facilities including the
cost of acquisition of lands, rights-of-way and easements, any physical facilities
required in conjunction therewith and incidental expenses in connection therewith,
including the costs of the proposed bond financing and other debt and all other related
costs as provided in Section 53345.3 of the Act.

(c) An estimate of the fair and reasonable cost of the Services and incidental
expenses in connection therewith, and all other related costs.

The Special Tax District Report shall be made a part of the record of the public hearing
specified below; and, be it
FURTHER RESOLVED, That ____., ______, 2018, at _____00 p.m. or as soon as possible thereafter, in the Board of Supervisors' Chambers, 1 Dr. Carlton B. Goodlett Place, City Hall, San Francisco, California, be, and the same are hereby appointed and fixed as the time and place when and where this Board of Supervisors, as legislative body for the Special Tax District, will conduct a public hearing on the establishment of the Special Tax District and consider and finally determine whether the public interest, convenience and necessity require the formation of the Special Tax District and the levy of the Special Tax; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the Special Tax District. The publication shall be completed at least seven days before the date of the public hearing specified above. The notice shall be substantially in the form specified in Section 53322 of the Act; and, be it

FURTHER RESOLVED, That notwithstanding the foregoing, because of the complexity associated with the Central SoMa Plan, the Board of Supervisors hereby authorizes the Clerk of the Board of Supervisors to determine that the public hearing should be held on a later date or time and to cause notice of such later date or time to be given by publication one time in a newspaper published in the area of the Special Tax District; and, be it

FURTHER RESOLVED, That pursuant to Section 43.10.19 of the Code, in connection with the annexation of a parcel or parcels to the Special Tax District pursuant to the alternate and independent procedure set forth in Section 43.10.17 of the Code and the conduct of an election on the proposition to authorize bonded indebtedness and other debt pursuant to the alternate and independent procedure set forth in Section 43.10.18 of the Code, the City may, without additional hearings or procedures, designate a parcel or parcels as an improvement area within the Special Tax District. Each improvement area will be known as "Improvement Area No. ____ of City and County of San Francisco Special Tax District No. 2018-1 (Central
SoMa).” After the designation of a parcel or parcels as an improvement area, all proceedings for approval of the appropriations limit, the rate, method of apportionment and manner of collection of special tax and the authorization to incur bonded indebtedness for such parcel or parcels shall apply only to the improvement area. The City may incur indebtedness payable solely from special taxes levied on property in the improvement area; and, be it

FURTHER RESOLVED, That Section 53314.9 of the Act provides that, either before or after formation of the Special Tax District, the City may accept advances of funds and may provide, by resolution, for the use of those funds, including but not limited to pay any cost incurred by the local agency in creating the Special Tax District, and may agree to reimburse the advances under all of the following conditions: (A) the proposal to repay the advances is included both in the resolution of intention and the resolution of formation to establish the Special Tax District; and (B) any proposed special tax is approved by the qualified electors of the Special Tax District and, if the qualified electors of the Special Tax District do not approve the proposed special tax, the City shall return any funds which have not been committed for any authorized purpose by the time of the election and, in furtherance of Section 53314.9 of the Act, the Board of Supervisors hereby declares its intent to enter into an agreement providing for the advance and reimbursement of funds among the City, the Port and the Developer; and, be it

FURTHER RESOLVED, That Section 53314.9 of the Act provides that, either before or after formation of the Special Tax District, the City may accept work in-kind from any source, including, but not limited to, private persons or private entities, may provide, by resolution, for the use of that work in-kind for any authorized purpose and this Board of Supervisors may enter into an agreement, by resolution, with the person or entity advancing the work in-kind, to reimburse the person or entity for the value, or cost, whichever is less, of the work in-kind, as determined by this Board of Supervisors, with or without interest, under the conditions
specified in the Act. Any work in-kind must be performed or constructed as if the work had
been performed or constructed under the direction and supervision, or under the authority of,
the City and, in furtherance of Section 53314.9 of the Act, the Board of Supervisors hereby
declares its intent to authorize the Port to enter into an acquisition and reimbursement
agreement with one or more property owners in the Special Tax District; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby reserves the right and
authority to allow any interested owner of property in the Special Tax District, subject to the
provisions of Section 53344.1 of the Act and such other conditions as the Board of
Supervisors may impose and any applicable prepayment penalties associated with bonds or
other debt issued or incurred by the Special Tax District, to tender bonds in full payment or
part payment of any installment of special taxes or the interest or penalties thereon which may
be due or delinquent, but for which a bill has been received; and, be it further

