

1 [San Francisco Special Tax Financing Law.]

2  
3 **Ordinance to amend the San Francisco Administrative Code Special Tax Financing**  
4 **Law, constituting Article 43.10, to authorize water conservation and water pollution**  
5 **control equipment and improvements as facilities eligible for funding through the**  
6 **formation of special tax districts, the imposition of special taxes, and the issuance of**  
7 **bonds secured by special tax funds and related technical amendments.**

8  
9 Note: Additions are single-underline italics Times New Roman;  
10 deletions are ~~strikethrough italics Times New Roman~~.  
11 Board amendment additions are double underlined.  
12 Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. FINDINGS.

15 The Board of Supervisors of the City and County of San Francisco hereby finds,  
16 determines and declares:

17 A. Global warming and persistent droughts pose a serious threat to the  
18 economic well-being, public health, natural resources, and the environment of the City, and  
19 that action taken by the City to reduce emissions of greenhouse gases will have far reaching  
20 effects by encouraging its citizens and other cities and counties and the State of California,  
21 among others, to pursue similar actions.

22 B. The City has a strong tradition of environmental leadership and desires to  
23 be at the forefront of state, national and international efforts to reduce emissions of  
24 greenhouse gases, and in furtherance of these efforts to reduce emissions of greenhouse  
25 gases, the Board of Supervisors hereby declares that a public purpose will be served by using  
special tax districts to finance the installation of energy efficiency and renewable energy  
capital improvements to residential, commercial, industrial, or other property.

1 C. The Board of Supervisors further finds and declares that growing  
2 population, climate change, and the need to protect and grow the City's economy while  
3 protecting and restoring fish and wildlife habitats makes it essential that the City and County  
4 manage its water resources as efficiently as possible.

5 D. Article X, Section 2 of the California Constitution declares: "It is hereby  
6 declared that because of the conditions prevailing in this State the general welfare requires  
7 that the water resources of the State be put to beneficial use to the fullest extent of which they  
8 are capable, and that the waste or unreasonable use or unreasonable method of use of water  
9 be prevented, and that the conservation of such waters is to be exercised with a view to the  
10 reasonable and beneficial use thereof in the interest of the people and for the public welfare."

11 E. The Board of Supervisors has passed Ordinance Nos. 76-09 and 77-09  
12 to adopt new rules for the installation and/or retrofitting of privately-owned water conservation  
13 devices to better "allow San Francisco's economy and population to prosper without placing  
14 additional demands on this valuable resource."

15 F. Reduced water use through conservation provides significant energy and  
16 environmental benefits, and can help protect water quality, improve streamflows, and reduce  
17 greenhouse gas emissions.

18 G. The City continues to pursue the improved operation of its stormwater  
19 and wastewater management systems to better safeguard bodies of water within and in  
20 proximity to the City.

21 H. Although many of these potential improvements to the City's stormwater  
22 and wastewater management systems focus on public infrastructure, there are also  
23 improvements to privately-owned property that would assist in the efficient and effective  
24 operation of the City's water treatment and management systems.

1           I.       There are many water conservation practices that produce significant  
2 energy and other resource savings that should be encouraged as a matter of state policy,  
3 and the Board of Supervisors declares that a public purpose will be served by using special  
4 taxes to finance the installation of water conservation and pollution control improvements that  
5 are attached to residential, commercial, industrial, or other property.

6           Section 2.   The San Francisco Administrative Code is hereby amended by amending  
7 Chapter 43, to read as follows:

8           SEC. 43.10.1. TITLE.

9           This Article may be cited as the Special Tax Financing Law.

10          SEC. 43.10.2. PURPOSE.

11          This Article provides an alternative method of financing certain public and private  
12 capital facilities and municipal services.

13          SEC. 43.10.3. FULL AUTHORITY.

14          This Article is full authority for the City to undertake the matters specified herein.

15          SEC. 43.10.4. ADDITIONAL AUTHORITY.

16          This Article is adopted pursuant to Section 1.01 of the Charter of the City. In  
17 proceedings had pursuant to this Article, which are a municipal affair, any general laws  
18 referred to in this Article are deemed a part of this Article. The provisions of this Article shall  
19 not affect or limit any other provisions of law authorizing or providing for the furnishing of  
20 public and private capital facilities or services, or the raising of revenue for these purposes.  
21 The City and County may use the provisions of this Article instead of or in conjunction with  
22 any other method of financing a part or all of the cost of providing the authorized kinds of  
23 public and private capital facilities and municipal services.

