

File No. 091249

Committee Item No. 3

Board Item No. 21

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee BUDGET AND FINANCE

Date 11/18/09

Board of Supervisors Meeting

Date 11-24-09

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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Completed by: Gail Johnson

Date 11/13/09

Completed by: [Signature]

Date 11/19/09

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

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1 [Resolution Of Intention To Incur Bonded Indebtedness]

2  
3 **Resolution of intention to incur bonded indebtedness in an amount not greater than**  
4 **\$150,000,000 of special tax bonds to finance the costs of energy efficiency, water**  
5 **conservation and renewable energy projects on real property.**

6  
7 WHEREAS, This Board of Supervisors has this date adopted its "Resolution of  
8 Intention to Establish Special Tax District" (the "Resolution of Intention"), stating its intention  
9 to form the "City and County of San Francisco Special Tax District No. 2009-1 (San Francisco  
10 Sustainable Financing)" (the "Special Tax District") pursuant to Chapter 43, Article X of the  
11 San Francisco Administrative Code (the "Code"), which Code incorporates the Mello-Roos  
12 Community Facilities Act of 1982, as amended (the "Act"), for the purpose of financing and  
13 refinancing the acquisition, installation and improvement of energy efficiency, water  
14 conservation and renewable energy improvements to or on real property and in buildings,  
15 whether such real property or buildings are privately or publicly owned (the "Facilities"), as  
16 further provided in that Resolution; and,

17 WHEREAS, This Board incorporated by reference certain findings, determinations and  
18 declarations, which findings, determinations and declarations this Board of Supervisors further  
19 incorporates herein by this reference; and,

20 WHEREAS, In the Resolution of Intention, this Board of Supervisors stated its intention  
21 to undertake the proceedings to form the Special Tax District under the alternate procedures  
22 established by Section 43.10.17 of the Code; and,

23 WHEREAS, This Board of Supervisors wishes to undertake the proceedings to  
24 authorize the issuance of bonded indebtedness for the Special Tax District under the alternate  
25 procedure established by Section 43.10.18 of the Code; and,

1           WHEREAS, This Board of Supervisors estimates the amount required for the financing  
2 of the costs of the Facilities to be the sum of not to exceed \$150,000,000; and,

3           WHEREAS, In order to finance the costs of the Facilities it is necessary to incur  
4 bonded indebtedness in the amount not to exceed \$150,000,000 on behalf of the Special Tax  
5 District; now, therefore, be it

6           RESOLVED, That it is necessary to incur bonded indebtedness within the boundaries  
7 of the proposed Special Tax District in the amount of up to \$150,000,000 to finance the costs  
8 of the Facilities; and, be it

9           FURTHER RESOLVED, That the bonded indebtedness is proposed to be incurred for  
10 the purpose of financing the costs of the Facilities, including acquisition, installation and  
11 improvement costs and all costs incidental to or connected with the accomplishment of said  
12 purposes and of the financing thereof, as permitted by Section 53345.3 of the Act; and, be it

13           FURTHER RESOLVED, That this Board of Supervisors, acting as legislative body for  
14 the Special Tax District, intends to authorize the issuance and sale of bonds in one or more  
15 series in the maximum aggregate principal amount of not to exceed \$150,000,000 bearing  
16 interest payable semi-annually or in such other manner as this Board of Supervisors shall  
17 determine, at a rate not to exceed the maximum rate of interest as may be authorized by  
18 applicable law at the time of sale of such bonds, and maturing not to exceed 40 years from  
19 the date of the issuance of the bonds; and, be it

20           FURTHER RESOLVED, That Tuesday, January \_\_\_\_, 2010 at 2:00 p.m. or as soon as  
21 possible thereafter, in the Board of Supervisors Chambers, 1 Dr. Carlton B. Goodlett Place,  
22 City Hall, San Francisco, California 94704, be, and the same are hereby appointed and fixed  
23 as the time and place when and where this Board of Supervisors, as legislative body for the  
24 Special Tax District, will conduct a public hearing on the proposed issuance of indebtedness  
25