FURTHER RESOLVED, That the Board of Supervisors has reviewed and considered
the Final EIR and finds that the Final EIR is adequate for its use for the actions taken by this
resolution and incorporates the Final EIR and the CEQA findings contained in Board of
Supervisors Resolution No. _____ by this reference; and, be it

FURTHER RESOLVED, That the Mayor, the Controller, the City Attorney, the Director
of the Office of Public Finance, designees of the Director of the Office of Public Finance, the
Clerk of the Board of Supervisors and all other officers and agents of the City are hereby
authorized and directed to take all actions necessary or advisable to give effect to the
transactions contemplated by this Resolution; and, be it.

FURTHER RESOLVED, That this Resolution shall in no way obligate the Board of
Supervisors of the City to form the Special Tax District, and that the formation of the Special
Tax District shall be subject to the approval of this Board of Supervisors by resolution
following the holding of the public hearing referred to above; and, be it
FURTHER RESOLVED, That this Resolution shall take effect upon its adoption.

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

By: ________________
Mark D. Blake
Deputy City Attorney
EXHIBIT A

CITY AND COUNTY OF SAN FRANCISCO
Special Tax District No. 2018-1
(Central SoMa)

DESCRIPTION OF FACILITIES AND SERVICES THAT MAY BE FINANCED
BY THE SPECIAL TAX DISTRICT

Special taxes collected in the Special Tax District may finance, in whole or in part, the costs of
the acquisition, construction and improvement of any of the following types of facilities that are
located inside or outside the Special Tax District, as long as such facilities are authorized
under the Code (the “Facilities”).

FACILITIES

1. **Transit Facilities.** Local and regional transit infrastructure, including near term
enhancements on the Transbay corridor and longer-term "core capacity" projects.

2. **Complete Streets.** Bicycle, pedestrian, and transit infrastructure. Improvements could
include, but not be limited to: sidewalk widening to accommodate additional pedestrian traffic
from new development; linear park space; pedestrian, streetscape and open space amenities;
pedestrian lighting; street furniture; pocket parks; active uses; and curb extensions; bicycle
facilities; bike lanes; transit upgrades such as dedicated transit lanes, boarding islands,
enhanced shelters and curb extensions to serve transit stops; new traffic signals, curb
extensions, and other pedestrian safety features as appropriate; crosswalks; improvements to
drop-off and pick-up zones at casual carpool locations; and roadway circulation, parking, and
loading changes.

3. **Parks and Recreation.** Parks and recreation centers.

4. **Environmental Sustainability Projects.** Environmental sustainability projects, including
but not limited to the following:
• The acquisition, installation and improvement of energy efficiency and conservation, water energy and conservation, water pollution control, and renewable energy improvements that are attached to or on real property and in buildings, whether such real property or buildings are privately or publicly owned.

• Green infrastructure and stormwater management improvements, including, but not limited to, grey infrastructure and landscaping.

• Air quality mitigation infrastructure (e.g., HVAC improvements) for privately-owned or -occupied commercial and residential buildings, and public buildings.

• Sustainability studies and guideline documents related to development in the planning area governed by the Central SoMa Plan & Implementation Strategy.

5. **Historic Preservation.** Restoration and seismic upgrade of the U.S. Mint Building and site.