1           SEC. 43.10.5. ACTIONS AND DETERMINATIONS.

2           The Board of Supervisors may take any actions or make any determinations which it  
3 determines are necessary or convenient to carry out the purposes of this Article and which are  
4 not otherwise prohibited by law.

5           SEC. 43.10.6. COMPLIANCE WITH ARTICLE.

6           Any proceedings taken or special taxes levied pursuant to this Article shall not be held  
7 invalid for failure to comply with the provisions of this Article provided such failure is not a  
8 constitutional defect.

9           SEC. 43.10.7. NECESSARY OR CONVENIENT PROCEDURE AUTHORIZED.

10          Any procedure not expressly set forth in this Article but deemed necessary or  
11 convenient to carry out any of its purposes is authorized.

12          SEC. 43.10.8. NONEXCLUSIVENESS OF REMEDIES.

13          The remedies provided in this Article for the enforcement of any levy pursuant to this  
14 Article are not exclusive, and additional remedies may be provided at any time.

15          SEC. 43.10.9. INCORPORATION OF THE MELLO-ROOS COMMUNITY FACILITIES  
16 ACT OF 1982.

17          The Mello-Roos Community Facilities Act of 1982 (Chapter 2.5, commencing with  
18 Section 53311 of Part 1, Division 2, Title 5 of the California Government Code) (the "Act"), as  
19 amended from time to time, is incorporated in and made a part of this Article. Except as  
20 otherwise provided by this Article, the purposes, mode and manner of levying and collecting  
21 special taxes and the issuance of bonds secured by special taxes shall be as prescribed in  
22 the Act.

23          SEC. 43.10.10. ADMINISTRATIVE APPEALS PROCEDURES.

24          The Board of Supervisors may provide by separate resolution such appeals procedures  
25 as it may deem appropriate to facilitate the levy and enforcement of the special taxes. Such

1 procedures may provide for the appeal of confirmed special taxes to an official of the City  
2 responsible for the collection of the special taxes and grounds upon and times within which  
3 such appeals must be made. There shall be no appeal to the Board of Supervisors from the  
4 decision of the appointed official or other official of the City. The taking of an administrative  
5 appeal under this Article shall be a precondition to bringing any action under Section 43.10.11  
6 of this Article.

7 SEC. 43.10.11. LIMITATION OF ACTIONS.

8 Except as provided in Section 43.10.17, the validity of any special tax levied under this  
9 Article shall not be contested in any action or proceeding unless the action or proceeding is  
10 commenced within 30 days after the effective date of any ordinance or resolution providing for  
11 the levy of such special tax. Thereafter, a special tax may be contested only for the purpose of  
12 challenging the accuracy of computation of the special tax. Any appeal from a final judgment  
13 in the action or proceeding shall be perfected within 30 days after the entry of judgment.

14 Except as provided in Section 43.10.18, the validity of any bonds issued under this Article shall not  
15 be contested in any action or proceeding unless the action or proceeding is commenced  
16 within 30 days after the effective date of any ordinance or resolution authorizing the issuance  
17 of such bonds. Any appeal from a final judgment in the action or proceeding shall be perfected  
18 within 30 days after the entry of judgment.

19 SEC. 43.10.12. DEFINITIONS.

20 Unless the context otherwise requires, the terms defined in this Article shall have the  
21 following meanings. Defined terms used in this Article but not defined in this Article have the  
22 meaning given them in the Act.

23 (a) "Act" means the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5,  
24 commencing with Section 53311 of Part 1, Division 2, Title 5 of the California Government  
25 Code), as amended from time to time,

1 (b) "Board of Supervisors" means the Board of Supervisors of the City and County of  
2 San Francisco.

3 (c) "City" means the City and County of San Francisco.

4 (d) "Services" means, in addition to the "Services" defined in Section 53317 of the  
5 Act, operation and maintenance of any improvements that may be financed under this Article  
6 or the Act, and any related studies, testing or monitoring.

