

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

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3 **Resolution authorizing the City and County of San Francisco Special Tax District No.**
4 **2009-1 (San Francisco Sustainable Financing) to levy special taxes and incur debt to**
5 **finance work deemed necessary to bring buildings or real property, including privately**
6 **owned buildings or real property, into compliance with seismic safety standards or**
7 **regulations.**

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

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

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

1 days prior to the public hearing and (iv) this Board must conclude that the public interest,
2 convenience and necessity would be served by the proposed changes, the changes will not
3 adversely affect any taxable property in the Special Tax District and the changes will not
4 adversely affect the owners of any outstanding bonds that are payable from special taxes
5 levied in the Special Tax District; and

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

11 WHEREAS, This resolution was introduced at this Board on November 26, 2013, which
12 was at least 14 days prior to the date hereof; and

13 WHEREAS, The Committee of this Board held a public hearing on [the date hereof]
14 [January 6, 2014]; and

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

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

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

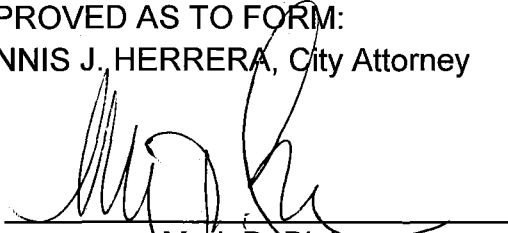
3 RESOLVED, This Board hereby authorizes the Special Tax District to levy special
4 taxes and incur debt to finance work deemed necessary to bring buildings or real property,
5 including privately owned buildings or real property, into compliance with seismic safety
6 standards or regulations, as more 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. 131143; and, be it

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

17 FURTHER RESOLVED, That this Resolution shall take effect on the effective date of
18 Ordinance No. 20513, adopted by the Board of Supervisors on October 1, 2013.
19

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

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

1 and expenses, bond remarketing costs, and all other incidental expenses.

2 2. Administrative fees of the City and the bond trustee or fiscal agent related to the
3 Special Tax District and the bonds or other debt.

4 3. Any other costs or fees authorized by the Code.
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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: 131143

Date Passed: January 14, 2014

Resolution authorizing the City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to levy special taxes and incur debt to finance work deemed necessary to bring buildings or real property, including privately owned buildings or real property, into compliance with seismic safety standards or regulations.

January 06, 2014 Land Use and Economic Development Committee - RECOMMENDED

January 14, 2014 Board of Supervisors - ADOPTED

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

File No. 131143

I hereby certify that the foregoing
Resolution was ADOPTED on 1/14/2014 by
the Board of Supervisors of the City and
County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved