

File No. 160121

Committee Item No. 2

Board Item No. \_\_\_\_\_

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Sub-Committee

Date April 20, 2016

Board of Supervisors Meeting

Date \_\_\_\_\_

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Completed by: Linda Wong Date April 15, 2016  
 Completed by: Linda Wong Date \_\_\_\_\_

1 [Changing Special Tax District - San Francisco Sustainable Financing - Accessibility Access  
2 Financing]

3 **Resolution making changes to City and County of San Francisco Special Tax District**  
4 **No. 2009-1 (San Francisco Sustainable Financing) to amend the authorized financing**  
5 **purposes to include accessibility access financing for persons with disabilities.**  
6

7 WHEREAS, Under Chapter 43, Article X of the San Francisco Administrative Code (the  
8 "Code"), which Code incorporates by reference the Mello-Roos Community Facilities Act of  
9 1982, as amended (the "Act"), this Board of Supervisors previously established a special tax  
10 district known as "City and County of San Francisco Special Tax District No. 2009-1 (San  
11 Francisco Sustainable Financing)" (the "Special Tax District"); and

12 WHEREAS, The Special Tax District is authorized to levy special taxes and incur debt  
13 to finance and refinance the acquisition, installation and improvement of energy efficiency,  
14 water conservation and renewable energy improvements to or on real property and in  
15 buildings, whether such real property or buildings are privately or publicly owned; and

16 WHEREAS, The Code authorizes this Board of Supervisors to make certain changes to  
17 the Special Tax District, subject to the following specific conditions: (i) this Board or a  
18 committee of this Board must hold a public hearing on the proposed changes at which any  
19 interested person, including persons owning property within the area, may appear and present  
20 any matters material to the questions set forth in the resolution, (ii) the public hearing may not  
21 occur any sooner than 14 days after the introduction at this Board of the resolution stating the  
22 changes, (iii) the Clerk of the Board must publish a notice of the public hearing one time in a  
23 newspaper of general circulation published in the area of the Special Tax District at least 7  
24 days prior to the public hearing and (iv) this Board must conclude that the public interest,  
25 convenience and necessity would be served by the proposed changes, the changes will not

1 adversely affect any taxable property in the Special Tax District and the changes will not  
2 adversely affect the owners of any outstanding bonds that are payable from special taxes  
3 levied in the Special Tax District; and

4 WHEREAS, Under Federal and State law owners of certain buildings are required to  
5 make those structures free from architectural barriers, if readily achievable, and thereby  
6 accessible to individuals with disabilities; and

7 WHEREAS, The construction cost of such repairs can be significant and the terms for  
8 conventional financing prohibitive for certain owners of buildings and real property; and

9 WHEREAS, This Board desires to provide an alternative and affordable means by  
10 which owners of certain buildings can finance the cost of making accessibility modifications  
11 and improvements on buildings in the City; and

12 WHEREAS, This Board of Supervisors wishes to authorize the Special Tax District to  
13 levy special taxes and incur debt to finance the cost of accessibility modifications and  
14 improvements on buildings or real property, including privately owned buildings or real  
15 property; and

16 WHEREAS, This resolution was introduced at this Board on February 9, 2016, which  
17 was at least 14 days prior to the date hereof; and

18 WHEREAS, The Budget and Finance Sub-Committee of this Board held a public  
19 hearing on April 20, 2016; and

20 WHEREAS, The Clerk of the Board published a notice of public hearing one time in a  
21 newspaper of general circulation published in the area of the Special Tax District at least 7  
22 days prior to the date of the public hearing; now, therefore, be it

23 RESOLVED, That this Board of Supervisors hereby finds that the public interest,  
24 convenience and necessity would be served by authorizing the Special Tax District to levy  
25 special taxes and incur debt to finance work related to accessibility modifications and

1 improvements on buildings or real property, including privately owned buildings or real  
2 property, as more completely set forth in Section 43.10.15 of the Code, that the change in the  
3 authority of the Special Tax District will not adversely affect any taxable property in the  
4 Special Tax District and that the change in the authority of the Special Tax District will not  
5 adversely affect the owners of any outstanding bonds that are payable from special taxes  
6 levied in the Special Tax District; and, be it