7 TITLE 2 - PROVISIONS RELATING TO FORMATION OF DISTRICTS

8 SEC. 43.10.13. NAME AND NATURE OF DISTRICTS.

9 The name of any district created under this Article shall be substantially as follows:

10 "City and County of San Francisco Special Tax District No. \_\_\_\_\_ ( )."

11 SEC. 43.10.14. ELECTIONS.

12 For purposes of any election herein, unless otherwise waived by unanimous action of  
13 all qualified electors, the time for the conduct of the election shall be not less than 30 nor more  
14 than 120 days from the adoption of the Resolution of Formation or other resolution ordering  
15 such election. For purposes of any such election, the Clerk of the Board of Supervisors shall  
16 be the election official responsible for conducting and canvassing such election.

17 In order to reduce the procedural burdens on the City and County and its property owners, this  
18 Article establishes certain procedures by which one or more property owners may vote in favor of  
19 special taxes, bonded indebtedness, an appropriations limit, and annexation to a district by unanimous  
20 approval. The Board of Supervisors hereby finds and declares that any unanimous approval constitutes  
21 the vote of the qualified elector in favor of the matters addressed in the unanimous approval for  
22 purposes of the California Constitution, including, but not limited to Articles XIII A and XIII C.

23 SEC. 43.10.15. AUTHORIZED FACILITIES.

24 In addition to the facilities that may be financed under the Act, special taxes may be  
25 levied and bonds may be issued to finance or refinance the acquisition, installation and

1 improvement of energy efficiency, water conservation, water pollution control, and renewable  
2 energy equipment with an estimated useful life of five years or longer and/or energy efficiency,  
3 water conservation, water pollution control, and renewable energy improvements that are  
4 attached to or on real property and in buildings, whether such real property or buildings are  
5 privately or publicly owned. ~~Work on privately owned buildings and on privately owned real  
6 property may only be financed by a special tax if all of the votes cast levying the special tax are in favor  
7 of levying the special tax, or with the prior written consent of all of the owners of each property that  
8 may be subject to the special tax, in which case the prior written consent shall be deemed a unanimous  
9 consent to the special tax and any associated bonded indebtedness.~~ Energy efficiency, water  
10 conservation, water pollution control and renewable energy improvements may only be installed on a  
11 privately owned building and on privately owned real property with the prior written consent of the  
12 owner or owners of the building or real property.

13 SEC. 43.10.16. AUTHORIZED SERVICES.

14 It is hereby specifically provided that in proceedings under this Article to finance  
15 Services, the limitations set forth in the penultimate paragraph of Section 53313 shall not  
16 apply.

17 SEC. 43.10.17. ALTERNATE PROCEDURE FOR FORMING SPECIAL TAX  
18 DISTRICTS.

19 (a) As an alternate and independent procedure for forming a special tax district, the  
20 Board of Supervisors may form a special tax district that initially consists solely of territory  
21 proposed for annexation to the special tax district in the future, with the condition that a parcel  
22 or parcels within that territory may be annexed to the special tax district and subjected to the  
23 special tax only with the unanimous approval of the owner or owners of such parcel or parcels  
24 at the time that such parcel or those parcels are annexed. In such case, the Board of  
25

1 Supervisors shall follow the procedures set forth in the Act for the formation of a community  
2 facilities district, with the following exceptions:

3 (i) The Board of Supervisors shall not ~~be~~ obligated to specify the rate or rates  
4 of special tax in the resolution of intention or the resolution of formation, provided that both of  
5 the following are met:

6 (A) the resolution of intention and the resolution of formation include a  
7 statement that the rate shall be established in an amount required to finance or refinance the  
8 authorized improvements and to pay the district's administrative expenses, and

9 (B) the maximum rate of special tax applicable to a parcel or parcels shall  
10 be specified in the unanimous approval described in this Section relating to such parcel or  
11 parcels.

12 (ii) In lieu of approval pursuant to an election held in accordance with the  
13 procedures set forth in this Article and in Sections 53326, 53327, 53327.5 and 53328 of the  
14 Act, the appropriations limit for the special tax district, the applicable rate, method of  
15 apportionment and manner of collection of special tax and the authorization to incur bonded  
16 indebtedness for the special tax district ~~shall~~ may be specified and approved by the unanimous  
17 approval of the owner or owners of each parcel or parcels at the time that such parcel or  
18 parcels are annexed to the special tax district. No additional hearings or procedures are  
19 required, and a unanimous approval shall be deemed to constitute a unanimous vote in favor  
20 of the appropriations limit for the special tax district, the authorization to levy the special tax on  
21 such parcel or parcels and the authorization to incur bonded indebtedness for the special tax  
22 district.