1 and consider and finally determine whether the public interest, convenience and necessity  
2 require the issuance of bonds of the City on behalf of the Special Tax District; and, be it

3 FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed  
4 to cause notice of the public hearing to be given by publication one time in a newspaper of  
5 general circulation circulated within the Special Tax District. The publication of the notice  
6 shall be completed at least seven days before the date specified above for the public hearing.  
7 The notice shall be substantially in the form specified in Section 53346 of the Act

8 FURTHER RESOLVED, That pursuant to Section 43.10.18 of the Code, in lieu of the  
9 procedure set forth elsewhere in the Code and in Sections 53353.5, 53354 and 53355 of the  
10 Act, the proposition to authorize issuance of the Bonds for the Special Tax District shall be  
11 approved by the owner or owners of a parcel or parcels of property at the time that the parcel  
12 or parcels are annexed to the Special Tax District pursuant to the unanimous approval  
13 described in 43.10.17 of the Code or such other procedures established by the Code; and, be  
14 it

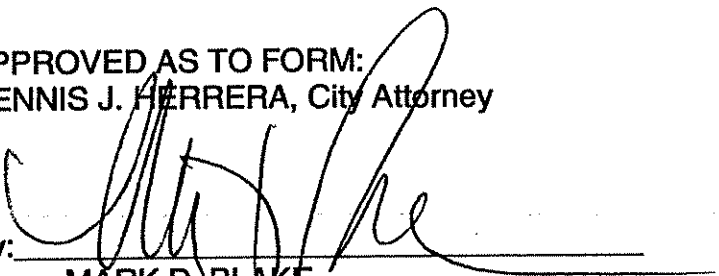
15 FURTHER RESOLVED, That Consistent with the Resolution of Intention, and pursuant  
16 to Section 43.10.19 of the Code, in connection with the annexation of a parcel or parcels to  
17 the Special Tax District pursuant to the alternate and independent procedure set forth in  
18 Section 43.10.17 of the Code and the conduct of an election on the proposition to authorize  
19 bonded indebtedness pursuant to the alternate and independent procedure set forth in  
20 Section 43.10.18 of the Code, the City may, without additional hearings or procedures,  
21 designate a parcel or parcels as an improvement area within the Special Tax District. Each  
22 improvement area will be known as "Improvement Area No. \_\_\_\_\_ of City and County of  
23 San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing)." After  
24 the designation of a parcel or parcels as an improvement area, all proceedings for approval of  
25 the appropriations limit, the rate, method of apportionment and manner of collection of special

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tax and the authorization to incur bonded indebtedness for such parcel or parcels shall apply only to the improvement area. The City may incur indebtedness payable solely from special taxes levied on property in the improvement area ; and, be it

FURTHER RESOLVED, That this Resolution shall in no way obligate the Board to form the Special Tax District or to issue bonds for the Special Tax District. Issuance of the bonds shall be subject to the approval of this Board of Supervisors by resolution following the holding of the public hearing referred to above.

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

By:   
MARK D. BLAKE  
Deputy City Attorney



Starr Terrell/MAYOR/SFGOV  
10/28/2009 12:46 PM

To BOS Legislation/BOS/SFGOV@SFGOV, Joy  
Lamug/BOS/SFGOV@SFGOV  
cc Cassandra Costello/BOS/SFGOV@SFGOV

bcc

Subject Fw: Renewable Program Resolutions

Please find attached two resolutions introduced yesterday by Supervisor Mar. Please note that these resolutions are sponsored by the Mayor and Supervisor Mar.

Thanks!  
Starr

Starr Terrell  
Mayor's Liaison to the Board of Supervisors  
City Hall, Room 200  
Office: 415.554.5262  
starr.terrell@sfgov.org

----- Forwarded by Starr Terrell/MAYOR/SFGOV on 10/28/2009 12:46 PM -----

From: Mark Blake/CTYATT@CTYATT  
To: Starr Terrell/MAYOR/SFGOV@SFGOV  
Date: 10/28/2009 12:34 PM  
Subject: Renewable Program Resolutions

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Starr,

Per your request attached are the resolutions.



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