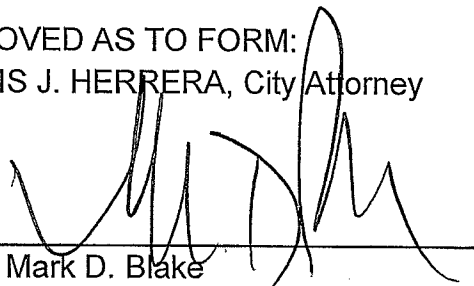
7 FURTHER RESOLVED, This Board hereby authorizes the Special Tax District to levy  
8 special taxes and incur debt to finance work related to accessibility modifications or  
9 improvements on buildings or real property, including privately owned buildings or real  
10 property, as more completely set forth in Section 43.10.15 of the Code; and, be it

11 FURTHER RESOLVED, As a result, the type of facilities that may be financed by the  
12 Special Tax District pursuant to the Code shall consist of those listed as facilities on Exhibit A  
13 hereto and hereby incorporated herein (the "Facilities"), which Exhibit A is on file with the  
14 Clerk of this Board of Supervisors in File No. 160121; and, be it

15 FURTHER RESOLVED, That the Mayor, the Controller, the City Attorney, the Director  
16 of the Office of Public Finance, designees of the Director of the Office of Public Finance, the  
17 Clerk of the Board of Supervisors and all other officers and agents of the City are hereby  
18 authorized and directed to take all actions necessary or advisable to give effect to the  
19 transactions contemplated by this Resolution; and, be it

20 FURTHER RESOLVED, That this Resolution shall take effect on the effective date of  
21 Ordinance No. \_\_\_\_, adopted by the Board of Supervisors on \_\_\_\_, 2016.

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

3  
4 By:   
5 Mark D. Blake  
6 Deputy City Attorney  
7 n:\vegana\as2016\1600171\01080472.doc

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## EXHIBIT A

### **CITY AND COUNTY OF SAN FRANCISCO Special Tax District No. 2009-1 (San Francisco Sustainable Financing)**

#### **DESCRIPTION OF FACILITIES TO BE FINANCED BY THE SPECIAL TAX DISTRICT**

The Facilities shown below are proposed to be financed and refinanced by the City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) (the "Special Tax District").

#### **FACILITIES**

It is intended that the Special Tax District will be authorized to finance and refinance all or a portion of the costs of any of the following types of facilities:

- A. Energy efficiency, water conservation and renewable energy improvements to or on real property and in buildings, whether such real property or buildings are privately or publicly owned.
- B. Work deemed necessary to bring buildings or real property, including privately owned buildings or real property, into compliance with seismic safety standards or regulations. Only work certified as necessary to comply with seismic safety standards or regulations by local building officials may be financed. No project involving the dismantling of an existing building and its replacement by a new building, nor the construction of a new or substantially new building may be financed pursuant to this subparagraph.
- C. Accessibility improvements or modifications to buildings or real property, including privately owned buildings or real property. No project involving the dismantling of an existing building and its replacement by a new building, nor the construction of a new or substantially new building may be financed pursuant to this subparagraph.

## OTHER

The Special Tax District may also finance any of the following:

1. Bond- and other debt- related expenses, including underwriters discount, reserve fund, capitalized interest, letter of credit fees and expenses, bond and disclosure counsel fees and expenses, bond remarketing costs, and all other incidental expenses.
2. Administrative fees of the City and the bond trustee or fiscal agent related to the Special Tax District and the bonds or other debt.
3. Any other costs or fees authorized by the Code.



SMALL BUSINESS COMMISSION  
OFFICE OF SMALL BUSINESS



CITY AND COUNTY OF SAN FRANCISCO  
EDWIN M. LEE, MAYOR

March 30, 2016

Ms. Angela Calvillo, Clerk of the Board  
City Hall Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

RE: BOS File No. 160121 [Changing Special Tax District - San Francisco Sustainable Financing - Accessibility Access Financing]

Small Business Commission Recommendation to the Board of Supervisors: **Approval**

Dear Ms. Calvillo,

On March 14, 2016, the Small Business Commission voted unanimously to recommend the Board of Supervisors approve BOS File No. 160121.