23 (iii) This subsection establishes the applicable protest provisions in the event  
24 the City forms a special tax district pursuant to the procedures set forth in this Section. If  
25 50 percent or more of the registered voters, or six registered voters, whichever is more,



1 residing within the territory proposed to be annexed to the special tax district in the future, or if  
2 the owners of one-half or more of the area of land proposed to be annexed in the future and  
3 not exempt from the special tax, file written protests against establishment of the special tax  
4 district, and protests are not withdrawn so as to reduce the protests to less than a majority, no  
5 further proceedings to form the special tax district shall be undertaken for a period of one year  
6 from the date of decision of the Board of Supervisors on the issues discussed at the hearing.  
7 If the majority protests of the registered voters or of the landowners are only against the  
8 furnishing of a specified type or types of facilities or services within the district, or against  
9 levying a specified special tax, those types of facilities or services or the specified special tax  
10 shall be eliminated from the resolution of formation.

11 (iv) The Board of Supervisors shall not record a notice of special tax lien  
12 against any parcel or parcels in the special tax district until such time as the owner or owners  
13 of such parcel or parcels have given their unanimous approval of such parcel or parcels'  
14 annexation to the special tax district, at which time the notice of special tax lien shall be  
15 recorded against such parcel or parcels as set forth in Section 53328.3 of the Act.

16 (b) Notwithstanding the provisions of Section 53340 of the Act, after adoption of the  
17 resolution of formation for a special tax district described in subdivision (a) hereof, the Board  
18 of Supervisors may, by ordinance, provide for the levy of the special taxes on parcels that will  
19 annex to the special tax district at the rate or rates to be approved by unanimous approval of  
20 the owner or owners of each parcel or parcels to be annexed to the special tax district and for  
21 apportionment and collection of the special taxes in the manner specified in the resolution of  
22 formation. No further ordinance shall be required even though no parcels may then have  
23 annexed to the special tax district.

24 (c) Notwithstanding the provisions of Section 53359 of the Act and Section 43.10.11 of  
25 this Article, the City may bring an action to determine the validity of any special taxes levied pursuant

1 to this Article and authorized pursuant to the procedures set forth in this Section 43.10.17 pursuant to  
2 Chapter 9 (commencing with Section 860) of Division 5 of Title 10 of Part 2 of the Code of Civil  
3 Procedure. Notwithstanding Section 53359 of the Act and Section 43.10.11 of this Article, if an action  
4 is brought by an interested person pursuant to Section 863 of the Code of Civil Procedure to determine  
5 the validity of any special taxes levied against a parcel pursuant to this Article and authorized pursuant  
6 to the procedures set forth in this section, the action shall be brought pursuant to Chapter 9  
7 (commencing with Section 860) of Division 5 of Title 10 of Part 2 of the Code of Civil Procedure, but  
8 shall, notwithstanding the time limits specified in Section 860 of the Code of Civil Procedure, be  
9 commenced within 15 days after the date on which the notice of special tax lien is recorded against the  
10 parcel. Any appeal from a judgment in any action or proceeding described in this subdivision shall be  
11 commenced within 30 days after entry of judgment.~~an action to determine the validity of any special~~  
12 ~~taxes levied pursuant to this Article and authorized pursuant to the procedures set forth in this Section~~  
13 ~~shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code~~  
14 ~~of Civil Procedure but shall, notwithstanding the time limits specified in Section 860 of the Code of~~  
15 ~~Civil Procedure, be commenced within 30 days after the adoption of the resolution of formation if the~~  
16 ~~action is brought by an interested person pursuant to Section 863 of the Code of Civil Procedure. Any~~  
17 ~~appeal from a judgment in that action or proceeding shall be commenced within 30 days after entry of~~  
18 ~~judgment.~~

19 (d) With respect to a special tax district formed pursuant to the alternate and independent  
20 procedure set forth in this Section 43.10.17, nothing in this Section shall prohibit the City from  
21 obtaining the approval of the qualified electors with respect to a particular parcel or parcels as to the  
22 annexation of such parcels to the special tax district, the appropriations limit for the special tax  
23 district, the applicable rate, method of apportionment and manner of collection of special tax and the  
24 authorization to incur bonded indebtedness for the special tax district pursuant to any other procedure  
25 authorized by the Act.

