

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.**

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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. _____, finally passed by the Board of Supervisors on October 1, 2013.

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

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

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