Under the Federal ADA, property owners have an equal obligation to ensure their properties leased to Title III, "public accommodation" businesses meet the required accessibility standards. With San Francisco's topography and older buildings often bringing the common area, common area restrooms and entryways to the required accessible standards can be a very costly endeavor.

Currently property owners can finance their softy story retrofit work through the special tax district. Having accessibility access as an approved means of financing through the special tax district dovetails well with the Softy Story Retrofit program. Many property owners with commercial property in buildings they are required to retrofit are doing so in-between leases or are requiring the business to close for several months. This is a good time to for property owners to make their entryways fully accessible or as technically feasible as they can.

The Small Business Commission extends its appreciation to Supervisor Tang and her leadership to include "accessibility access" as an approved means of financing through the special tax district. It is important to make all financing options available for property owners. This is one more step that demonstrates the City and County of San Francisco commitment to the civil rights of individuals with disabilities, in making it easier for property owners to meet their civil rights obligations to individuals with disabilities.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Regina Dick-Endrizzi'.

Regina Dick-Endrizzi  
Director, Office of Small Business

cc: Nicole Elliott, Mayor's Office  
Katy Tang, Board of Supervisors  
Linda Wong, Budget and Finance Committee



## Wong, Linda (BOS)

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**From:** Dick-Endrizzi, Regina (ECN)  
**Sent:** Friday, April 01, 2016 2:25 PM  
**To:** Wong, Linda (BOS); Tang, Katy (BOS); Quizon, Dyanna (BOS)  
**Subject:** SBC response to BOS No: 160121 \_ [Changing Special Tax District - San Francisco Sustainable Financing - Accessibility Access Financing]  
**Attachments:** 160121\_SBC legislative response -Changing Special Tax District - San Francisco Sustainable Financing.pdf

Please find the Small Business Commission Response to BOS No: 160121 \_ [Changing Special Tax District - San Francisco Sustainable Financing - Accessibility Access Financing].

Kindly,

**Regina Dick-Endrizzi | Executive Director | Office of Small Business**  
[regina.dick-endrizzi@sfgov.org](mailto:regina.dick-endrizzi@sfgov.org) | D: 415.554.6481 | O: 415.554.6134 | c: 415.902-4573  
City Hall, Suite 110 | 1 Carlton B. Goodlett Place | San Francisco, CA 94102

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BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Nicole Elliott, Liaison to the Board of Supervisors, Mayor's Office  
Jon Givner, Deputy City Attorney, City Attorney's Office  
Nadia Sesay, Director, Office of Public Finance  
Carla Johnson, Interim Director, Mayor's Office on Disability  
Harlan Kelly, Jr., General Manager, Public Utilities Commission  
John Updike, Director, Real Estate Division

FROM: Linda Wong, Assistant Clerk, Budget and Finance Committee

DATE: February 22, 2016

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Budget and Finance Committee has received the following proposed legislation, introduced by Supervisor Tang:

**File No. 160121**

**Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to amend the authorized financing purposes to include accessibility access financing for persons with disabilities.**

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Juliet Ellis, Public Utilities Commission

## Wong, Linda (BOS)

---

**From:** Wong, Linda (BOS)  
**Sent:** Monday, February 22, 2016 3:32 PM  
**To:** Elliott, Nicole (MYR); Givner, Jon (CAT); Sesay, Nadia (CON); Johnson, Carla (ADM); Kelly, Jr, Harlan (PUC); Updike, John  
**Cc:** Ellis, Juliet (PUC)  
**Subject:** File No. 160121 - REFERRAL FROM BOARD OF SUPERVISORS (Budget & Finance Committee)  
**Attachments:** 160121.pdf

Good afternoon,

Attached is a referral for BOS File No. 160121, which is being sent to you for informational purposes. If you have any comments or reports to be included with the file, please respond to this email or forward them to me at the address listed below.

### **File No. 160121**

Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to amend the authorized financing purposes to include accessibility access financing for persons with disabilities.

