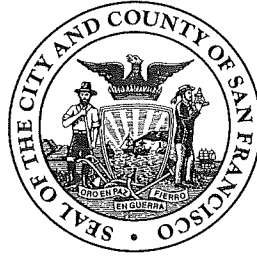


BOARD of SUPERVISORS



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

### BUDGET AND FINANCE COMMITTEE

### SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Malia Cohen, Chair  
Budget and Finance Committee

FROM: Linda Wong, Assistant Clerk

DATE: December 3, 2018

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, December 4, 2018

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting on Tuesday, December 4, 2018, at 2:00 p.m. This item was acted upon at the Committee Meeting on Thursday, November 29, 2018, at 10:00 a.m., by the votes indicated.

**Item No. 18                      File No. 181077**

Ordinance amending the Business and Tax Regulations Code to permit validation actions and impose a statute of repose with respect to Proposition C, adopted by San Francisco voters on November 6, 2018.

#### **RECOMMENDED AS A COMMITTEE REPORT**

Vote: Supervisor Malia Cohen - Aye  
Supervisor Sandra Lee Fewer - Aye  
Supervisor Catherine Stefani - Aye

c: Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Jon Givner, Deputy City Attorney  
Alisa Somera, Legislative Deputy Director

File No. 181077

Committee Item No. A  
Board Item No. 18

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date November 29, 2018

Board of Supervisors Meeting

Date December 4, 2018

**Cmte Board**

- |                                     |                                     |  |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <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"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER** (Use back side if additional space is needed)

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Completed by: Linda Wong

Date November 20, 2018

Completed by: Linda Wong

Date December 3, 2018

[Business and Tax Regulations Code - Validation Actions and Statute of Repose for November 2018 Proposition C]

**Ordinance amending the Business and Tax Regulations Code to permit validation actions and impose a statute of repose with respect to Proposition C, adopted by San Francisco voters on November 6, 2018.**

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
**Additions to Codes** are in *single-underline italics Times New Roman font*.  
**Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
**Board amendment additions** are in double-underlined Arial font.  
**Board amendment deletions** are in ~~Arial font~~.  
**Asterisks (\* \* \* \*)** indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. The Business and Tax Regulations Code is hereby amended by revising Section 6.15-4 of Article 6, to read as follows:

**SEC. 6.15-4. VALIDATION ACTIONS; STATUTE OF REPOSE.**

(a) Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the California Code of Civil Procedure applies to any judicial action or proceeding to validate, attack, review, set aside, void, or annul Propositions C and/or G, adopted by San Francisco voters on June 5, 2018, and/or Proposition C, adopted by San Francisco voters on November 6, 2018.

(b) For purposes of this Section 6.15-4, Propositions C and G, adopted by San Francisco voters on June 5, 2018, shall be deemed to have been adopted on the effective date of this Section for purposes of determining the limitations period in Section 860 of the California Code of Civil Procedure. For purposes of this Section 6.15-4, Proposition C, adopted by San Francisco voters on November 6, 2018, shall be deemed to have been adopted on the

1 effective date of the ordinance amending this Section to include reference to the November 2018  
2 Proposition C for purposes of determining the limitations period in Section 860 of the California Code  
3 of Civil Procedure.

4 (c) Any appeal from the final judgment in an action or proceeding brought under  
5 Section 6.15-4(a) shall be filed within 30 days after entry of the judgment.

6  
7 Section 2. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
8 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
9 numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the  
10 Business and Tax Regulations Code that are explicitly shown in this ordinance as additions,  
11 deletions, Board amendment additions, and Board amendment deletions in accordance with  
12 the "Note" that appears under the official title of the ordinance.

13  
14 Section 3. Effective Date. This ordinance shall become effective 30 days after  
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
17 of Supervisors overrides the Mayor's veto of the ordinance.

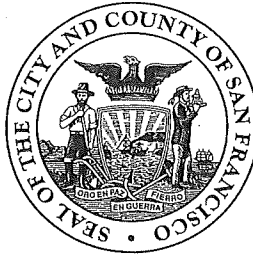
18  
19 APPROVED AS TO FORM:  
20 DENNIS J. HERRERA, City Attorney

21 By:

  
22 SCOTT M. REIBER  
23 Chief Tax Attorney

24 n:\tax\as2018\9690135\01317826.docx

BOARD of SUPERVISORS



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## MEMORANDUM

TO: John Arntz, Director, Department of Elections

FROM: Linda Wong, Assistant Clerk  
Budget and Finance Committee

DATE: November 19, 2018

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Budget and Finance Committee has received the following proposed legislation, introduced by Mayor London Breed:

**File No. 181077**

**Ordinance amending the Business and Tax Regulations Code to permit validation actions and impose a statute of repose with respect to Proposition C, adopted by San Francisco voters on November 6, 2018.**

If you have 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 or by email at: [linda.wong@sfgov.org](mailto:linda.wong@sfgov.org).

OFFICE OF THE MAYOR  
SAN FRANCISCO



LONDON N. BREED  
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors  
FROM: Kanishka Karunaratne Cheng *KKC*  
RE: Business and Tax Regulations Code - Validation Actions and Statute of  
Repose for November 2018 Proposition C  
DATE: 11/13/2018

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**Ordinance amending the Business and Tax Regulations Code to permit validation actions and impose a statute of repose with respect to Proposition C, adopted by San Francisco voters on November 6, 2018.**

Please note that Supervisor Cohen is also a sponsor of this legislation.

Should you have any questions, please contact Kanishka Karunaratne Cheng at 415-554-6696.

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
NOV 13 PM 4:17  
*[Signature]*