

1 [Changes to Special Tax District No. 2009-1 - San Francisco Sustainable Financing]

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3 **Resolution making changes to City and County of San Francisco Special Tax District**  
4 **No. 2009-1 (San Francisco Sustainable Financing) to authorize seismic safety standard**  
5 **retrofits to certain privately owned buildings or real property; and directing the Clerk of**  
6 **the Board to publish a notice of public hearing and other matters related thereto.**

7  
8 WHEREAS, Under Chapter 43, Article X of the San Francisco Administrative Code (the  
9 "Code"), which Code incorporates by reference the Mello-Roos Community Facilities Act of  
10 1982, as amended (the "Act"), this Board of Supervisors previously established a special tax  
11 district known as "City and County of San Francisco Special Tax District No. 2009-1 (San  
12 Francisco Sustainable Financing)" (the "Special Tax District"); and

13 WHEREAS, The Special Tax District is authorized to levy special taxes and incur debt  
14 to finance and refinance the acquisition, installation and improvement of energy efficiency,  
15 water conservation and renewable energy improvements to or on real property and in  
16 buildings, whether such real property or buildings are privately or publicly owned; and

17 WHEREAS, The Code authorizes this Board of Supervisors to make certain changes to  
18 the Special Tax District, subject to the following specific conditions: (i) this Board or a  
19 committee of this Board must hold a public hearing on the proposed changes at which any  
20 interested person, including persons owning property within the area, may appear and present  
21 any matters material to the questions set forth in the Resolution, (ii) the public hearing may  
22 not occur any sooner than 14 days after the introduction at this Board of the Resolution stating  
23 the changes, (iii) the Clerk of the Board must publish a notice of the public hearing one time in  
24 a newspaper of general circulation published in the area of the Special Tax District at least 7  
25 days prior to the public hearing and (iv) this Board must conclude that the public interest,

1 convenience and necessity would be served by the proposed changes, the changes will not  
2 adversely affect any taxable property in the Special Tax District and the changes will not  
3 adversely affect the owners of any outstanding bonds that are payable from special taxes  
4 levied in the Special Tax District; and

5 WHEREAS, This Board of Supervisors wishes to authorize the Special Tax District to  
6 levy special taxes and incur debt to finance work deemed necessary to bring buildings or real  
7 property, including privately owned buildings or real property, into compliance with seismic  
8 safety standards or regulations, as more completely set forth in Section 43.10.15 of the Code;  
9 and

10 WHEREAS, This Resolution was introduced at this Board on October 1, 2013, which  
11 was at least 14 days prior to the date hereof; and

12 WHEREAS, This Board held a public hearing on a date not earlier than 7 days after its  
13 introduction; and

14 WHEREAS, The Clerk of the Board published a notice of public hearing one time in a  
15 newspaper of general circulation published in the area of the Special Tax District at least 7  
16 days prior to the date of the public hearing; now, therefore, be it

17 RESOLVED, That this Board of Supervisors hereby incorporates by reference the  
18 findings of this Board of Supervisors set forth in Ordinance No. 66-13, and hereby finds that  
19 the public interest, convenience and necessity would be served by authorizing the Special Tax  
20 District to levy special taxes and incur debt to finance work deemed necessary to bring  
21 buildings or real property, including privately owned buildings or real property, into compliance  
22 with seismic safety standards or regulations, as more completely set forth in Section 43.10.15  
23 of the Code, that the change in the authority of the Special Tax District will not adversely  
24 affect any taxable property in the Special Tax District and that the change in the authority of  
25

1 the Special Tax District will not adversely affect the owners of any outstanding bonds that are  
2 payable from special taxes levied in the Special Tax District; and, be it

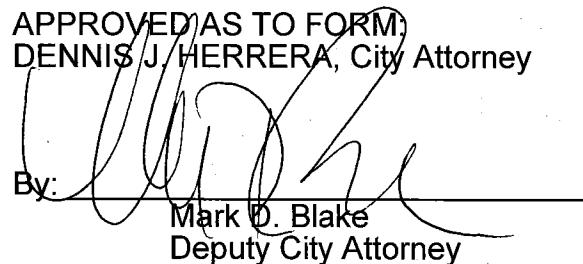
3 RESOLVED, This Board hereby authorizes the Special Tax District to levy special  
4 taxes and incur debt to finance work deemed necessary to bring buildings or real property,  
5 including privately owned buildings or real property, into compliance with seismic safety  
6 standards or regulations, as more completely set forth in Section 43.10.15 of the Code; and,  
7 be it;

8 FURTHER RESOLVED, As a result, the type of facilities that may be financed by the  
9 Special Tax District pursuant to the Code shall consist of those listed as facilities on Exhibit A  
10 hereto and hereby incorporated herein (the "Facilities"), which Exhibit A is on file with the  
11 Clerk of this Board of Supervisors in File No. 130970; and, be it

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

18 FURTHER RESOLVED, That this Resolution shall take effect on the effective date of  
19 Ordinance No. 205-13, finally passed by the Board of Supervisors on October 1, 2013.

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

22  
23 By:   
24 Mark D. Blake  
Deputy City Attorney

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**City and County of San Francisco**  
**Tails**  
**Resolution**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 130970

**Date Passed:** November 26, 2013

Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to authorize seismic safety standard retrofits to certain privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.

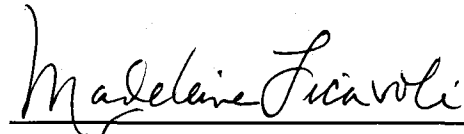
November 18, 2013 Land Use and Economic Development Committee - RECOMMENDED..

November 26, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130970

I hereby certify that the foregoing  
Resolution was ADOPTED on 11/26/2013 by  
the Board of Supervisors of the City and  
County of San Francisco.

  
for Angela Calvillo  
Clerk of the Board

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Date Approved