Sincerely,

Linda Wong  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244  
San Francisco, CA 94102-4689  
Phone: 415.554.7719 | Fax: (415) 554-5163  
[Linda.Wong@sfgov.org](mailto:Linda.Wong@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).**

**The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.**

*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO BUDGET AND FINANCE SUB-COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Sub-Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

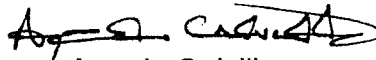
**Date:** Wednesday, April 20, 2016

**Time:** 10:00 a.m.

**Location:** Legislative Chamber, Room 250, located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Subject:** File No. 160121. Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to amend the authorized financing purposes to include accessibility access financing for persons with disabilities.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, April 15, 2016.

  
Angela Calvillo  
Clerk of the Board

DATED: April 12, 2016  
PUBLISHED/POSTED: April 13, 2016

BOARD of SUPERVISORS



City Hall  
1 Dr. Carl B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No 554-5184  
Fax No. 554-5163  
TTD/TTY No. 5545227

公聽會通知

三藩市市及縣市參事委員會  
預算及財政小組委員會

- 日期: 2016年4月20日星期三
- 時間: 上午10時
- 地點: 市政廳，立法會議廳250室，1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
- 議題: 檔案號碼 160121。決議對三藩市市及縣特別徵稅區No. 2009-1 (三藩市可持續資金) 作出變更，旨在修訂法定資金，須涵蓋殘障人士無障礙通道經費。

Angela Calvillo  
市參事委員會書記

日期: April 12, 2016  
公佈/張貼: April 13, 2016

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No 554-5184  
Fax No. 554-5163  
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## NOTIFICACIÓN DE AUDIENCIA PÚBLICA

### JUNTA DE SUPERVISORES DE LA CIUDAD Y CONDADO DE SAN FRANCISCO SUBCOMITÉ DE PRESUPUESTO Y FINANZAS

SE NOTIFICA POR LA PRESENTE que el Subcomité de Presupuesto y Finanzas celebrará una audiencia pública para considerar la siguiente propuesta y dicha audiencia pública se celebrará de la siguiente manera, en tal momento que todos los interesados podrán asistir y ser escuchados:

**Fecha:** Miércoles, 20 de abril de 2016

**Hora:** 10:00 a. m.

**Lugar:** Cámara Legislativa, Sala 250 del Ayuntamiento  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Asunto:** Expediente Núm. 160121. Resolución que realiza cambios al Distrito de Impuestos Especiales Núm. 2009-1 de la Ciudad y Condado de San Francisco (Financiación Sostenible de San Francisco) para enmendar los efectos de financiación autorizados con el propósito de incluir la accesibilidad del acceso a financiación para personas con discapacidad.

Angela Calvillo,  
Secretaria de la Junta

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Linda Wong  
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1 DR CARLTON B GOODLETT PL #244  
SAN FRANCISCO, CA 94102

### COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE  
Ad Description File No. 160121 - Special Tax District No. 2009-1

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO CHRONICLE. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the Clerk of the Board. Publication date(s) for this notice is (are):

04/13/2016

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

CNS 2867947

**NOTICE OF PUBLIC HEARING  
BOARD OF SUPERVISORS OF THE  
CITY AND COUNTY OF SAN FRAN-  
CISCO BUDGET AND FINANCE SUB-  
COMMITTEE WEDNESDAY, APRIL  
20, 2016 - 10:00 A.M. LEGISLATIVE  
CHAMBER, ROOM 250, CITY HALL, 1,  
DR. CARLTON B. GOODLETT PLACE,  
SAN FRANCISCO, CA**

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Sub-Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 160121. Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to amend the authorized financing purposes to include accessibility access financing for persons with disabilities. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, April 15, 2016. Angela Calvillo, Clerk of the Board.

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~~160120~~  
160121

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.  
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative**

**Sponsor(s):**

Tang

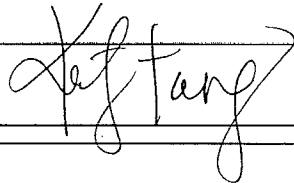
**Subject:**

Resolution Changing Special Tax District --- Accessibility Access Financing

**The text is listed below or attached:**

[Empty box for text listing]

Signature of Sponsoring Supervisor: \_\_\_\_\_



For Clerk's Use Only: