

FILE NO. 011103

RESOLUTION NO. 605-01

1 [Revenue Bond Election]
2

3 **Resolution calling and providing for a Special Election to be held in the City and**
4 **County of San Francisco for the purpose of submitting to the qualified voters of said**
5 **City and County on November 6, 2001 a proposition for the issuance of revenue bonds**
6 **and/or other forms of revenue financing by the City and County of San Francisco (or**
7 **one of its agencies, departments or enterprises) in a principal amount not to exceed**
8 **\$100,000,000 to finance the acquisition, construction, rehabilitation, installation and/or**
9 **improvement of solar energy facilities and equipment, energy conservation facilities**
10 **and equipment and/or renewable energy facilities and equipment; consolidating said**
11 **Special Election with the General Municipal Election to be held on November 6, 2001;**
12 **and finding the proposed project is in conformity with the priority of Planning Code**
13 **Section 101.1 (b) and the City's General Plan.**
14

15 WHEREAS, The Board of Supervisors (the "Board") of the City and County of
16 San Francisco (the "City") is authorized to provide for the issuance of revenue bonds subject
17 to the revenue bond voter approval requirements of Section 9.107 of the City Charter; and,

18 WHEREAS, Solar energy facilities and equipment, energy conservation facilities and
19 equipment and/or renewable energy facilities and equipment provide viable means to produce
20 safe energy resources for various agencies, departments and enterprises of the City; and,

21 WHEREAS, Solar energy technology allows electricity to be generated at the source
22 where it is consumed and consequently provides increased energy independence and
23 diminishes the vulnerability of City facilities where it is installed from rolling blackouts or other
24 failures of the electric grid; and,

25 ///

1 WHEREAS, Solar energy offers a clean, silent and reliable source of energy and
2 produces energy during peak demand; and,

3 WHEREAS, The City will identify, evaluate and prioritize qualifying projects proposed to
4 be funded from the Bonds. Those projects with the highest benefit to cost ratio shall be given
5 priority access to these funds, subject to the consent of those City departments, agencies
6 and/or enterprises which own or control the facilities or lands on which the improvements
7 and/or facilities are proposed to be sited; and,

8 WHEREAS, This Board finds that it is desirable to finance the acquisition, construction,
9 rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy
10 conservation facilities and equipment and/or renewable energy facilities and equipment for
11 various agencies, departments and/or enterprises of the City; and,

12 WHEREAS, It is the intent of this Board to protect the City from price volatility in energy
13 markets and to provide for diversity in sources and fuels used to provide electricity while
14 providing predictable City energy budgets; and,

15 WHEREAS, This Board hereby finds and determines that it is in the best interests of
16 the City to submit to the qualified voters of the City, at an election to be held for that purpose
17 on November 6, 2001, the proposition for the issuance of revenue bonds and/or other forms of
18 revenue financing by the City (or one of its agencies, departments or enterprises) in the
19 principal amount not to exceed \$100,000,000 (the "Bonds") to finance the acquisition,
20 construction, rehabilitation, installation and/or improvement of solar energy facilities and
21 equipment, energy conservation facilities and equipment and/or renewable energy facilities
22 and equipment for various agencies, departments and/or enterprises of the City; now,
23 therefore, be it

24 ///

25 ///

1 RESOLVED By the Board of the City, as follows:

2 Section 1. A special election is hereby called and ordered to be held in the City on
3 Tuesday, November 6, 2001, at which election there shall be submitted to the qualified voters
4 of the City the following proposition:

5 SOLAR ENERGY FACILITIES AND EQUIPMENT, ENERGY CONSERVATION
6 FACILITIES AND EQUIPMENT AND/OR RENEWABLE ENERGY FACILITIES
7 AND EQUIPMENT REVENUE BONDS. Shall the City and County of San
8 Francisco (or one of its agencies, departments or enterprises) issue revenue
9 bonds and/or other forms of revenue financing in a principal amount not to
10 exceed \$100,000,000, to finance the acquisition, construction, rehabilitation,
11 installation and/or improvement of solar energy facilities and equipment, energy
12 conservation facilities and equipment and/or renewable energy facilities and
13 equipment for various agencies, departments and/or enterprises of the City?

14 Section 2. The cost that City departments, agencies and/or enterprises will incur
15 over the life of the technologies shall not exceed the amount that such entities would
16 have otherwise paid for such absent the improvements and/or facilities to be financed
17 with the proposed Bonds.

18 Section 3. The proposed improvements and facilities financed by the Bonds shall
19 constitute a single, unified, integrated enterprise, and only the revenue produced and any
20 costs avoided by said improvements and facilities shall be pledged to the repayment of the
21 Bonds. The Board hereby finds and determines that the acquisition, construction,
22 rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy
23 conservation facilities and equipment and/or renewable energy facilities and equipment is
24 necessary and desirable to enable the City to exercise its municipal powers and functions,
25 namely, to produce renewable energy facilities, to conserve energy, and to provide a reliable

1 source of energy for any present or future beneficial use of the City. The purpose for which
2 the proposed Bonds will be issued is to finance the acquisition, construction, rehabilitation,
3 installation and/or improvement of solar energy facilities and equipment, energy conservation
4 facilities and equipment and/or renewable energy facilities and equipment for agencies,
5 departments and/or enterprises of the City, including, without limitation, to finance capitalized
6 interest on the Bonds and any other expenses incidental thereto or connected therewith. The
7 estimated cost of the facilities and/or equipment is \$100,000,000. Said estimated costs
8 includes all costs and expenses incidental thereto or connected therewith, including
9 engineering, inspection, legal and fiscal agent fees and costs of the issuance of the Bonds.
10 The maximum principal amount of the proposed Bonds is \$100,000,000.