6. **Sea Level Rise Adaptations.** Sea level rise adaptations, including, but not limited to, demolition, excavation, and installation of revetment; structural improvements of shoreline and revetment; construction, improvement or relocation of shoreline and creek structures, seawalls, stormwater pump stations and outfalls; earthwork; and grading.

Authorized costs of the Facilities include any hard costs, soft costs and pre-development costs associated with the design, procurement, development, and construction of the Facilities.
SERVICES

Special taxes collected in the Special Tax District may finance, in whole or in part, the following services ("services" and "maintenance" shall have the meaning given those terms in the Code) in the Special Tax District, as long as such services are authorized by the Code (the "Services"):  

1. Parks and Recreation. Park programming and activation.  
2. Neighborhood Stabilization and Community Services. Social welfare, community health and arts/cultural programming and services provided by governmental agencies and nonprofit organizations in the Central SOMA area.  
3. Capital Maintenance. Operation and maintenance of publicly-owned improvements, including installation and maintenance of landscaping; maintenance of building systems, structures, and equipment; maintenance of irrigation systems and other equipment; all related personnel or third-party operation and maintenance costs; insurance costs and any other related overhead costs.  

OTHER  
The Special Tax District may also finance any of the following:  
1. Bond related expenses, including underwriters discount, reserve fund, capitalized interest, letter of credit fees and expenses, bond and disclosure counsel fees and expenses, bond remarketing costs, and all other incidental expenses.  
2. Administrative fees of the City and the bond trustee or fiscal agent related to the Special Tax District and the bonds.
3. Reimbursement of costs related to the formation of the Special Tax District advanced by the City, the landowner(s) in the Special Tax District, or any party related to any of the foregoing, as well as reimbursement of any costs advanced by the City, the landowner(s) in the Special Tax District, or any party related to any of the foregoing, for facilities, fees or other purposes or costs of the Special Tax District.

4. A capital reserve fund to finance the Facilities.

5. A reserve to fund the Services.
EXHIBIT B

CITY AND COUNTY OF SAN FRANCISCO
Special Tax District No. 2018-1
(Central SoMa)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
EXHIBIT C

CITY AND COUNTY OF SAN FRANCISCO
Special Tax District No. 2018-1
(Central SoMa)

FORM OF UNANIMOUS APPROVAL

UNANIMOUS APPROVAL
of Annexation to a Special Tax District
and Related Matters

CITY AND COUNTY OF SAN FRANCISCO
Special Tax District No. 2018-1
(Central SoMa)

Annexation No. ______

Date: ________

Board of Supervisors of the
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Members of the Board of Supervisors:

The undersigned hereby states and certifies, under penalty of perjury, as follows:

1. **Property Owner.** The undersigned is the owner (the “Property Owner”) of fee simple title to the real property identified by the assessor’s parcel number(s) listed below (the “Property”), and possesses all legal authority necessary to execute this
Unanimous Approval. If requested by the City and County of San Francisco (the “City”), the Property Owner has supplied to the City current evidence of its ownership of the Property.

The Property Owner hereby represents and warrants that there are no persons resident on the Property that are registered to vote.

2. Acknowledgement of Special Tax District. The Property Owner acknowledges and understands the following:

(a) Under Chapter 43, Article X of the San Francisco Administrative Code (the "Code"), which Code incorporates by reference the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”), the Board of Supervisors of the City has formed the City and County of San Francisco Special Tax District No. 2018-1 (Central SoMa) (the “Special Tax District”) for the purpose of financing certain facilities (the “Facilities”) and services (the “Services”) described on Appendix 1 hereto and made a part hereof.

(b) The proceedings for the formation of the Special Tax District authorized the Board of Supervisors to levy an annual special tax (the “Special Tax”) on property in the Special Tax District as specified in the Rate and Method of Apportionment of Special Tax (the “Rate and Method”) for the Special Tax District, a copy of which is attached hereto as Appendix 2. The Property Owner acknowledges that the City will create a special account into which the Special Taxes will be deposited, when collected, and that the City will prepare the annual report required by Government Code Section 50075.3.
(c) The proceedings for the formation of the Special Tax District authorized the Board of Supervisors to annex property to the Special Tax District, without additional public hearings, upon approval of the owner of the property to be annexed as permitted by Section 43.10.17 of the Code.