1 TITLE 3 - PROVISIONS RELATING TO BONDS

2 SEC. 43.10.18. ALTERNATE PROCEDURE FOR APPROVING ISSUANCE OF  
3 BONDS.

4 (a) As an alternate and independent procedure for conducting an election on the  
5 proposition to authorize bonded indebtedness for a special tax district formed pursuant to  
6 Section 43.10.17, and in lieu of the procedure set forth in this Article and in Sections 53353.5,  
7 53354 and 53355 of the Act, the proposition to authorize bonded indebtedness may be  
8 approved by the owner or owners of a parcel or parcels of property at the time that the parcel  
9 or parcels are annexed to the special tax district pursuant to the unanimous approval  
10 described in 43.10.17. No additional hearings or procedures are required, and such  
11 unanimous approval shall be deemed to constitute a unanimous vote in favor of such  
12 proposition.

13 (b) Notwithstanding the provisions of Section 53359 of the Act and Section 43.10.11 of this  
14 Article, the City may bring an action, pursuant to Chapter 9 (commencing with Section 860) of Division  
15 5 of Title 10 of Part 2 of the Code of Civil Procedure, to determine the validity of any bonds issued  
16 pursuant to this Article and authorized pursuant to the procedures set forth in this Section 43.10.18.  
17 Notwithstanding the provisions of Section 53359 of the Act and Section 43.10.11 of this Article, if an  
18 action is brought by an interested person pursuant to Section 863 of the Code of Civil Procedure to  
19 determine the validity of any bonds issued pursuant to this Article and authorized pursuant to the  
20 procedures set forth in this Section 43.10.18, the action shall be brought pursuant to Chapter 9  
21 (commencing with Section 860) of Division 5 of Title 10 of Part 2 of the Code of Civil Procedure but  
22 shall, notwithstanding the time limits specified in Section 860 of the Code of Civil Procedure, be  
23 commenced within 30 days after the effective date of the resolution described in Section 53351 of the  
24 Act. Any appeal from a judgment in any action or proceeding described in this subdivision shall be  
25 commenced within 30 days after entry of judgment. ~~Notwithstanding the provisions of Section 43.10.11,~~

1 ~~an action to determine the validity of any bonds issued pursuant to this Article and authorized pursuant~~  
2 ~~to the procedures set forth in this Section 43.10.18 shall be brought pursuant to Chapter 9~~  
3 ~~(commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure but shall,~~  
4 ~~notwithstanding the time limits specified in Section 860 of the Code of Civil Procedure, be commenced~~  
5 ~~within 30 days after the effective date of the resolution described in Section 53351 if the action is~~  
6 ~~brought by an interested person pursuant to Section 863 of the Code of Civil Procedure. Any appeal~~  
7 ~~from a judgment in that action or proceeding shall be commenced within 30 days after entry of~~  
8 ~~judgment.~~

9 (c) With respect to a special tax district formed pursuant to Section 43.10.17, nothing in this  
10 Section shall prohibit the City from obtaining the approval of the qualified electors with respect to a  
11 particular parcel or parcels as to the authorization to incur bonded indebtedness for the special tax  
12 district pursuant to any other procedure authorized by the Act.

13 **SEC. 43.10.19. IMPROVEMENT AREAS**

14 In connection with formation of a special tax district and annexation of a parcel or  
15 parcels to the special tax district pursuant to the alternate and independent procedure set  
16 forth in Section 43.10.17 and the conduct of an election on the proposition to authorize  
17 bonded indebtedness pursuant to the alternate and independent procedure set forth in  
18 Section 43.10.18, the City may, without additional hearings or procedures, designate a parcel  
19 or parcels as an improvement area within the Special Tax District. Such improvement area  
20 shall be known as "Improvement Area No. \_\_\_\_\_" of "Special Tax District \_\_\_\_\_." After the  
21 designation of a parcel or parcels as an improvement area, all proceedings for approval of the  
22 appropriations limit, the rate, method of apportionment and manner of collection of special tax  
23 and the authorization to incur bonded indebtedness for such parcel or parcels shall apply only  
24 to the improvement area.

