

[Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors.]

CHARTER AMENDMENT

PROPOSITION ____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 3, 2009, a proposal to amend the Charter of the City and County by adding Section 9.120 to read as follows:

Note: Additions are *single-underline italics Times New Roman*.
Deletions are ~~*strikethrough italics Times New Roman*~~.

Section 1. The San Francisco Charter is hereby amended by adding Section 9.120, to read as follows:

SEC. 9.120. ONE-TIME REVENUES AND EXPENDITURES.

(a) The Controller shall identify all one-time revenues proposed in the Mayor's budget. For purposes of this Section, one-time revenues are revenues attributable to "extraordinary items" or "special items," as those terms are used under generally accepted accounting principles applicable to state and local governmental entities. Extraordinary items are events that are both unusual in nature and infrequent in occurrence; special items are events, subject to City control, that are either unusual in nature or infrequent in occurrence, but not both. Examples of one-time revenues include proceeds from surplus property sales, settlement proceeds from legal claims or litigation, or surplus collections that are not estimated to recur in subsequent years. One-time revenues do not include use of prior year fund balances, reserves,

or bond proceeds. The Controller shall set aside any one-time revenues identified during the year that exceed the one-time revenues assumed in the budget to be used for one-time purposes.

(b) The City may only appropriate one-time revenues for one-time uses, unless the Board of Supervisors by a two-thirds' vote authorizes the use of some or all of the one-time revenues for ongoing or operational expenses. Examples of "one-time uses" include investments in technology or equipment, etc., that would result in future efficiencies or operational savings, infrastructure improvements, or expenditures on deferred facilities maintenance and other capital improvements, or deposits to the Rainy Day Reserve or other one-time reserves. The Controller shall certify whether proposed uses are one-time uses.

(c) The provisions of this Section shall apply for Fiscal Years 2006-2007 through 2015-2016, unless the Board of Supervisors adopts an ordinance pursuant to this subsection extending the operation of this Section for Fiscal Years 2016-2017 through 2020-2021.

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

By: _____
THOMAS J. OWEN
Deputy City Attorney