11 Section 4. The Board hereby submits to the qualified voters of the City at such Special
12 Election the proposition set forth in Section 1 of this Resolution, and designates and refers to
13 such proposition in the form of ballot hereinafter prescribed for use at said election. The
14 Special Election hereby called and ordered to be held shall be held and conducted and the
15 votes thereat received and canvassed, and the returns thereof made and the results thereof
16 ascertained, determined and declared as herein provided, and in all particulars not herein
17 recited said election shall be held and the votes canvassed according to the applicable laws of
18 the State of California and the Charter of the City and any regulations adopted pursuant
19 thereto, providing for and governing elections in the City, and the polls for such election shall
20 be and remain open during the time required by said laws and regulations.

21 Section 5. The Special Election hereby called shall be and hereby is consolidated with
22 the General Election of the City to be held Tuesday, November 6, 2001, and the voting
23 precincts, polling places and officers of election for said General Election are hereby adopted,
24 established, designated and named, respectively, as the voting precincts, polling places and
25

1 officers of elections for such special election hereby called. The ballots to be used at the
2 special election shall be the ballots to be used at the General Election.

3 Section 6. In addition to any other matter required by law to be printed on the ballots,
4 there shall appear thereon the proposition set forth in Section 1 of this Resolution.

5 Each voter to vote for the proposition hereby submitted and in favor of the issuance of
6 the Bonds shall mark the ballot card in the location corresponding to a "YES" vote for the
7 proposition, and to vote against the proposition and against the issuance of the Bonds shall
8 mark the ballot card in the location corresponding to a "NO" vote for the proposition.

9 On absentee voter ballots, the voter to vote for the proposition and in favor of the
10 issuance of the Bonds shall mark the ballot card in the location corresponding to a "YES" vote
11 for the proposition, and to vote against said proposition and against the issuance of the Bonds
12 shall mark the ballot card in the location corresponding to a "NO" vote for the proposition.

13 Section 7. If at such Special Election it shall appear that a majority of all the voters
14 voting on the proposition voted in favor of and approve the issuance of the Bonds for the
15 purposes set forth in this Resolution, then such proposition shall have been authorized by the
16 electors, and the Bonds may be issued and sold for the purpose set forth in this Resolution.
17 The rate of interest on such bonds shall not exceed 12% per annum, may be fixed or variable,
18 and shall be payable at such times and in such manner as the Commission shall hereafter
19 determine.

20 Section 8. The Bonds, if authorized, shall be special, limited obligations of the City,
21 payable exclusively from and secured by a lien on the revenues of the improvements and
22 facilities financed by the Bonds and such other funds as may be legally available and pledged
23 for such purpose. The Bonds shall not be secured by the taxing power of the City, and shall
24 be issued under Section 9.107 of the Charter of the City and any state law or any procedure
25 provided for by ordinance. The principal of and interest on the Bonds and any premiums upon

1 the redemption thereof shall not constitute or evidence a debt of the City, nor a legal or
2 equitable pledge, charge, lien or encumbrance upon any of its property, or upon any of its
3 income, receipts or revenues, except the revenues of the improvements and facilities financed
4 by the Bonds and such other funds as may be legally available and pledged for such purpose.

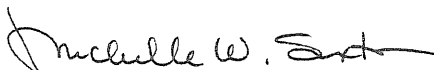
5 Section 9. This Resolution shall be published in accordance with any state law
6 requirements, and such publication shall constitute notice of said election and no other notice
7 of the election hereby called need be given.

8 Section 10. The appropriate officers, employees, agents and representatives of the
9 City are hereby authorized and directed to do everything necessary or desirable to the calling
10 and holding of said Special Election, and to otherwise carry out the provisions of this
11 Resolution.

12 Section 11. PROPOSITION M FINDINGS. The Board of Supervisors having reviewed
13 the proposed legislation, finds and declares that the proposed Bond Special Election is in
14 conformity with the priority policies of Section 101.1(b) of the City Planning Code and with the
15 City's General Plan, and hereby adopts the findings of the City Planning Department, as set
16 forth in the General Plan Referral.

17
18 APPROVED AS TO FORM:

19 LOUISE H. RENNE, City Attorney

20
21 By: 
22 MICHELLE W. SEXTON
23 Deputy City Attorney
24
25



City and County of San Francisco

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

Tails

Resolution

File Number: 011103

Date Passed:

Resolution calling and providing for a Special Election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 6, 2001 a proposition for the issuance of revenue bonds and/or other forms of revenue financing by the City and County of San Francisco (or one of its agencies, departments or enterprises) in a principal amount not to exceed \$100,000,000 to finance the acquisition, construction, rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy conservation facilities and equipment and/or renewable energy facilities and equipment; consolidating said Special Election with the General Municipal Election to be held on November 6, 2001; and finding the proposed project is in conformity with the priority of Planning Code Section 101.1(b) and the City's General Plan.

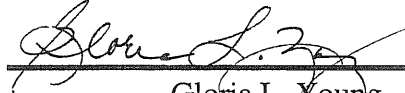
July 23, 2001 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval

Noes: 1 - Yee

File No. 011103

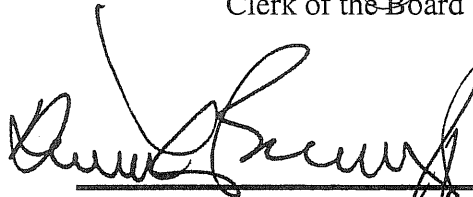
I hereby certify that the foregoing Resolution was ADOPTED on July 23, 2001 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

JUL 27 2001

Date Approved



Mayor Willie L. Brown Jr.