1            SEC. 43.10.20 REFUNDING BONDS: USE OF SAVINGS.

2            Bonds may be issued under this Article to refund any outstanding special tax bonds or  
3            other indebtedness payable from special taxes, whether fixed lien bonds or any other improvement  
4            or special tax bonds, including ad valorem assessment or revenue bonds. Any savings  
5            achieved through the issuance of refunding bonds may be used by the City in any manner  
6            that it determines to be in the best financial interests of the City.

7            SEC. ~~43.10.20~~43.10.21. AUTHORITY TO ADVANCE FUNDS.

8            In connection with the issuance of bonds pursuant to this Article, the Board may determine and  
9            may declare in the resolution authorizing the issuance of the bonds that it will obligate itself to advance  
10            available surplus funds in the amount of any delinquent special taxes as an advance recoverable upon  
11            payment of delinquent special taxes. For purposes of this section, "available surplus funds" shall mean  
12            any surplus moneys held by the City at the end of each fiscal year in excess of the amounts required to  
13            pay lawful municipal obligations of the City for that fiscal year, all as determined by the Board of  
14            Supervisors in its sole discretion, whose determination shall be final and binding.

15                                    TITLE 4 - SUPPLEMENTAL PROVISIONS

16            SEC. ~~43.10.20~~43.10.22. LIBERAL CONSTRUCTION.

17            This chapter is to be liberally construed.

18            SEC. ~~43.10.21~~43.10.23. OMISSIONS DO NOT IMPACT VALIDITY.

19            Any proceedings taken or special tax levied pursuant to this Article shall not be held  
20            invalid for failure to comply with the provisions of this Article provided such failure is not a  
21            constitutional defect.

22            SEC. ~~43.10.22~~43.10.24. ARTICLE CONTROLLING.

23            To the extent that the provisions of this Article are inconsistent with the provisions of  
24            any general statute or special act or parts thereof the provisions of this Article shall be  
25            deemed controlling.

1            ~~SEC. 43.10.23~~43.10.25. SEVERABILITY.

2            If any provisions of this Article or the application thereof to any person or circumstance  
3 is held invalid, such invalidity shall not affect any other provision or application of this Article  
4 which can be given effect without the invalid provision or application, and to this end the  
5 provisions of this Article are declared to be severable. The Board of Supervisors hereby  
6 declares that it would have adopted and passed this Article and each section, subsection,  
7 sentence, clause, phrase and word hereof, irrespective of the fact that any one or more of the  
8 other sections, subsections, sentences, clauses, phrases or words hereof be declared invalid  
9 or unconstitutional.

10           APPROVED AS TO FORM:

11           DENNIS J. HERRERA  
12           City Attorney

13           By:

14             
15           MARK D. BLAKE  
16           Deputy City Attorney



# City and County of San Francisco

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

## Tails

## Ordinance

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**File Number:** 090938

**Date Passed:**

Ordinance to amend the San Francisco Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize water conservation and water pollution control equipment and improvements as facilities eligible for funding through the formation of special tax districts, the imposition of special taxes, and the issuance of bonds secured by special tax funds and related technical amendments.

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October 6, 2009 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

October 6, 2009 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

October 20, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

File No. 090938

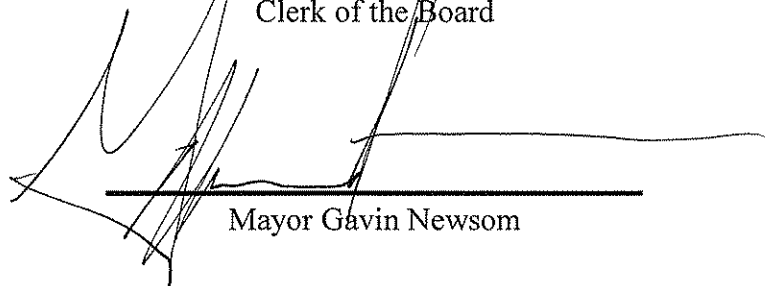
I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on October 20, 2009  
by the Board of Supervisors of the City and  
County of San Francisco.

10-29-09

Date Approved



Angela Calyillo  
Clerk of the Board



Mayor Gavin Newsom