

1 [Administrative Code Revision, Municipal Finance]
2 AMENDING PART I OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE
3 CODE) BY REPEALING CHAPTER 84, REGARDING PUBLIC UTILITIES COMMISSION
4 SHORT-TERM INDEBTEDNESS.

5
6 Note: Additions are underlined; deletions are in ((double parentheses)).

7
8 Be it ordained by the People of the City and County of San Francisco:

9
10 Section 1. The San Francisco Administrative Code is hereby amended by repealing
11 Chapter 84 (Sections 84.1 through 84.6) in its entirety.

12 ((SEC. 84.1. DEFINITIONS. For purposes of this Chapter, the following terms shall
13 have the meanings given below:

- 14 (a) The term "Board" shall mean the Board of Supervisors of the City.
- 15 (b) The term "Charter" shall mean the Charter of this City.
- 16 (c) The term "City" shall mean the City and County of San Francisco.
- 17 (d) The term "Commission" shall mean the Public Utilities Commission of the City.
- 18 (e) The term "Director" shall mean Director of the Mayor's Office of Public Finance
19 or any successor to that office.))

20 ((SEC. 84.2. AUTHORIZATION OF SHORT-TERM INDEBTEDNESS. Following voter
21 approval or Board approval, as the case may be, of the issuance of revenue bonds by the
22 Commission pursuant to Section 9.107 of the Charter, the Commission, in anticipation of the
23 issuance of such revenue bonds, may incur short-term indebtedness in the form of
24 commercial paper, temporary notes or other forms of indebtedness subject to the limitations
25 set forth below.

1 The issuance of such short-term indebtedness, and certain of the terms and conditions
2 thereof, shall be subject to prior authorization by the Board.

3 Except as provided in Section 84.5, use of the proceeds of any such short-term
4 indebtedness shall be limited to the purposes for which the applicable revenue bonds were
5 approved by the voters or by the Board, as the case may be. Short-term indebtedness
6 incurred pursuant to this Chapter shall not result in interest costs or a maturity date exceeding
7 the limits, if any, fixed by the voters or the Board, as the case may be, with respect to the
8 applicable revenue bond approval(s).

9 Such short-term indebtedness shall be payable solely from the proceeds of the
10 applicable revenue bonds, or revenues of the Commission pledged, or to be pledged, to the
11 payment of such revenue bonds. If any of the principal of such short-term indebtedness is
12 paid from revenues of the Commission (other than revenues derived from grants) rather than
13 from the proceeds of revenue bonds, the principal amount of revenue bonds the Commission
14 is thereafter authorized to issue shall be reduced by the principal amount of short-term
15 indebtedness paid from revenues (other than revenues derived from grants).

16 Any pledge of revenues by the Commission for the payment of short-term
17 indebtedness may, in the sole discretion of the Director upon recommendation of the
18 Commission, be subordinate to any pledge of the Commission for its revenue bonds.

19 All indebtedness incurred pursuant to this Chapter shall not constitute or evidence a
20 debt of the City, nor a legal or equitable pledge, charge, lien or encumbrance upon any
21 property of the City, or upon any income, receipt, revenue of the City, except the revenues or
22 funds, if any, pledged by the Commission.

23 All short-term indebtedness incurred pursuant to this Chapter must additionally comply
24 with each of the following provisions:
25

1 (a) Shall be evidenced by notes, warrants, commercial paper or other evidences of
2 indebtedness maturing not later than five years from their issuance date; and

3 (b) Any draw on such short-term indebtedness shall be subject to approval by the
4 Director.

5 Such short-term indebtedness may be sold at the discretion of the Director, upon
6 recommendation of the Commission, by public or private sale. All other terms and conditions
7 for such short-term indebtedness shall be determined by the Director, upon recommendation
8 of the Commission.))

9 ((SEC. 84.3. CREDIT OR LIQUIDITY SUPPORT. The Director, upon recommendation
10 of the Commission, may arrange for credit or liquidity support for short-term indebtedness
11 issued pursuant to this Chapter or may arrange for credit or liquidity support to provide an
12 additional source of repayment for such short-term indebtedness.

13 Notwithstanding anything to the contrary in this Chapter, any monies paid by a financial
14 institution under any agreement for credit or liquidity support (a "credit facility") shall:

15 (a) Be repaid over a period not exceeding the maximum maturity, if any, fixed by the
16 voters or the Board, as the case may be, with respect to the applicable revenue bond
17 approval;

18 (b) Bear interest at a rate that does not cause the aggregate average interest cost
19 to exceed the maximum approved interest cost on such short-term indebtedness over the
20 entire period such short-term indebtedness is outstanding; and

21 (c) Have such other terms and conditions as the Director, upon the
22 recommendation of the Commission, shall fix.))

23 ((SEC. 84.4. MAXIMUM SHORT-TERM INDEBTEDNESS. The maximum principal
24 amount of all short-term indebtedness outstanding and incurred under this Chapter, including
25 any amounts outstanding under any credit facility, together with the outstanding principal

1 amount of related revenue bonds, shall not at any time exceed the maximum principal amount
2 of the applicable revenue bonds approved by the voters or the Board, as the case may be.))

3 ((**SEC. 84.5. REFUNDING SHORT-TERM INDEBTEDNESS.** The Commission, with
4 the prior approval of the Director, may issue commercial paper, refunding notes, warrants, or
5 other evidences of short-term indebtedness, in anticipation of the issuance of revenue bonds,
6 for the purpose of paying and redeeming, at or prior to maturity, outstanding short-term
7 indebtedness issued in accordance with this Chapter. Notwithstanding the preceding
8 sentence, any short-term indebtedness issued to refund outstanding short-term indebtedness
9 may not:

10 (a) Exceed the interest cost limitation set forth in Section 84.2; and

11 (b) Exceed the limitation on the maximum principal amount of short-term
12 indebtedness set forth in Section 84.4; and

13 (c) Mature more than five years from the original date of issuance of the original
14 short-term indebtedness it is refunding.

15 Short-term indebtedness issued to refund outstanding short-term indebtedness may be
16 refunded by the Commission in accordance with this Section 84.5.))

17 ((**SEC. 84.6. CONSTRUCTION.** The powers conferred by the provisions of this
18 Chapter are in addition to and supplemental to the powers conferred by the Charter or any
19 other ordinance or law.))

20
21 APPROVED AS TO FORM:
22 LOUISE H. RENNE, City Attorney

23
24 By: 
25 THOMAS J. OWEN
Deputy City Attorney

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS



City and County of San Francisco

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

Tails
Ordinance

File Number: 000110

Date Passed:

Ordinance amending Administrative Code by repealing Chapter 84 (Sections 84.1 through 84.6), regarding Public Utilities Commission short-term indebtedness.

February 7, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

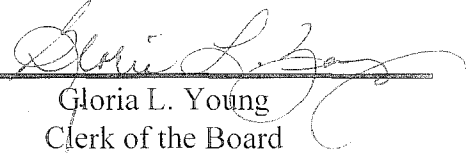
February 14, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

File No. 000110

I hereby certify that the foregoing Ordinance was FINALLY PASSED on February 14, 2000 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

FEB 25 2000

Date Approved


Mayor Willie L. Brown Jr.