(d) The Property is in the Future Annexation Area for the Special Tax District.

3. **Unanimous Approval and Vote.** This Unanimous Approval constitutes the unanimous approval and vote of the Property Owner in favor of the following matters for the purposes of Section 53339.7 et seq. of the Act and Article XIIIa of the California Constitution:

   a. **Annexation:** The annexation of the Property to the Special Tax District for the purpose of financing the Facilities and the Services.

   b. **Special Tax:** The levy of the Special Tax on the Property to finance the Facilities and Services, according to the Rate and Method.

   c. **Bonds and other Debt:** The issuance of bonded indebtedness and other debt (as defined in the Act) for the Special Tax District in an aggregate principal amount not to exceed $_________. The Property Owner acknowledges that (i) the specific purpose of the bonds and other debt is to finance the acquisition and construction of the Facilities and pay related costs; (b) any proceeds received from the sale of any bonds and other debt will be applied only for such purpose; (c) the proceeds of any bonds and other debt will be deposited into special
accounts to be created therefor as part of the issuance of the bonds and other
debt; and (d) the City will cause a report to be prepared annually under Section

d. **Appropriations Limit**: An initial appropriations limit for the Special Tax
District of $______________.

4. **Waivers**. The Property Owner hereby irrevocably waives (i) any right the
Property Owner may otherwise have to protest or challenge the validity of the
proceedings to form the Special Tax District and to authorize the annexation of any
property (including the Property) to the Special Tax District, and (ii) any necessity,
requirement or right for further public hearings or any election pertaining to the
annexation of the Property to the Special Tax District or the levy of the Special Tax on
the Property.

5. **Recordation of Amendment to Notice of Special Tax Lien**. The Property
Owner acknowledges and understands that a Notice of Special Tax Lien for the Special
Tax District (the “Notice of Special Tax Lien”) was recorded in the Office of the Recorder
of the City and County of San Francisco on __________, 2018, as Document No.
__________. The Property Owner hereby authorizes and directs the Clerk of the Board
of Supervisors to execute and cause to be recorded in the office of the County Recorder
of the City and County of San Francisco an amendment to the Notice of Special Tax
Lien for the Special Tax District as required by Section 3117.5 of the California Streets
and Highways Code, which will impose a continuing lien on the Property to secure each
levy of the Special Tax. The amendment to the Notice of Special Tax Lien shall include
the Rate and Method as an exhibit thereto. The Property Owner acknowledges and
understands that the lien of the Special Tax on the Property is coequal with the lien for ad valorem real property taxes levied by the County on the Property.

6. **Disclosures.** The Property Owner hereby agrees to provide to any subsequent purchaser of the Property written notice of the annexation of the Property to the Special Tax District, and of the authority of the Board of Supervisors to levy the Special Tax on the Property pursuant to the Rate and Method, to the extent required by applicable law.

7. **Agreements.** The Property Owner further agrees to execute such additional or supplemental agreements and to take such additional actions as may be required by the City to provide for any of the actions and conditions described in this Unanimous Approval, including any cash deposit required to pay for the City’s costs in annexing the Property to the Special Tax District.
The Property subject to this Unanimous Approval and to be annexed to the Special Tax District, consists of the following Assessor’s Parcel:

[insert APN]

The foregoing Unanimous Approval is hereby executed this _______ day of ________________, 20__, in _________________, California.

[INSERT NAME OF PROPERTY OWNER]

By:___________________________________
Its:__________________________________
Appendix 1

CITY AND COUNTY OF SAN FRANCISCO
Special Tax District No. 2018-1
(Central SoMa)

DESCRIPTION OF FACILITIES AND SERVICES TO BE FINANCED BY
THE SPECIAL TAX DISTRICT

[to come]